



Comhairle Contae County Council

DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

DATA SUBJECT ACCESS REQUEST POLICY AND PROCEDURES

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Effective From: October 2023

Policy Owner: Corporate Affairs

Revision History			
Release Date	Version	Last Revised By	Approved By
October 2023	1.0	Carmel Donlon - DPO	Elizabeth Clarke - SEO

1.0 Purpose

The General Data Protection Regulation (GDPR) Article 15 and the Data Protection Act 2018 which gives further effect to this Regulation, provide data subjects with a right to access their personal data. The purpose of this document is to outline Dun Laoghaire Rathdown County Council's policy and procedures for processing requests received from data subjects for access to their personal data.

In addition to the right to access, data subjects also have the right to rectification, the right to erasure, the right to restrict processing, the right to data portability, the right to object and rights in relation to automated decision making and profiling. Further information on these rights can be found on www.dataprotection.ie

2.0 Definitions

For the purposes of this document the following definitions apply:

- **Data Subject:** is an identified or identifiable natural person to whom personal data relates.
- **Data Subject Access Request:** is a request received from a data subject for access to personal data.
- **Personal Data:** any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is an individual who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual.

3.0 Scope

The scope of this document applies to all personal data held by Dún Laoghaire-Rathdown County Council in physical or electronic format including personal data relating to members of the public, employees, service users and suppliers.

4.0 Policy

It is the policy of Dún Laoghaire-Rathdown County Council to ensure that data subject access requests are dealt with in a timely and comprehensive manner that focuses on respecting the rights of the data subject.

5.0 Procedure

The procedure for dealing with data subject access requests is as follows:

5.1 Making a Data Subject Access Request

Data subject access requests should where possible be made in writing by letter or by e-mail to dataprotectionofficer@dlrcoco.ie , or by completing a Subject Request Form which can be found at [Subject Access Request Form](#) . The request should contain a brief description of the data being sought.

An acceptable form of Proof of Identity must accompany the request e.g. copy of Passport, Driving Licence or other acceptable photographic identification.

If the request is being made through a solicitor, a signed form consenting to the release of the data to the solicitor is required.

Third party requests by parent/guardian requires their identification documents.

5.2 Acknowledging a Data Subject Access Request

Dún Laoghaire-Rathdown County Council shall acknowledge a data subject access request without undue delay and in any event within 2 weeks of receiving the request. The acknowledgement shall specify the expected timeframe for issuing a decision on the request. In some instances, it may be necessary for the Council to seek clarification in relation to the data being sought.

5.3 Decision on a Data Subject Access Request

Dún Laoghaire-Rathdown County Council may grant or refuse a data subject access to his or her personal data.

5.4 Granting Access to Personal Data

5.4.1 Where access to personal data is being granted, Dún Laoghaire-Rathdown County Council shall provide the personal data to the data subject without undue delay and in any event within one month of receipt of the request.

5.4.2 In certain circumstances the Council may extend the time period for providing the personal data requested to the data subject. Taking into account the complexity of a request, or in circumstances where it has received a number of such requests from the same individual, the Council is of the opinion that it requires additional time to consider the request, it may, extend the time period for providing the personal data to the data subject by such further period not exceeding 2 months.

In such circumstances the data subject shall be informed of the extension within one month of receipt of the request and provided with a reason for the extension.

5.4.3 Dún Laoghaire-Rathdown County Council will normally provide personal data to a data subject free of charge. However, if a data subject access request is excessive or of a repetitive nature, Dún Laoghaire-Rathdown County Council may charge a reasonable fee taking into account the administrative costs of providing the personal data.

5.4.4 Where the data subject access request is made by electronic means, the personal data shall be provided by electronic means, where possible, unless otherwise requested by the data subject.

5.4.5 The notification of a decision to grant a request must inform the data subject of his or her right to make a complaint to the Data Protection Commission if he or she is dissatisfied with the decision and outline the process for making such a complaint to the Data Protection Commission.

5.5 Refusing Access to Personal Data

5.5.1 A data subject may be refused access to his/her personal data in the following instances:

- Where a data subject access request is considered to be manifestly unfounded or excessive;
- Where access is otherwise restricted under provisions contained in legislation enacted by the State.

5.5.2 Dún Laoghaire-Rathdown County Council shall notify the requester of a decision to refuse a data subject access request within one month of receiving the request. The reason(s) for refusing a data subject access request shall be outlined in the notification.

5.5.3 The notification of a decision to refuse a request must inform the data subject of his or her right to make a complaint to the Data Protection Commission if he or she is dissatisfied with the decision and outline the process for making such a complaint

to the Data Protection Commission.

6.0 Complaints to the Data Protection Commission

6.1 Data subjects may make a complaint to the Data Protection Commission in the following circumstances:

- If they experience a delay outside of the prescribed timeframe for making a decision on a data subject access request
- If they are dissatisfied with a decision by Dún Laoghaire-Rathdown County Council on their data subject access request
- If they consider that Dún Laoghaire-Rathdown County Council's processing of their personal data is contrary to data protection legislation.

6.2 Contact details for the Data Protection Commission are as follows:

Phone Number: 01 7650100 / 1800 437737.

Postal Address: Data Protection Commission
21 Fitzwilliam Square
South Dublin 2
D02 RD28.

Online: www.dataprotection.ie provides details for online contact.

7.0 Data Subject Access Requests Register

The Data Protection Officer shall maintain a register which provides a summary record of each data subject access request received by Dún Laoghaire-Rathdown County Council and the outcome in terms of the decision made on the request.

8.0 Awareness

Dún Laoghaire-Rathdown County Council shall implement appropriate measures to make its employees and other relevant parties aware of the contents of this policy and procedures document.

9.0 Monitoring and Review

Provisions contained in this policy and procedures document shall be subject to on-going monitoring and review.

10.0 Further Information

10.1 Further information and advice on the operation of this policy and procedures document is available from the Data Protection Officer, Dún Laoghaire-Rathdown County Council.

10.2 Contact details for the County Council's Data Protection Officer are as follows:

Phone: 01 2054700

E-mail: dataprotectionofficer@dlrcoco.ie

Postal Address: Dún Laoghaire-Rathdown County Council
County Hall
Marine Road
Dun Laoghaire
Co. Dublin
A96 K6C9

10.3 Further information on Data Subject rights can be found online on the link below;

<https://www.dataprotection.ie/en/individuals/rights-individuals-under-general-data-protection-regulation>