



Subject Access Request Unit

Caseworker Standard Operating Procedure - How to Process a SAR (Subject Access Request)

Standard Operating Procedure No.	0.1
Revision No:	0.8
Original Date of Issue	25/07/14
Revision Date:	01/12/2015
Revised by:	
Approved by:	

Table of contents

Section/ page no	Section Heading
1	Getting started (pages 1-6)
2	Pre-Case Checks (pages 7-8)
3	Redaction of Data (pages 9-10)
4	Completion of Process (pages 11-17)
5	Complaints & Follow- Ons (page 18)

Introduction

This SOP outlines the process that all caseworkers should follow when processing a SAR in compliance with the DPA (Data Protection Act).

Section 1 Getting Started

Procedure:

The following steps should be taken when you start working on an E 'SAR'.

Getting Started:

An ESAR will be allocated to you by the EO Workflow Team on a daily basis. Any cases that have been allocated to you will need to be updated in your personal Stats spreadsheet and SABRE before you start work on the case.

To update your spreadsheet with the ESAR that has been allocated to you, you will need to follow the steps below:

In house scanning cases:

- 1) Double click on the Electronic Sar shortcut Folder located on your desk top home page (fig.1).

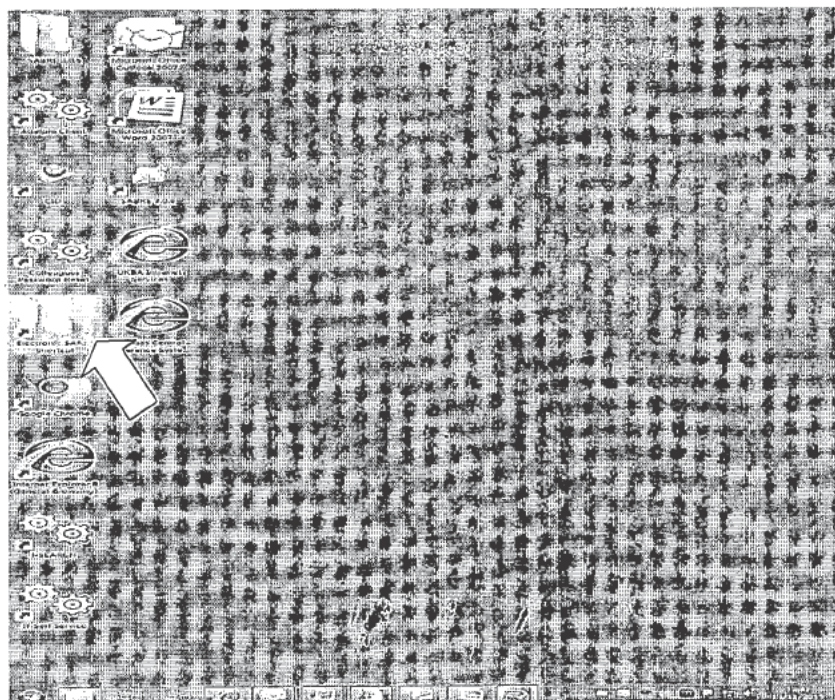


Figure 1

- 2) Double click on the eSAR Stats Folder (fig.2).

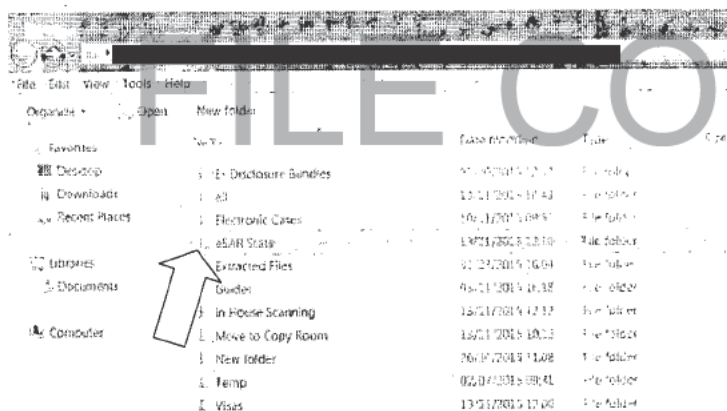
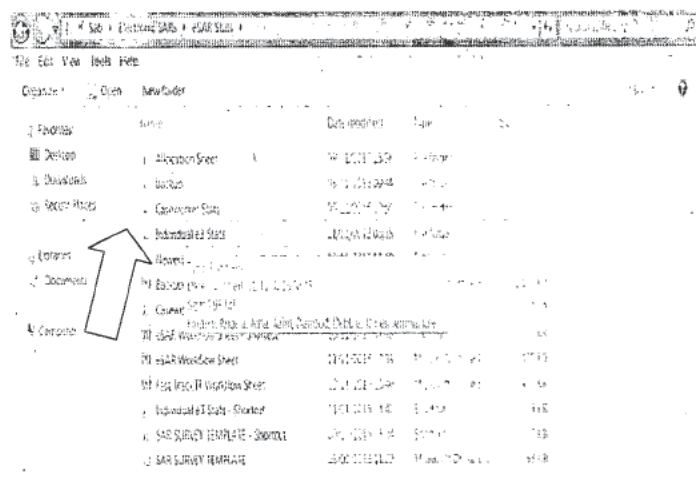


Figure 2

3) Double click on the Individual e3 Stats folder (fig.3)

Figure 3



4) Double Click the Folder with your name (fig.4)

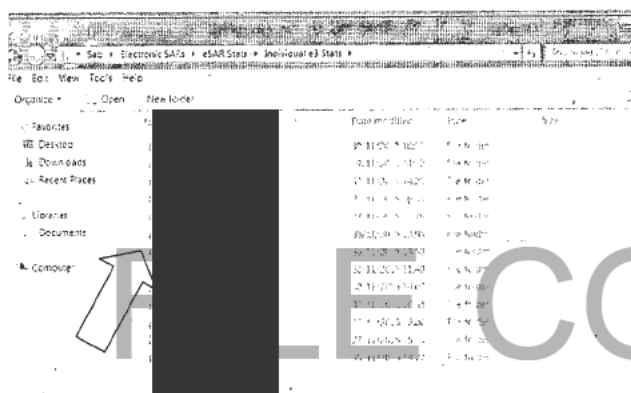


Figure 4

Double Click on the e3 Stats excel sheet with the relevant date/period (fig.5).

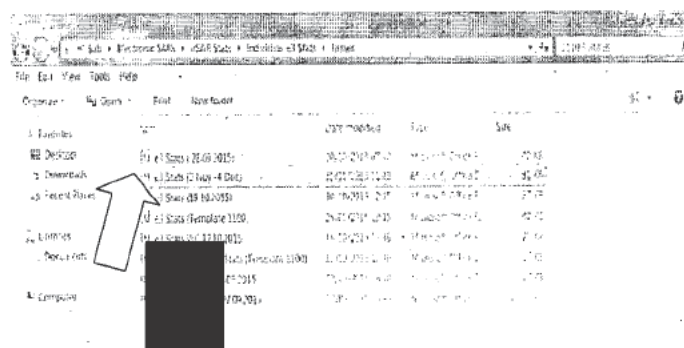


Figure 5

- 5) Once in this folder make sure you navigate using the tabs named week1, week 2, etc at the bottom of the spreadsheet to the correct week (fig.6).

The screenshot shows a spreadsheet with multiple tabs at the bottom labeled 'Monday', 'Tuesday', 'Wednesday', 'Thursday', 'Friday', 'Saturday', and 'Sunday'. A large white arrow points to the 'Friday' tab. The spreadsheet contains various data fields and tables, including a table with columns for 'Date', 'Time', 'Status', 'Priority', 'Assigned To', 'Completed', and 'Reviewed'.

Figure 6

- 6) You will need to enter all cases allocated to you in this spreadsheet (fig.6). Cases will be allocated by the workflow team via email.
- 7) Ensure that any cases that are allocated to you are also assigned to yourself on SABRE.
- 8) When you have been allocated a case, you will need to establish the type of ESAR request; there are two types that we currently deal with, they are E/REP MOVEIT Cases and In House Scanning Cases. The type of case allocated to you will be stated in the email from the workflow team.
- 9) Once have updated your individual Stat sheet you can navigate back to the Electronic SARs page (fig.2) by closing the spreadsheet then pressing the left/ back arrow at the top of the page. On this page for an In House scanned case double click on the In House Scanning Folder (fig.7).

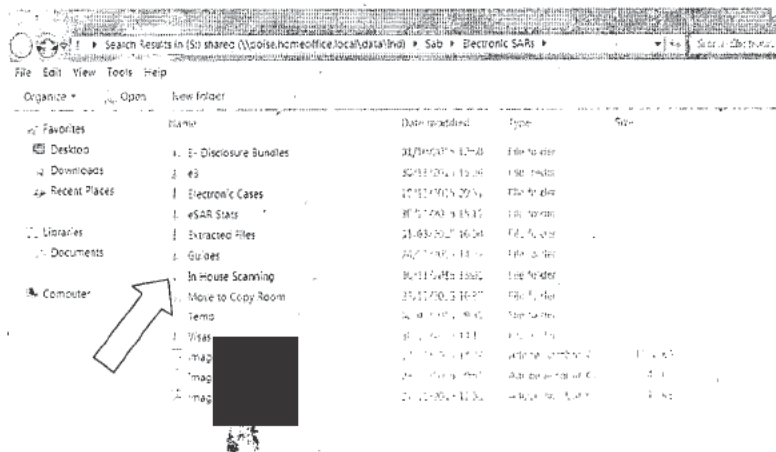


Figure 7

10) In this folder (fig.8) search for your case by entering the DPU number in the search bar located at the top right of the screen and denoted by the symbol of a magnifying glass.

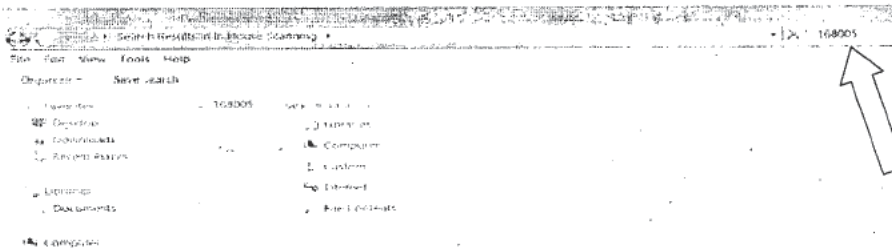


Figure 8

11) When the case has been located double click on the file number then double click on the EO Ready folder; in this folder click on the top or bottom PDF file then press and hold down the shift key (the key above the Ctrl key with an arrow pointing up); still holding down the shift key move the mouse up or down (depending on which PDF you first highlighted) clicking on each PDF contained in this folder to highlight them; still holding the shift key down right click on your mouse and choose COPY from the options displayed, do not choose CUT (fig.9).

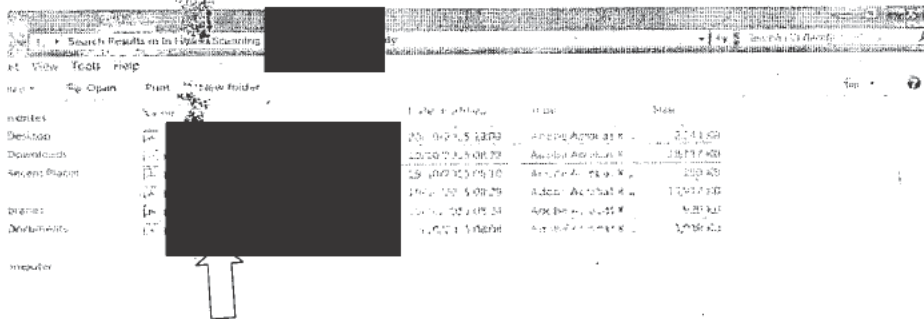


Figure 9

12) Next press the back arrow located at the top left of the screen and then double click on the working Copy Folder (fig.10)

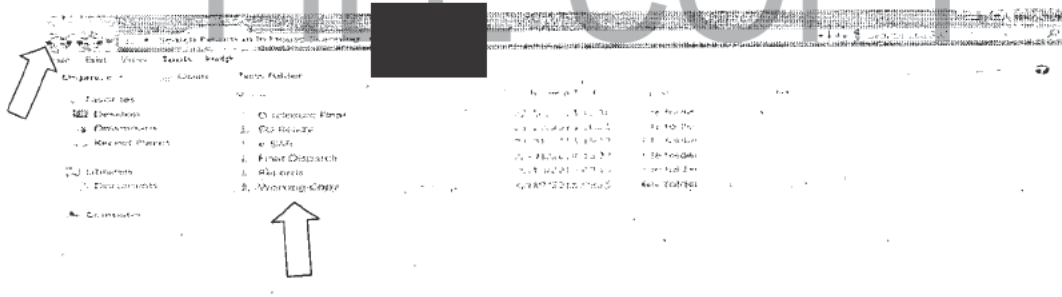


Figure 10

13) In the Working Copy Folder, right click on your mouse and select paste from the options stated.

14) You are now ready to commence redaction of the case. **ALWAYS REMEMBER THAT YOU MUST ONLY MAKE REDACTIONS/SORT THE Files in the WORKING COPY FILES FOLDER.**

For an E/REP MOVEIT case navigate back to the Electronic SARs page (fig.2) by closing the spreadsheet then pressing the left/ back arrow at the top of the page.

On this page double click on the e3 folder (fig.11)

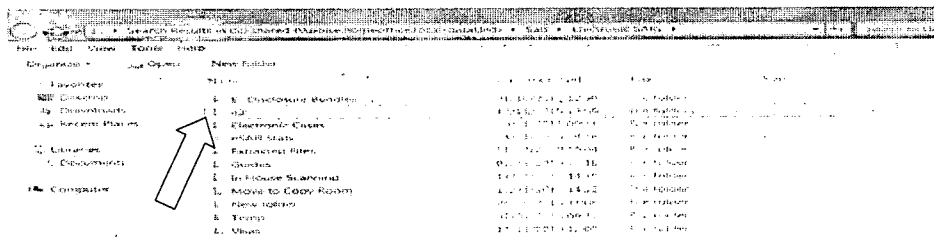


Figure 11

In this folder double click on e-SARS (fig.12) search for your case by entering the DPU number in the search bar located at the top right of the screen and denoted by the symbol of a magnifying glass.

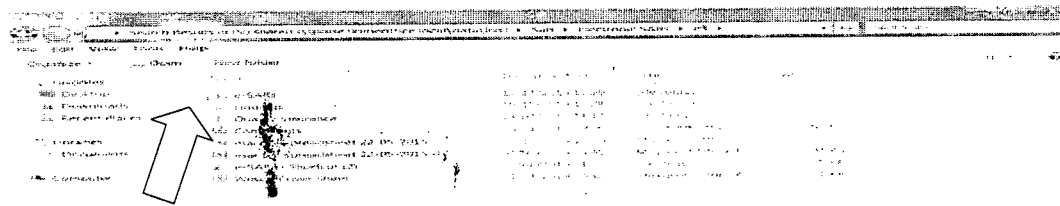


Figure 12

Next follow stages 10-14 stated above.

FILE COPY

Section 2 Pre-Case Checks

Prior to starting work on the case you must check the details on the request letter tally with those in the SARU folder, Sabre & CID. If the details don't match, then bring it to the attention of the Zone HEO/Support staff. Note whether there is a Home Office reference/ Visa or passport number mentioned in the request letter.

Check the request letter to confirm whether they want all of their data or just a specific request. If it is a specific request, then you don't need to go through the whole bundle, just find the document/s and dispatch it.

Check AO/AA's notes on Sabre, to see whether they have identified anything different or a note alerting the EOs' to lookout for specific things.

- **Subject Removed from the United Kingdom:**

Check whether the subject has been removed from UK or been granted leave after the SAR application. If so, check with the rep whether they still need the bundle & work accordingly (95% of time, they will say they don't need it). If there is no rep or contact details available for the subject then inform the HEO/support staff and cancel the SAR on Sabre. Ask the Zone HEO/support staff to arrange the bundle to be scanned & saved in the Shared Drive.

- **Repeat SARS:**

Check Sabre for repeated SAR. If, it is, only release the documents from the cut off date of the last SAR bundle disclosure.

Check CID/Sabre that all the HO files been called, received and copied and printed.

Check CID for any files that have not been called or documents that have not been printed. For example if an ICW case has not been identified by the AOs' then let the Zone HEO/support staff know. They will arrange for you to receive relevant printouts.

- **Detention Files:**

If detention files have been destroyed and if you don't have any detention paperwork in the bundle, then print the relevant DocGen documents, CID screen/personal notes or return the folder back to the HEO/support staff, for them to arrange CID prints. If you decide to print rather than asking some one, then follow the instruction in the **Shared Drive-SAB EO Guidance and SOPs - Restrictions & Detention Information on ICID**. It is better to print these documents by yourself to save time. Also, you could decide which documents you need to print to include in the bundle.

- **Judicial Review/Litigation Cases:**

Check CID for any live JR action outstanding on this subject's case. If there is, contact the JRU caseworker and let them know that there is a SAR for the subject. Also ask them whether they want to see the bundle before we dispatch to the subject. If they decide to check the bundle before we dispatch then send them a copy of the redacted bundle. On an electronically redacted case you will need to attach the bundle to an e-mail ; depending on the size of the case this could entail having to send multiple emails with attachments as the largest size the system currently allows is 5MBS. Keep a record of this on Sabre.

- **Mixed Identity:**



Check whether correct files have been copied. e.g. [REDACTED] instead of [REDACTED] normally the first letter of the HO Ref is the same as first letter of subject's surname. If incorrect files have been identified and requested, bring this to the attention of your Zone HEO/ Support staff.





- **Unrelated Documents:**

Check if any unrelated documents (different SAR) have been included in the bundle by mistake; take these out.

Check whether IT printed is for your subject.

- **Quality of Copied Documents:**

Also check the standard of the photocopies. If anything is not clear/missing, then bring it to the attention of the Zone HEO/support staff.

- **Visa Application Forms (VAF) & Landing Cards**

Check all copies of VAFs & Landing Cards included in the bundle.

- **Proof of Identity**

For any reason if you are not happy with the subject's identity, request further proof of identity & BF the case for 4 weeks. Untick the 'Subject Identified box' on the 'Request Date' tab on Sabre. Change the status on Sabre as 'Waiting'. Inform Zone HEO/support staff. If you don't hear from the subject/ reps within the time, let the Zone HEO/support staff know & cancel it on Sabre. Also arrange for the bundle to be scanned & saved in the Shared Drive.

- **Keeping Children Safe:**

Please note the Office of Children's Champion have updated the guidance on [REDACTED] where you identify a child at risk of harm or in need. When making a safeguarding referral to the police, you must also immediately notify the Child Abuse Referrals inbox in the Home Office at [REDACTED]. Notifying the inbox is an additional task, it does not replace the responsibility you have to make and follow up the safeguarding referral with the police and/or the local authority children's services.

Section 3 Redaction of Data

• General Rules:

The SAR bundle consists of HO files, Port Files, MP file, NASS file, Work Permit file, Local Enforcement File, Detention Files, Complete Record Sheet (CRS) files and IT print outs.

Caseworkers need to be aware of the **DATA CAPTURE** date when they are processing the request. The date that is written on the coversheet of the SARU folder in the **DATE RECEIVED IN UKVI** box is a cut off point for disclosure. The subject is only entitled to see the information up until the date the request was received in UKVI.

When you prepare the bundle, you need to ensure that the documents in your bundle are in order and not mixed up; i.e. all the minutes are together, all the IT printouts are together and so on. There is no requirement to place them in any specific order within the bundle or even in date order. **However there is a legal requirement to ensure the bundle is in an intelligible format and placing them in some sort of order will help with this.**

Sort the various file copies and IT records into an order. Preferred bundle structure;

- Minutes
- File papers
- VAF, Landing Cards
- CID IT prints.
- Work Permit file minutes and papers
- NASS file minutes and papers
- ASYS (do not split the letters from the report)

Date ordering the minutes and file papers is highly recommended. Doing this makes it easier to see and understand the case well.

Start case working from the IT records through to ASYS. By doing this and starting with CID usually provides you with a good overview of the subject's immigration history. It also gives the caseworker a heads up on things to look out for in the main file minutes and papers.

• Case working Tips:

It is quicker to work with various IT applications running already, rather than opening and closing things as and when they are needed. Always have ACID & GCID open as these are the two flavours under which most cases are applicable.

Do not read any unnecessary letters/documents, for example application forms, letters from /to the subject/ reps. There is no redaction needed on these documents.

If you are working on a family case, for example, main subject and 3 dependants and they have paid separate fees for the SARs, contact the subjects or the rep to see whether you could complete the SARs as one bundle. This will help you to reduce the redaction time. You have to make a judgement on whether to contact a minor or not (especially children age between 12 to 18 years). No need to contact under twelve.

If there is a recent bail summary or detention review on file or CID – read it before starting the case as it provides a summary of the whole case and information which is known to the subject.

Also read the decision letters to see, how much information we disclosed to the subject about the forged documents, which were submitted as supporting evidence on their application. For example, how and where, we verified the documents to conclude it was a forged document.

If you are not sure about anything, always check with your Zone HEO/support staff for guidance. If you seek any expert advice then with your Zone HEO's permission, get assistance from colleagues with that expertise.

• Redacting Data:

Always redact the documents according to the 'Data Protection Act -1998'. The data must be processed fairly & lawfully. Remember the Data Protection Act 1998 principles. Please refer EO Guidance which is in the 'shared drive' for more information.

Do not redact unnecessarily.

- **Exemptions:**

Within the DPA there are various exemptions and exclusions that can be applied to the casework to prevent certain documents from being released. These exemptions are in place to safeguard UKVI's policies and procedures from the general public.

The following are the main types of exemptions used in SARU;

- Sec 28 – National Security [REDACTED]
- Sec 29(a) – The Prevention & Detection of Crime.

○ [REDACTED]

○ [REDACTED]

- Sec 29(b) – The Apprehension or Prosecution of Offenders
- Schedule 7, Section 10: Legal & Professional Privilege (LLP)

Always keep the following documents in front of you while redacting. These will help you to identify the correct exemptions under DPA.

- SAB Keywords List
- Exemptions – Desk Aid for EO Cws'

You can find these in Shared drive – SAB - EO Guidance and SOPs.

- **General Exclusions**

- Third Party
- HO staff names & other Government dept. staff names.
- Non Personal Data.

Section 4 Completion of Process

Once the case has been completed ensure the case is accurately recorded on the most recent CID record, SABRE; for electronically redacted case you will also need to ensure the case is accurately recorded on the eSAR workflow sheet and on your individual e3 Stats.

To update SABRE :

- Update 'Caseworker Notes' tab. Explain what exemptions were made under what Data Protection Act. If there are no exemptions made then write – **No exemptions made, case ready for despatch.**
- Update the Request Dates tab, by inputting the date of completion. The case will then show whether it is a Completed or Partial Disclosure.
- Place the photocopies of the exemptions in the left-hand side of the SARU folder in a plastic pouch marked "exemptions." **For electronically redacted cases leave the extracted exemptions in the working copy folder.**
- Insert this wording onto note screen to show a case has been completed:

"Subject Access Request received from this subject under the Data Protection Act on dd/mm/yyyy – all paper HO file records and CID records copied/printed and redacted and dispatched to the [subject] or [legal representatives – name of solicitors]. [Name of EO] [date] SARU"

• To Update CID:

To update CID to show that a bundle has been completed. Insert this wording onto note screen:

"Subject Access Request received from this subject under the Data Protection Act on dd/mm/yyyy – all paper HO file records and CID records copied/printed and redacted and dispatched to the [subject] or [legal representatives – name of solicitors]. [Name of EO] [date] Data Protection Unit"

- For and In House scanned E-Redact case the same wording as above can be used to update CID & SABRE.
- For a MOVEIT/EREP case you should amend your note to reflect that you have despatched the case yourself. The following wording can be used:

"MOVEIT/EREP CASE:

Subject Access Request (SAR) received from this subject under the Data Protection Act on dd/mm/yyyy; all available paper HO file records & IT/CID records up to the date of receipt, copied and redacted.

Case completed electronically and case dispatched to Wilsons via MOVEIT, ref [REDACTED]
(see below under completion process of an E-SAR for guidance on the naming convention used for a MOVEIT/EREP case).

- Then print letters addressed to the subject/ reps to inform that their SAR has been processed. Make sure to alter the relevant stock letter to match the details of the subject. The completed and partial letters can be found in the SAB shared drive in the stock letters folder. Make a note of any discrepancies, for example missing documents, as this may cause a follow on if not addressed.
- For a case that has been electronically redacted once you have made the relevant changes to the cover letter it will need to be saved in your working copy folder.
- The letter will need to be printed twice, one copy in the SARU folder and the other on top of the bundle along with abbreviations sheet. On the front sheet of the SARU folder insert the date, SAR was completed and sign.
- Place a rubber band around the case and place in the appropriate area for despatch (the rack behind EO Zone HEO) in due date order.

iv) From the options displayed in the drop down menu under Action Wizard double click on e3 End Process and click the next button to apply the redactions, File Copy Watermark and remove hidden information (fig.15).

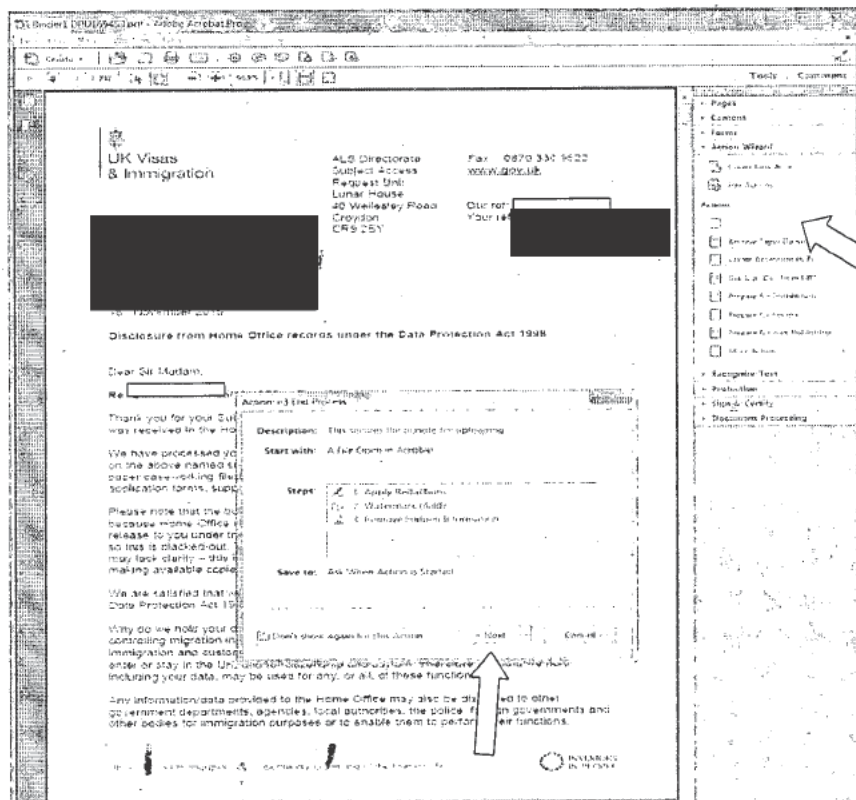


Figure 15

v) Once the process has completed you will need to save this file by, clicking under recent places then double clicking on working copy (fig. 16).

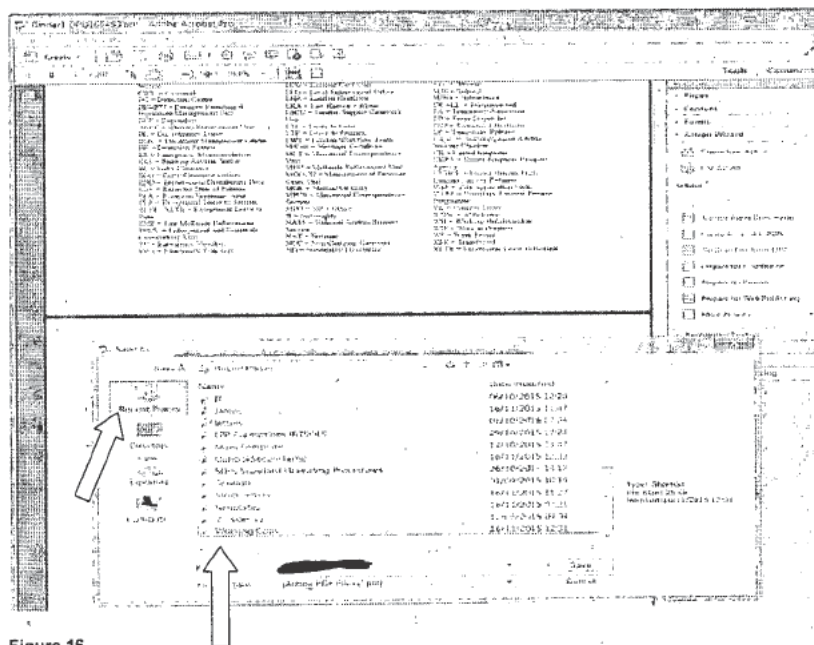


Figure 16

vi) Re-name the file you are saving to Final Disclosure followed by the DPU number. Make sure you save to the correct case record. (fig.17).

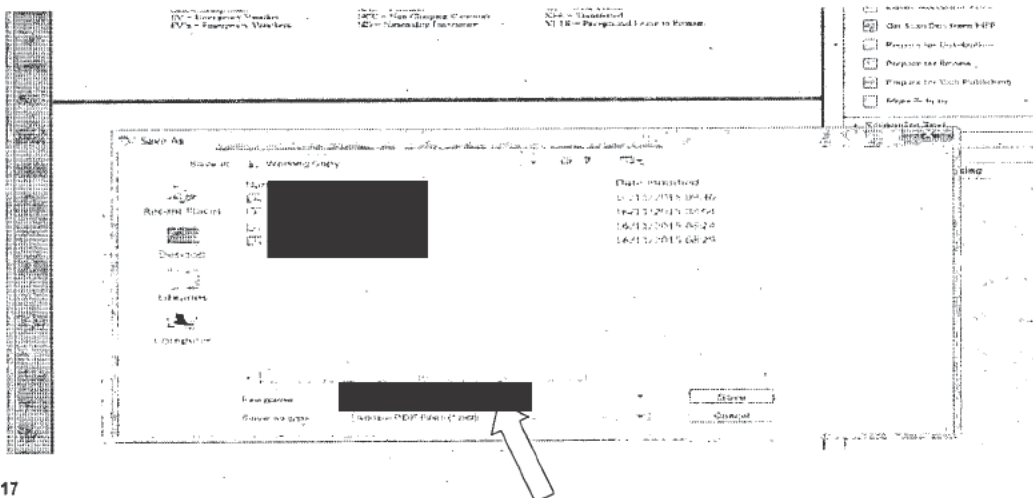


Figure 17

vii) The PDF named Final Disclosure in your working copy file should now be "cut" then "pasted into the Disclosure Final file of the case you are working on.

viii) To do this right click on the PDF you have just saved as the final disclosure in your working copy folder and then select "cut" from the options shown (fig.18).

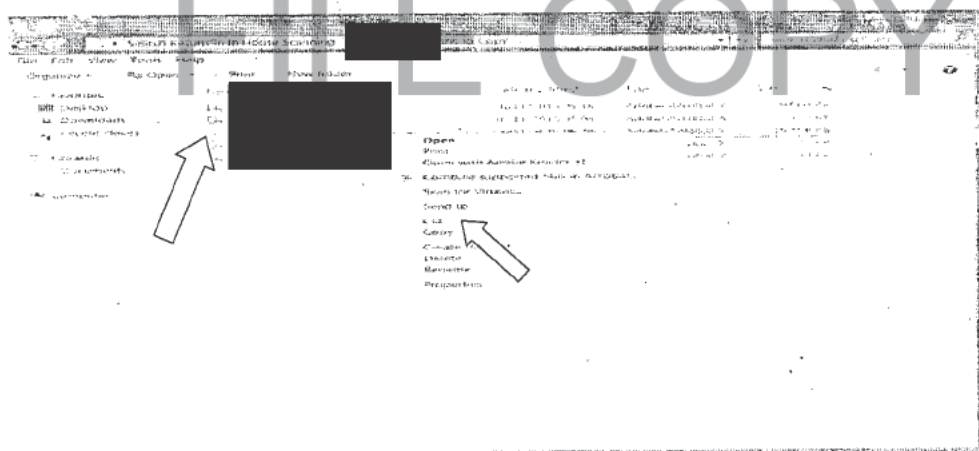


Figure 18

ix) From your working copy folder navigate back by clicking on the back arrow symbol and in this folder double click on Disclosure Final (fig.19).

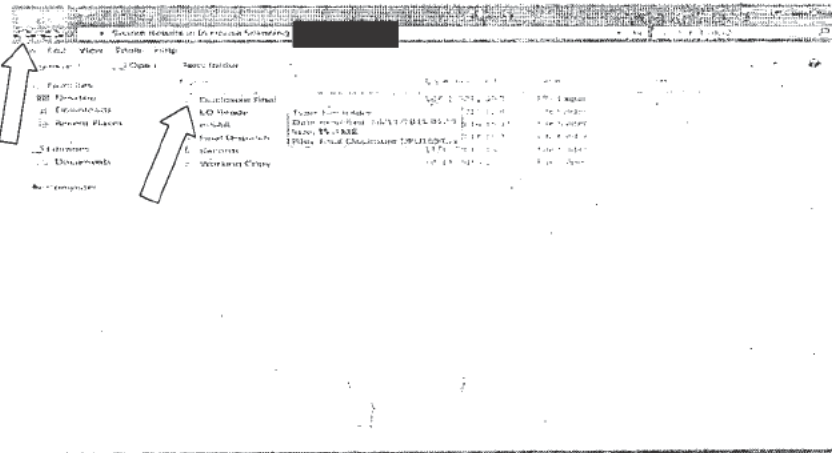


Figure 19

x) In the Disclosure Final folder right click on your mouse and select paste (fig.20)

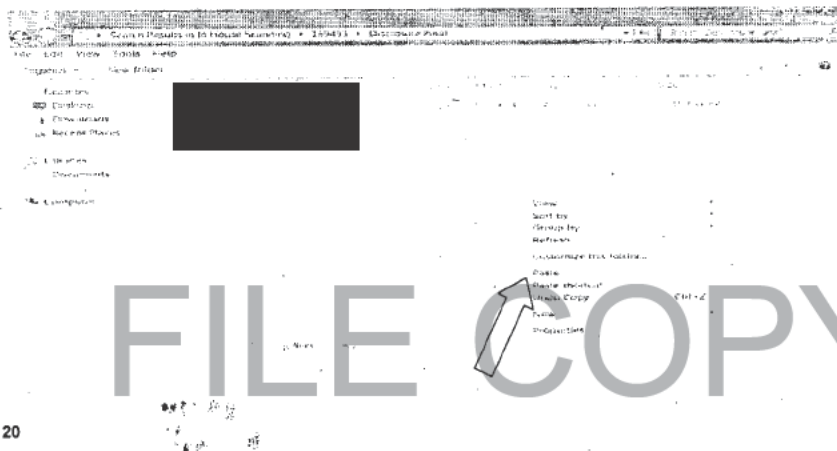


Figure 20

xi) To complete the case you will need to update your individual e3 Stats sheet.

xii) As a Final step, it is very important that when updating a completed In House Case on SABRE you must always allocate the case to IM for Despatch under the caseworker field (fig.21). For a MOVEIT/EREP case as you will have uploaded the case yourself so leave the caseworker field in SABRE under your name.

The screenshot shows the SABRE system interface. The 'Case Details' tab is active. The 'Caseworker' field is highlighted with a red arrow and contains the text 'IM For Despatch'. The interface includes various tabs like 'Request Dates', 'Request Subject', 'Exemptions', 'Records', 'Caseworker Notes', and 'Admin Notes'. There are also buttons for 'Print Request', 'Close Case', and 'Edit Manual Records'.

Figure 21

- For a MOVEIT/EREP case the steps, i-xii, stated above should also be followed; however, the end process for despatching the completed case file to the MOVEIT/EREP via the MOVEIT portal should be actioned as below:-

- When saving the file in the disclosure final folder it must be saved/named in this convention, subjects surname, DPU reference, initials from the legal representatives reference, numbers at the end of the representatives reference. As an example: John Smith, DPU123456 Reps Ref SF/AM/Smith/76543-00007 will be saved as Smith DPU123456 SF 76543-7 (fig.22).

The screenshot shows a file explorer window with the 'Disclosure Final' folder selected. The file 'Smith DPU123456 SF 76543-7' is highlighted with a red arrow. The file name is visible in the address bar and the file list.

Figure 22

The final step is to despatch the case direct to MOVEIT/EREP using the MOVEIT portal. In the MOVEIT portal click on "Browse" then locate the final disclosure PDF. Once located, double click on the file and it will appear in the "browse" field. Finally, click on the upload button in MOVEIT which is directly below the Browse button (fig.23).

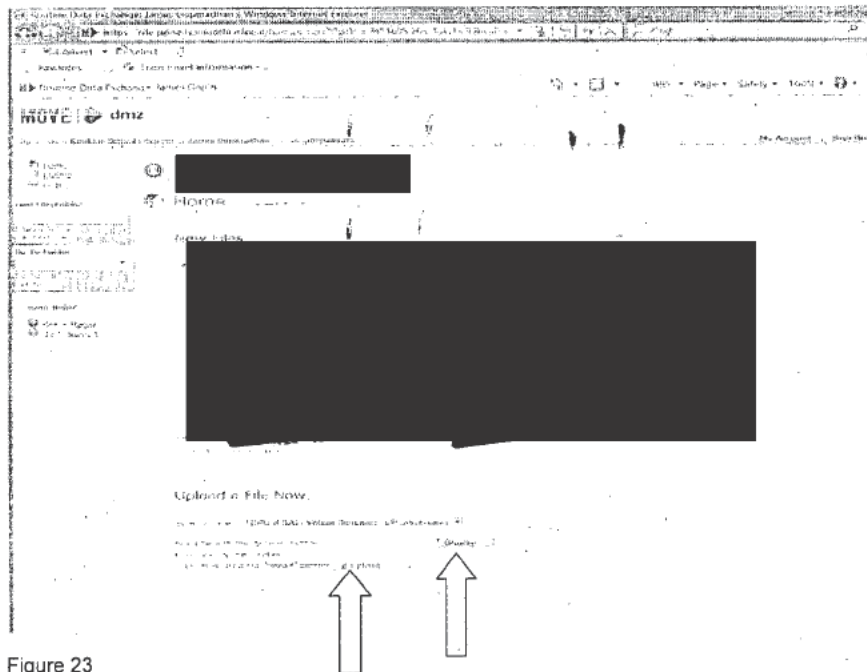


Figure 23

FILE COPY

Section 5 Complaints & Follow-On

Complaints and Follow-on

Complaints and follow-ons should be dealt with in twenty days deadline (from the date we received the letter - check the date stamp on the letter). **Preferably deal with it straight away.**

ICO Complaints:

When you complete a SAR that has an Information Commissioner's Office (ICO) complaint on it (this will be flagged up on the complaint proforma and the attached email sent to Information Management Services (IMS) at 2MS from the ICO) please complete the **Information C. Answered Date** field on Sabre. This is found under the Caseworker Notes tab. See screen shot below. If the **Information C. Requested Date** has not been completed, please also input the date we received the email from IMS.

Once you complete the action, an e-mail should be sent to our IMS contact (check the email sent from, in the SARU folder) the date the disclosure was completed as they will inform the ICO.

Follow-ons:

Check the subject/Rep's letter carefully to see what they are complaining about. If their query is straight forward and you can rectify the issue without checking the copy of the disclosed bundle then deal with it immediately. For example, if a decision letter was missing from the bundle; you can print this from 'DocGen' and send it off.

If they challenge the redactions or claims that several documents are missing from the bundle, then it is advisable to call the copy of the dispatched bundle or scanned copy and deal with the query.

Once you have dealt with the query, make sure to update the Sabre 'follow-on' field to close the action and also make a note of your action in the caseworker's notes screen. You also need to keep the completed proforma in the allocated 'Correspondence team's' tray. Do not leave the reps' complaint letter or our response letter in that tray. Instead, keep/link those with the copy of the retained bundle.

Related Forms and Documents:

EO Guidance and SOPs in shared drive-SAB folder

SAB Keywords List.

Exemptions – Desk Aid for EO CWs'.

Records:

List the records that you will keep as a result of this procedure.