

ID. Date of interview
date 12/02/20

ID. Time interview started
start 14:27:27

ID.end Completion date of interview
Date 12/02/20

ID.end Time interview ended
14:32:28

ID. Duration of interview
time 5.02

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Q1 Does the draft guidance cover the relevant issues about the right of access?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

Q2 Does the draft guidance contain the right level of detail?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If no or unsure/don't know, in what areas should there be more detail within the draft guidance?

For practitioners in local government, the guidance does not recognise the volume or variety of personal data that may be held, or the variety of data subject customers that will need to be responded to. • Requests of local authorities for SAR across all their service areas can be complex and voluminous; if asking for clarification doesn't stop the clock in terms of timescale for responding, Local Authority should be able to extend the time in these circumstances • The advice in relation to requests from children lacks practical application for local authorities who have data about children but who do not have social services involvement.

Q3 Does the draft guidance contain enough examples?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If no or unsure/don't know, please provide any examples that think should be included in the draft guidance.

-determining child's capacity to make a SAR- more practical guidance on how to make an assessment and what steps need to be taken to make an assessment if you haven't got a current relationship with the child; - In relation to exemptions, in what circumstances would the "functions designed to protect the public" be applied?

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).

For Local Government: Ongoing complaint or litigation against the Council, has exhausted all avenues of internal and external recourse- DSAR for all records held across all departments unlimited by time or scope

Q5 On a scale of 1-5 how useful is the draft guidance?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

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.

-Some sector specific guidance and examples would make it more useful; - More detailed guidance on the application of exemptions would also make it more useful; - More detailed guidance on how the ICO will investigate complaints about DSARs;

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:

Braintree District Council on behalf of Colchester BC, Maldon DC, Chelmsford CC, Castle Point BC, Rochford DC, Uttlesford DC, Southend and Thurrock

What sector are you from:

Local Government

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:

Professional legal update services