

ID. Date of interview
date 11/02/20

ID. Time interview started
start 14:54:55

ID.end Completion date of interview
Date 11/02/20

ID.end Time interview ended
14:58:53

ID. Duration of interview
time 3.97

new case

ICO consultation on the draft right of access guidance

Q1 Does the draft guidance cover the relevant issues about the right of access?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

The majority of subject access requests we receive are not made in the spirit of the law. It is often related to employment disputes or grievance where data subjects are trying to get confidential information from the company – sometimes asking for all information we hold on them with people working for us for more than 10 years. Data subjects do usually not know what they can ask in a subject access request and do not expect what we can provide. The draft guidance needs to be clearer on when organisations can reject such data subject access requests. Some guidance on how companies can reduce the scope of the request without asking the data subject to reduce his own request is also needed. For instance, in the case of confidential references, we are not obliged to provide this information. Those misunderstandings and false expectations of the right of access make organisations spend a lot of time and resources dealing with them.

Q2 Does the draft guidance contain the right level of detail?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If no or unsure/don't know, in what areas should there be more detail within the draft guidance?

See above statement. We receive severely complex requests, which are not true data subject access requests but used as a weapon against an organisation. The guidance is so loose that companies are faced with no mechanism to back this away. In addition, as a charity we spend a considerable amount of resources into those requests. But people get annoyed by the information we provide them as they are asking for information that is not included in data subject access requests. It is crucial that in addition to further clarification to organisations on how to handle inappropriate or excessive data requests, the public is also informed on what he can or not ask.

Q3 Does the draft guidance contain enough examples?

Yes

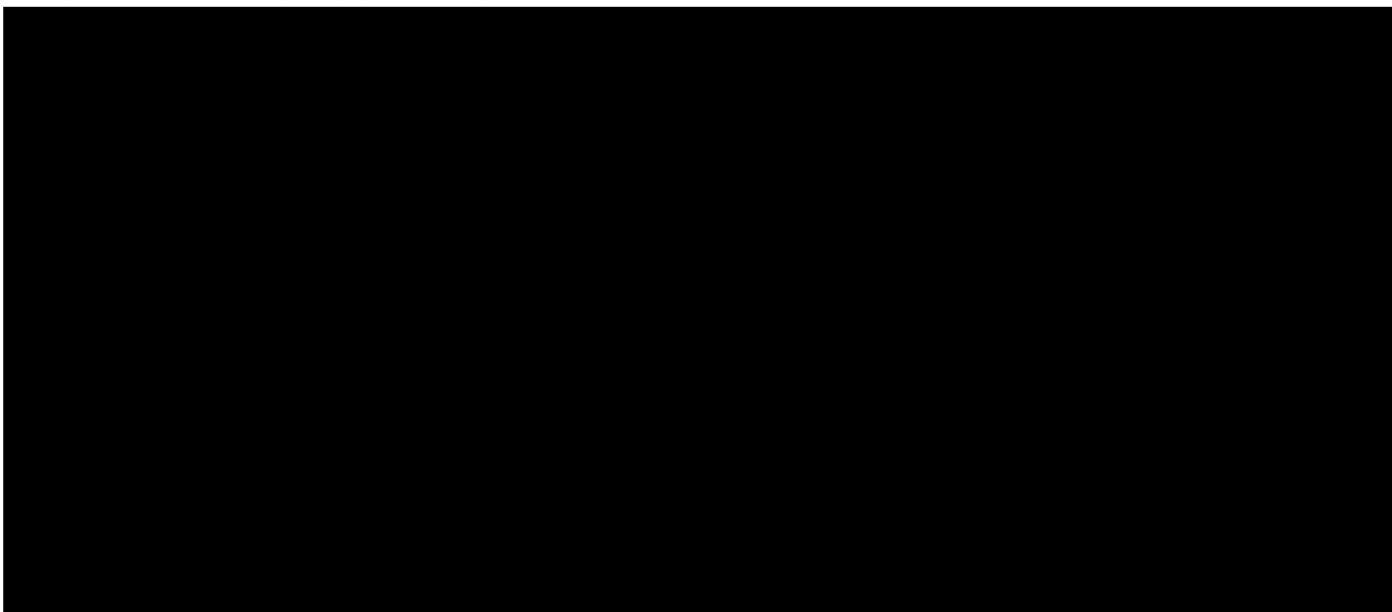
No

Unsure / don't know

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

More specific examples around the definition “manifestly unfounded and excessive” while dealing with data subject requests’ rejection should be included. It would be good to have clear examples on what does the ICO mean about that definition. Some examples on the level of complexity should also be added.

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).



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?

The guidance does not provide enough details and more examples are needed.

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.

The ICO guideline is straightforward however sometimes because it's so simple, it makes some explanations or example oversimplified.

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:

Marie Curie

What sector are you from:

Data Protection

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: