



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Subject Access Request Policy

Introduction

The General data Protection Regulation (GDPR) gives you a right of access to your personal data we hold and this type of request as called a Subject Access Request (SAR).

1. The GDPR also provides you with the following rights;
2. The right to be informed
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

Access to Information Team – what we do

We process all SARs.

We log and acknowledge SARs, liaise with the relevant staff and departments to gather the information,

We check files for third party and other exempt information.

We prepare and issue the final response

The Data Protection Officer, who is not involved in the day-to-day processing of SARs, will investigate any complaints.

You can contact the team by telephone, e-mail, in writing, in person or by any other reasonable means.

Telephone: (03000653000

E-mail: ATI@naturalresourceswales.gov.uk

By post or in person: ATI Maes y Ffynnon Penrhosgarnedd Bangor LL572DW

Please arrange an appointment prior to visiting so that we can ensure that someone is available to meet with you.

How do you make a request?

You must make your request in writing. You must:

- Describe the information you want
- Provide proof of identification

Telling us what you want

You need to specify the information you want so that we can locate it. You can use our SAR form to make your request (see link). If you prefer, you can send us a letter or e-mail to request access to your information.

What if you are unable to make a request in writing?

If you are unable to make a request in writing, please contact us and we will make arrangements to help you make your request.

Proof of identification

We ask for proof of identification so that we can make sure that you are who you say you are and to ensure you are entitled to the information.

We ask that you provide a photocopy of:

- Something official with your photograph on, for example, your passport, driving licence, works ID badge, etc; and
- Something with your address on, for example, a recent bank statement or bill (with the financial details blacked out if you prefer).

What if you do not have proof of identification?

We ask for proof of identification so that we can make sure that you are entitled to the information. If you do not have proof of identification, it does not mean that you cannot make a request. We may, however, ask you to come into the office so that we can confirm your identity.

Fees

There is no fee for supplying the information to you

How can you contact us?

By post:

Access to Information Team,
Natural Resources Wales
Maes Y Ffynnon
Penrhosgarnedd
Bangor
LL57 2DW

By e-mail: accesstoinformationteam@naturalresourceswales.gov.uk

Telephone: 03000653000

*Please note that you cannot submit a SAR over the phone. We would, however, be happy to provide advice on submitting a request.

What will you get from NRW?

We will provide a photocopy of the information we hold. If it is not clear from the documents you are given, we may also provide if applicable:

- An explanation of why we have the data
- Details of who we may have given the data to
- An explanation of any technical terms or abbreviations
- Details of where the data came from

Will you always get what you ask for?

There may be reasons why we cannot provide the information that you have asked for, for example, if it contains personal information about someone else, if we think that giving you the information would harm you or if there are ongoing court proceedings. If we cannot provide the information you want, we will tell you why.

If you do not agree with our decision, you can ask us to reconsider our response. Please see the section 'What if you are not happy with the response to my request?'

Can you see information about other people?

You only have the right to access your own personal information. You do not have an automatic right to access personal data about other people, e.g. your family, friends ect. You may, however, be able to make a request on behalf of another person if:

- You are the parent of a child under the age of 12 years;
- You have written permission to make a request on behalf of someone else;
- You are have Power of Attorney or an order from the Court of Protection, which gives you the right to make the request

Even if you meet these requirements we may need to ask you for more information before we make a decision about whether to disclose information. This is because we have a duty to keep personal data confidential.

Requests for information made on behalf of an adult

Where permission is given by the individual

If you have permission to make a request on behalf of someone else, we will ask you to provide us with a signed letter from that person telling us that they are happy for us to give their information to you.

If you are a solicitor making a request on behalf of your client, we will ask you to provide us with a signed form of authority.

Where the individual does not have capacity to make the request themselves

If you are acting on behalf of someone who does not have capacity to make a request, we will ask you to prove that you have the authority to do so (e.g. Power of Attorney or an order from the Court of Protection).

If you do not have formal permission, we will consider whether responding to the request is in the person's best interests. If we have reason to believe you are not acting in that person's best interest we will refuse your request and inform you of the reason for our decision. If we refuse your request and you are not happy with our decision you can ask us to reconsider our response. Please refer to the section called 'What if I'm not happy with the response to my request?'

How long will it take to get a response?

We have 1 Month to respond to a SAR. The timescale starts from the date we receive the request and proof of identification.

GDPR gives a specific timescale and we try our best to respond to all requests on or before the deadline, however, on some occasions this may not be possible. If this is the case, we will contact you to let you know. We may also be able to discuss the possibility of providing you with the information in stages.

How will the information be given to you?

Through the post recorded Delivery or by e-mail with encryption or a share file with a password. Or you can collect in person to a local office.

What will happen once you have made a request?

We will send you an acknowledgement within 5 working days of receiving your request.

In the acknowledgement letter, we will let you know when you can expect a reply (this will 1 month from the date we receive your request).

If we need you to clarify your request, please provide proof of identification we will contact you as soon as possible. In this case, we will place your request on hold until we hear back from you.

If you do not reply to us, within 1 month we will close your request without responding.

If you do provide us with clarification, the 1 month timescale will restart from the day you provide it.

Once we are clear about the information you want and have proof of identification we will work with to collate the information.

You will receive a response to your request as soon as possible and, in any case, within 1 month of the date we received.

What if you are not happy with the response to your request?

If we do not provide you with the information that you have requested, or we remove some information, you can discuss the matter with the Data Protection Officer

You can also contact the Information Commissioner's Office (ICO). The ICO monitors how we deal with SARs and can ask us to justify our decisions.

You can contact the ICO at:

**Address: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: (01625) 545700
Website: www.ico.gov.uk**

Recording and reporting

We will record information about SARs to ensure that we are dealing with requests in line with the GDPR and this procedure. We may also use this information to identify trends. We will anonymise any statistical information.

Record-keeping and sharing data

We will keep an electronic file containing your request, e-mails between departments about your request and, the response letter.

We will store this information securely on our Document Management System

We will scan any letters that you send in and save them in the electronic file. We will dispose of the original letter in the confidential waste.

We will scan any paper files that we use to respond to you into the electronic file and then dispose of the paper copy, unless there is a lot of information and it will take a long time to scan it, in which case we will store the paper copy in a locked location. If the file is an original we will send it back to the department once we are finished with it.

We will keep the electronic files (and paper files if appropriate) for 10 years and then securely dispose of them. We will keep statistical information about requests for as long as we need it.

We will share information about you with other NRW officers so that we can deal with your request.

If you submit a complaint to the ICO, we will provide them with information about your request and any additional information that may help them to decide whether we have handled your request appropriately.

and process it in line with the requirements of GDPR.