



**STANDARD OPERATING PROCEDURES:
OFFICE OF THE BEDFORDSHIRE POLICE AND CRIME COMMISSIONER**

Title	Subject Access Request Policy
Area of Compliance	Compliance
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Senior Lead	Chief Executive
Author	Compliance

Revision History

Date	Revision	Change	Section	Review Date
21/05/2018	1.0	New Document		21/05/2019
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20/09/2020		No change		20/09/2021
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Introduction

Under the Data Protection Act 2018 you have the right to a copy of the information that is held about you. This is known as a subject access request (SAR). Please note that the Office of the Police and Crime Commissioner is a separate organisation to Bedfordshire Police and as such we do not hold information regarding criminal records.

Your rights

You have a right to be told whether information is held about you and a right to a copy of that information within one month, unless certain exemptions apply. Your request can only be processed once you have provided satisfactory proof of your identity. Information may not have to be provided if someone else can be identified in or from the information.

The Police and Crime Commissioners rights

The provisions of the Data Protection Act (DPA) mean that in certain circumstances some personal data will not be provided. For example, you will not be provided with personal data if releasing it to you would be likely to affect the rights and freedoms of others.

The subject rights are as follows:

1. The right to be informed

Individuals have the right to be informed about the collection and use of their personal data; we are obligated to provide individuals with information including: the purposes for processing their personal data, retention periods for that personal data, and who it will be shared with. This is referred to as 'privacy information'; which must be concise,

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transparent, intelligible, easily accessible, and it must use clear and plain language. Information Asset Owners, working with the assistance of the Data Protection Officer, are responsible for ensuring this right is satisfied through the provision of privacy notices.

2. The right to access (Subject Access)

Individuals have the right to be aware of and verify the lawfulness of the processing the forces are carrying out. There is no requirement for a request to be in writing. We are required to provide a copy of the information free of charge, and at the latest within one month of receipt (subject to exemptions).

3. The right to rectification

Individuals have a right to have inaccurate personal data rectified, or completed if it is incomplete. An individual can make a request for rectification verbally or in writing. The forces are obligated to provide a response within one calendar month. In certain circumstances the forces can refuse a request for rectification.

4. The right to erasure

Individuals have the right to request the deletion or removal of their personal data.

5. The right to restrict processing

Individuals have the right to request the restriction or suppression of their personal data. This is not an absolute right and only applies in certain circumstances. When processing is restricted, it is permitted to store the personal data, but not use it. An individual can make a request for restriction verbally or in writing, and the forces have one calendar month to respond to a request.

6. The right to data portability (only applies to General Processing)

The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.

7. The right to object (only applies to General Processing)

Individuals have the right to object to processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling). Also direct marketing (including profiling); and processing for purposes of scientific/historical research and statistics.

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8. Rights in relation to automated decision making and profiling

Individuals have the right to object to decisions made about them solely on the basis of automated processing, where those decisions have legal or other significant effects

9. Right to lodge a complaint with the Information Commissioner's Office (ICO)

Individuals have a right to make a complaint to the ICO regarding any concerns they have about the information rights practices of an organisation.

10. Rights in relation to compensation and remedies in court

Individuals have a right to seek judicial remedy or make a claim for compensation for a contravention of data protection legislation.

Handling Subject Rights Requests

The Subject Access Request form can be found on the [OPCC website](#). Whilst the use of the form is not mandatory, but it does make it easier to process the request. Requests should be submitted to the PCC inbox email: PCC@bedfordshire.pnn.police.uk

The Compliance Officer within OPCC manages all subject rights requests.

It is in the data subject's and the OPCC's best interests, to handle these requests promptly.

Any member of staff or other individual working within the OPCC must consider the following when they identifying that an individual is attempting to exercise one of their subject rights:

Take immediate steps to verify the identity of the person making the request, such as viewing a document such as a driving licence, passport etc., record the details of the request, and the method of identity verification. A copy of the proof of identification should be taken and filed.

Where a request is initially made verbally staff must write the request down and ask the requestor to verify the accuracy of their recording of it and amend it where necessary

Additional Guidance on how to submit a subject access request is available via the Information Commissioners Office website: [here](#)

You are entitled to obtain records of any personal data held by the OPCC, based upon a request made in writing to the OPCC.

The OPCC will consider each request in accordance with all applicable Data Protection laws and regulations. No administration fee will be charged for considering and/or complying with such a request unless it is deemed to be unnecessary or excessive in nature.

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