

Data Subject Access Requests

1. A DSAR can be made orally.

In practice, we imagine that this would be difficult to prove as with any other verbal request. However, data controllers should be aware that if a person telephones you or calls you into a meeting and requests their data, you should treat this as you would ordinarily treat a written DSAR.

2. IP addresses and browsing data is covered.

Personal data does not necessarily mean that the data subject is personally named. If you monitor your staff's browsing history, this would be classed as personal data if it can be traced back to the individual (as opposed to a shared computer). In particular, you will need to be very careful about this type of monitoring where an individual works from home and uses their own device.

3. Retention periods

One of the things that you need to tell data subjects when responding to a DSAR is how long you intend to keep their data. You need to make sure that you have a suitable retention policy in place but, most importantly, that your organisation is adhering to that retention policy. It's no good having a policy tucked away in a drawer that nobody is aware of.

4. References

There is no longer any obligation for a reference given in confidence to be disclosed in response to a DSAR whether you are the giver or recipient of the reference.