

Data Subject Rights Request Procedure

Issue sheet

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Title: Data Subject Rights Requests Procedure

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Revision details

Version	Date	Amended by	Approved by	Details of amendments
Initial release	30.05.2007		IGSG	
a	14.07.2009	G Wanless	IGSG	Information Governance Manager (IGM) changed to Head of Information Governance (HoIG)
b	28.02.2014	C Gooday	A&PF	Reflect change of job titles and centralised process
c	22.02.2023	C Gooday	Information Rights Portal Project	Reflect process changes
d	05.03.2026	S Parker	DPO	Updated terminology to capture all data subject rights, 'reasonable and proportionate' searches

Version	Date	Amended by	Approved by	Details of amendments
				and retention period amendment.

1. Receiving the request

All data subject rights requests for by the NHSBSA must be forwarded to the Information Governance Team (IG) via dataprotection@nhsbsa.nhs.uk. Any request to correct, delete, or restrict the processing of personal data that cannot be actioned by the organisation as business as usual, must also be forwarded to IG.

If the request is received:

- **by letter/email/social media** – forward the request to IG.
- **Through online Information Requests Portal** – this will be automatically forwarded to IG by the Portal.
- **by telephone** – the colleague taking the call will log details of the request and forward the call recording or details of the request if the call was not recorded, to IG. **Full details of the request and contact information for the requester must be included.** If an email address is provided, we can send the information to the requestor electronically through a secure web portal.

2. Checking the Request

On receipt of the request, IG will ensure that:

- the full name, contact details and relevant unique personal identifiers of the requester are provided.
- proof of identity documentation and third-party authorisation (if applicable) has been provided. Please note, the legal timescale to respond will not start until this has been provided.
- the requester has provided sufficient information to identify which NHSBSA system(s) need to be searched, and enough information to ensure easy location the requestors personal data. If not, this will be clarified with the requester. Please note, the legal timescale to respond will be paused until clarification has been provided.

3. Logging the request

IG will enter the relevant details such as:

- details of the request.
- details of the requester.

An acknowledgement to the requester. This will be done automatically by the portal, if an e-mail address has been supplied by the requester.

If the request is unclear, or further proof of identity is required, then IG will contact the requester via email or letter. If, after two months, no reply has been received, the request will be closed.

4. Initiating the search

IG will email the request details to the NHSBSA Team responsible for the relevant system(s) that need to be accessed. Using the relevant email template, IG will advise:

- the internal deadline by which the information needs to be provided to IG.
- sufficient information required to search the relevant system(s) for a copy of information.
- Ask for any reasons why the personal data should not be disclosed, or cannot be deleted, restricted or updated where applicable.

Please note that the NHSBSA is only required to complete 'reasonable and proportionate' searches for the requested information.

Any questions or anticipated delays in responding within the internal deadline quoted should be directed to IG.

5. Carrying out the search

The appropriate NHSBSA Team will search the relevant system(s), as requested by the requester.

6. Handling not held search results

6.1 Informing IG

The appropriate NHSBSA Team will respond to IG stating no information was found. They will confirm the search parameters used and reasons (where appropriate) as to why the information was not found (i.e. not held for business purposes or has been deleted in line with the agreed retention period).

6.2 Informing the requester

Having received the relevant information from the appropriate NHSBSA Team, IG will issue a not held response to the requester.

6.3 Retention

The files relating to the request, including any third-party authorisation documentation provided, will be retained for 2 years. Any copies of identification documents will be deleted after the final response has been issued.

7. Handling held search results

7.1 Informing IG

The appropriate NHSBSA Team will, in the case of:

- **electronic information** – email the electronic information to IG or use a secure portal. Or alternatively, confirm the reasons why the information cannot be deleted or updated.
- **paper or microfiche**– make photocopies or scan images, ensuring they are of good quality. They will then return the originals to the relevant filing system and forward the photocopies/images to IG. Or alternatively, confirm the reasons why the information cannot be deleted or updated.

7.2 Informing the requester

IG will ensure that:

- the information disclosed covers what has been requested.
- the information is of a suitable quality for disclosure.
- the reasons for not correcting, restricting or deleting personal data are clearly explained.
- any third parties, whose information is included, are consulted by using the relevant template where appropriate, or that third party personal data is redacted from the documentation.

IG will also review the information. If there are any exemptions against disclosure or correcting/deleted the personal data, the requester will be informed.

If no exemptions apply, then a full disclosure response will be issued to the requester with a copy of the information. For postal responses all envelopes will be marked as private and confidential and double enveloped.