



Review Sheet



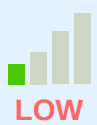
Last
Reviewed
6 Jun 2025



Last
Amended
19 Jun 2024



This policy will be reviewed as needs require or at the following interval:
Annual

Business Impact:	 <p>Minimal action required. Circulate information amongst relevant parties.</p>
Reason for this Review:	Scheduled review
Changes Made:	No
Summary:	This Subject Access Requests Policy and Procedure has been reviewed with no changes required at this time as guidance remains stable while the Data Protection and Digital Information Bill is progressed. Further Reading and underpinning knowledge also reviewed and updated where required.
Relevant Legislation:	<ul style="list-style-type: none"> Data Protection Act 2018 UK GDPR
Underpinning Knowledge:	<ul style="list-style-type: none"> Author: Information Commissioner's Office, (2025), Subject access requests (also known as SARs or right of access) [Online] Available from: https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/subject-access-requests/ [Accessed: 06/06/2025]
Suggested Action:	<ul style="list-style-type: none"> Encourage sharing the policy through the use of the QCS App Share 'Key Facts' with relevant staff
Equality Impact Assessment:	QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.



1. Purpose

1.1 To explain subject access requests and to ensure that all staff at Wellspring Recruitment and Care Services Limited know how to recognise and deal with the receipt of a subject access request.

1.2

Key Question

Quality Statements

WELL-LED

QSW5: Governance, management and sustainability

1.3 Relevant Legislation

- Data Protection Act 2018
- UK GDPR



2. Scope

2.1 Roles Affected:

- All Staff

2.2 People Affected:

- Service Users

2.3 Stakeholders Affected:

- Family
- Advocates
- Representatives
- Commissioners
- External health professionals
- Local Authority
- NHS



3. Objectives

3.1 This policy will assist with defining accountability and establishing ways of working in terms of responding to data subjects exercising their rights.

3.2 This policy will enable UK GDPR compliance at Wellspring Recruitment and Care Services Limited by ensuring that subject access requests received from data subjects, including Service Users, are dealt with appropriately by staff and by Michael Omolola or other individuals with responsibility for UK GDPR compliance at Wellspring Recruitment and Care Services Limited.

3.3 This policy will facilitate the process of making a subject access request for the benefit of data subjects, including Service Users.



4. Policy

4.1 Wellspring Recruitment and Care Services Limited will ensure that the policy entries below are reviewed, understood and complied with by all staff. Wellspring Recruitment and Care Services Limited acknowledges that if its processes differ from those set out in the policy and may result in Wellspring Recruitment and Care Services Limited not complying with applicable legislation when it responds to subject access requests, it will modify them to the extent necessary to reflect the processes and procedures set out in this policy.

4.2 Wellspring Recruitment and Care Services Limited will ensure that it has appointed either a Data Protection Officer (DPO), if required to do so, or have specified who will be responsible for Data Protection within Wellspring Recruitment and Care Services Limited. Their name and contact details will be publicised so that staff know who to contact should any queries or subject access requests be made.

Wellspring Recruitment and Care Services Limited will ensure that the details are kept up to date.

4.3 The DPO or equivalent position at Wellspring Recruitment and Care Services Limited must read and understand this policy and procedure and adhere to the subject access request process every time a subject access request is received.

4.4 Wellspring Recruitment and Care Services Limited understands that an individual is legally entitled to require an organisation to provide access to, including copies of, all of that individual's personal data held by the organisation. This is known as a 'subject access request'.

4.5 At a high level, personal data is any information which identifies a living individual or could be used to identify that person whether directly or indirectly. It includes first name and surname, email address, address, date of birth, medical and health records, Care Plans, photographs, CCTV images, right to work documentation, marriage certificates, National Insurance number, and political and religious views amongst others.

4.6 Wellspring Recruitment and Care Services Limited is not entitled to charge a fee to respond to the subject access request (unless a person makes manifestly unfounded or excessive subject access requests or requests further copies of their personal data).

4.7 Wellspring Recruitment and Care Services Limited must respond to the subject access request as soon as possible and no later than within one calendar month from the first day after the subject access request was received. If the following month is shorter and there is no corresponding calendar date (e.g. the subject access request is received on 31 May but there is no 31 June), the date for response is the last day of the following month (e.g. 30 June). If the corresponding date falls on a weekend or a public holiday, the response must be sent by the next working day.

Wellspring Recruitment and Care Services Limited acknowledges that it may be simplest to adopt a 28-day default response period so that it has a consistent approach to responding to subject access requests throughout the year.

Wellspring Recruitment and Care Services Limited understands that it may be possible to extend the timeframe for responding to a subject access request if the request is complex.



Wellspring Recruitment and Care Services Limited
16 Patmore House, Mayville Estate, Mathias Road N16 8LQ

4.8 Wellspring Recruitment and Care Services Limited understands that whether a subject access request is complex depends upon the specific circumstances of each case. Wellspring Recruitment and Care Services Limited understands that the following list provides examples of some factors that may add to the complexity of a subject access request but they must be able to demonstrate why the subject access request is complex based on the particular circumstances:

- Technical difficulties in retrieving the information - for example, if data is electronically archived
- Applying an exemption that involves large volumes of particularly sensitive information
- Clarifying potential issues around disclosing information about a child to a legal guardian
- Specialist work involved in obtaining the information or communicating it in any intelligible form
- Clarifying potential confidentiality issues around the disclosure of sensitive medical information to an authorised third party
- Needing to obtain specialist legal advice

Wellspring Recruitment and Care Services Limited understands that requests that involve a large volume of information may add to the complexity of a request but should not be the sole reason for determining that a request is complex.

4.9 Wellspring Recruitment and Care Services Limited understands that the subject access request can be made to anybody in Wellspring Recruitment and Care Services Limited. It is therefore possible that any member of staff may receive a subject access request on behalf of Wellspring Recruitment and Care Services Limited and the timescale for responding will begin when the employee receives the request, irrespective of whether the employee deals with it appropriately.



5. Procedure

5.1 Template Subject Access Request Letter

Wellspring Recruitment and Care Services Limited will consider providing the template letter of Wellspring Recruitment and Care Services Limited to data subjects, potentially via its website.

If Wellspring Recruitment and Care Services Limited provides the template letter, it will notify the data subjects that they are not obliged to use the template letter and that they may ask Wellspring Recruitment and Care Services Limited in writing or verbally by any means for access to their personal data. Wellspring Recruitment and Care Services Limited will also notify the data subjects that they do not need to use any particular form of words to make a subject access request.

5.2 Subject Access Request Flowchart

Olajumoke Omolola will refer to the QCS Subject Access Request Flowchart for the correct management of subject access requests. This flowchart can be located in the Forms section of this policy as well as in the QCS Resource Centre.



5.3 Process Map Stage 1 - Maintaining a log of subject access requests

Wellspring Recruitment and Care Services Limited will maintain a log of the subject access requests it receives, setting out the dates on which the requests are received and the final response sent, together with any intermediary steps taken before sending a final response (e.g. request for identification proof or further information in respect of the data).

If Wellspring Recruitment and Care Services Limited fails to respond to the request in accordance with UK GDPR timescales, this must also be noted together with an explanation of the failure and steps taken to avoid such failure in the future.

5.4 Process Map Stage 2 - Acknowledge subject access request

Wellspring Recruitment and Care Services Limited acknowledges that it is best practice for Wellspring Recruitment and Care Services Limited to acknowledge receipt of the subject access request.

5.5 Process Map Stage 3 - Confirmation of identity

- Wellspring Recruitment and Care Services Limited understands that it will only respond to a subject access request if it is confident of the identity of the applicant
- Wellspring Recruitment and Care Services Limited understands that it must be reasonable in terms of what it asks for and that it must not ask for a significant amount of extra information if the identity of the person making the request is obvious, which is more likely to be the case if Wellspring Recruitment and Care Services Limited has an ongoing relationship with that person. If, for example, an existing employee or Service User makes the request, Wellspring Recruitment and Care Services Limited acknowledges that it is likely it will be able to easily confirm their identity
- If, however, Wellspring Recruitment and Care Services Limited receives a request from an individual it does not recognise or the individual's email address/postal address has changed since the last dealings with them, Wellspring Recruitment and Care Services Limited will consider seeking further proof of identity such as a recent utility bill or copy of a driving licence or passport
- In this scenario, the timescale for responding will pause and will re-commence only once Wellspring Recruitment and Care Services Limited has received the proof of identity. Wellspring Recruitment and Care Services Limited will not delay in asking for further proof

5.6 Process Map Stage 4 - Asking for further information/clarification

- Wellspring Recruitment and Care Services Limited understands that if it processes a large amount of information relating to the individual, it may ask the individual to specify the information or processing activities their request relates to and that the time limit for responding to the request is paused until Wellspring Recruitment and Care Services Limited receives clarification
- Wellspring Recruitment and Care Services Limited understands that it should not seek clarification in all cases, but only where clarification is genuinely needed to respond to the request and Wellspring Recruitment and Care Services Limited processes a large amount of information about the individual
- Wellspring Recruitment and Care Services Limited understands that it may also ask the individual to provide additional information about the information they want to receive, such as the context in which it may have been processed and the likely dates of processing. Wellspring Recruitment and Care Services Limited understands that a data subject is not obliged to narrow the scope of the request and Wellspring Recruitment and Care Services Limited must still comply with the request by making reasonable searches if the individual refuses to provide additional information or narrow own their request



Wellspring Recruitment and Care Services Limited
16 Patmore House, Mayville Estate, Mathias Road N16 8LQ

- Wellspring Recruitment and Care Services Limited will not delay in asking for further information and will be clear about what details are needed. Provided Wellspring Recruitment and Care Services Limited does that, and it needs the additional information in order to be able to comply (rather than it being a tactic to delay timescales), the one-month time period will begin when Wellspring Recruitment and Care Services Limited receives the information
- Wellspring Recruitment and Care Services Limited understands that it should provide general confirmation that it processes personal data together with supplementary information about the processing as soon as possible and within one month of the request, irrespective of whether it requires further time to provide the majority of the personal data

5.7 Process Map Stage 5 - Considering whether any special cases apply - social work data

Wellspring Recruitment and Care Services Limited will consider whether any of the personal data constitutes "social work data" which is personal data processed by certain bodies in connection with their social services functions or to provide social care but is not education data or health data.

Social work data is exempt from the right of access if it is:

- Processed by a court
- Supplied in a report or given to the court as evidence in the course of proceedings; and
- Certain statutory rules apply to those proceedings that allow the withholding of the data from the individual

If Wellspring Recruitment and Care Services Limited thinks that this exemption may apply, it should seek further legal advice.

Wellspring Recruitment and Care Services Limited will consider whether disclosure of personal data would go against an individual's expectations and wishes where the subject access request is received from someone:

- With parental responsibility for an individual aged under 18; or
- Appointed by the court to manage the affairs of an individual who is incapable of managing their own affairs

Wellspring Recruitment and Care Services Limited understands that the exemption only applies to the extent that complying with the request would disclose information that:

- The individual provided to Wellspring Recruitment and Care Services Limited in the expectation that it would not be disclosed to the requester, unless the individual has since expressly indicated that they no longer have that expectation
- Was obtained as part of an examination or investigation to which the individual consented in the expectation that the information would not be disclosed in this way, unless the individual has since expressly indicated that they no longer have that expectation; or
- The individual has expressly indicated should not be disclosed in that way

Wellspring Recruitment and Care Services Limited will consider whether disclosure of the personal data could cause serious harm to the physical or mental health of any individual.

5.8 Process Map Stage 6 - Considering whether any special cases apply - health data

Wellspring Recruitment and Care Services Limited will consider whether any of the personal data constitutes "data concerning health" which is personal data relating to the



Wellspring Recruitment and Care Services Limited
16 Patmore House, Mayville Estate, Mathias Road N16 8LQ

physical or mental health of an individual, including the provision of health care services, which reveals information about their health status.

Health data is exempt from the right of access if:

- It is processed by a court
- It is supplied in a report or given to the court as evidence in the course of proceedings; and
- Certain statutory rules apply to those proceedings that allow the withholding of the data from the individual

If Wellspring Recruitment and Care Services Limited thinks that this exemption may apply, it should seek further legal advice.

Wellspring Recruitment and Care Services Limited will consider whether disclosure of personal data would go against an individual's expectations and wishes where the subject access request is received from someone:

- With parental responsibility for an individual aged under 18; or
- Appointed by the court to manage the affairs of an individual who is incapable of managing their own affairs

Wellspring Recruitment and Care Services Limited understands that the exemption only applies to the extent that complying with the request would disclose information that:

- The individual provided to Wellspring Recruitment and Care Services Limited in the expectation that it would not be disclosed to the requester, unless the individual has since expressly indicated that they no longer have that expectation
- Was obtained as part of an examination or investigation to which the individual consented in the expectation that the information would not be disclosed in this way, unless the individual has since expressly indicated that they no longer have that expectation; or
- The individual has expressly indicated should not be disclosed in that way

Wellspring Recruitment and Care Services Limited will consider whether disclosure of the personal data could cause serious harm to the physical or mental health of any individual. Wellspring Recruitment and Care Services Limited may rely on the "serious harm test" to withdraw data if:

- It is a health professional; or
- Within the last 6 months it has obtained an opinion from the appropriate health professional that the serious harm test for health data is met

If Wellspring Recruitment and Care Services Limited is not a health professional, it must not disclose health data in response to a Subject Access Request unless:

- Within the last 6 months it has obtained an opinion from the appropriate health professional that the serious harm test for health data is not met; or
- It is satisfied that the individual it is about has already seen or knows about the health data. If Wellspring Recruitment and Care Services Limited needs to consult with a health professional it may consider the request to be complex

5.9 Process Map Stage 7 - Considering whether subject access requests may be manifestly unfounded or excessive

Wellspring Recruitment and Care Services Limited may be able to refuse to comply with a subject access request (or charge a fee to respond to the request) if it is manifestly unfounded or manifestly excessive.

A subject access request may be manifestly unfounded if:

- The individual has no intention to exercise their right of access; or



Wellspring Recruitment and Care Services Limited
16 Patmore House, Mayville Estate, Mathias Road N16 8LQ

- The request is malicious in intent and is being used to harass an organisation with no real purpose other than to cause disruption

A subject access request may be manifestly excessive if it is clearly or obviously unreasonable, bearing in mind the proportionality of the subject access request compared with the burden or costs involved in dealing with the request.

If Wellspring Recruitment and Care Services Limited wishes to argue that a request is manifestly unfounded or excessive, it should seek legal advice.

5.10 Process Map Stage 8 - Gathering information

- Collating all relevant information will be the most time-consuming task. Wellspring Recruitment and Care Services Limited will consider which departments may hold personal data and whether that personal data can be accessed centrally by one individual or team
- The fewer people who are involved in locating the data, the less impact it will have on the day-to-day business of Wellspring Recruitment and Care Services Limited
- Wellspring Recruitment and Care Services Limited will consider how to search for the data. For example, does the data subject use a nickname or alternative name which would also need to be searched?
- Wellspring Recruitment and Care Services Limited understands that documents or files may contain a mixture of information that is personal data, personal data relating to other people and information that is not personal data at all. In relation to personal data relating to other individuals, Wellspring Recruitment and Care Services Limited will need to either seek consent from the other individual to disclosing their personal data or determine that it is otherwise reasonable to disclose their personal data. In relation to non-personal data, Wellspring Recruitment and Care Services Limited may find it easier (and it may be more helpful to the individual) to disclose a combination of personal data and ordinary information if that information is not sensitive or contentious

5.11 Process Map Stage 9 - Does an exemption apply?

There are a number of exemptions that apply that may entitle Wellspring Recruitment and Care Services Limited to withhold personal data when responding to a subject access request. Wellspring Recruitment and Care Services Limited understands that the following is a very brief summary of the exemptions. Wellspring Recruitment and Care Services Limited should seek legal advice if it believes any of the exemptions may be relevant:

- Crime and taxation
- Legal professional privilege
- Functions designed to protect the public
- Regulatory functions relating to legal services, the health service and children's services
- Judicial appointments, independence and proceedings
- Journalism, academia, art and literature
- Research and statistics
- Archiving in the public interest
- Health, education and social work data
- Child abuse data
- Management information
- Negotiations with the requester
- Confidential references



- Exam scripts and exam mark

5.12 Process Map Stage 10 - Disclosure of a third party individual's personal data

If personal data relating to other individuals is included in the documents that will be provided pursuant to the subject access request, it will need to be redacted unless Wellspring Recruitment and Care Services Limited obtains consent from the data subject to disclose the personal data or otherwise determines that it is reasonable to disclose the third party individual's personal data. When considering whether it is reasonable to disclose the third party individual's personal data, Wellspring Recruitment and Care Services Limited will consider:

- The type of information that would be disclosed
- Any duty of confidentiality owed to the third party (for example, in an employee/employer relationship or confidentiality owed to the Service User)
- Any steps taken by Wellspring Recruitment and Care Services Limited to try to get the third party's consent
- Whether the third party is capable of giving consent
- Any refusal of consent by the third party
- Whether the personal data relates to a health worker or social care worker (this can often be disclosed without consent, but Wellspring Recruitment and Care Services Limited will confirm this is on a case by case basis)

5.13 Process Map Stage 11 - Incorporate additional information into response

In some cases, the data subject may only request a copy of his or her personal data. They are entitled, however, to also request the following information:

- The purposes of and legal basis for the processing
- The categories of personal data that are processed
- The recipients or categories of recipients to whom the personal data has been disclosed (including recipients or categories of recipients in third countries or international organisations)
- The period for which it is envisaged that the personal data will be stored or, where that is not possible, the criteria used to determine the retention period
- The existence of the Data Subject's rights to request:
 - Rectification of personal data; and
 - Erasure of personal data or the restriction of its processing
- The existence of the data subject's right to lodge a complaint with the Information Commissioner's Office and the contact details of the Information Commissioner's Office
- Communication of the personal data undergoing processing and any information about its origin
- Appropriate safeguards in place for any transfers of their personal data out of the UK

If the above information is requested in the subject access request, or if the subject access request does not expressly state that the individual does not require confirmation of the information above, it must be provided. The information should be included in the relevant privacy policy so it may be simplest to provide a further copy of the privacy policy.

5.14 Process Map Stage 12 - Send response to data subject

Wellspring Recruitment and Care Services Limited will send its response to the data subject. Wellspring Recruitment and Care Services Limited will consider keeping a copy of



the information provided to the Data Subject until it receives confirmation from the data subject that it does not require any further information, or for a period of 6 months from completion of the request, whichever happens first.

5.15 Training

Wellspring Recruitment and Care Services Limited will circulate this policy to all staff and consider whether providing training to staff in respect of subject access requests and this policy would be beneficial.



6. Definitions

6.1 Data Protection Act 2018

- The Data Protection Act 2018 is a United Kingdom Act of Parliament that updates data protection laws in the UK. It sits alongside the General Data Protection Regulation and implements the EU's Law Enforcement Directive

6.2 Data Subject

- The individual to whom personal data processed by {Client_Name_Official} relates

6.3 UK GDPR

- The UK GDPR is the retained EU law version of GDPR that forms part of English law

6.4 Personal Data

- Any information that identifies, or can identify, a living person including but not limited to names, email addresses, postal addresses, job roles, photographs, CCTV and special categories of data

6.5 Process or Processing

- Doing anything with personal data, including but not limited to collecting, storing, holding, using, amending or transferring it. An organisation does not need to be doing anything actively with the personal data - at the point it collects it, it is processing it

6.6 Special Categories of Data

- Special categories of data are more sensitive than other types of personal data and include but are not limited to medical and health records and {Care_plan_name}s (including information collected as a result of providing health care services) and information about a person's religious beliefs, ethnic origin and race, sexual orientation and political views



7. Key Facts - Professionals

Professionals providing this service should be aware of the following:

- All staff at Wellspring Recruitment and Care Services Limited will follow the guidelines set out in this policy to ensure that subject access requests are dealt with appropriately and in compliance with UK GDPR
- Data subjects can use the template request letter provided in the Forms section of this policy or can request data in writing in other means. All subject access requests



must be responded to, irrespective of the form of communication. Requests for Access should not be ignored even if they are made verbally - there is no legal requirement for them to be in writing



8. Key Facts - People Affected by The Service

People affected by this service should be aware of the following:

- If a data subject, including the Service User, wishes to make a subject access request to Wellspring Recruitment and Care Services Limited, they can use the template request letter provided. They do not have to use the template request letter and can instead make the subject access request in writing by any other means or verbally. However, it is clearer to have the request in writing



Further Reading

ICO - How to Deal with a Request for Information - A Step-by-Step Guide:

<https://ico.org.uk/for-organisations/advice-for-small-organisations/how-to-deal-with-a-request-for-information-a-step-by-step-guide/>



Outstanding Practice

To be "outstanding" in this policy area you could provide evidence that:

- Wellspring Recruitment and Care Services Limited creates a detailed log for UK GDPR compliance, including a log of all information relevant to subject access requests received
- The wide understanding of the policy is enabled by proactive use of the QCS App
- Wellspring Recruitment and Care Services Limited provides training to all staff to ensure that they understand how to recognise and deal with a subject access request



Forms

The following forms are included as part of this policy:



Title of form	When would the form be used?	Created by
Template Subject Access Request Letter - GDPR05	For a data subject to submit a subject access request.	QCS
Template Subject Access Response Letter - GDPR05	This form can be used by each organisation as an initial response/acknowledgement to a subject access request. Each organisation should consider seeking legal advice if they wish to extend the deadline for responding to the request	QCS
Subject Access Request Flowchart - GDPR05	To be used to guide the manager with decision making when a subject access request is made.	QCS



Wellspring Recruitment and Care Services Limited
16 Patmore House, Mayville Estate, Mathias Road N16 8LQ

Template Subject Access Request Letter - GDPR05

Michael Omolola, Michael Omolola

Wellspring Recruitment and Care Services Limited

16 Patmore House,
Mayville Estate,
Mathias Road
N16 8LQ

Date:

Dear Michael Omolola

Subject Access Request under UK General Data Protection Regulation 2016

I am writing to make a data subject access request pursuant to the UK General Data Protection Regulation 2016.

Scope of Request

[This is a general request that relates to any personal data processed about me by, or on behalf of, Wellspring Recruitment and Care Services Limited].

[OR]

I only require information in respect of the following:

[Insert any information you think would help us to find what you are seeking, or let us know if there is something in particular you require or whether you require us to search within specific dates (for example)]

[Locating the data]

[Please only provide documents and emails that were created and/or sent between [Insert date range].]

[Please only provide emails that were sent between [Insert names].]

Yours sincerely,

[Please enter your full name]



Template Subject Access Response Letter - GDPR05

[Data subject name/requester name]

[Address]

Date:

Dear [Data subject name/requester name]

Response to your Subject Access Request dated [insert date of request]

We write in relation to your subject access request.

[We are reviewing your request and intend to respond to you within one month of the date we received your request, i.e. [insert date by which response needs to be sent]. If we need any further information from you in the meantime, we will let you know.]

[OR]

[We have determined that your request constitutes a complex request for the purposes of UK GDPR. Our rationale for such decision takes into account: [Insert list of factors that make request complex]. This entitles us to extend the deadline for response by a further 2 months, i.e. 3 months from the date we received your request. We will therefore aim to have provided all information to you by [Insert extended date for request]. To the extent we are able to provide you with elements of your personal data prior to that date, we will do so.]

[OR]

[On the basis that you have made a number of repeated requests to us with respect to your personal data, we are entitled to extend the deadline for response by a further 2 months, i.e. 3 months from the date we received your request. We will therefore aim to have provided all information to you by [Insert extended date for request]. To the extent we are able to provide you with elements of your personal data prior to that date, we will do so.]

[AND/OR]

[We process a large amount of information about you and it is not clear from your request what information you are asking for. In order to provide you with the personal data you require as efficiently as possible, we would be grateful if could please consider narrowing the scope of your request by, for example, [telling us of specific matters that you are interested in with respect to your personal data, providing us with date ranges of the emails or other personal data you wish to be searched], [providing a list of recipients/senders of emails that you wish to be searched], [providing us with key terms that you wish to be searched], [limiting your request to the search of certain systems or locations].

The time for us to respond to your request will now be paused and will restart from the date that we receive your response.

Yours sincerely

[Insert Michael Omolola/privacy officer name or similar]



Wellspring Recruitment and Care Services Limited
16 Patmore House, Mayville Estate, Mathias Road N16 8LQ

Wellspring Recruitment and Care Services Limited

