

Subject Access Request Guide (SARG)

(A guide on handling requests by customers and staff for access to personal information held about them by DWP)

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About this guide

- 1 This guide provides information and advice on how to deal with requests by customers and staff for personal information held about them by DWP. These are known as Subject Access Requests (SARs).
- 2 This guide will be published in electronic form only. Local arrangements should be made if paper copies are required.

Purpose

- 3 This guide is for use by Data Protection Officers (DPOs) and their Deputies throughout DWP and aims to provide the basic information they need to handle SARs.
- 4 DPOs may also contact Information and Devolution Policy (Data Protection & Freedom of Information) Team (Information and Devolution Policy (DP) & Fol) for more detailed guidance on the SAR process, including handling follow-up queries from data subjects or their representatives.
- 5 Information and Devolution (DP & Fol)'s address is:
Room BP9202
Prudhoe House
Benton Park View
Benton Park Road
Longbenton
NEWCASTLE UPON TYNE
NE98 1YX

Courier address: Longbenton - DWP

Email: **Data Protection General**

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Introduction

- 100 The purpose of the Data Protection Act 1998 (DPA, or "the Act") is to protect the rights of individuals about whom personal data is obtained, recorded, held or disclosed.
- 101 Under section 7 of the DPA, individuals have the right to see and/or receive a copy of all their personal data held about them, unless certain [exemptions](#) apply, on both electronic and clerical records. This includes taped telephone calls and CCTV footage.
- 102 For more information on the Act, access the [Information and Devolution Policy \(Data Protection & Freedom of Information\) intranet site](#).

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What is a Subject Access Request (SAR)?

- 105 All requests for personal information, if made in writing by the data subject; i.e. the person to whom the data refers, have the full backing of the Data Protection Act, subject to the requirements set out in paragraphs 108 & 109 below. This is regardless of the type of personal information requested. Representatives may also make SARs on behalf of customers (see [paragraphs 156 and 157](#)). However some of these requests can be treated and dealt with as "normal business" as in [paragraph 115](#) et seq.

- 106 **All SAR responses, whether handled by a DPO or treated as [normal business](#), must be made within 40 calendar days of the receipt of the request anywhere in DWP.**
- 107 The Department's policy is to make all personal data available to individuals on receipt of a SAR request, unless covered by a specific exemption. See [Exemptions](#) for more information.
- 108 **All requests for subject access must be made in writing or by fax or e-mail** . Telephone requests for information may be accepted, but these can only be treated as normal business. Customers should be advised that a SAR will only be covered by DPA if made in writing. This approach has been agreed with the Information Commissioner, who is responsible for overseeing and enforcing compliance with the DPA.
- 109 Only accept e-mailed SARs if they contain sufficient information [to confirm the identity of the sender](#). DWP policy is that e-mail sent via the internet is not sufficiently secure at present to accept mail without additional identity details. If, for example, only the name and e-mail address of the sender can be established from the e-mail, ask the sender to supply additional identity details. [Paragraph 132](#) contains guidance on the type of personal and departmental identifiers which can be used to confirm identity.
- 110 **The Department has standard letters to use when you receive a SAR. Some of these letters are sent to a DWP customer or appointee/Power of Attorney to obtain further identity details and to locate the requested personal information. Certain letters are sent to a solicitor or third party to explain the Department's policy of sending the requested personal information to a DWP customer or appointee/Power of Attorney.**

Advice and guidance on the use of these letters can be found [here](#).

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Personal information held by other government departments or bodies

- 113 The Department has been criticised by the Information Commissioner for forwarding SARs to the NHS, thus disclosing that the person concerned is a DWP customer. This was deemed to be a breach of the Data Protection Act. Therefore, **do not forward SARs to other government departments/bodies**. This includes the Tribunals Service (formerly known as the Appeal Service) and Her Majesty's Revenue and Customs (HMRC). Instead, return the request to the customer, explaining that he/she will need to send it to the other government department.

The address for the Tribunals Service is:

Access Rights Unit

Department for Constitutional Affairs

5th Floor

30 Millbank

London

SW1P 4XB

The address for HMRC is :

HMRC Data Protection Unit

Room BP5001

Benton Park View

Benton Park Road

Longbenton

Newcastle upon Tyne

NE99 1YX

- 114 If a DWP customer makes a request where DWP and another government department are asked for information in the same request, you should handle the request for DWP information and inform the customer that you can only deal with DWP records and advise them to contact the other government department for the personal information held by them. **Do not forward the request to the other government department.**

Requests for information covered by normal business

- 115 Requests which are covered by normal business do not need to be treated as SARs handled by a DPO. What constitutes “normal business” varies between Business Units (BUs). It is very difficult to define normal business in this guide as this is a matter of judgement for each BU or DPO.
- 116 If a DWP customer or appointee/Power of Attorney requests information which can be supplied immediately, e.g. a statement of payments made, a photocopy of their last medical certificate or a screen print from LMS, this could be defined as normal business as copies can be provided without reference to the DPO, even if the request specifically refers to the DPA. However if the request involves editing it is likely that it should be treated as a SAR and handled by a DPO.
- 117 Requests from customers for their personal information should be handled in accordance with normal customer service procedures. Staff should be made aware that they should **not**:
- encourage enquirers to put requests in writing, quoting the Act, if they can be handled under normal business
 - discourage customers from making SARs under the Act
 - ask customers why they want copies of their personal information
- 118 DPOs who become aware that any of the above are happening in their business unit/area should ensure that staff are made aware of the correct approach.

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Checklist of DPO responsibilities during the Subject Access Request Process

- 121 During the SAR process, DPOs or their deputies are responsible for:
- returning the request for personal data to the DWP front line operational areas/teams if it can be handled under normal business
 - determining whether the request contains sufficient information to identify the data subject and to locate the data
 - sending SANTA letters 01, 02 and 05 to a DWP customer or appointee/Power of Attorney during the SAR process
 - sending SANTA letters 03, 06 and 07 to a solicitor or third party during the SAR process
 - forwarding copies of SARs with a SANTA 04 Referral Template to other DWP areas where requests cover more than one DWP Business Area/Unit
 - order Data Protection Prints or other small system prints – see [Appendix 4](#)
 - identifying and arranging for all clerical records to be traced

- taking follow-up action where system and/or clerical records are not traced or received
- photocopying original documents, checking for exempt data and blocking exempt data
- checking that all data is intelligible/legible
- sending the data to the data subject (unless a visit or office interview is appropriate) or their appointee
- enclosing appropriate letters and abbreviation lists
- monitoring requests to ensure that the 40 calendar day deadline is met
- investigating requests that have exceeded the 40 calendar day deadline
- recording all activities accurately

Ownership of the Subject Access Request

- 122 Any DPO who receives a SAR should ensure that the information they are responsible for is issued within the 40 calendar day deadline. This applies whether the DPO has received the SAR from a customer or has been forwarded to them by another DPO. A DPO working in Jobcentre Plus cannot be held to be responsible for sending out any information held within a Disability Benefits Centre for example.
- 123 If you receive a SAR that also needs a response from any Business Area within your Business Unit, or from another Business Unit, you should ensure that a copy of the SAR is sent as soon as possible to the relevant DPO.
- 124 The owning DPO then retains ownership regardless of any changes in the circumstances of the data subject, e.g. if the data subject moves out of the area of the owning DPO.

Transfer of SAR to correct DPO

- 125 When a response is required only from another Business Unit, the DPO who initially received the SAR should send it by courier to the appropriate DPO in the other BU. Every effort should be made to ensure that the SAR is sent to the correct location – if necessary the DPO should contact the receiving Business Unit to establish the correct destination or check the [current DPO list](#).
- 126 Fax the SAR with form [SANTA04](#) to the owning DPO immediately. The “exporting” DPO should telephone to ensure that the fax has been received and note this accordingly or note the fax requesting a telephone acknowledgement on receipt by the receiving DPO.
- 127 The original document should be retained for 4 weeks in case of queries. A separate file should be set up to retain all such copies. The file should be checked on a weekly basis to ensure the copies are destroyed after 4 weeks.
- 128 In all cases when the SAR is transferred to another BU, **notify the customer that this has been done** by the most appropriate method, e.g. telephone, letter, etc.

Response required from receiving Business Unit only

- 129 When no other BU is involved in responding to the SAR, the receiving DPO is responsible for ensuring all appropriate action as described elsewhere in this guide is taken.

Action to take if Request is a Subject Access Request

- 130 DWP is only obliged to respond to a SAR where the individual has provided enough information to enable the Department to:
- identify the person making the request; and to
 - locate the information requested.

Confirming identity

- 131 The security requirements of the DPA impose a clear responsibility on DWP to ensure that personal information is not disclosed unlawfully. Also, the Social Security Administration Act 1992 makes it a criminal offence to disclose personal information without lawful authority. It is vital therefore to ensure that we confirm the identity of the person making the request.
- 132 When confirming identity, maximum use should be made of:
- personal identifiers such as
 - first name and surname
 - previous surname if necessary
 - date of birth
 - current/previous address
 - Departmental identifiers such as
 - national insurance number
 - staff/pay numbers
- 133 If the person making the request does not provide sufficient information to enable the customer's identity to be confirmed, the DPO should notify the requester that we will not supply the data until sufficient information has been provided. You can send a [SANTA01](#) to obtain additional identity details.

Identifying the personal information a DWP customer or appointee/Power of Attorney requires

- 134 For separate guidance on SARs made by a solicitor or a third party see [here](#).
- 135 DWP has been criticised by the Information Commissioner and by DWP customers for issuing copies of numerous documents, but not the document the person wanted and for issuing a large amount of unnecessary personal information in addition to what was actually requested. If you are happy that you know exactly what a DWP customer or appointee/Power of Attorney wants e.g. the SAR says very specifically 'Please send me a copy of my JSA computer record', you do not need to ask for further information.
- 136 If the request is for "everything you hold on me" or words to that effect, send a [SANTA01](#) the DWP customer or appointee/Power of Attorney.
- 137 A SANTA01 is sent to a DWP customer or appointee/Power of Attorney and **not** to a solicitor or a third party. It is used when:
- it is not clear what personal information is required in response to a SAR. This may be because the request asks for "all the personal information you hold on me", or
 - further details are required to confirm the identity of a DWP customer
- Guidance on how to complete a SANTA01 can be found [here](#).
- 138 B/F the SANTA01 for 40 calendar days from the date of issue for a response from a DWP customer or appointee/Power of Attorney.

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SANTA01 returned

- 141 The 40 calendar day deadline starts from the date that a completed SANTA01 is received anywhere in DWP from a DWP customer or appointee/Power of Attorney. When a DWP customer or appointee/Power of Attorney has confirmed what personal information they are seeking on the Request for Further Information form, continue with normal action and make the necessary arrangements to obtain copies. Provide copies of everything requested on the form to a DWP customer or appointee/Power of Attorney, unless subject to an exemption. Any exempt data should be blocked as described in [paragraph 195](#).

- 142 If at the end of the 40 calendar days no SANTA01 has been returned by a DWP customer or appointee/Power of Attorney no further action is necessary. However, the request should be retained for a period of 3 months starting on the date it was received in case of a subsequent reply or enquiry.

Effective Date of a Subject Access Request

- 143 The effective date of a SAR is the date on which a DWP customer or appointee/Power of Attorney provides enough information to enable us to confirm their identity and/or to establish what personal information they require.
- 144 Where it has been necessary to issue a SANTA01 the effective date of the SAR is the date a properly completed SANTA01 is received in **any** DWP office. **The 40 calendar day clearance time does not begin until a properly completed SANTA01 has been received.**

Clearance Date of a Subject Access Request

- 145 A SAR is cleared when all personal information to which a DWP customer or appointee/Power of Attorney is entitled is posted to a DWP customer or appointee/Power of Attorney, or a DWP customer or appointee/Power of Attorney is notified that it is available for them to view in a local office.
- 146 In order to comply with the Act DWP **must meet the 40 calendar day deadline**. DWP customers or appointees/Power of Attorney's may complain to the Information Commissioner, who is responsible for overseeing and enforcing compliance with the Data Protection Act, if this deadline is missed. The Information Commissioner treats such breaches seriously.

Request for Personal Injury Compensation records

- 147 If a DWP customer or appointee/Power of Attorney has requested copies of any Personal Injury Compensation records, send a copy of the SANTA01 and a SANTA04 to:

CRU DPO
Compensation Recovery Unit,
Durham House,
Washington,
Tyne and Wear,
NE38 7SF

Request for Atos Healthcare Medical Services records

- 148 Atos Healthcare Medical Services provide medical services on behalf of DWP to support decision making on sickness and disability related benefits. Atos Healthcare Medical Services only hold a limited amount of personal information about a DWP customer. Atos Healthcare Medical Services may hold information about the scheduling of any medical examination and/or any complaint that a customer has made about their service. Atos Healthcare Medical Services **do not** hold copies of medical reports. Medical reports are sent by Atos Healthcare Medical Services to the relevant DWP office dealing with the sickness and disability related benefit. When a customer or appointee/Power of Attorney requests a copy of a medical report, a SANTA01 and SANTA04 **must** be sent to the DPO of the office dealing with the sickness or disability related benefit and **not** to Medical Services Contract Management Team (MSCMT).
- 149 MSCMT is part of Jobcentre Plus and is responsible for managing the contract held with Atos Healthcare Medical Services. If a customer or appointee/Power of Attorney has made a specific request for information about the scheduling of a medical examination and/or about a complaint

that they have made about Atos Healthcare Medical Services, send a SANTA01 and SANTA04 by fax to MSCMT on **01772 405 969**.

- 150 MSCMT are responsible for handling and monitoring all SARs for personal information held by Atos Healthcare Medical Services. MSCMT is contractually obliged to allow Atos Healthcare Medical Services 10 working days to provide the requested personal information.
- 151 As this can make the target deadline of 40 calendar days very challenging, DPOs must contact MSCMT **immediately** when it is clear that a DWP customer or appointee/Power of Attorney requires records held by Atos Healthcare Medical Services.
- 152 For guidance on exempt medical data see Medical Data - [paragraphs 208 to 214](#)..

LMS Records

- 153 A Labour Market System (LMS) record may be created at the first point of contact for a customer making a claim to Income Support, Incapacity Benefit or Jobseeker's Allowance to record such items as the range of contacts between Jobcentre Plus and the customer. It is safe to assume that customers will not always be aware that the Department holds a LMS record about them. Therefore, when a customer or appointee/Power of Attorney requests personal information surrounding Income Support, Incapacity Benefit or Jobseeker's Allowance, then arrange to check to see if the customer has a LMS record and, if so, obtain a copy of it and send it to the customer. You can find out how to request a LMS record [here](#).

Audit Trail Information

- 154 If the customer specifically requests audit trail information it can be provided to the customer, subject to any exemptions. However, do not include audit trail information as part of a response to a routine subject access request. Only include it if they specifically ask.
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Subject Access Requests made by agents / representatives

- 156 A DWP customer can make a SAR through an agent/representative if they choose to do so. If you are satisfied that the individual has consented to or authorised the agent/representative to make the request, we should reply to it. It is the responsibility of the agent/representative to produce satisfactory evidence that he or she has such consent or authority. This might, for example, consist of a written authority signed by the individual relating to a particular request; a general authority to make SARs; or a general power of attorney given by the individual to the agent/representative. Further information about representatives is contained in the [Agents, Appointees and Receivers Guide](#). There is separate guidance for requests made by solicitors at [paragraph 165](#).
- 157 When responding to requests made by agents or representatives, with the exception of social security appointees, copies of the personal information should be sent to a DWP customer. This is because a DWP customer may not be fully aware of all of, or the type of, information we hold on them. If they were fully aware they may not want an agent or representative to see certain information and can make their own decision on what information to pass on to the agent or representative.
- 158 Advice and guidance on disclosure of personal information to third parties is also contained in the [Data Protection website](#). This guidance refers to "one off" requests for information only or very specific requests e.g. confirmation of the amount of benefit in payment and should **not** be used for guidance on how to handle a SAR.
- 159 The Child Support Agency has two centralised teams that process all SARs received by the Agency. The Child Support Agency will continue to follow local guidance when responding to SARs from agents and representatives. SANTA forms will not be used as the Agency has it's

own forms which are more suitable to use for Child Support Agency clients. If you receive a SAR and it requests personal information held by Child Support Agency then you must send the request and a SANTA04 to:

Child Support Agency Data Protection Unit

Room BP6002

Alnwick House

Benton Park View

Benton Park Road

Longbenton

Newcastle-upon-Tyne

NE99 1YX

Courier address: Longbenton – DWP

Fax number: 0191 22 53954.

Subject Access Requests made by current or ex-members of staff

- 160 Current or ex-members of staff of DWP have the same rights under the Act as members of the general public. Personal information can be held on them both in their capacity as employees and as customers of the Department.
- 161 A SAR from a current or ex-member of staff requesting personnel details should be forwarded to the [DPO](#) in the relevant Human Resources Unit. If the person also requests copies of their benefit records as a DWP customer, a copy of the SAR must be copied to a DPO responsible for a benefit for which the DWP customer has an interest. This DPO will become the owning DPO of the SAR and will take the relevant SAR action for benefit records. See [paragraph 218](#) for Human Resource issues.

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Subject Access Requests made by solicitors

- 165 This guidance is only for solicitors' requests for benefit information, whether acting for our benefit customer or for the opposing side, and should not be used in connection with [divorce proceedings](#), [child maintenance](#), [child custody cases](#) or in any other case where benefit information is not requested.
- 166 If it is clear that the solicitor only wants specific rates of benefit and dates the benefits were paid; the request does not ask for any medical records; **and the DWP customer has consented**, then you may treat the request as normal business. For information on requests for information covered by normal business see [paragraphs 115 -118](#). **Only send copies of the benefit claim form and dates benefit was paid to the solicitor.** If there is no evidence of consent you should ask the customer for their consent.
- 167 For consent to be lawful it must be "freely given and fully informed" and in the case of medical information consent must be "explicit". If the customer is not aware of the type of medical information we hold their consent cannot be fully informed. Any disclosure which is based on

consent that is not fully informed would be unlawful and breach DPA. If the customer complained to the [Information Commissioner](#) they could take action against the Department to ensure that we only get fully informed consent in the future. If our customers were fully aware of the information we hold on them they may not want a solicitor to see certain information and can therefore make their own decision on what information to pass on to the solicitor. **It is for this reason that you must send the information to a DWP customer after following the procedures at paragraphs 168 and 169 below.**

- 168 If the subject access request is received from a solicitor and it is not clear what information they want you should send a [SANTA01](#) to the customer. At the same time send a [SANTA03](#) to the solicitor to let them know how we are dealing with the request.

Guidance on the purposes and how to complete a SANTA01 can be found [here](#).

Guidance on the purposes and how to complete a SANTA03 can be found [here](#).

- 169 B/F the SANTA01 for 40 calendar days from the date of issue for a response from a DWP customer or appointee/Power of Attorney.

- 170 A [SANTA06](#) is sent to a solicitor after you have sent a SANTA03. This letter includes optional paragraphs which are used to suit the nature of the SAR. It is used to explain to the solicitor that it is the Department's policy to send the requested personal information directly to a DWP customer or appointee/Power of Attorney. You can also use it to tell the solicitor that you have contacted a DWP customer or appointee/Power of Attorney for further information to enable you to deal with the request but as you have not received a reply, you will not be sending any personal information.

It is also used to explain that you have been unable to locate the personal information requested by a DWP customer or appointee/Power of Attorney and that you are continuing to search for it and will issue it as soon as possible or that you have unable to obtain the requested personal information and that as we may no longer have a business need for it, we may no longer hold it.

Guidance on the purposes and how to complete a SANTA06 can be found [here](#).

Court costs or an application for court costs

- 171 A [SANTA07](#) is sent to a solicitor when they advise you that they will be applying for a court order. This may be after a solicitor has received either a SANTA03 or a SANTA06. It is used to explain the Department's policy to send the requested personal information to a DWP customer or appointee/Power of Attorney and that the Department will not resist an application by a solicitor for a court order.

Guidance on the purposes of a SANTA07 can be found [here](#).

- 172 Solicitors may make reference in their correspondence to court costs or an application for court costs being awarded against the Department because they have had to seek a court order to get a DWP customer's personal information sent directly to them. Although the Department will generally not resist the application to disclose a DWP customer's personal information, the Department's policy is that we should not have to pay these court costs. Accordingly DWP will challenge any order awarding costs against it.

- 173 If you receive correspondence from a solicitor where they state:

- they will apply for court costs or
- they have already applied for court costs, for example the court order shows costs have been awarded against the Department

you must immediately fax the correspondence to Information and Devolution Policy Team on 0191 2162056.

- 174 Any delay in sending the correspondence to Information and Devolution Policy (DP & Fol) Team may jeopardise the Department's success at challenging any application for payment of costs or any order awarding costs against the Department.

Requests received directly by CRU

- 175 If the solicitor sends the request for information directly to CRU and the request is **only** for Personal Injury Compensation records held by CRU, they will respond to the SAR.
- 176 If the solicitor sends the request for information directly to CRU and the request **does not** specify Personal Injury Compensation records only held by CRU, then CRU will send a copy of the SAR to a DPO responsible for a benefit for which the DWP customer has an interest. This DPO will become the owning DPO of the SAR and will take the relevant SAR action for benefit records. The DPO should then follow the procedures at [paragraph 165 et seq.](#)

Subject Access Requests received from a Member of Parliament (MP) or former MP

- 177 Due to the possible sensitive nature of personal information which may be held by the Department in relation to MPs, please ensure that any subject access requests received from MPs or former MPs requesting personal information held **about them** by DWP are forwarded without delay to Information and Devolution Policy (DP & Fol) Team.
- 178 This action is required due to Departmental instructions which require Information and Devolution Policy (DP & Fol) Team to inform the Permanent Secretary's Office immediately of any such request. Subsequent action in relation to any requests received will be decided by the Grade 5/6 within Adjudication & Constitutional Issues and cleared with the Permanent Secretary's Office.

Please fax any requests immediately to Information and Devolution Policy (DP & Fol) Team on 0191 2162056.

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Subject Access Requests made by employers

- 180 Typically, employers (including recruitment agencies) request information about a DWP customer prior to confirmation of a job offer and they require a prospective worker to use his or her right of subject access to obtain personal information.
- 181 The reason for this type of request is that the employer requires verification of a DWP customer's employment or unemployment history to see if they are suitable for employment and is looking for gaps in the customer's employment history which might imply that they have spent time in prison.
- 182 A prospective employer must not force applicants to use their subject access request rights to obtain personal information from another organisation by making such a requirement a condition of getting a job or interview.
- 183 Although customer consent may accompany the request, it has not been freely given – a request of this type made by an employer is known as **Enforced Subject Access**.
- 184 Employers can approach the Criminal Records Bureau (CRB) or Disclosure Scotland, part of the Scottish Criminal Record Office, for information about convictions but may have not chosen to do so due to the costs incurred for a check of this type to be made.
- 185 If you receive a request of this type the Department's policy is that you will provide information regarding the unemployment history **only to a DWP customer** so as not to hinder the chances of a DWP customer gaining employment by withholding the information. You will **not** provide information regarding the employment history.

Unemployment history requested

- 186 If the request is for verification of unemployment history or benefits paid, such as Jobseekers Allowance, then the response must be sent to a DWP customer and **not** to the employer.
- 187 You can send an acknowledgement to an employer to let them know that the requested information has been sent to a DWP customer.

Employment history requested

- 188 If the request is for verification of employment history, then the employer must be told to contact [Her Majesty's Revenue and Customs \(HMRC\)](#) as this information is not held by DWP.

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Requests for data held on Close Circuit Television (CCTV) or taped conversations

- 190 If the customer requests a copy of CCTV footage pass the request to the landlord/Trillium as DWP may not be responsible for the operation of CCTV in most of its offices.
- 191 If the customer requests a copy of taped conversations, this should be provided if the tape can be located. The customer should be asked for details of the number they called; the time and date; in order for tape to be located. The conversation can be provided to the customer on tape, CD or in transcript form.

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Exemptions

- 195 Data on certain subjects may be exempt from disclosure to the customer. Part 4 of the DPA 1998 covers exemptions to the Subject Information Provisions which refer to the information that individuals ask for as part of a SAR. The sections within Part 4 which are most relevant to DWP are Sections 29, 30 and 33. For Exempt Data Training Handouts on using exemptions see [Appendix 3](#).

Section 7 of the Act details the individual's right of access to their personal data. However, it qualifies this by stating that if the individual's records contain information about another individual, that information may be withheld, in certain circumstances.

Individuals have the right of access to personal data held about them, whether it is held electronically or clerically. However, there are circumstances where disclosure of certain types of data could conflict with other another person's rights, including the right to privacy.

There are several types of circumstances where conflict of interests could arise.

Examples could include:

- causing serious harm to the physical, mental health or condition of the data subject or any other person
- prejudicing the outcome of a fraud investigation.

The DPA recognises this and has listed circumstances where data may be exempt from disclosure or can be withheld. Exemptions may include:-

- Crime and taxation (Section 29)
- Allegations of Fraud
- Medical information (The Health Order)
- Research and statistics (Section 33)
- Human Resource issues (Schedule 7)

- Third Party Data
- Information about Third Parties on Fraud files
- Staff names
- Legal advice
- Unacceptable Customer Behaviour

Under the DPA 1998, employees of the Data Controller are specifically excluded from the definition of 'third party' and at no point should they be referred to as third parties. They are defined as "other individuals" under the Act.

There is not a blanket exemption when information falls into the exempt or withheld categories. Each case must be carefully considered on an individual basis.

If it is decided that information is either exempt or may be withheld, we are not obliged to release a copy of this particular information to the customer but copies of all the other information must still be supplied.

196 The Information Commissioner is critical of organisations that, while withholding data legitimately, do not quote the correct sections of the Act to support their decision to do so. **Always ensure that any decision to exempt data is fully documented.** In some cases, it may also be appropriate to record the reasons for deciding to release data. If the reason for non-disclosure falls under more than one section of the Act, all relevant sections should be recorded.

197 Sometimes only a part of the document needs to be withheld. If, when responding to a SAR, only part of a document is exempt or can be withheld under Section 7, the Department is still obliged to disclose the rest of the document.

The most common reasons for blocking part of a document are to remove reference to:

- information about a third party
- information supplied by the third party, and
- certain information relating to the health of the individual.

When only part of a document is exempt or may be withheld, that part of the document must be blocked out so that the information is not disclosed to the data subject.

If you are blocking out information in relation to a third party, you must ensure that the remaining information:

- does not enable the third party to be clearly identified
- does not enable the customer to deduce the essence of what has been blocked
- is still intelligible to the customer

If this cannot be achieved, the whole document may have to be considered exempt. This would be more likely to happen if the document was a letter or a report of a telephone call.

When part of a document has been blocked in response to a SAR, you must advise the data subject of this, explaining that the Data Protection Act 1998 allows us to exempt certain information. The standard letter [SANTA05](#) contains a paragraph for use in these circumstances. It shows the customer that we are complying with the Act and disclosing everything the law allows.

Original documents must never be amended. A black marker pen should be used on **photocopies only** to ensure the exempt information cannot be seen:-

- photocopy the original document i.e. screen/system prints, claim forms, supporting and ephemeral documents
- use a black marker pen on the photocopy of the original document to block out the data.
- photocopy this "blocked" page; i.e. photocopy the copy with the black marker pen on it and issue

- the photocopied page with the black marker pen on it should be discarded as the data can still be seen by holding it up to the light.

Crime and taxation

198 Under section 29(1) of the Act, personal information may be exempt from subject access, if the personal information is being processed for the purposes of:

- preventing or detecting crime
- the apprehension or prosecution of offenders
- the assessment or collection of any tax or duty or any imposition of a similar nature

and releasing the personal information to the customer would be likely to prejudice these matters.

In a DWP context we are only concerned with the first two categories. The third category, assessment or collection of any tax or duty, concerns other Government Departments or Local Authorities for Housing Benefit /Council Tax Benefit purposes and is not covered in this guidance.

199 This exemption will mainly apply to information held in fraud files. This may include internal fraud and Area Director Investigation (ADI) files. **Only the appropriate Fraud section can decide if this information is exempt.**

200 With the exception of on-going fraud investigations (see paragraph 202), **no blanket exemption applies to fraud cases.** Only data which, if released, would prejudice that particular case should be withheld.

Before disclosure, fraud files must be very carefully examined by a fraud officer or, in the case of internal fraud, an officer from the ADI team. Fraud files are very likely to hold some information that is exempt. It must be stressed, however, that all fraud files are not automatically exempt.

201 Fraud cases fall into three categories. These are:

- ongoing investigations
- no fraud action
- dormant cases.

The following categories are likely to be present in both live and dormant fraud files:

- methods used in the prevention or detection of crime
- methods used in the apprehension or prosecution of offenders
- staff names
- third party data - provided either as part of the investigation or to raise initial allegation.

Third party data and staff names are specifically covered later in this guidance. Only the first two categories are covered here i.e.:

- prevention or detection of crime
- apprehension or prosecution of offenders.

It is important that exempt data of this sort is not disclosed to the individual if it may prejudice the outcome of a fraud investigation.

In other words, individuals may be assisted in avoiding apprehension if detection and prevention details were divulged to them.

- 202 As ongoing fraud investigations are exempt under section 29(1) no fraud related papers, but it may be possible to release benefit related papers. If you need any advice please contact Information and Devolution Policy (DP & Fol).
- 203 Particular consideration should be given to cases when it has been decided that no fraud action is appropriate. Disclosure cannot prejudice the outcome of a fraud investigation, but there may still be information that is exempt or may be withheld. For example, where a file has been raised because of a suspicion of fraud, the fraud section may not have pursued the investigation because, for example:
- they did not have enough time or resources
 - the alleged fraud activity has now ceased and it was not considered worthwhile pursuing
- In these cases, two factors must be considered:
- the investigation might be reopened at a later date
 - knowledge of the fact that the Department does not always prosecute or have the resources to investigate every instance of possible fraud may encourage customers to commit crime
- If the fraud expert concludes that releasing the fact that the data subject has not been investigated could prejudice the Department's procedures for preventing and detecting crime, the data will be exempt under section 29(1) and would not be disclosed.
- Dormant fraud files are likely to hold staff names and third party data which must be considered on the same basis as any such information held in any file.
- 204 Once a fraud case is closed, the data may no longer be exempt under section 29(1). There are also likely to be fraud allegations from third parties present in both live and dormant fraud files. Each document in the fraud file must be examined individually to identify data which is exempt or should be withheld as third party data.
- 205 If the fraud officer identifies data which is exempt, he/she should block the relevant data as described in paragraph 197 above and notify the DPO of the reasons for doing so.
- 206 If there is any doubt as to whether certain data should be blocked, advice should be sought, via the DPO, from Information and Devolution Policy (DP & Fol).

Allegations of fraud

- 207 Allegations of fraud, both at the initial stage and after they have been investigated, should be treated as third party data (see also [paragraph 220](#) et seq). These should be withheld under Section 7(6) (a) of the Act when responding to a SAR. If the data subject requests access to repeated/possibly malicious allegations, disclosure will not be made without a court order.

A very important point to consider is that it is possible that documents relating to fraud may be present in other files. For example, a record of a telephone call alleging fraud could be present in the main file. These documents fall into the same category as they would if they were within a fraud file, e.g. if a live fraud investigation was ongoing, any data that could prejudice the outcome is exempt under Section 29 of the Act.

[Exempt Data Training Handout 2](#) provides a summary of the guidance on the disclosure of fraud information.

Please also see [paragraph 226 – Third party information on fraud files](#).

Medical data

- 208 There is provision in Section 30 of the DPA (usually referred to as the "Health Order") which exempts individuals' personal information relating to their physical or mental health or condition

which, if disclosed, would be likely to cause them **serious** harm. The exemption is equally appropriate to records held on DWP customers as it is to personal files held on DWP staff.

This type of situation might arise where the data subject has a health problem of which he/she is unaware and disclosure could cause serious harm.

The types of health problems that a data subject could have and not be aware of may include:

- a malignancy
- a progressive neurological disease
- serious mental illness.

The payment of certain benefits is dependent on the medical condition of the customer. Consequently some forms are designed to record the results of medical examinations made at the request of DWP.

When the DWP requests information from a doctor in such a way that the information is recorded on a DWP form, this information should be disclosed. This is not third party information. It is information collected for DWP business purposes. Doctors are advised that customers will have the right of access to this information so, if there is any information that may be harmful to disclose, they should advise the Department.

When a doctor indicates that there is harmful data, this will alert the DPO that this information may be exempt. The information would only be exempt if, in the opinion of the Medical Adviser, it was likely to cause serious harm to the physical or mental health of the data subject or any other person if disclosed. The DWP forms advise doctors that the information will be released to the data subject unless the doctor indicates to the Department that releasing the information to the data subject would be likely to cause serious harm to the health of the data subject or serious harm to themselves e.g. risk of attack/assault against the doctor.

On the other hand, any information given in confidence to the Department by the data subject's GP which is not on a DWP form should be withheld. Information that the doctor considers would be harmful to the data subject if disclosed would be exempt under the Health Order. Any other information given in confidence by the doctor would be withheld under Section 7 (6) (a).

You may also come across the situation where the information on the data subject's health has not been provided by a doctor. You may have been advised by a Third Party, for example, a close relative.

- 209 The decision that such information would cause an individual serious harm can only be made by a medical professional. The Health Order allows the DWP to use its own properly qualified doctors to make the decision, if it is not possible to obtain this information from the individual's GP or hospital doctor/consultant. This will enable the DPO to decide whether or not to disclose or withhold this information. The "Order" was introduced to help DWP meet the 40-day deadline for responding to a SAR and to help reduce any delays that could possibly occur in tracing the individual's GP.

This only applies to customer records – not staff records unless the member of staff is claiming a benefit and is asking for their benefit records

- 210 Generally, medical information contained in DWP records should be released to the customer, and the DPO will only be required to decide whether data is exempt when it has been clearly marked as potentially harmful. The DPO will only need to consult a medical professional if there is information which has been marked potentially harmful and the medical opinion is:
- more than six months old or
 - less than six months old but there has been a change in the health of the data subject since the opinion was given.

See also [paragraphs 148 to 152](#) – Request for Atos Healthcare Medical Services records.

- 211 The DPO need not consult with the doctor if satisfied **beyond doubt** that the individual has already seen, or is aware of, the medical information.
- 212 If there is any doubt as to whether the medical information should be released, the DPO should arrange for the referral of the case to the local Atos Healthcare Medical Service Centre, via the local contact, to arrange for a decision on whether to release any medical information. If you have any concerns that the medical information is harmful, withhold the information
- 213 If there are delays in receiving responses to requests, the DPO should first attempt to resolve this with the local Medical Service Centre via the local contact.
- 214 If these attempts are unsuccessful, the DPO should contact:

Brian Pepper
National Customer Relations Manager
Atos Origin Medical Services
Government Buildings
Lawnswood
Leeds LS16 5PU

Fax number: 0113 230 9290

Information supplied by doctors

- 215 Data supplied by doctors on official forms will be released unless it has been decided it is medically harmful.
- 216 Doctors working under contract to DWP are required to give their name to DWP customers.
- [Exempt Data Training Handout 3](#) provides a summary of the guidance on disclosure of health information.

Research, history and statistics

- 217 Data used exclusively for research, history and statistics is exempt from the Act and does not need to be provided in response to SARs.

It is unlikely that these categories of information will affect any SARs. Broadly speaking, information that is collected and used exclusively for research purposes is exempt from Subject Access. However, certain conditions must apply. The rules of fair processing must be followed and they are as follows:

- at the time the data is collected, the data subject must be made fully aware of what use will be made of the data collected
- the data collected must only be used for the purpose for which it was collected.
- the results of the research and/or any statistics gleaned from the data cannot be made available in a form that would identify any particular individual

The Act states that 'research purposes' includes 'statistical or historical purposes.'

The type of research that DWP carries out based on data gathered from individuals is usually completed by carrying out customer/staff surveys. Although the information supplied is personal to the individuals who provided it, it is not used by the organisation in any way that personally affects the individual.

It is therefore exempt from Subject Access under Section 33 of the DPA and need not be looked for in response to a SAR.

Human Resource Issues

- 218 All DWP staff SARS are handled by a centralised team of DPOs. If you receive a SAR from a member of staff or former member of staff, please forward it immediately to the [HR Team](#). See also [paragraphs 160 and 161](#). If the HR DPO receives a SAR where the member of staff is a DWP customer and requests benefits information, then the HR DPO will send the SAR to a relevant DPO for them to take ownership of the request for benefits information.

The only information that may be exempt under Schedule 7 of the DPA 1998 'Miscellaneous Exemptions' are as follows:-

References:

Schedule 7(1) states that confidential references given by the data controller about the data subject for the purposes of:

- employment, or prospective employment
- education, or prospective education
- training, or prospective training
- appointment or prospective appointment to a post
- provision or prospective provision of a service

are exempt from the Subject Access Provisions.

In other words, the Data Controller does not have to disclose any references it has provided to other employers on current or former staff.

However a decision was taken within the Department that when asked to provide a reference to a future employer, a copy will be provided to the data subject at the same time. This decision was publicised in Personnel and Communications Directorate Circular (PCDC) 35/00.

This exemption does not extend to references about potential employees which we receive from their current/former employer. Any such references must be disclosed if a SAR is received, although any third party data may be withheld.

Management Forecasts/Management Planning: Schedule 7 (5) states that personal data processed for the purposes of management forecasting or management planning, which will assist in the running of any business or other activity, is exempt from Subject Access if disclosing the data would be likely to prejudice the running of the business or any other activity.

This exemption may apply for example to plans the Department has to promote staff; transfer staff or work; or make a worker redundant, **nothing else**.

The disclosure of documents relating to documents held in files on:

- complaints
- grievances
- Equal opportunities or other investigations
- discipline
- inefficiency

must be made following discipline procedures in the HR website.

It may be possible to consider withholding certain information under the third party data exemption (see below).

Third party data

220 Third party information is personal information relating to any person other than the:

- data subject
- data controller or
- any data processor or other person authorised to process data for the data controller or processor

The expression third party does not include employees or agents of the data controller or data processor, which persons are for the purpose of this expression to be interpreted as being part of the data controller or processor. As such, this expression is distinguishable from “recipient”, which effectively separates employees/agents of the data controller/processor from the data controller/processor itself.

There is no specific exemption in DPA to exempt third party information; merely safeguards to ensure that this information is treated as confidential.

The Data Protection Act highlights some of the factors to be taken into account in deciding whether it is reasonable to disclose, although the list is not exhaustive.

Section 7(6) states " In determining for the purposes of whether it is reasonable in all the circumstances to comply with the request without the consent of the other individual concerned, regard shall be had, in particular, to-

- any duty of confidentiality owed to the other individual,
- any steps taken by the data controller with a view to seeking the consent of the other individual,
- whether the other individual is capable of giving consent, and
- any express refusal of consent by the other individual.

Where there is no clear duty of confidence, it will in many cases be reasonable to disclose the third party information without consent if it is in the data subject's "vital interest".

221 Third party information can take two forms:

- data supplied by a third party which relates to the data subject i.e. information supplied by a doctor about the data subject; or
- data contained in a data subject's records which relates to someone other than the data subject i.e. a non dependent or partner.

222 Third party data should not be disclosed unless:

- the third party has consented to the disclosure to the data subject or
- it is reasonable in all the circumstances to make the disclosure without the consent of the third party.

223 “Reasonable” is not defined in the Act, but if there is a clear duty of confidentiality to the third party disclosure without consent is unlikely to be reasonable. The DPO must consider the circumstances of each case, and make a judgement as to whether DWP has a clear duty of confidentiality to the third party.

224 The disclosure of third party data may result in a complaint to the Information Commissioner by either the third party or the data subject. All the circumstances of each case must be considered carefully when deciding if third party data should be released.

Key considerations when deciding if third party data should be disclosed

225 **Has the third party consented to the disclosure?**

Consider seeking the third party's consent. However, this may not always be appropriate; for example if doing so would result in disclosing the personal data to the third party.

Has the third party previously given the information to the data subject making the request?

Withholding the data would not be justified in these circumstances as the data subject already knows this information.

Is the third party data confidential, sensitive or harmful to either the third party or the data subject?

A duty of confidentiality arises in many relationships; e.g. fraud officers/informants. When a clear duty of confidentiality to a third party arises, it may not be reasonable to disclose any data which may identify that third party.

This is particularly important when dealing with fraud cases. No data should be disclosed which could possibly identify the third party, especially in the case of anonymous letters.

Is it reasonable to disclose the data without the consent of the third party?

Consideration should be given to disclosing the data without the consent of the third party; e.g. when an employer has provided wage details. Data supplied by employers will normally be released without their consent. However, where an employer has requested that the source of the data be withheld, consideration will have to be given to withholding their name under section 7(6) (a) of DPA, which refers to duty of confidentiality owed to third parties.

Does the third party consent to the data being disclosed to the legal representative of the data subject?

The third party may be willing to consent to the data subject being given the data, but not to the data subject's legal representative. In such a case, the data relating to the third party must not be disclosed to the legal representative. It may be appropriate to contact the data subject to advise him/her of this and, if necessary, send the data direct to the data subject.

Has the third party refused consent to the disclosure?

If the third party has refused consent to disclosure of the data, DWP solicitors have advised that this should be taken as a **strong indication** that the data should **not** be disclosed. However, the Information Commissioner has advised that if consent has not been given, the data controller is still required to release the data if it is reasonable (see [paragraph 223](#)) in all the circumstances.

Any decision to disclose data without the consent of the third party must be fully documented.

Does the third party data contain details which will identify him/her? If so, will blocking be sufficient to prevent disclosure of the third party's details?

If third party data is to be blocked, disclosure of the remaining data must be made. In this situation, the person blocking the data **must be certain** that the third party cannot be identified from the remaining data before disclosing it to the data subject.

[Exempt Data Training Handout 04](#) provides a summary of the guidance on third party data

Third party information on fraud files

- 226 If you are dealing with a dormant fraud file which contains a letter from a third party alleging benefit fraud, do not disclose this data to the data subject.

This is because members of the public are not only actively encouraged to report benefit fraud, but are also guaranteed anonymity. This is another circumstance where there is a duty of confidentiality to third parties, i.e. Section 7 (6) (a)

Even if the letter alleging fraud was anonymous, you might still not disclose it as the customer may recognise the handwriting. Remember you must consider that if it makes a person identifiable, you must withhold. This also applies to information supplied where the data subject might know that only certain people were party to that information.

Each case must be considered on an individual basis and the interpretation of whether it is reasonable to disclose information without the third party's consent must be considered very carefully.

The Departmental solicitors have advised that if the third party does not agree to disclosure, this is a strong indication that the data should be withheld as providing third party information against the wishes of the third party must be clearly justifiable and would have to withstand both internal and external scrutiny.

Please also see paragraphs [198 to 207 – Crime and Taxation](#) – for personal information held mainly on fraud files.

(227-229)

Staff names

- 230 The Department's policy is that in order to present ourselves in a business-like and professional manner, it is important that a customer is given the name of the person dealing with his/her business. Guidance on providing staff names can be found in the [Identification Framework](#).

- 231 Staff names should be included in documentation released in response to a subject access request. A staff member's name may be withheld in response to subject access request, if:
- it is established that the staff member's safety, health or well-being would be put at risk as a direct result of a customer knowing his or her name. (See the [guidance](#) on Unacceptable Customer Behaviour (UCB) for general information about Unacceptable Customer Behaviour especially Part One paragraph 46 about disclosure of staff names
 - there is a contractual obligation to keep staff names confidential

(232)

Legal advice

- 233 Legal advice is covered in Schedule 7(10) DPA. If a SAR is received and their records contain:

- requests for legal advice
- advice from Departmental solicitors,

this information may be withheld on the grounds of client confidentiality. This exemption can only be applied if the advice was sought in relation to actual or potential legal proceedings.

(234)

Unacceptable Customer Behaviour (UCB) markings

- 235 Guidance on the Department's policy on [Unacceptable Customer Behaviour](#) is available on the Health & Safety Division Intranet site.
- 236 A key element of the policy is an emphasis to the disclosure of the marker in the great majority of cases. **It should be noted that where it is obvious that the customer is already aware that he/she has been classified as UCB this cannot be withheld if a SAR is made.**
- 237 The decision to withhold this information should be taken by the Nominated Manager for UCB procedures. The reasons for the decision must be fully documented. DPOs should not therefore have to decide whether to disclose this information as it is the responsibility of the UCB manager.
- 238 If it is not clear from the paperwork whether the customer already knows they have been given this marking, refer to the UCB manager for a decision.

(239)

Weeding and destruction

- 240 The reply to a SAR should include all the information that is held on the individual at the time the SAR is received, without amendment.
- 241 The only exception to this rule is to allow normal amendments to be made if they relate to a change of address or bank details. In such cases the previous details may in fact be deleted from the records by the computer system.
- 242 After the response has been issued to the data subject, the Business Unit's normal document retention procedures, including document destruction, should be applied. The DPO should, if they believe that the data includes potentially offensive material which should be issued to the data subject, decide the most appropriate way of dealing with the situation; e.g. by interview or visit. Make sure the data subject understands that action is being taken to make the data compliant with the Act.
- 243 Information must never be altered in order to make it acceptable to the data subject. Under the Freedom of Information Act 2000 it is a criminal offence to alter, deface, block, erase, destroy or conceal any part of the data subject's personal data after a SAR is received, to prevent the disclosure of all or part of the data to which the data subject is entitled.

(244)

DPO action before issuing response to Subject Access Request

- 245 Once all the relevant documents have been received ensure that:
- all records relate to the correct data subject
 - the correct procedures for blocking exempt data have been followed
 - the correct procedures have been carried out in relation to third party data
 - BU specific abbreviations lists have been included (these are available on the DWP Intranet and should be printed out as required. The generic departmental abbreviation list can be accessed by clicking [abbreviations](#) list)
 - any data which cannot be understood, e.g. because of poor handwriting, is typed (but only if you can read the handwriting) and a copy of the original document issued together with the typewritten transcript. If any part of the document is unreadable do not attempt to "translate" but include an apology for this in the reply.
 - if the latest address on any computer system differs from that on the SAR, verification of the new address is recorded.

(246-249)

Method of response to the data subject

250 The data subject may indicate at any time that he/she would like to:

- have the response posted
- view/collect the response personally at a DWP office.

251 If he/she does not express a preference, send the response by post.

Reply to be posted

252 Make sure all records are enclosed with the final letter, including the BU specific list explaining abbreviations and jargon. Also make sure that the package is secure and correctly sealed.

253 Information and Devolution Policy recommend the use of polylopes when issuing bulky SAR papers to customers. DPOs **must** remember that Royal Mail Special Delivery is the **only** service that should be used to send sensitive information to a customer's home address. This service requires that the recipient must sign a "proof of delivery". TNT courier Documented Service **must not** be used to send mail to private addresses. For further guidance please see [here](#).

254 Although not necessary, DPOs may find it useful to retain photocopies of the original documents for three months following the issue of the response, in case of queries from the data subject. The original documents should be returned to storage/the relevant operational section as appropriate.

255 The SAR files do not have to be retained, but may be retained for 3 months (or whatever length of time your business unit decides is appropriate) from the date the last action was taken and destroyed at the end of that period, unless there are on-going queries regarding the SAR, or a further SAR has been received during that time.

Documents returned because they cannot be delivered

256 If the documents are returned because they cannot be delivered, try to contact the data subject by telephone, if possible. Record details of the return and all attempts to make contact with the customer. Refer to the appropriate section if there has been a change of address or the individual cannot be traced.

257 If the data subject cannot be contacted, retain the copies of the data for 4 weeks from the date they are returned to the DPO and then destroy them.

Request by data subject to view/collect data at a DWP office

258 If a customer asks to view/collect their data from any DWP office make the necessary arrangements and advise the customer when all documents are ready for viewing.

259 Exempt data and third party data which is to be withheld should be identified and blocked as described in [paragraph 195](#) before the customer views the documents.

260 Customers should **always** be accompanied by a member of staff when viewing original documents.

261 If the individual fails to attend the appointment, try to contact him/her by 'phone to make another appointment. If the person cannot be contacted, issue a response by post, if possible.

262 If the response cannot be posted, e.g. because the person has no fixed abode, the data should be retained for one month at the office where the viewing was intended to take place. If the person has not made contact by the end of this period, the copies should be destroyed. Any original documents sent to the office where the viewing was to take place should be returned to the originating office.

263 A customer who has arranged to view the original documents at a DWP office may ask for copies during or immediately after the viewing. If this happens, obtain the copies and give to the customer or send by post.

(264)

Data exists but cannot be found

265 If it is known that data exists but cannot be found, the relevant DPO should ensure that the Business Area(s) concerned takes prompt action to trace missing documents.

266 If **some** data has been traced, continue normal action on it.

267 If it seems clear that the missing data will not be found in time, the data already held by the DPO should be issued to the data subject along with a written apology and explanation.

268 When the missing document action is completed, and the data has been traced, issue it to the data subject with a letter of apology for the delay.

269 If, following missing document action, the data cannot be traced, the DPO should notify the DWP customer using the [SANTA05](#) letter.

Data should exist but has been destroyed in error

270 If personal information should exist for a DWP customer but the DPO has evidence that it has been destroyed in error, the DPO should notify the DWP customer using a [SANTA05](#), explaining the situation and apologising for the error. It is for the office concerned to decide whether to interview the customer and collect the information again.

No data held for a data subject

271 It may be that the Business Area/Unit from which a DWP customer has requested personal information does not hold anything relating to them. Referred-to DPOs should advise the Owning DPO of this. Owning DPOs should note this and advise the customer that no records are held for that component of the SAR when [SANTA05](#) is issued.

(272-274)

Charges

275 The Act allows data controllers to make a charge for responding to SARs, subject to a maximum of £10.00. However, DWP has decided that it will **not** charge any individual for access to personal data. Any payment received from the data subject or representative should be returned.

Repeat requests

276 Where the individual has had a reply to a SAR, the Act does not require organisations to comply with a subsequent identical or similar request unless a reasonable interval has elapsed. However, given that Departmental records change constantly, it will be unusual to apply this criterion unless it is clear that the customer is "vexatious"; i.e. is making repeated requests in order to cause inconvenience to the Department. If this appears to be the case, consult Information and Devolution Policy (DP & Fol) for advice. All other requests should be

responded to as normal. However, it is not necessary to reissue material which has already been provided in response to previous requests - only new material should be issued.

(277-279)

Enquiries following a response to a Subject Access Request

280 Enquiries following responses to SARs will normally fall into one of five areas:

- the data subject believes they have not received all the data held on him/her
- the data subject does not understand the data
- the data subject disputes the accuracy and/or relevance of the data
- the data subject finds some of the data offensive
- the data subject is unhappy that the response was not issued within the timescales allowed.

Each of these is dealt with below.

281 Any of the above may be disputed by the data subject, in the form of an enquiry or a complaint. It will be for the DPO to decide, if they are the first to receive the correspondence from the data subject, whether it is a formal complaint. Complaints received through Customer Service sections should be dealt with as normal, although the DPO may be consulted for advice.

The data subject disputes the accuracy and/or the relevance of the data

282 If there is a dispute over the accuracy or relevance of the data, refer this to the appropriate officer to make the decision as to whether to retain, amend or remove the data.

283 The reason(s) for this decision should be noted on the clerical and system records and notified to the data subject. The DPO should be informed when this action has been completed.

284 If the disputed data is not to be destroyed for whatever reason, for example because it is correct, or accepted as incorrect but cannot be altered due to the limitations of the computer system, explain this to the data subject in writing.

285 Some customers dispute medical opinions provided by either their or the Department's doctor. DWP cannot change or delete this information and the customer should be advised that only the doctor who gave the opinion can do so. We are still required to make it clear on our records that the customer does not agree with this information/opinion.

The data subject does not understand the data

286 If the data subject does not understand some or all of the data, this may be because of its technical content.

287 Decide, in conjunction with a relevant expert, the most appropriate method of clearing the query.

288 If the data subject does not understand any abbreviations in the text that are not covered by the abbreviations lists, issue an explanation of the specific abbreviations in question.

289 If documents are badly written and difficult to read issue them together with a typed copy, if at all possible, of the text. If a document cannot be deciphered, include an explanation of this in the SAR response, together with an apology.

The data subject finds some of the data offensive

290 If the data subject feels some of the data is offensive, **always treat this situation as a complaint and follow normal complaint procedures.**

The data subject is unhappy that the response was not issued within the 40 days allowed

- 291 The data subject may be unhappy that the response has not been issued within the 40 calendar day deadline. The response should have included an apology for missing the deadline. The data subject should also be told that if still dissatisfied, he/she can complain to the Information Commissioner. The address of the Information Commissioner should be included in the reply.

The Information Commissioner's address is:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Data subject alleges damage/damage and distress

- 292 If a data subject alleges damage, or damage and distress, formally acknowledge receipt of the allegation to the data subject and establish the precise nature of the allegation. The allegation will be investigated by Special Payments section in consultation with the DPO and/or Information and Devolution Policy (DP & FoI).

Requests for assessment by the Information Commissioner

- 293 If the data subject indicates that they intend to make a complaint to the Information Commissioner the DPO should alert [Information and Devolution Policy \(DP & FoI\)](#) to this possibility.
- 294 Any person who believes that their SAR has not been handled correctly can ask the Information Commissioner to assess whether the processing has been/is being carried out in compliance with the Act. The Information Commissioner will then investigate and decide whether this is a "one off" incident or a more widespread problem throughout DWP. The Commissioner will contact Information and Devolution Policy (DP & FoI) to ask for information about the handling of the SAR. Information and Devolution Policy. (DP & FoI) may in turn need to contact DPOs to ask for more detailed information to assist the [Commissioner's](#) assessment.
- 295 Depending on the Information Commissioner's assessment, this may lead to enforcement action being taken to ensure that DWP follows the legal requirements of the Act.

Data Subject is dissatisfied with third party data being withheld

- 296 There may be occasions when an individual is dissatisfied with a decision not to disclose data which has been classified as exempt or withheld under Section 7 and decides to take further action.

The individual may complain directly to the Information Commissioner (IC). The Information Commissioner has the power to take action to ensure that responses to SARs are carried out in compliance with the Act. The IC would then investigate the case to make sure that the SAR has been dealt with in accordance with the DPA, i.e. that the data was correctly exempted or withheld under the appropriate legislation. If the IC is not satisfied that the case had been handled in accordance with the law, DWP would be advised that the documents must be re-examined, and where appropriate, disclosed to the data subject.

If the IC is satisfied that the SAR has been dealt with in accordance with the DPA, the data subject will be informed that the case has been correctly dealt with and the data cannot be disclosed.

Risks associated with incorrect disclosure/withholding of data

297 Under the Act, data subjects have the right of access to all personal data that the Department holds about them, except for data which is classed as exempt or which can be withheld.

If you withhold data because you consider it to be exempt from disclosure or it can be withheld under Section 7, you must be sure it fits into one of the criteria as laid down by the Act.

Sometimes responding to a SAR will reveal data which may be embarrassing to disclose. This data cannot be withheld unless it falls into an exemption category or can be withheld under Section 7 of the Act.

Remember after a SAR has been received, it is a:

- breach of the DPA 1998;
- criminal offence under the Freedom Of Information Act; and
- a disciplinary offence

to edit or remove data which is not classed as exempt or which cannot be withheld under Section 7 of the DPA 1998 irrespective of its age.

If you identify contentious or embarrassing data which must be disclosed in response to a SAR, you should notify your management team in case disclosure is followed by a complaint from the data subject.

On the other hand, you must be just as diligent about ensuring that you do not disclose data which is exempt or should be withheld from the data subject.

Data subjects who can show that they have suffered from damage or damage and distress as a result of the inappropriate release of data in response to SARs, have the right to apply to the courts for compensation.

Compensation may be awarded to a data subject if the data controller is unable to prove that reasonable care was taken in complying with the Act.

It is extremely important, therefore, that all data is carefully examined in compliance with the Act, i.e.: any exempt data or data which can be withheld under Section 7 is withheld/blocked all remaining data is disclosed to the data subject.

(298-299)

Appendix 1- SANTA letters for use by DPOs

Ref	Name	Purpose
SANTA01	Letter and Request for Further Information form to be sent to a DWP customer or appointee/POA when further details are required	Sent to a DWP customer or appointee/Power of Attorney and not to a solicitor or third party. Use to obtain further information from a DWP customer or appointee/Power of Attorney, including identification details, what personal information is required, etc.
SANTA02	Acknowledgment letter to a DWP customer or appointee/Power of Attorney	Sent to a DWP customer or appointee/Power of Attorney and not to a solicitor or third party. Use to: <ul style="list-style-type: none"> • acknowledge receipt of a SAR or a SANTA01, and • tell a DWP customer, or appointee/Power of Attorney that personal information will be sent directly to them
SANTA03	Acknowledgement to a solicitor who has requested personal information about a DWP customer	Sent to a solicitor and not to a DWP customer or appointee/Power of Attorney. Use to confirm to a solicitor that their request has been received and that all personal information will be sent to a DWP customer or appointee/Power of Attorney
SANTA04	Referral Template	Use to refer SAR to another DPO, either for ownership or obtaining a component.
SANTA05	SAR closure letter to a DWP customer or appointee/Power of Attorney	Sent to a DWP customer or appointee/Power of Attorney and not to a solicitor or third party. Use to accompany the personal information requested in a SAR and explain that certain personal information may be blocked because of exemptions applied under DPA.
SANTA06	SAR closure letter to a solicitor or third party who has requested personal information	Sent to a solicitor or third party and not a DWP customer or appointee/Power of Attorney. Use to explain that: <ul style="list-style-type: none"> • personal information has been sent directly to a DWP customer or appointee/Power of Attorney, or • you will not be sending any information to a DWP customer or appointee/Power of Attorney, or • you are unable to locate the requested information
SANTA07	Response letter to solicitor who is advising that they will be applying for a court order	Sent to a solicitor and not to a DWP customer or appointee/Power of Attorney. Use to: <ul style="list-style-type: none"> • tell a solicitor that personal information will be sent directly to a DWP customer or appointee/Power of Attorney, and • explain that the Department expects that a court will award it costs in relation to the application and of complying with any order for disclosure that is made

Appendix 2 – SANTA letters 01 to 07

This Appendix contains guidance on the purposes and use each of the SANTA letters in the SAR process. User friendly versions of the SANTA letters that can be sent to DWP customers and third parties can be found [here](#).

SANTA01 – Letter and Request for Further Information form to be sent to DWP customer or appointee/Power of Attorney when further details are required

Purpose

A SANTA01 letter is sent to a DWP customer or appointee/Power of Attorney and **not** to a solicitor or third party. It is used when:

- it is not clear what personal information is required in response to a SAR. This may be because the request asks for “all the personal information you hold on me”, or
- further details are required to confirm the identity of a DWP customer, or
- it is not clear whether a DWP customer or appointee/Power of Attorney wants medical reports to be included in a response to a SAR, or
- a solicitor or third party makes the SAR and it explains the Department’s policy to send the personal information to a DWP customer, appointee/Power of Attorney only and **not** to a solicitor or third party

A SANTA01 letter is **not** issued when it is clear what a DWP customer or appointee/Power of Attorney wants e.g. “Please send me a copy of my Jobseekers Allowance computer record”.

Use of optional paragraphs

A SANTA01 letter includes optional paragraphs which are used to suit the nature of the SAR.

The **first optional paragraph** is used when the SAR is from a DWP customer or appointee/Power of Attorney. This paragraph acknowledges receipt of the SAR.

The **second optional paragraph** is used when a SAR is from a solicitor or a third party and explains to a DWP customer or appointee/Power of Attorney that the Department’s policy is to send the personal information to a DWP customer or appointee/Power of Attorney.

The **third optional paragraph** is used when you require proof of identity and/or address when the address provided by a DWP customer or appointee/Power of Attorney, solicitor or third party differs to that held on DWP records.

The **fourth optional paragraph** is used when it is not clear what personal information is required in response to the SAR made by a DWP customer or appointee/Power of Attorney **or** a solicitor or third party and requests that a DWP customer or appointee/Power of Attorney provides details on the Request For Information form to make the request clearer.

Request for Further Information form

Part A – Confirmation of identity of DWP customer

This part is completed by a DWP customer or appointee/Power of Attorney.

This part includes an optional paragraph used to request a current utility bill as proof of identity and address and is only used when a DWP customer’s identity and/or address does not match that on DWP records.

Part B – Confirmation of appointeeship or Power of Attorney

This part is completed by an appointee or Power of Attorney.

This part is used when we have no record of the appointeeship or Power of Attorney for a DWP customer. It requests an appointee or Attorney to provide appropriate documentation confirming their status.

Part C – Personal information required

This part is completed by a DWP customer or appointee/Power of Attorney.

This part is used to confirm the personal information to which a DWP customer or appointee/Power of Attorney wishes to have access and is used to confirm whether medical reports are to be included in a response to a SAR.

Amend the SANTA01 at Part C to only show the benefits which a DWP customer is receiving or has received or for which they have an interest (this latter information can be obtained from the Benefits Interest screen in CIS - see below) by deleting the benefits that do not apply. This will make it less likely that the customer will tick every box.

A DWP customer or appointee/Power of Attorney still has the opportunity to ask for any other information by filling in the “Any other personal information you require” box.

Use of the Benefits Interest screen on Customer Information System (CIS)

You must check the Benefits Interest screen on the Customer Information System (CIS) to see which benefits or allowances a DWP customer is receiving, has received or has an interest in and delete the benefits or allowances on the SANTA01 which do not apply.

The Benefits Interest screen on CIS also provides an indication on whether a DWP customer has an interest with Compensation Recovery Unit (CRU) for **Personal Injury Compensation** (shown on the SANTA01) purposes or an interest with Debt Management (DM) for **Overpayments (Debt Recovery)** (shown on the SANTA01) purposes. If CIS shows either of these components, include them on the SANTA01.

Part D – Location of records

This part is completed by a DWP customer or appointee/Power of Attorney.

This part is used to confirm names and addresses of DWP offices which may have the DWP customer's records.

Part E – Period which personal information covers

This part is completed by a DWP customer or appointee/Power of Attorney.

This part is used to confirm the start date and end date for the requested personal information.

Part F – Declaration

This part is completed by a DWP customer or appointee/Power of Attorney.

This part is used to declare that the information provided by a DWP customer or appointee/Power of Attorney is correct.

SANTA01

<Select appropriate logo(s)>



<DPO's office address>

Tel: <DPO's number>

Fax: < " " >

E-mail: < " address >

Date: < " " >

Our reference: < Cust. NiNO >

Your reference: <if applicable>

Request for personal information

Dear <insert DWP customer/appointee/POA name>,

(* **First optional paragraph**) Thank you for your request for <insert "your" or DWP customer's name + 's > personal information which we received on <insert date of receipt>. **[For use when SAR is from a DWP customer or appointee/POA]**

(* **Second optional paragraph**) We have received a letter from <insert solicitor or 3rd Party name> asking us to provide a copy of all the information we hold on you. **Please note that it is the policy of the Department for Work and Pensions in these circumstances to send your personal information to you. A copy will not be provided to anybody else who has asked for your personal information. If you want anybody else to have a copy, you must arrange this. DWP will not do this.** **[For use when SAR is from solicitor or 3rd party]**

(***Third optional paragraph**) The address provided by <insert "you"/solicitor or 3rd party name> differs to that held on DWP records and we need to confirm <insert "your" or DWP customer's name + 's > correct address. **Please supply proof of identity and address, such as a utility bill, that includes <insert "your" or DWP customer's name + 's> name and address.** When we receive this information we will be able to send you the information you have asked for.

(***Fourth optional paragraph**) We <insert also> [for use only when requesting address confirmation] need some further information before we can deal with your request. Under section 7(3) of the Data Protection Act we can ask you to let us have further information. I would be grateful if you could fill in parts <insert "from A to E" as appropriate> of the form on the next page.

(*Delete as appropriate)

Please return this letter to me within 40 days. If I do not hear from you within this time, I will assume you no longer require the information. If you have any queries about this letter please contact me using the details at the top of this letter.

Yours sincerely,

<Signature>

Data Protection Officer

Request for Further Information

Part A – Confirmation of identity of a DWP customer <Insert “Your” or DWP customer’s name + 's> **details**

Title:		Surname:	
Forename(s):			
Previous Surname (s) (if applicable):			
Current Address: * PLEASE PROVIDE A CURRENT UTILITY BILL AS PROOF OF ADDRESS [Optional – only for use when customers’ address does not match that on record.]		Previous Address (if applicable):	
Date of Birth:		National Insurance Number:	

Part B – Confirmation of appointeeship or Power of Attorney

We have no record of your appointeeship or Power of Attorney for <insert DWP customer name >. Please provide appropriate documentation and we will be happy to continue with your request.

Part C –Personal information required

Please tick the information you wish to have access to: [[DPOs to check the Benefits Interest screen on CIS & delete components below where a DWP customer has no interest.](#)]

	Computer Records	Clerical Records
State Pension		
Pension credit		
Income Support		
Jobseekers Allowance		
Widows Benefits/Bereavements Benefits		
Incapacity Benefit		
Labour Market System		
Industrial Injuries Scheme Benefits		
Severe Disablement Allowance		
Social Fund		
Attendance Allowance		
Disability Living Allowance		
Maternity Allowance		
Carers' Allowance		
Personal Injury Compensation		

--

--	--

Overpayments (Debt Recovery)

--	--

Any other personal information you require: (Please be as specific as possible – continue on another sheet if necessary)

--

Part D – Location of records

<p>Please list the names and addresses of DWP offices which may have your records</p> <p>(It would be helpful if you could also list any telephone numbers or staff names you have.)</p>

--

Part E

Please tell us below the period you would like the personal information we send to you to cover.

Personal information required for period from --/--/---- to --/--/----

Part F – Declaration

I declare that the information I have provided above is correct.

Signed:	
----------------	--

Date:	
--------------	--

SANTA02 – Acknowledgement letter to DWP customer or appointee/Power of Attorney

Purpose

A SANTA02 letter is sent to a DWP customer or appointee/Power of Attorney and **not** to a solicitor or third party. It is used to:

- acknowledge receipt of a SAR made by a DWP customer or appointee/Power of Attorney when a SANTA01 - Request for Further Information form does not need to be sent, or
- acknowledge receipt of a SANTA01 – Request for Further Information form from a DWP customer or appointee/Power of Attorney, or
- tell a DWP customer or appointee/Power of Attorney that personal information will be sent directly and only to them, or
- confirm the requested personal information which will be sent in response to the SAR

The letter also confirms the benefits or allowances that a DWP customer or appointee/Power of Attorney has asked for and that this personal information will be sent out promptly, and in any case within 40 calendar days of receiving the SAR.

Use of optional paragraphs

A SANTA02 letter includes optional paragraphs which are used to suit the nature of the SAR.

The **first optional paragraph** is used to acknowledge receipt of a SAR made by a DWP customer or appointee/Power of Attorney and a SANTA01 – Request for Further Information form does not need to be sent as it is clear what a DWP customer or appointee/Power of Attorney wants e.g. “Please send me a copy of my Jobseekers Allowance computer record”.

The **second optional paragraph** is used to acknowledge receipt of a completed SANTA01 – Request for Further Information form.

The **third optional paragraph** is used to tell a DWP customer or appointee/Power of Attorney that it is the Department’s policy to send a copy of personal information only to them. It tells them that if they want a solicitor or a third party to have a copy, then they must arrange this.

The **fourth optional paragraph** is used when a DWP customer or appointee/Power of Attorney has asked to view copies of their records and tells them that you will arrange this.

SANTA02

<Select appropriate logo(s)>

<DPO's office address>

DWP Department for
Work and Pensions



DWP Department for
Work and Pensions
Disability and Carers Service

Tel: <DPO's number>

Fax: < " " >

E-mail: < " address >

Date: < " " >

Our reference: < Customer NiNo >

Your reference: < if applicable >

Request for personal information

Dear <insert DWP customer/appointee/POA name>,

(*First optional paragraph) Thank you for your letter dated <insert date> asking for personal information held by the Department for Work and Pensions (DWP) about < insert "you"/DWP customer's name >, which we received on <insert date received in DWP>. **[For when no SANTA01 is needed]**

(*Second optional paragraph) Thank you for returning our SANTA01 - Request for Further Information form, which we received on <insert date received in DWP>. **[For when SANTA01 has been sent and returned]**

(*Third optional paragraph) Please note that it is the policy of the Department for Work and Pensions to send a copy of your personal information directly to you. A copy will not be provided to anybody else who has asked for your personal information. If you want anybody else to have a copy, you must arrange this. DWP will not do this. **[For when SANTA01 has been sent and returned where a solicitor/third party (who is not the DWP customer's social security appointee) is requesting the DWP customer's information]**

You have asked for the following information: **[Add components as appropriate]**

We will issue the information requested as soon as possible, and within 40 days of receiving your request.

You might also receive personal information from other parts of the Department if your request covers records held at more than one location.

(*Fourth optional paragraph) If you have asked to view copies of your records I will contact you to make arrangements.

(*Delete as appropriate)

If you wish to discuss anything about this matter, please contact me on the number at the top of this page.

Yours sincerely,

<Signature>

Data Protection Officer

SANTA03 – Acknowledgement to a solicitor who has requested personal information about a DWP customer

Purpose

A SANTA03 letter is sent to a solicitor or third party who has requested personal information and **not** to a DWP customer or appointee/Power of Attorney.

It is used to:

- confirm receipt of the SAR made by a solicitor or third party and explains that you have contacted the DWP customer or appointee/Power of Attorney to obtain further information to enable you to deal with the request, and
- explain the Department's policy to send the personal information to a DWP customer or appointee/Power of Attorney and **not** to a solicitor or third party

Use of optional paragraphs

A SANTA03 letter includes optional paragraphs which are used to suit the nature of the SAR.

The **first optional paragraphs** are used when you have had to contact a DWP customer and you need to tell a solicitor or third party that you are waiting for further information to deal with the request. These paragraphs also tell a solicitor or third party about the Department's policy to send a copy of personal information directly to the customer.

The **second optional paragraphs** are used when you have **not** had to contact a DWP customer for further information to deal with the request. These paragraphs also tell a solicitor or third party about the Department's policy to send a copy of personal information directly to the customer.

SANTA03

<select appropriate logo(s)>

<DPO's office address>



Tel: <DPO's number>

Fax: < " " >

E-mail: < " address >

Date: < " " >

Our reference: < Customer NiNo >

Your reference: < if applicable >

Request for personal information

Dear <insert "Sirs", "Sir or Madam" or solicitor's name or third party's name>,

Thank you for your letter of <insert date>, requesting copies of personal information held by the Department of Work and Pensions about <insert DWP customer's name>.

(*First optional paragraphs) We have contacted <insert DWP customer's name> as we require further information to enable us to deal with this request. <Insert DWP customer's name> has 40 days to reply.

The information we have requested is confirmation of the personal information required including any medical records and further information to enable us to identify and find where the records may be held.

Once we have this information we will be able to respond to this request. If we do not hear from <insert DWP customer's name> within 40 days, we will assume the personal information is no longer required.

The Department cannot disclose this information without lawful authority. Whilst the present form of consent submitted on behalf of <insert DWP customer's name>, purports to record their agreement to the disclosure of this information the Department takes the view that any consent to disclosure in these circumstances should be informed consent. Clearly without first having sight of the personal information held by the Department <insert DWP customer's name>, cannot provide their informed consent. For this reason it is the Department's policy to disclose the personal information to DWP customers first.

In the circumstances therefore the Department will proceed to disclose to <insert DWP customer's name>, in the first instance. We shall write to tell you as soon as we have done this.

The information you seek will then be in the possession and control of <insert DWP customer's name>, to whom a direct request for information may then be made.

(*Second optional paragraphs) The Department cannot disclose this information without lawful authority. Whilst the present form of consent submitted on behalf of <insert DWP customer's name>, purports to record their agreement to the disclosure of this information the Department takes the view that any consent to disclosure in these circumstances should be informed consent. Clearly without first having sight of the personal information held by the Department <insert DWP customer's name>, cannot provide their informed consent. For this reason it is the Department's policy to disclose the personal information to DWP customers first. In the circumstances therefore the Department will proceed to disclose to <insert DWP customer's name>, in the first instance. We shall write to tell you as soon as we have done this.

The information you seek will then be in the possession and control of <insert DWP customer's name>, to whom a direct request for information may then be made.

(*Delete as appropriate.)

Yours <insert "faithfully" or "sincerely">,

<Signature>

Data Protection Officer

SANTA04 – Referral Template

Purpose

A SANTA04 is used to notify another Data Protection Officer or Deputy that a SAR has been received and that they need to gather information in response to the SAR. It is sent to another Data Protection Officer or Deputy with a copy of an original SAR and a copy of a SANTA01 when a SANTA01 has been completed by a DWP customer or appointee/Power of Attorney.

It is used to tell another Data Protection Officer or Deputy of the:

- DWP customer's name, address and NI number
- appointee/Power of Attorney's name and address
- effective date and 40 day deadline of SAR
- personal information to be gathered
- start date and end date for the requested personal information
- additional information required to respond to the SAR
- that there is no action for you to take and you are not therefore the owning DPO

It is used by a receiving Data Protection Officer or Deputy to confirm receipt of a SAR referral from an owning Data Protection Officer.

SANTA 04

Referral Template

Data Protection Act - SAR Referral Notification

To:		From:	<Original DPO Name, telephone & fax number> Owning DPO (delete if you are not the owning DPO but are referring as you have no action to take)
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Please see attached copy of original SAR and SANTA01

Name	<Data Subject's name>
Address	<Data Subject's address>
NINO	<Data Subject's NiNo>
Appointee/Power of Attorney (if applicable)	<Appointee/POA name>
Appointee/Power of Attorney Address (if applicable)	<Appointee/POA address>
Effective date of SAR	<Insert relevant date>
40 Day Deadline	<Insert relevant date>
Components Identified	<List of all component parts of SAR appropriate to "referred to" DPO>
Specified periods (if applicable)	<List specified periods>
Additional Information (e.g. Braille/viewing required) Use this area for advising: If you are referring this SAR because there is no action for you to take and you are not therefore the owning DPO If you are owning DPO, advise preferences for receiving acknowledgments/updates from referred-DPO (e.g. phone, fax,	Delete as appropriate: Please see attached copy of original SAR received at this location. It has been established that we have no Components to deal with and your Business Unit needs to respond to the request. Please therefore register & control the SAR.

email) Any reference numbers provided by appointees/POAs Any other relevant information	
--	--

Referral Receipt

Please confirm receipt of this referral by:

Email	
Telephone	
Fax	
Other (specify)	

SANTA05 – SAR Closure Letter to DWP customer or appointee/Power of Attorney

Purpose

A SANTA05 letter is sent to a DWP customer or appointee/Power of Attorney and **not** to a solicitor or third party. It is used to:

- accompany the personal information requested in a SAR, or
- tell a DWP customer or appointee/Power of Attorney that they may receive personal information from other parts of the Department, or
- tell a DWP customer or appointee/Power of Attorney that all requested personal information has been sent, or
- explain that you are continuing to search for missing personal information, or
- tell a DWP customer or appointee/Power of Attorney that you have been unable to obtain personal information, or
- confirm that you are enclosing an abbreviations list or lists, or
- explain that certain personal information may be blocked on the enclosed records because of exemptions applied under the Data Protection Act, or
- tell a DWP customer or appointee/Power of Attorney that the requested personal information has been destroyed in error, or
- tell a DWP customer or appointee/Power of Attorney that certain personal information may no longer be held by the Department

Use of optional paragraphs

A SANTA05 letter includes optional paragraphs which are used to suit the nature of the SAR.

The **first optional paragraph** is used when a DWP customer or appointee/Power of Attorney has made a SAR.

The **second optional paragraph** is used when a solicitor or third party has made a SAR. It tells a DWP customer or appointee/Power of Attorney that it is the Department's policy to send a copy of personal information only to them. It tells them that if they want a solicitor or a third party to have a copy, then they must arrange this.

The **third optional paragraph** is used to tell a DWP customer or appointee/Power of Attorney about the personal information accompanying the SANTA05 and it explains that certain personal information including that relating to health, the way that crime is detected or prevented, or the assessment or collection of taxes or duty, may be blocked on the personal information because of exemptions applied under the Data Protection Act.

The **fourth optional paragraph** is used when a SAR is ongoing and is used to tell a DWP customer or appointee/Power of Attorney they may receive personal information from other parts of the Department and it explains that certain personal information including that relating to health, the way that crime is detected or prevented, or the assessment or collection of taxes or duty, may be blocked on the personal information because of exemptions applied under the Data Protection Act.

The **fifth optional paragraph** is used to confirm the personal information that has been sent to a DWP customer/Power of Attorney in response to a SAR. It is used by an owning DPO to confirm that all data has been sent and it explains that certain personal information including that relating to health, the way that crime is detected or prevented, or the assessment or collection of taxes or duty, may be blocked on the personal information because of exemptions applied under the Data Protection Act.

The **sixth optional paragraph** is used to tell a DWP customer or appointee/Power of Attorney that you are currently unable to locate personal information and explains that you are continuing to search for it and will issue it as soon as possible.

The **seventh optional paragraph** is used to tell a DWP customer or appointee/Power of Attorney that you have been unable to obtain personal information. It is used to explain our policy of not keeping personal information when we no longer have a business need for it.

The **eighth optional paragraph** is used to tell a DWP customer or appointee/Power of Attorney that you are unable to supply them with the personal information requested as it has been destroyed in error.

The **ninth optional paragraph** is used to confirm that you have enclosed an abbreviations list or lists.

The **tenth optional paragraph** is used from 27/10/2008 whenever an ESA print is issued.

SANTA05

<Select appropriate logo(s)>

<DPO's office address>



Tel: <DPO's number>

Fax: < " " >

E-mail: < " address >

Date: < " " >

Our reference: < Customer NiNo >

Your reference: < if applicable >

Request for personal information

Dear <insert DWP customer/ appointee/POA name>,

(*First optional paragraph) **You wrote to us on <insert date> asking for a copy of the personal information we hold about <insert "you" or DWP customer's name>.**

(*Second optional paragraph) <Insert solicitor or 3rd Party name> wrote to us asking us to provide a copy of all the personal information we hold on you. **Please note that it is the policy of the Department for Work and Pensions in these circumstances to send your personal information to you. A copy will not be provided to anybody else who has asked for your personal information. If you want anybody else to have a copy, you must arrange this. DWP will not do this.** [For use when SAR is from Solicitor or 3rd party]

(*Third optional paragraph) I am enclosing the personal information we hold about <insert name of benefit(s)>.

The Data Protection Act 1998 states that in some circumstances your right to see some personal information is limited. This includes personal information relating to health; the way crime is detected or prevented; or the assessment or collection of taxes or duty. If an exemption applies, this personal information will be blocked on the enclosed records.

(*Fourth optional paragraph) You might receive further personal information from other parts of the Department if your request covers records held at more than one location. [For use when response is part of an ongoing SAR]

The Data Protection Act 1998 states that in some circumstances your right to see some personal information is limited. This includes personal information relating to health; the way crime is detected or prevented; or the assessment or collection of taxes or duty. If an exemption applies, this personal information will be blocked on the enclosed records.

(*Fifth optional paragraph) You should now have received the following information:
[List of all items] [For use by owning DPO on confirmation that all data sent]

The Data Protection Act 1998 states that in some circumstances your right to see some personal information is limited. This includes personal information relating to health; the way crime is detected or prevented; or the assessment or collection of taxes or duty. If an exemption applies, this personal information will be blocked on the enclosed records.

(*Sixth optional paragraph) We are currently unable to locate the following information:
[\[List of items not found\]](#)

We are continuing to search for it and will issue it as soon as possible. Please accept our apologies, we hope this does not cause too much inconvenience.

(*Seventh optional paragraph) We have been unable to obtain the following information:
[\[List of items not found\]](#)

Please accept our apologies; we hope that this does not cause too much inconvenience.
[\[For use by owning DPO\]](#)

Please note that because of our policy not to keep personal information when we no longer have a business need for it, we may no longer hold some information about you.

(*Eighth optional paragraph) We are unable to supply you with the following information <insert list of items > as it has been destroyed in error. We apologise for this. You may be contacted in due course in order for us to collect the information from you once more.

(*Ninth optional paragraph) The Department sometimes uses abbreviations. To help you understand the personal information we have sent you, I am enclosing explanations of abbreviations that may be shown in your personal information.

(*Tenth optional paragraph) Please be aware that all references to Jobseeker's Allowance and Income Support should be read as **Employment and Support Allowance**, and any references to 'Jobseeker' should be read as 'Customer'.

[\[* Delete as appropriate\]](#)

If you wish to discuss anything about this matter, please contact me on the number at the top of this page.

Yours sincerely,

<Signature>

Data Protection Officer

SANTA06 – SAR closure letter to a solicitor or third party who has requested personal information

Purpose

A SANTA06 is sent by an owning DPO to a solicitor or third party and **not** a DWP customer or appointee/Power of Attorney. It is used to:

- explain that you have contacted a DWP customer or appointee/Power of Attorney for further information to enable you to deal with a request for personal information and explain that although a DWP customer or appointee/Power of Attorney has authorised you to send their personal information to a solicitor or third party, it is the Department's policy to issue one copy of the information to a DWP customer or appointee/Power of Attorney only. DWP has adopted this policy to ensure that it is fully complying with its data protection obligations to its customers by providing them with their own personal information, or
- explain that you have contacted a DWP customer or appointee/Power of Attorney for further information to enable you to deal with a request for personal information and explain that as a DWP customer or appointee/Power of Attorney has not supplied the further information, you will not be sending any information to a DWP customer or appointee/Power of Attorney, or
- explain that you have been unable to locate the personal information requested by a DWP customer or appointee/Power of Attorney and that you are continuing to search for it and will issue it as soon as possible, or
- explain that you have been unable to obtain the personal information requested by a DWP customer or appointee/Power of Attorney and explain that it is our policy not to keep personal information when we no longer have a business need for it and we may no longer hold some information about a DWP customer
- explain that you are unable to supply the requested information to a DWP customer or appointee/Power of Attorney as it has been destroyed in error

Use of optional paragraphs

A SANTA06 letter includes optional paragraphs which are used to suit the nature of the SAR.

The **first optional paragraphs** are used to tell a solicitor or third party that you have contacted a DWP customer or appointee/Power of Attorney for further information and now that a DWP customer or appointee/Power of Attorney has responded, you have sent one copy of the personal information to a DWP customer or appointee/Power of Attorney as per Departmental policy.

The **second optional paragraph** is used to tell a solicitor or third party that you have contacted a DWP customer or appointee/Power of Attorney for further information but as a DWP customer or appointee/Power of Attorney has not replied, you will not be sending any personal information to a DWP customer or appointee/Power of Attorney.

The **third optional paragraph** is used to tell a solicitor or third party that you have been unable to locate the requested personal information and that you are continuing to search for it and will issue it to a DWP customer or appointee/Power of Attorney as soon as possible.

The **fourth optional paragraph** is used to tell a solicitor or third party that you have been unable to obtain the requested personal information and that the Department's policy is not to keep personal information when we no longer have a need for it and that we may no longer hold some personal information about a DWP customer.

The **fifth optional paragraph** is used to tell a solicitor or third party that you are unable to supply the requested information to a DWP customer or appointee/Power of Attorney as it has been destroyed in error.

SANTA06

<select appropriate logo(s)>



<DPO's office address>

Tel: <DPO's number>

Fax: < " " >

E-mail: < " address >

Date: < " " >

Our reference: < Customer NiNo >

Your reference: < if applicable >

Request for personal information

Dear <insert "Sirs", "Sir or Madam", solicitors name or third party's name >,

You wrote to us on <insert date>, asking for copies of personal information held by the Department of Work and Pensions for <insert DWP customer's name>.

(*First optional paragraphs) We contacted <insert DWP customer's name> as we required further information to enable us to deal with this request. <Insert DWP customer's name> has now responded.

Although <insert DWP customer's name> has authorised us to send their personal information to you, as I explained in our letter of <insert date SANTA03 sent>, it is the Department's policy in these circumstances to issue one copy of the personal information to the customer only. Consent cannot be considered fully informed, as the DWP customer may not be aware of exactly what personal information is held about them. DWP has adopted this policy to ensure that we are fully complying with our data protection obligations to our customers by providing them with their personal information.

Accordingly, we have now sent the personal information requested to <insert DWP customer's name> and it is now entirely within the control of <insert DWP customer's name>.

(*Second optional paragraph) We contacted <insert DWP customer's name> as we required further information to enable us to deal with this request. As <insert DWP

customer's name> has not supplied the further information required we are assuming that the personal information is no longer required. We will not therefore be sending any personal information to <insert DWP customer's name>.

(*Third optional paragraph) We have been unable to locate the personal information that <insert DWP customer's name> has requested. We are continuing to search for it and will issue it to <insert DWP customer's name> as soon as possible.

(*Fourth optional paragraph) We have been unable to locate the personal information requested by <insert DWP customer's name>. **Please note that because of our policy not to keep personal information when we no longer have a business need for it, we may no longer hold some personal information about <insert DWP customer's name>.**

(*Fifth optional paragraph) We are unable to supply the personal information to <insert DWP customer name> as it has been destroyed in error. We apologise for this.

Yours <insert "faithfully " or "sincerely" > ,

<Signature>

Data Protection Officer

SANTA07 – Response letter to solicitor who is advising that they will be applying for a court order

Purpose

A SANTA07 is sent to a solicitor and **not** to a DWP customer or appointee/Power of Attorney. It is used:

- when a solicitor advises you that they will be applying for a court order (this may be after a solicitor has received either a SANTA03 – Acknowledgement to a solicitor who has requested personal information or a SANTA06 – SAR closure letter to a solicitor who has requested personal information, and
- to explain the Department's policy to send personal information to a DWP customer or appointee/Power of Attorney and that the Department will not resist an application by a solicitor to a court for a court order, and
- to explain that the Department expects that the court will award it costs in relation to the application and of complying with any order for disclosure that is made.

SANTA07

<Select appropriate logo(s)>



<DPO's office address>

Tel: <DPO's number>

Fax: < " " >

E-mail: < " address >

Date: < " " >

Our reference: < Customer NiNo >

Your reference: < if applicable >

Request for personal information

Dear <insert "Sirs", "Sir or Madam", or solicitor's name>,

Thank you for your letter of <insert date>, advising that you will be making an application to the court for disclosure of information held by the Department for Work and Pensions relating to <insert DWP customer's name>.

My letter of <insert date SANTA03 was sent > explained that the Department cannot disclose this information without lawful authority. Whilst the consent submitted on behalf of <insert DWP customer's name>, purported to record their agreement to the disclosure of this information the Department takes the view that any consent to disclosure in these circumstances should properly be informed consent. Clearly without first having sight of the personal information held by the Department, <insert DWP customer's name> cannot provide informed consent. For this reason it is the Department's policy to disclose the personal information to DWP customers wherever possible rather than to any third party.

As I explained in my letter of <insert date SANTA06 was sent>, the information requested has already been sent to <insert DWP customer's name>, and is entirely within his/her possession and control.

Accordingly any request for disclosure ought now to be directed to <insert DWP customer's name>.

If however there is genuine cause for an application to be made for disclosure against the Department, then the Department will not resist such an application. However it will in the circumstances expect the court, in accordance with the presumption in Civil Procedure Rules Part 48, to award the Department its costs in relation to the application and of complying with any order for disclosure that is made

Yours <insert "faithfully" or "sincerely">,

<Signature>

Data Protection Officer

Appendix 3 – Exempt Data Training Handouts 01 to 07

Exempt Data Training Handout 01 – Data that may be exempt or withheld

Data that **may** be exempt from the Subject Access Provisions falls into the following categories and Sections of the Act:

- crime and taxation **Section 29**
- health of the data subject **Section 30**
- research, history and statistics **Section 33**

Data which may be withheld under **Section 7 of the Act** falls into the following categories:

- information about third parties
- information from third parties
- staff names

There is **not** a blanket exemption when data falls into these categories.

Each case must be carefully considered on an individual basis.

Exempt Data Training Handout 02 - Disclosure of Data from Fraud Files

In a DWP context, Section 29 of the Act contains two categories that fall under the heading of Crime and Taxation. These are:

- prevention or detection of crime
- apprehension or prosecution of offenders

Live Fraud Files

When a fraud file is live it means that the investigation is still ongoing. Disclosing data held in the file or revealing the existence of the file itself would be extremely likely to prejudice the outcome of the investigation. ***Therefore the file and all the data within would be exempt under Section 29 of the Act and would not be disclosed to the data subject but only a fraud officer can make this decision.***

Dormant Fraud Files

Data held in a dormant fraud file may fall into a category that is exempt or may be withheld. So each document in a dormant fraud file should be examined individually and disclosed or withheld as appropriate.

However, some dormant fraud files can be classified in the same way as a live fraud file, i.e. disclosing the data held could prejudice any future investigation.

An example of data in a dormant fraud file which may be exempt under Section 29, is where the investigation of the alleged fraud was not finalised but, for some reason, it was not considered expedient to pursue the investigation.

If it is considered likely that we might reopen the investigation at a later date, do not disclose the dormant fraud file. Only a fraud officer can make this decision.

Another factor to consider is that revealing to the data subject the types of situations where we do not always prosecute or pursue the investigation of possible fraud, could in itself encourage customers to commit crime.

In these situations, do not disclose the file to the data subject unless a fraud officer decides that it is appropriate to do so.

Exempt Data Training Handout 03 - The Health of the Data Subject

Under Section 30 of the Act, The Data Protection (Subject Access Modification) (Health) (Health Order) has been introduced – usually referred to as the “Health Order”.

The Health Order states that certain information may be withheld when responding to a SAR if disclosing the information would be likely to cause **serious** harm to the physical/mental health or condition of the customer or other person. The decision on whether to withhold this type of information cannot be made without consulting an appropriate health professional. The Health Order allows the DWP to use its own properly qualified doctors to make a decision on whether or not to disclose sensitive personal data of this type.

(This only applies to customer records – not staff records unless the member of staff is claiming a benefit and is asking for their benefit records).

When a DPO will need to consult a health professional

A health professional has to be consulted in situations where:

- data exists that has been marked potentially harmful; **and**
- this medical opinion is more than six months old; **or**
- this medical opinion is less than six months old, and there has been a change in the health circumstances.

If you are in any doubt about whether to disclose the medical information, get a medical opinion

Exempt Data Training Handout 04 - Third Party Data – the Legislation

The Act states that if we cannot comply with a SAR without disclosing information about a third party who can be identified from that information, we can withhold that information. ***It then qualifies this by citing two specific instances which should be considered before withholding that information.***

The first instance is where the third party has consented to the disclosure of the information to the data subject-**Section 7(4)**

The second instance simply states that we can disclose information without the third party's consent if it is reasonable in all the circumstances to do so - **Section 7(4) (a)**. For instance we should not withhold the information if the customer is already aware of this information i.e. they have received a letter signed by the third party. As the customer is already aware of the name we cannot withhold this information.

The Act does not define the word 'reasonable' but gives a list of criteria to examine.

Section 7(6)

The criteria to be examined under in **Section 7(6)** are as follows:

- any duty of confidentiality owed to the third party **Section 7(6) (a)**
- any steps taken to obtain the consent of the third party **Section 7(6) (b)**
- whether the third party is capable of giving consent **Section 7(6) (c)**
- any express refusal of consent by the third party. **Section 7(6) (d)**

Third Party Information

Third party data is information from or about any person other than the data subject, e.g.:

- employers
- doctors (doctors employed by DWP are required to give their names)
- members of the public
- other organisations.

Exempt Data Training Handout 05 - Risks Associated with Incorrect Disclosure/Withholding of Data

Under the Act, data subjects have the right of access to **all** the personal data that the Department holds about them, except for data which is classed as exempt under Section 29, Section 30 or can be withheld under Section 7 of the Act.

If we do not disclose data because we consider it exempt, we must be sure it fits into one of the relevant criteria.

Sometimes responding to a SAR will reveal data that is embarrassing to disclose e.g. customer is a nuisance, always complaining. This information cannot be withheld unless it falls into one of the categories laid down in the DPA.

Remember: after a SAR has been received, it is a breach of the Act to then edit or remove data which does not fall into the exempt categories, irrespective of its age.

If a customer has reason to believe that we have edited or removed non-exempt information in response to a SAR, they can complain to the Information Commissioner.

The Information Commissioner has the power to take action to ensure that responses to SARs are carried out in compliance with the Act.

On the other hand, we should be just as diligent about ensuring that we do not disclose exempt data to data subjects. If a data subject can show that harm resulted from the disclosure of data released in response to a SAR, they have the right to claim compensation. Compensation may be awarded to a data subject if the data controller is unable to prove that reasonable care was taken in complying with the Act.

It is extremely important, therefore, that all data is carefully examined so that care can be taken to comply with the Act, i.e. ensuring that:

- any exempt data is removed/blocked
- all remaining data is disclosed to the data subject.

Exempt Data Training Handout 06 - Importance of Completion within Timescales

Cases holding data which may either be exempt from the Subject Access Provisions or withheld under Section 7 of the Act, often need to be referred for expert advice. This will involve extra stages in the clearance process. **DPOs must be aware that there is no extra time allowable for any complications that may arise because of exempt data.**

There can be no extension to the strict rules governing how quickly a SAR must be replied to – 40 calendar days from receipt of the SAR anywhere within the Department, (or 40 calendar days from the date of receipt anywhere within the Department that the customer has supplied enough information to answer the request.)

The time limit for responding to a SAR is 40 calendar days in all cases.

Exempt Data Training Handout 07 - Questions and Answers

Question 1: The information on file states that daughter phoned to say that “my mother Mrs T is terminally ill, but does not know this”. Date of call 1/1/2004.

SAR received today from Mrs T.

As the DPO what would you do? Would you withhold any information, if so what information and why? What do you need to consider?

[Click here for suggested answer](#)

Question 2: Member of staff recorded in 2003 that the “customer is a pain in the neck and is always moaning about something” Member of staff can be identified.

Customer makes a SAR today.

As the DPO what would you do? Would you withhold any information, if so what information and why? What do you need to consider?

[Click here for suggested answer](#)

Question 3: Telephone call from neighbour stating “Mrs D is working at a cafe 3 days a week and claiming benefit. I want it investigated”. Date of phone call 12.11.2004.

Fraud section have decided to investigate and have made some initial enquiries and as at today’s date the case is still under investigation.

Mrs D makes a SAR today.

As the DPO what would you do? Would you withhold any information, if so what information and why? What do you need to consider?

[Click here for suggested answer](#)

Question 4: Customer has been given a PV marking in August 2001, but has not been informed of this.

Customer makes a SAR today.

As the DPO what action would you take and why? Where would you go for guidance?

[Click here for suggested answer](#)

Question 5: Customer has been investigated for benefit fraud, but it has been decided that DWP will not prosecute. Fraud case has been closed. Decision taken 1.2.05

Customer makes a SAR today

As the DPO what would you do? Would you withhold any information, if so what information and why? What do you need to consider?

[Click here for suggested answer](#)

Question 6: Interviewing officer's report dated 1/12/1993 states "Mr B lives beyond his means. He keeps losing his giro, but it is obvious that he is lying. Could be on drugs as well".

Mr B makes a SAR today

As the DPO what would you do? Would you withhold any information, if so what information and why? What do you need to consider?

[Click here for suggested answer](#)

Question 7: Mr J has been interviewed following an incident in the Jobcentre Plus office. The Nominated HEO wrote to Mr J to inform him that his behaviour is not acceptable and to let him know that his records have been marked. The incident took place in November 2004.

Mr J makes a SAR today.

As the DPO what would you do? Would you withhold any information, if so what information and why? What do you need to consider?

[Click here for suggested answer](#)

Answer to Question 1:

There may be more than one “right” answer to this. There is probably no “wrong” answer. This information should probably not have been recorded in the first place and the daughter should have been advised to send in medical confirmation if details of the medical condition were necessary for benefit purposes.

As it has been recorded we have to consider disclosing this information.

As a DPO you should:-

a) examine the case to see if this information has been confirmed by a doctor. i.e. was the daughter's diagnosis confirmed by a doctor?

b) does another business unit i.e. Disability and Carers have any medical information?

c) if we do have confirmation from a doctor, what date was it received? i.e. is it over 6 months old?

If the only basis for this statement is the daughter's view i.e. the diagnosis has not been confirmed by a doctor, the Health Order would not apply and you could consider withholding the information under s7(6) (a) – which requires us to consider any duty of confidentiality owed to the other individual i.e. the daughter.

If there is no other medical information it would not be useful to send case to DWP doctors as there may not be any background information for them to base their decision on. Likewise if we haven't had a medical opinion from the customer's GP we could not approach them (if we know who they are) without the customer's consent.

If you have any doubts withhold this information.

Answer to Question 2:

The DPA requires that any expression of opinion about the individual must be justified and backed up with evidence. If it is not, the opinion must not be recorded and to do so may breach the 5th DPA principle. “Personal data shall be accurate and, where necessary, kept up to date”.

However as this has been recorded it should be considered as part of the SAR process.

Although the statement could be embarrassing if we release it, there is no exemption under DPA to withhold information merely because it is embarrassing. The only exemption that you can consider is to withhold the information under s7 (6) (a) – which requires us to consider any duty of confidentiality, owed to the other individual i.e. the member of staff who made the statement.

From 1 January 2005 it will be a criminal offence to alter records with intent to prevent disclosure. In this context, altering a record includes: defacing; blocking; erasing; destroying or concealing.

The offence can be committed by a public authority and any person employed by, is an officer of, or subject to the direction of, the public authority. It cannot be committed by a government department but can be committed by an individual civil servant.

It would be a criminal offence to destroy this information

Answer to question 3:

As this is a “live” fraud case you should ask the relevant fraud section to state whether this information can be released or whether an exemption applies. Only a fraud officer can make this decision.

You should let the fraud section know when they should provide this information i.e. to ensure we meet the 40 day deadline.

Answer to question 4:

The Unacceptable Customer Behaviour Guide required all DWP offices to review the PV markings by September 2003.

It is clear in this case that the case hasn't been reviewed as per instructions. A DPO cannot make this decision. If the review has not been done the papers should be sent to the Nominated HEO for a decision on a) whether the marking is still relevant and b) whether the customer should be informed in writing why the marker is relevant.

Answer to question 5:

There are a number of reasons why DWP decide not to proceed with a fraud case. As the DPO you should refer the case to the relevant fraud section for a decision on what, if anything can be disclosed or exempted. It is possible that the customer has been interviewed under caution. If so they would already have had a copy of their statement so this should not be withheld.

You should let the fraud section know when they should provide this information i.e. to ensure we meet the 40 day deadline.

Answer to question 6:

This is the stated opinion of a member of staff and should only be recorded if the member of staff has evidence and can back up any statement they have made. . If it is not, the opinion should not have been recorded and to do so may have breached the 5th DPA principle. "Personal data shall be accurate and, where necessary, kept up to date".

Although the statement could be embarrassing if we release it, there is no exemption under DPA to withhold information merely because it is embarrassing. The only exemption that you can consider is to withhold the information under s7 (6) (a) – which requires us to consider any duty of confidentiality, owed to the other individual i.e. the member of staff who made the statement.

From 1 January 2005 it will be a criminal offence to alter records with intent to prevent disclosure. In this context, altering a record includes: defacing; blocking; erasing; destroying or concealing.

The offence can be committed by a public authority and any person employed by, is an officer of, or subject to the direction of, the public authority. It cannot be committed by a government department but can be committed by an individual civil servant.

It would be a criminal offence to destroy this information

Answer to question 7:

As it is clear that Mr J is already aware that he has a PV marker and why, this information should be disclosed.

Appendix 4 – How to request Data Protection (DP) prints from DWP computer systems

This guidance is to help Data Protection Officers and their Deputies obtain Data Protection (DP) prints from DWP computer systems. The information is listed by benefit type or computer system.

It is intended to expand future versions of the document to include advice and guidance on obtaining DP prints for sensitive records and archives records, together with any other information that DPOs and their Deputies feel is necessary.

If you do see any information that needs amending and/or you have any feedback about this guidance, please send it to [Kyle Calvert, Information and Devolution Policy](#) (DP & FoI)

- Requesting Data Protection Prints
 - What to do if a requested Data Protection print is not received
- Appeals Service
 - Contact details for the Appeals Service DPO and Deputy
- Attendance Allowance (AA) and Disability Living Allowance (DLA) - part of Disability Carers Service (DCS)
 - Requesting an AA and DLA DP print
 - AA and DLA DP print destination
 - Contact Details for the DCS DPO and Team
- Bereavement Benefit
 - Requesting a Bereavement Benefit DP print
 - Bereavement Benefits DP print destination
- Call Booking System
- Carers Allowance and Vaccine Damage Payments
 - Requesting a Carers Allowance DP print
 - Carers Allowance DP print destination
 - Requesting a Vaccine Damage Payment DP print
 - Vaccine Damage Payment DP print destination
- Child Benefit (ChB) and New Tax Credit (NTC) DP Prints
 - Contact details for HMRC SAR Team
- Child Support Agency
 - Requesting a Child Support Computer System (CSCS) DP print
 - CSCS DP print destination
 - Requesting a CS2 DP print
 - CS2 DP print destination
 - Contact Details for the CSA DPO and Team
- Customer Information System (CIS)
 - Requesting a CIS DP Print
- Customer Management System (CMS)
- FAMIS
 - Requesting a FAMIS DP print
 - FAMIS DP print destination
- Incapacity Benefit
 - Requesting an Incapacity Benefit DP print
 - Incapacity Benefit DP print destination
- Income Support
 - Requesting an Income Support DP print
 - Income Support DP print destination
- Industrial Injuries Scheme Benefits
 - Requesting an Industrial Injuries Computer System DP print
 - Industrial Injuries Computer System DP print destination
- Integrated Benefits Information System
- Jobseekers Allowance (JSA)
 - Requesting a Jobseekers Allowance DP print
 - Jobseekers Allowance DP print

- Labour Market System (LMS) and Decision Making and Appeals System (DMAS) DP prints
 - Requesting a LMS and DMAS DP print
 - LMS and DMAS DP print destination
- Local Payment System (LPS)
- Maternity Allowance
 - Requesting a Maternity Allowance DP print
 - Maternity Allowance DP print destination
- Overpayment Calculation System (OpCalc)
- Overpayment Decision System (OpDec)
- Overpayment Recovery System (OpRec)
- Payments Repository Computer System (PRCS)
 - Requesting a Payment Repository Computer System (PRCS) DP print
 - Payment Repository Computer System DP print destination
- Pension Credit
 - Requesting a Pension Credit DP print
 - Pension Credit DP print destination
- Pensions and Overseas Awarding System
- Personal Details Computer System (PDCS)
 - Requesting a Personal Details Computer System (PDCS) screen print
 - Personal Details Computer System (PDCS) DP print destination
- Retirement Pension
 - Requesting a Retirement Pension DP print
 - Retirement Pension DP print destination
- Severe Disablement Allowance
 - Requesting a Severe Disablement Allowance DP print
 - Severe Disablement Allowance DP print destination
- Social Fund
 - Requesting a Social Fund DP print
 - Social Fund DP print destination
- War Pension/Armed Forces Compensation Scheme
- Widows Benefit
 - Requesting a Widows Benefit DP print
 - Widows Benefit DP print destination
- Winter Fuel Payments
 - Requesting a Winter Fuel Payments DP print

Requesting Data Protection Prints

Data Protection (DP) prints may need to be issued to data subjects in response to their subject access request (SAR). DP prints can be requested from various DWP computer systems. The attached list details:

- the applicable DWP computer system
- the process to follow to request DP prints and
- the print destination

If Data Protection Officers (DPOs) are unable to obtain access to the relevant dialogues of the computer system they must liaise with a Computer Support Officer (CSO) to ascertain who has access to the dialogues and agree responsibility for requesting the prints.

It is important to note that the wording of SARs may be very general e.g. “I want all the information that you hold about me”. Therefore the owning DPO will need to consider that there may be a need to obtain and send out prints from systems such as Personal Details Computer System (PDCS) and Payments Repository System (PRCS).

If the data held on one computer system is merely a duplicate of data held on another computer system which will be issued to the data subject, there is no need to obtain and send out this data twice. One copy of the data is sufficient to satisfy the SAR.

What to do if a requested Data Protection print is not received

DP prints are generally printed the day following the date they are requested, once the overnight batch process has been run. However, there are exceptions to this. If you have not received the DP print, check that the correct details were used to request the print. If the wrong details were used, use the correct details to request the print. If the correct details were used, raise an incident with Resource Management Centre (RMC) via your CSO.

It is important to note that current information on any DP print delays will be issued on Information and Devolution Policy (DP & Fol) website within the [What's New for Data Protection Officers](#) webpage.

When the 40 day deadline is approaching and you still have not received your DP print, contact [Information and Devolution Policy \(DP & FOI\) Team](#) to escalate the matter.

Appeals Service – now Tribunals Service

As from April 2006, the Appeals Service became known as the Tribunals Service and now comes under the jurisdiction of the Department for Constitutional Affairs (DCA) and **not** the Department for Work and Pensions.

If you receive any subject access requests asking for personal information (including in the original request or in a SANTA01 reply) held by the Appeals Service or the Tribunals Service then you **must not** refer it to the Appeals Service Data Protection Officer.

If the data subject requests personal information in connection with the Appeals Service or the Tribunals Service advise the data subject to request this information from:

Access Rights Unit
Department for Constitutional Affairs
5th Floor
30 Millbank
London
SW1P 4XB

Attendance Allowance (AA) and Disability Living Allowance (DLA) - part of Disability Carers Service (DCS)

The DCS DPO, based in Wales Disability Benefit Centre (DBC), is responsible for all SARs for AA and DLA.

To request DP Prints for [Carers Allowance and Vaccine Damage Payments](#), please see advice under that heading below.

If the SAR is received in another DWP location the owning DPO will send a copy of the SAR and a SANTA 04 – Referral Template - to a DCS Deputy DPO. The Deputy DCS DPO will issue the AA and DLA DP prints to the data subject.

Requesting an AA and DLA DP print

To request an AA and DLA DP print, you must:

- input the NINO
- access dialogue AA/DA 560
- press enter

- check the details on the Confirm Personal Details screen AA/DA560561 are correct and
- press F1 to request the print

AA and DLA DP print destination

AA and DLA DP prints are printed at the Service Delivery Centre (SDC) and sent by internal post to the DCS DPO via the CSO.

Contact Details for the Wales DBC DP/SAR Team

DPO:

Joanne Morgan
Spur S
Cardiff DBC

Deputy DPOs:

Barbara Richards
Spur S
Cardiff DBC

Lorraine Hughes
Spur S
Cardiff DBC

Fax: 029 205 86411

Bereavement Benefit

Requesting a Bereavement Benefit DP print

To request a Bereavement Benefit DP print, you must:

- access Pensions dialogue RP810 Management Reports
- on prompt screen RP810870 input NINO and 2 (copy of account) in select report field
- press enter

Bereavement Benefits DP print destination

Bereavement Benefit DP prints are printed in the requesting office the following day using the secure print facility.

Call Booking System (CBS)

To request a copy of personal information from the Call Booking System (CBS) - a Customer Data Held report - you must contact the Real Time Officer of the Contact Centre who will print the Callback record.

The Real Time Officer of the Contact Centre dealing with the callback retrieves a full list of all calls (active and inactive) for a customer by typing the NINO - or Customer Reference Number (CRN) if the customer does not have a NINO - into the search field and pressing find.

Each of the results can then be opened by double clicking the relevant row so that details of the separate Callback Record appear.

The Real Time Officer of the Contact Centre will click on the 'Print Preview' button in the toolbar and the Preview Callback screen will be displayed.

The Real Time Officer of the Contact Centre prints the Callback Record details by clicking the 'Print' button.

Carers Allowance and Vaccine Damage Payments

The Carers Allowance Unit (CAU) DPO is responsible for handling all SARs for Carers Allowance and Vaccine Damage Payments.

Requesting a Carers Allowance DP print

To request a Carers Allowance DP print, you must:

- contact CA Live Support who will request the DP print from EDS

Carers Allowance DP print destination

The CA DP print is printed by EDS and sent to Live Support within a week to forward to the CA DPO.

Requesting a Vaccine Damage Payment DP print

To request a Vaccine Damage Payment DP print, you must:

- contact Susan Bond, Vaccine Damage Payment Unit (VDPU) Team Leader

Vaccine Damage Payment DP print destination

The Vaccine Damage Payment DP print is printed by VDPU and sent to the DPO.

Child Benefit (ChB) and New Tax Credit (NTC) DP Prints

DP prints for both the Child Benefit and New Tax Credit systems are requested and issued by Her Majesty's Revenue and Customs SAR Team and **not** by DWP DPOs. If you see that the data subject has personal information held on either of these systems or has requested this information, then advise the data subject in writing to request this information from:

Contact details for HMRC SAR Team

Her Majesty's Revenue and Customs SAR Team
Room BP5001
Langley House
Benton Park View
Benton Park Road
Longbenton
NEWCASTLE-UPON-TYNE
NE98 1ZZ

Child Support Agency

The Child Support Agency Data Protection Unit based at Longbenton, Newcastle-Upon-Tyne, makes all requests for DP prints. This Unit is headed by one DPO and is supported by Local DPOs located in each of the Child Support Agency Centres.

If the SAR is received in another DWP location the owning DPO sends a copy of the SAR and SANTA 04 – Referral Template – to the CSA DPO. The CSA DPO will issue the CSA DP print to the data subject.

Requesting a Child Support Computer System (CSCS) DP print

To request a CSCS DP print, you must:

- enter option '12' on the main selection menu
- input the NINO
- press F3
- press enter

CSCS DP print destination

CSCS DP prints are printed at Livingston and sent to the CSA DPO.

Requesting a CS2 DP print

To request a CS2 DP print, you must:

- access Task 1 (Inbound Customer Contact)
- navigate through Task 59 (DP Print Request)
- obtain the DP print in Task 61 to obtain DP print

CS2 DP print destination

CS2 DP prints are printed locally at CSA Data Protection Unit.

Contact Details for the CSA DPO and Team

DPO:

Darren Thompson/Dave Simpson
Room BP6002
Benton Park View
Newcastle Upon Tyne

Fax: 0191 22 53954

Deputy DPO:

Steve Bell

Customer Information System (CIS)

CIS replaces the Departmental Central Index (DCI) computer system. Data Protection Officers and deputies will now be able to request and print CIS DP Prints locally.

CIS DP prints will be sent directly to the (D)DPO's own local printer.

Requesting a CIS DP print

To request a CIS DP print, you must:

- access dialogue SEF101 (Front Screen)
- input NINO and press "Account Summary" button. This opens screen SEF103 ("Account Summary")
- select the "SAR Report View Screen" hyperlink. This opens screen SEF126 ("Subject Access Report View")

No data to be considered for exemption

Press "SAR Report Print Screen" button. (see: [CIS SAR User Guide](#))

Data to be considered for exemption

CIS holds Special Interest markers against customers from National Identity Fraud Unit (NIFU) Immigration and Nationality Department (IND) and the Fraud Referral and Intervention Management System (FRAIMS). It also holds Unacceptable Customer Behaviour (UCB) and Nationally Sensitive markers. (CIS will not hold Locally Sensitive markers).

It may be necessary to exempt one or more Special Interest markers held against a customer before sending the DP print to the customer. CIS is able to suppress the output of these details as directed by the DPO. See: [CIS SAR User Guide](#).

Where data are held that are to be considered for exemption, this will be indicated on the Subject Access Request View screen, SEF126.

- For NIFU or IND markers, the DPO will check with National Identity Fraud Unit, by completing and emailing [this form](#) to: NIFU-Mailbox@jobcentreplus.gsi.gov.uk
- For Nationally Sensitive markers, the DPO will check with Special Section D (SSD) by completing and emailing [this form](#) to: Mike.Reed@hmrc.gsi.gov.uk or Ray.Wells@hmrc.gsi.gov.uk

NIFU and SSD have committed to providing a response within 24 hours.

- For UCB markers, the DPO will check with the appropriated Nominated HEO as per current procedures.
- For FRAIMS Interest, contact the regional FRAIMS Office.

On completion of NIFU/SSD action, press "SAR Report Print Screen" button.

The DP Print will be output to a local printer as soon as it is requested. Send the print to the customer with the accompanying [explanation document](#).

Nationally Sensitive Linked Accounts

If the Data Subject has a relationship with a person marked as Nationally Sensitive, the user will receive a warning, and the linked customer account will be displayed as a line of asterisks if the user does not have a NS access profile - no personal information will be viewable. If the user does have a NS access profile they will receive a warning that a linked account is Nationally Sensitive - personal information will be viewable.

Special Section D (SSD) should be contacted as above, to clarify whether the linked Nationally Sensitive account information can be released.

If SSD give permission for the release of the information, contact FLLS to arrange for access to the Nationally Sensitive account.

Once this is done, proceed with the SAR process as normal.

If SSD do not give permission for the release of the information, exit the SAR until SSD advise that the linked record has been temporarily unlinked from the customer.

Once this is done, proceed with the SAR process as normal.

Inform SSD when the SAR has been printed. This should be done immediately.

Support Arrangements

As is the case now, technical and delivery issues should be raised in the first instance with your First Line Local Support (FLLS) staff.

Customer Management System (CMS)

To request a CMS DP print, you must raise a Priority 2 incident through FLLS. The incident must be passed onto the EDS Service Desk.

The DP print will be produced centrally.

FAMIS

Requesting a FAMIS DP print

To request a FAMIS DP print:

- access FAMIS PP5/OpStrat
- select dialogue PP140
- clear pay number from NINO cell
- tab down to staff number cell
- input pay number
- press return
- press Shift + F1(F13)
- process complete

Please note notification that the print request has been successful will not be displayed on the screen. Once the print request has been completed successfully, PP5/OpStrat automatically returns to the PP5140 screen for a new entry to be input.

Complete a DP print template and e-mail it to [Dave Henderson](#), FAMIS Development Team.

FAMIS DP print destination

FAMIS Development Team will send the FAMIS DP print to the DPO.

Data Protection Prints are produced on a weekly basis on Thursday evening from 6 p.m. A Data Protection print request using PP5/OpStrat and the notification to Dave Henderson must be completed by 5 p.m. on Thursday for it to be printed in the Data Protection print run for that week. Therefore, if this deadline is missed, it will take approximately another 8 to 9 working days for the print to reach the requester.

Incapacity Benefit

The report number for an Incapacity Benefit DP print is RRP00022.

Requesting an Incapacity Benefit DP print

To request an Incapacity Benefit DP print, you must:

- access dialogue RP810 - Management Reports
- on prompt screen RP810870 input NNO and 2 (copy of account) in select report field
- press enter

Incapacity Benefit DP print destination

Incapacity Benefit DP prints are printed in the requesting office the following using the secure print facility.

Income Support

The RIS report number for an Income Support DP print is RIS10214.

Requesting an Income Support DP print

To request an Income Support DP print, you must:

- access dialogue IS580 - Request DPA Print
- input NINO
- check details displayed on screen IS580581 are correct
- press F14

Income Support DP print destination

Income Support DP prints are printed at the relevant SDC the day after the request and sent to the DPO.

Industrial Injuries Scheme Benefits

The Industrial Injuries Computer System (IICS) holds “payment only” details for four benefits. These are:

- Industrial Injuries Disablement Benefit (IIDB – usually referred to as Disability Benefit)
- Industrial Death Benefit
- Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (PB and MDB)
- Workmen’s Compensation (Supplementation) Scheme (WC(Supp)S)

Only Industrial Injuries Adviceline can request Industrial Injuries Computer System (IICS) DP prints.

Requesting an Industrial Injuries Computer System DP print

To request an IICS DP print, you must contact the following:

Yorkshire and Humberside
Management Support
Support Section
Ground Floor
Bridge House
Castleford
Fax number: 01977 464 001

North East England
Judith Richardson
City of Sunderland Jobcentre Plus
Wear View House
Eden Street West
Sunderland
Tyne and Wear
SR1 3EY
Fax: 0191 554 6331

North West England
Diane Yip
Room 113
Kentmere House
1 Blackhall Road
Kendal
Cumbria
LA9 4BS
Fax: 015397 95001

Suffolk
Yvonne Miners
Finance and Governance Team
Suffolk District
Ipswich JCP
Fax: 01473 267888

East Midlands

Nottinghamshire District Governance Team
Stockwell Gate Jobcentre Plus
39 Stockwell Gate
Mansfield
Nottinghamshire
NG18 1LN
Fax: 01623 413439

South East England and London

Amanda Boucherat Folkestone SSO
Fax: 01303 713881

South West England

Hazel Howell
Telford House
Yeovil Jobcentre Plus
Fax: 01935 646002

Wales

Caroline Williams
Industrial Injuries Benefit Team Leader
Merthyr Tydfil JCP
Fax: 01685 306503

Industrial Injuries Computer System DP print destination

IIICS DP prints are printed by EDS and sent to the II Adviceline to forward to the DPO.

Integrated Benefits Information System

Details surrounding the IBIS DP print process will appear here in due course.

Jobseekers Allowance (JSA)

It may be necessary for a Local Office Supervisor to request a Jobseekers Allowance DP print.

Requesting a Jobseekers Allowance DP print

To request a Jobseekers Allowance DP print, you must:

- access dialogue JA580 – Request DPA Print
- input NINO on screen JA580597
- check the details displayed on screen JA580598 are correct
- input details of the requesting office (preceded by 10 e.g. 103401)
- press END to decode the office name – check that the correct office is displayed
- press END again to request the print

Jobseekers Allowance DP print

The Jobseekers Allowance DP print - schedule JA70150 - is printed at the Service Delivery Centre and sent to the DPO.

Labour Market System (LMS) and Decision Making and Appeals System (DMAS) DP prints

Labour Market System (LMS) and Decision Making and Appeals System (DMAS) data protection prints are obtained by contacting EDS Data Centre Sheffield.

EDS Data Centre Sheffield will **only** send prints to **Jobcentre Plus DPOs and deputies** who are on the list authorised by Information and Devolution Policy (DP & Fol). Information and Devolution Policy (DP & Fol) will keep EDS up to date with any changes to DPOs and their deputies. **If you try to request a print and you are not on the list, EDS will refuse to send you one. Therefore it is vitally important that you keep your details up to date with Information and Devolution Policy Team.**

If you have any problems ordering LMS and DMAS DP prints, contact Information and Devolution Policy (DP & Fol).

Requesting a LMS and DMAS DP print

To request a LMS and DMAS DP print:

- contact the EDS Service Helpdesk and:
 - give them your name, staff number and OU number (this number is usually nine digits in length and may be found on the base of your PC or you can get it from your FLLS)
 - give them the name and NINO of the customer . This information will allow them to log an incident.
- the EDS Service Helpdesk will provide you with an incident number
- copy the incident number onto this [fax cover](#) and send the completed form to the Delivery Centre.

LMS and DMAS DP print destination

The Delivery Centre will then produce the print and send to the DPO within 48 hours.

Local Payment System (LPS)

Requesting a LPS DP print

To request a LPS DP print go [here](#) and follow the instructions.

Maternity Allowance

Requesting a Maternity Allowance DP print

To request a Maternity Allowance DP print, you must:

- access Incap dialogue RP810 Management Reports
- on prompt screen RP810870 input NINO and 2 (copy of account) in select report field
- press enter

Maternity Allowance DP print destination

Maternity Allowance DP prints are printed in the requesting office the following day using the secure print facility.

Overpayment Calculation System (OpCalc)

The Overpayment Calculation System (OpCalc) does not have the facility to produce a specific DP print.

However, some calculations schedules can be saved and all information produced will be held on hard copy in the QB99 wallet.

Overpayment Decision System (OpDec)

The Overpayment Decision System (OpDec) does not have the facility to produce a specific DP print.

However, some LT54 decisions and ORG letters can be saved and all information will be held on hard copy in the QB99 wallet.

Overpayment Recovery System (OpRec)

The Overpayment Recovery System (OpRec) does not have the facility to produce a specific DP print.

However, a debtor report and the notes screen can be printed.

Payments Repository Computer System (PRCS)

It is important to note that subject access requests may be very general e.g. “I want all information that you hold about me”. Therefore, the owning DPO will need to consider that there may be a need to obtain and send out PRCS prints.

If the data held on PRCS is merely a duplicate of data held on other computer systems which will be issued to the data subject, there is no need to obtain and send out this data twice. One copy of the data is sufficient to satisfy the SAR.

Requesting a Payment Repository Computer System (PRCS) DP print

To request a Payments Repository Computer System, you must:

- access dialogue PR120 - Sensitive Report Menu
- on prompt screen PR 120010 select report number 1
- complete the relevant fields for the requested report
- press enter to decode completed fields
- press End to confirm details are correct

Payment Repository Computer System DP print destination

The Payment Repository Computer System DP print is printed at the Service Delivery Centre and sent to the DPO.

Pension Credit

Requesting a Pension Credit DP print

To request a Pension Credit DP print, you must:

- access IS580 – Request DPA print
- input NINO
- check details displayed on screen IS580581 are correct
- press F14

Pension Credit DP print destination

The Pension Credit DP print is printed at the relevant Service Delivery Centre the day after the request and sent to the requesting office.

Pensions and Overseas Awarding System

The guidance on how to request a Pensions and Overseas Awarding System DP print will appear here in due course.

Personal Details Computer System (PDCS)

It is important to note that subject access requests may be very general e.g. "I want all information that you hold about me". Therefore, the owning DPO will need to consider that there may be a need to obtain and send out PDCS prints.

If the data held on PDCS is merely a duplicate of data held on other computer systems which will be issued to the data subject, there is no need to obtain and send out this data twice. One copy of the data is sufficient to satisfy the SAR.

Requesting a Personal Details Computer System (PDCS) screen print

There is no dedicated facility to request a Personal Details Computer System (PDCS) DP print and screen prints must be taken.

The owning DPO is responsible for ensuring that the benefit section dealing with the PDCS compliant benefit requests any relevant screen prints.

Personal Details Computer System (PDCS) DP print destination

The PDCS screen print is printed locally.

State Pension

Requesting a State Pension DP print

To request a State Pension DP print, you must:

- access Pensions dialogue RP810 – Management Reports
- on prompt screen RP810870 input NINO and 2 (copy of account) in the select report field
- press enter

State Pension DP print destination

The State Pension DP print is printed the following day in the requesting office the using secure print facility.

Severe Disablement Allowance

Requesting a Severe Disablement Allowance DP print

To request a Severe Disablement Allowance DP print, you must:

- access Pensions dialogue RP810 – Management Reports
- on prompt screen RP810870 input NINO and 2 (copy of account) in the select report field
- press enter

Severe Disablement Allowance DP print destination

The Severe Disablement Allowance DP print is printed the following day in the requesting office using the secure print facility.

Social Fund

The report number for a Social Fund DP print is RSF10214.

Requesting a Social Fund DP print

To request a Social Fund DP print, you must:

- access dialogue SF722
- input NINO on prompt screen SF722722
- check the personal details displayed on next screen SF722723 are correct
- press F14

Social Fund DP print destination

The Social Fund DP print is printed the following day at the Service Delivery Centre and sent to the DPO.

War Pension/Armed Forces Compensation Scheme

DP prints from War Pension systems are requested and issued by Veteran's Agency and **not** by DWP DPOs. If the data subject requests personal information in connection with War Pension, then advise the data subject in writing to request this information from:

Data Protection Officer
Veteran's Agency
Room 6328
Tomlinson House
Norcross
Blackpool
FY5 3WP

Widows Benefit

Requesting a Widows Benefit DP print

To request a Widows Benefit DP print, you must:

- access Pensions dialogue RP810 – Management Reports
- on prompt screen RP810870 input NINO and 2 (copy of account) in select report field
- press enter

Widows Benefit DP print destination

The Widows Benefit DP print destination is printed the following day in the requesting office using the secure print facility.

Winter Fuel Payments

Requesting a Winter Fuel Payments DP print

To request a Winter Fuel Payments DP print, you must contact:

Jacqui Llewellyn
Winter Fuel
Southgate House
Wood Street
Cardiff

Appendix 5 – A Brief Outline of Changes to this Guide

This page will show a brief description of changes made to this guidance from May 2006 and will also include a link to that page, if relevant.

Date of change	Brief description
17 May 2006	The guidance on staff names has been made simpler.
17 May 2006	Addition of contact address for the Tribunals Service and HMRC.
18 May 2006	Appendix 1 – Sample Letters for use by DPOs
01 June 2006	Amendments made throughout document – removal of references to old Appendices letters, and addition of references to new SANTA letters.
14 June 2006	Amendments made to paragraph 261 (now paragraph 271) “No data held for data subject”. Clarification of process.
10 August 2006	Amendments made to paragraph 143, to reflect current SAR handling guidance.
21 August 2006	Link added to paragraph 131, directing DWP staff to HR DPOs
31 August 2006	Amended to reflect change of room number & building for Information and Devolution Policy (DP & FoI) Newcastle
06 October 2006	Amended to include action to take when SAR received requesting Medical Reports/ Medical Services.
21 February 2007	Incorporation of separate pieces of guidance available elsewhere on Information and Devolution (DP & FoI) website
June 2007	A review of the guide including a re-arrangement of paragraphs to reflect the SAR process; advice and guidance on subject access requests made by employers ; amendments to SANTA letters and the introduction of letters SANTA06 and SANTA07 to be sent to solicitors or third parties .
November 2007	Instructions on how to request a DP print for the Call Booking System (CBS).
April 2008	Amendments to: requests for information held by Atos Healthcare Medical Services and removal of Atos Origin Medical Services from SANTA01; reply to be posted – recommended use of polylopes and the use of Royal Mail Special Delivery; amendments to how to get a LMS/DMAS data protection print and the introduction of how to get a Local Payment System (LPS) data protection print