

Subject Access Policy

PAS is aware of its obligations as a data controller with primary responsibility for, and a duty of care towards, the personal data within its control. Our obligations are set out in the GDPR and associated implementing and supplementary legislation in Ireland.

Data subjects whose personal data is held by PAS are entitled to ask PAS and receive confirmation as to whether or not personal data concerning them is being processed. Where that is the case, data subjects are entitled to access the personal data as well as the following information in relation thereto:

- (i) The purposes of processing
- (ii) The categories of personal data concerned
- (iii) The recipients or categories of recipients to whom personal data has been or will be disclosed
- (iv) Where possible, the envisaged period for which personal data will be stored, or if not possible, the criteria used to determine that period
- (v) The existence of the right to request from PAS rectification or erasure of personal data or restriction of processing personal data concerning the data subject or its object to such processing
- (vi) The right to lodge a complaint with the Data Protection Commissioner
- (vii) Where the personal data is not collected from the data subject, any available information regarding the sources
- (viii) The existence of automated decision-making (including profiling) being operated on the data subject's data, where relevant, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject
- (ix) Where personal data is transferred to a third country the appropriate safeguards pursuant to the GDPR relating to such transfer.

Form of the Request

The subject access request should be made in writing, and should include sufficient information to identify the data subject to our reasonable satisfaction so we can verify that we are not releasing your data to someone who is impersonating you. When the criteria are satisfied, we will be in a position to commence the work involved in responding to your request. PAS will strive to respond as quickly as possible and in any event without undue delay, but if we have



not been able to complete our work in that regard within one calendar month we will update you as to the progress of our response to your request.

Communicating with the Data Subject

PAS will communicate directly with you once a valid subject access request has been received. This contact may help you specify the exact information you wish to receive. You can help us to expedite responding to your request by giving us as much information as possible about the data you are seeking access to and limiting the range, scope and time of data sources you wish us to search as much as possible. If you wish to receive a copy of everything we hold about you, then we will fulfil a complete and exhaustive search of all relevant data in PAS.

Systems Search

Unless there is a legitimate option to reduce the scope of the request, a search of all databases and all relevant filing systems (manual files) which are relevant under the GDPR will be carried out throughout PAS.

PAS will organise the response to the request by giving one or more individuals the responsibility for issuing requests for information throughout PAS and receiving all the returns. The co-ordination of your subject access request will be the responsibility of such person(s).

Manual Files

All relevant manual files (as set out in the Records Management Guidelines) will be searched for your data.

Restrictions Following Receipt of a Request

Compliance with GDPR and related legislation is not intended to interfere with the normal running of PAS business, and following receipt of a valid request, we are permitted to make changes to the requested information in the normal course of operation provided no changes are made because of the request itself. This includes the correction of incorrect data.



Third Party Data

Once the information has been collected, we will consider our obligations to other data subjects. The person(s) preparing our response will consider the rights of third parties and any obligations of confidentiality which may apply, in addition to any relevant exemptions under GDPR. Where the identity of third parties would be disclosed in data which related to you, we may either blank out (redact) that data to protect the privacy and confidentiality of such third parties or may provide you with an extract from the data instead of the original sources material.

Exemptions

Some material is exempt from inclusion in the response to a subject access request. This includes the content of negotiations with the data subject and information which is subject to legal professional privilege. It also includes information relating to ongoing professional investigation or determination processes. If we are negotiating with you at the same time you make a subject access request, we do not have to reveal requested information if to do so would likely to prejudice those negotiations. Once the negotiations are complete and put into effect, the file becomes subject to GDPR.

Emails are subject to subject access, as are archived computerised and manual data held in a relevant filing system. CCTV footage will be included within the scope of request where required.

Subject Access Requests cannot be used to infringe trade secrets or intellectual property rights. PAS therefore cannot release test material or scoring keys to candidates as part of a Subject Access Request.

Where personal data contains health information, there may be a duty on PAS to consult an appropriate health professional before information can be disclosed. This is to avoid disclosing information about adverse health conditions to a data subject where the disclosure may be harmful or distressing to the data subject or another person. This does not apply where the data subject already had access to, or supplied, the information.

We recognise that failure to respond to your request within the requisite period gives rise to the ability of the individual to complain to the Office of the Data Protection Commissioner, and may give rise to an investigation by the Commissioner. We will do our best to ensure that all subject



access requests are handled efficiently and effectively at all times and we appreciate your co-operation and assistance in vindicating your rights under GDPR.

Form of Response

PAS will provide the data subject with any relevant data in response to a subject access request in electronic format. If you do not wish to receive our response to your request by email please let us know in advance. Once our response to your subject access request has been finalised, we will make a full copy of the material to be retained for our own reference. This records will be used as a reference should there be any dispute as to the content or timeliness of our response provided to you. It will be retained for seven years.

It should be noted that where a request is made by, or on behalf of, a person seeking access to their own personal information under the Freedom of Information Act, this request should also be taken as a request under the Data Protection Acts. This is because a valid Data Protection request does not need to refer to the GDPR.

Any individual may apply at any stage (to the Data Protection Officer) to have any personal information held by PAS updated or corrected (if the individual believes that any information held is incorrect).

