

31 March 2023

## Processing Subject Access Requests

**I would like to make a Freedom of Information Request.**

- **How do you process Subject Access Requests?**

Belfast Trust receives requests for the personal data of living individuals by phone, email, verbally or by letter.

These requests are actioned under the UK General Data Protection Regulation (UK GDPR) and UK Data Protection Act 2018.

The requestor must provide the following to allow for processing:

- The applicant's details
- Proof of their Identification
- Details of the Data Subject
- Details of the information being requested, e.g. timeframes, services involved.
- A lawful right of access to the data, e.g. Consent, Form of Authority, Power of Attorney (as appropriate).
- Proof of parental responsibility (if the application is made on behalf of a minor less than 13 years old).

Information is logged on our SARs software system, which tracks the progress of the request and maintains an audit trail of actions.

We respond to the applicant to inform them that their request is being processed and that we will endeavour to provide the data, as requested, under the legislated timeframes. The timeframes are one calendar month for standard requests or up to three calendar months where the request is deemed to be "Complex", e.g. generally Social Services, Mental Health records or where records require redaction.

Using the information about the data subject supplied the Data Protection Office contact relevant service areas that have been involved and ask them to supply the records, redacted of third parties' information or with legislated exemptions applied.

Once Medical Legal staff or Data Protection Office staff are in receipt of the requested records, and a release form is signed by the professional, the records are either sent or collected.

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- **What tools do you use to ensure that what needs to be redacted from patient records is redacted when responding to SARs?**

We use Electronic Redaction Software and provide support with manual redactions as available within the service.

We offer Redaction Training to staff who are involved in the provision of records under the Subject Access process and also use external trainers for more specialist advice.

This covers advice on manual and electronic redactions, e.g. recognising third party data, and applying exemptions under the legislation.

The Data Protection Office is available to provide advice when there are queries about what can be released. We also have access to legal advice when there are issues with applying the legislation.

- **How do you share/send personal/patient information with insurance companies or solicitors when you receive such a request?**

If the records are quite small and returned to us in electronic format, we can email the records via the Criminal Justice Secure Messaging Service (CJSM), if a Solicitor has an account. We can also send the response using an encrypted email with the records included as password-protected attachments.

If the records are too voluminous to allow for digital transmission we will verify the delivery details and post the records via Signed-For post, in a tamper-proof bag with a return address sticker applied.

Solicitor's very often will pick up records and some applicants will also choose this option.