

CASE STUDY



Pritchetts

ADVISING ON STANDARDISED HANDLING PROCESSES FOR DSARS AND OTHER INDIVIDUAL RIGHTS REQUESTS

Challenge

In common with many businesses, our client received several tricky data subject access requests (“DSARs”). They recorded the time that it took them to handle their most recent DSAR and discovered that a senior manager had spent the equivalent of 30 days processing and handling one such request. That duration didn’t even include the time spent by IT staff assisting with technical searches, by the organisation’s Data Protection Officer (“DPO”) advising on specific issues and by other staff involved in the process.

However, data protection regulators regard DSARs (and other individual rights requests) as fundamental, underpinning all of the rights that individuals have under the GDPR. There are also potentially huge fines for failure to comply. Given how time-consuming DSARs can be to process, organisations need to find a way to streamline the handling processes so that single, problematic requests don’t wipe them out for months on end.

Solution

While we were advising our client on aspects of a complicated DSAR, we also helped them to establish standard guidelines and procedures for handling this kind of request. The aims behind our approach included:

- Avoiding the need to reinvent the wheel each time by ensuring that standard processes existed, as well as template response letters, follow-up letters and so on for receipt of such individual rights requests.
- Minimising the impact of the requests on the organisation by having a regular process to follow.
- Mitigating the risk of non-compliance and intervention by regulators by creating standard processes to diarise statutory deadlines, track progress on handling the requests, adapt internal reporting processes and so on.
- Treating better the individual rights requests received so that individuals felt confident that the organisation was handling their data well and didn’t feel the need to take further action.

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Legal directory extract

“Pritchetts Law LLP has always been incredibly reactive, professional and very helpful. Interactions have consistently been extremely well handled, professional, measured and on point. The service provided has always helped us solve issues we were having, and they thoroughly answer any question we bring to them. When dealing with Pritchetts Law LLP, we get a very personalised service with great professionalism.”

**Quoted in The Legal 500
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Solution (continued)

- Enabling the DPO to engage a wider network of senior managers and trained individuals to help handle the requests received, with the reassurance that standard procedures were in place to ensure consistency in approach and compliance.

We also helped the organisation to train all of their data-intensive users across the group of companies on data protection obligations generally, and on individual rights requests specifically. A key feature of that training was on the overarching data protection principles, and on how getting those right (particularly data minimisation and data retention) really helps if you get a DSAR.

Impact

Although processing individual rights requests may seem like a fairly standard administrative task, handling them badly can often open a can of worms. What may start as an innocuous request for data may quickly turn into a matter of reputational damage and regulatory intervention, with more questions being asked about other areas of potential non-compliance by the organisation.

The large GDPR fines that can follow from non-compliance are well-known. It was important to us to help our client to mitigate the impact of these requests on their time, while ensuring that this would not lead to failures to comply and more serious consequences.