

ID. Date of interview  
date 31/01/20

ID. Time interview started  
start 15:49:38

ID.end Completion date of interview  
Date 31/01/20

ID.end Time interview ended  
16:19:37

ID. Duration of interview  
time 29.98

**Start of new case**

Q1 Does the draft guidance cover the relevant issues about the right of access?

Yes

No

Unsure / don't know

If no or unsure/don't know, what other issues would you like to be covered in it?

Information on the principle of proportionality would be helpful contained within the section related to finding or retrieving information (page 23)

Q2 Does the draft guidance contain the right level of detail?

Yes

No

Unsure / don't know

If no or unsure/don't know, in what areas should there be more detail within the draft guidance?

1. Advice on what would be a more formal form of authority if POA not held would be helpful? Equally it would be helpful to clarify the entirety of the information about POA giving powers to make a SAR, as it is our understanding the Office of the Public Guardian themselves have advised that POA does not necessarily lend itself to being able to make a SAR on behalf of an individual unless it is stipulated in the POA document they are able to do this. In addition there is no such thing as a 'General POA' which is mentioned in the SAR guidance. More information is required on to what extent a POA would cover the ability to make a SAR on an individuals behalf e.g. if someone had POA over finances, does this lend itself to that person being able to make a request for the social care records of the subject? 2. It would be helpful to clarify if it is always not appropriate to disclose to parents if a child has capacity, even if there is no risk of harm and the organisation believes disclosure is in the child's best interests. 3. Further clarification would be helpful on pg. 18 of what is meant by 'any specialist work involved in redacting information or communicating in an intelligible form

Q3 Does the draft guidance contain enough examples?

Yes

No

Unsure / don't know

If no or unsure/don't know, please provide any examples that think should be included in the draft guidance.

1. An example would be helpful in the section of 'can we deal with a request in normal course of business'
2. An example would be helpful in the section around amending data following receipt of a request as there is a suggestion this can be done in particular circumstances if general processing is still ongoing.
3. A new/ updated example would be helpful in the management forecasting exemption description, and the negotiations description.

Q4 We have found that data protection professionals often struggle with applying and defining 'manifestly unfounded or excessive' subject access requests. We would like to include a wide range of examples from a variety of sectors to help you. Please provide some examples of manifestly unfounded and excessive requests below (if applicable).

We have applied this exemption successfully and our view on the requests was upheld ICO. This was applied after the individual and other family members had made 11 subject access requests, had gone through the entirety of the councils complaints process on 2 separate occasions, had sent approximately 350 emails over a 15 month period to various officers of the council, including directors and chief officers, as well as councillors and local MPs. The matters the requests related to had already been decided by the court, and the requests made were purely motivated by finding a basis for seeking to reopen or to continue the complaints which the Council had already responded to. The requester also engaged in accusatory language in emails, accusing officers of the council of various illegal activities.

Q5 On a scale of 1-5 how useful is the draft guidance?

1 - Not at all useful	2 - Slightly useful	3 - Moderately useful	4 - Very useful	5 - Extremely useful
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q6 Why have you given this score?

Due to the comments/ requests made for additional information, clarification, and examples to be added.

Q7 To what extent do you agree that the draft guidance is clear and easy to understand?

Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Q8 Please provide any further comments or suggestions you may have about the draft guidance.

Q9 Are you answering as:

- An individual acting in a private capacity (eg someone providing their views as a member of the public)
- An individual acting in a professional capacity
- On behalf of an organisation
- Other

Please specify the name of your organisation:

Leeds City Council

What sector are you from:

Public sector

Q10 How did you find out about this survey?

- ICO Twitter account
- ICO Facebook account
- ICO LinkedIn account
- ICO website
- ICO newsletter
- ICO staff member
- Colleague
- Personal/work Twitter account
- Personal/work Facebook account
- Personal/work LinkedIn account
- Other

If other please specify: