

UEL use only:  
Ref. No:-  
Type of Request:

## University of East London Information Rights Request Form

This form should be used by individuals who wish to exercise their information rights, including finding out what information, if any, the UEL is holding or is processing that relates to them.

**Completion of this form is not compulsory but is designed to help you in providing us with the information we need to deal with your request.** An application for access to information must be made to the UEL and should not be sent to the Information Commissioners Office.

Everyone has rights associated with how their information is managed. These rights are:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure (aka. The right to be forgotten)
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

Providing the information below will help UEL (a) satisfy itself as to your identity and (b) find any data held about you and consider the appropriate action.

### 1. Details of the individual requesting the information.

Full name

Address

Telephone number

Email

### 2. Are you the data subject?

**Yes** if you are the data subject please supply evidence of your identity i.e. photocopy/scanned copy of your UEL ID card, driving licence birth certificate and a stamped addressed envelope for returning the document (please go to question 5).

**No** are you acting on behalf of the data subject with his or her written authority? If so, that authority must be enclosed (please complete questions 3 and 4)

### 3. Details of the Data Subject (if different from 1)

Full name

Address

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Telephone number
Email

**4. Please describe your relationship with the data subject which leads you to make this request for information on his or her behalf.**

**5. Please use the space below to provide explain your request and provide further details that may help locate your information. For example specific documents or information you are seeking; the likely location of the information; the name of the contact at UEL that may have created or have access to the information and any relevant time periods.**

**Declaration**

I certify that the information given on this application form to the University of East London is true. I understand that it is necessary for the University of East London to confirm my/the data subject's identity and that it may be necessary to obtain more detailed directions in order for the University to respond fully to my subject access request.

Signed ..... Date .....

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Please return the completed form to the Head of Governance and Legal Services, the University of East London, 4-6 University Way, London E16 2RD or [dpo@uel.ac.uk](mailto:dpo@uel.ac.uk).

Documents which must accompany this application are:

- i evidence of your identify
- ii evidence of the data subject's identity (if different from above)
- iii a stamped addressed envelope for return of proof of identity/authority documents if sent in hard copy.

**UEL Checklist (for UEL use only)**

<i>Date Application Rec'd</i>		<i>Application Signed</i>	<i>Yes / No</i>
<i>Identification (a) - Details</i>		<i>Application Complete</i>	<i>Yes / No</i>
<i>Identification (b) - Details</i>		<i>ID Info provided</i>	<i>Yes / No</i>
<i>Original Docs. Returned</i>		<i>Fee required</i>	<i>Yes / No</i>
<i>Identification checked</i>		<i>Method of Payment</i>	
<i>Allocated to (initials)</i>		<i>Acknowledgement sent date</i>	
		<i>Checked by (initials)</i>	

## **Guidance Notes for Subject Access and Information Rights Requests**

### **What I am I entitled to receive under a Subject Access Request?**

As part of a Subject Access Request you are entitled to:

- Be told whether any of your **personal data** is being processed;
- Given a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people;
- Given a copy of the personal data in an intelligible form, a written transcript of that data, or access to view the personal data where appropriate; and
- Given details of the source of the data (where this is available).

You can also request information about the reasoning behind any automated decisions taken about you, such as a computer-generated decision to grant or deny credit, or an assessment of performance at work.

### **Will I get copies of documents?**

In most cases no. The format of the data supplied as part of a Subject Access request is designed to ensure we meet the requirements set out in the Data Protection Act. You are entitled to:

Be informed of whether the controller processes their personal data  
Be given a description of that data  
Be told the purposes for which the data is being processed  
Be told of the recipients or classes of recipients to whom the data may or has been disclosed.

In addition, we are required to share this in a permanent and intelligible form while protecting the identity of third parties. To achieve this we will supply your personal data in a tabular or transcript format.

## **When does the Data Protection Act Apply?**

The rules in the Data Protection Act and other laws such as the Freedom of Information Act apply to personal data held in a “relevant filing system”. As a broad rule, the Information Commissioners Office consider that a relevant filing system exists where records relating to individuals (such as personnel records) are held in a sufficiently systematic, structured way as to allow ready access to specific information about those individuals.

## **When does the Data Protection Act not Apply?**

If data is held outside of a “relevant filing system” so could not be easily identified or searched for or the personal data are held in a manual form (e.g. on a piece of paper), then the Data Protection Act and thus the right of Access or other rights such as the right to erasure may not apply. This includes where the personal data relates to appointments, removals, pay, discipline, superannuation or other personnel matters in relation to a contract of employment.

## **What is personal data?**

Personal data is any information that either identifies or relates to a living individual. For example your name, address, date of birth and National Insurance number can all be used to identify you and therefore would be considered personal data.

## **What is not considered personal data?**

Not all data is personal data or data that identifies or relates to an individual and therefore would not be covered by the Data Protection Act or be disclosable under a Subject Access Request. Examples of what would not be considered personal data include:

- Presentations and lecture notes;
- Examination papers;
- Internal business documents such as policies, procedures and processes;
- Anonymised datasets;
- Aggregated datasets;

## **Is there a fee for submitting an Information Rights request?**

In most cases no. From the 25<sup>th</sup> May 2018, the current £10 fee for access requests is abolished. UEL may only charge a reasonable fee where:

- Requests are manifestly unfounded or excessive, in particular because they are repetitive or;
- For duplicates of previously supplied information

If the above circumstances apply, UEL may also choose to refuse to deal with the request. If we decide on this action, we let you know in writing, along with our reasoning.

## **How long do I have to wait for information?**

Wherever possible UEL will provide your information or act on your request without delay and at the latest within one month of receipt of the request subject to verifying your identity.

UEL may extend the period of compliance by a further two months where information rights requests are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.

## **How long do you keep my information?**

This depends on several factors including what type of data it is, what we use it for, any legal obligations we have to keep it for a specified period of time and whether the data is used for academic, archiving, scientific or historical purposes. There is no 'one size fits all' for retention of data and we continuously assess our data repositories to ensure we are not keeping data for longer than necessary. We have outlined a number of our core record types and their retention periods in our Records Retention Schedule which is available on request.

## **Can I submit a Subject Access Request for a copy of all of the emails I have sent or received while at UEL?**

A Subject Access Request allows you to access your **personal data**. Any email that you send or receive while at UEL would only be disclosable to you if it contains your personal data in the body of the email as defined by the Data Protection Act. If your email address appears in the "To", "From", or "CC" fields, of an email

message, we will not routinely disclose the contents of these emails, unless the email body itself contains your personal data. If you believe **specific** emails may contain your personal data, we request that you provide us enough information about the nature of the email for us to undertake a reasonable and proportional search. Providing a specific date range such as January to March 2018, the sender or recipient of an email that may contain your personal data will significantly speed up the process of locating your data.

### **When does the right to erasure apply?**

The right to erasure applies in specific circumstances where an organisation:

- No longer has a reason to keep your data;
- The organisation was relying on your consent to process your data and you withdraw that consent;
- Someone no longer wish to receive direct marketing;
- An organisation has to erase data for a legal obligation

### **Can I ask UEL to erase all of my data whenever I want?**

No. The right to erasure does not apply if processing is necessary for one of the following reasons:

- Where the personal data is used to exercise the right of freedom of expression and information;
- When UEL process the day to comply with a legal obligation such as for employment law;
- For the performance of a task carried out in the public interest or in the exercise of official authority such as delivering lectures or awarding degrees;
- For archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing; or
- For the establishment, exercise or defence of legal claims.

### **I have a complaint about the information I have received or about a request I have submitted. Who do I talk to?**

You should get in touch with the University Data Protection Officer [dpo@uel.ac.uk](mailto:dpo@uel.ac.uk) in the first instance. If you are not happy with their

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response, you have the right to complain to the Information Commissioners Office who act as the UK regulator for Data Protection matters. You can contact them in the following ways

Website: [ico.org.uk](https://ico.org.uk)

Email <https://ico.org.uk/global/contact-us/email/>

Telephone: 0303 123 1113

Live Chat: <https://ico.org.uk/global/contact-us/live-chat>

Postal Address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

### **Can I request a SAR for someone else?**

Yes, however we require their explicit consent in writing. Our Subject Access Request Form has a specific section for this purpose.

### **Can you send my SAR/results to another organisation or third party on my behalf?**

No. If you have made the request, details of your request will be sent directly to you and you can forward on the details as necessary.

### **What about Personal Data of Third Parties?**

From time to time, a Subject Access Request search may surface the personal data of someone else (a Third Party). Where this occurs, UEL has a responsibility to assess whether the disclosure of the Third Party personal data is required. We are not obliged to disclose such data except where:

- The other individual has consented to the disclosure; or
- It is reasonable in all the circumstances to comply with the request without that individual's consent.

Where appropriate, we will take steps to protect the personal data of third parties by using a number of methods including redaction, aggregation of data to remove personal identifies or tabulation and transcription of relevant data.

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## **What is the difference between a Subject Access Request and a Freedom of Information Request?**

A Subject Access Request relates to personal data whereas a Freedom of Information Request relates to information held by a specific Public Authority.

## **Can I simply ask for a copy of everything UEL holds on me?**

Open ended or vague requests for all personal data that UEL may hold on you will be assessed on a case by case basis. Wherever possible we aim to work with you to ensure that you get the information you need to satisfy your request. We will always do our best to meet your expectations but please work with us to help you. In some cases we may apply an exemption from fulfilling the request on the basis that such a request is excessive in nature or manifestly unfounded. The Information Commissioners Office advises that Data Controllers should be given sufficient detail about the information a request relates to. It is also in your interest to be as specific as possible when making a request otherwise you may get much more information than you want or need.