

## DPA CoP 03: Access to Personal Data

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### Imperial Heading level 1

1.1 This Code of Practice, drawn up in association with the Data Protection Policy, relates to the access by individuals (data subjects) to data relating to themselves. The Code provides procedures for past and present staff, students and other third parties to access the personal data held on them in Imperial systems in whatever medium that data is held, and for dealing with requests for such subject access.

### Access to Personal Data

2.1 The university respects the right of individuals further to Article 15, Right of Access (also known as subject access request, right of access or SAR) to obtain the following:

- confirmation of whether, and where, the university is processing their personal data;
- information about the purposes of the processing;
- information about the categories of data being processed;
- information about the categories of recipients with whom the data may be shared;
- information about the period for which the data will be stored (or the criteria used to determine that period);
- information about the existence of the rights to erasure, to rectification, to restriction of processing and to object to processing;
- information about the existence of the right to complain to the Information Commissioner's Office;
- where the data were not collected directly from the data subject, information as to the source of the data; and
- information about the existence of, and an explanation of the logic involved in, any automated processing that has a significant effect on data subjects.

2.2 In certain circumstances, an exemption to the UK GDPR requirement to grant access to personal data might apply. Such exemptions include but are not limited to:

- where disclosure would simultaneously disclose data about another person (unless that person consents to the disclosure or it is deemed acceptable);

- third party references and examination scripts (see paragraphs 3 and 4 below for further information)
- where the information is subject to legal professional privilege
- Where compliance would prevent or impair the achievement / purposes of research and/or if disclosure could cause damage or distress to the individual.

2.3 Any data subject wishing to gain access to personal data held about them may do so by the submission of a completed form, accessed via <https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/secretariat/public/information-governance/Subject-Access-Request-Form.docx> or by providing a verbal or written request to the Information Management & Compliance Team (requests received by other areas of the university must be forwarded immediately to [subjectaccess@imperial.ac.uk](mailto:subjectaccess@imperial.ac.uk)). The university may also require proof of identity to ensure the individual making the request is the individual to whom the personal data pertains. Where a request is submitted on behalf of another individual (such as by an individual's legal representative), then signed authorisation will be required from the data subject. It is not a requirement that the university's standard form is completed, but it is helpful if individuals requesting access to their personal data use the form provided. The university aims to comply with requests for access to personal data as quickly as possible and within a one month of receipt. Where the request is complex, the time limit may be extended by a maximum of two further months.

2.4 Subject access requests submitted to the university are processed by the Information Management & Compliance Team in liaison with departments and/or staff members (as is appropriate in each case) who may hold or have access to information relating to the requestor.

## **Confidential references**

3.1 References issued by or on behalf of the university;

Confidential references issued by the university or an individual member of it in the performance of College duties are exempt from subject access where these references relate to:

- education, training or employment of the data subject;
- appointment of the data subject to any office;
- provision by the data subject of any service.

3.2 References received by the university;

Confidential references are exempt from the right of access by the data subject to whom they refer provided that such references have been provided in confidence..

## **Examinations**

- 4.1 Information recorded on their scripts by students during an examination is exempt from subject access. However, students are entitled to any comments made on exam scripts by examiners, including the marks awarded.
- 4.2 Whilst scripts are exempt from disclosure, as stated in the Guidelines regarding the access and retention of assessment information, departments/programmes may allow students to view their scripts under supervision of an academic member of staff.
- 4.3 If an individual makes a request to access information about their marks (for coursework or formal examinations) before the results are announced, the information will be made available either 5 months from the day on which the Information Management & Compliance Team received the request, or one month from the announcement of the examination results
- 4.4 A data subject has a right of access to those parts of Minutes of Examination Boards or special circumstance committees which contain discussion about themselves where they are named or referred to by identifiers from which the candidate may be identified.

#### **Dissatisfaction with subject access response**

- 5.1 If an individual is unhappy with how their subject access request has been handled or with the information received in response to their request, then can request a review. The request must be received within one month of receipt of the response.
- 5.2 Imperial will conduct a review and respond to the individual within one month of receipt of the complaint.

## Document Control

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<b>Cross References:</b>	<p>Data Protection Policy - <a href="https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/secretariat/public/information-governance/Data-Protection-Policy.docx">https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/secretariat/public/information-governance/Data-Protection-Policy.docx</a></p> <p>Information Security Policy / <a href="https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/secretariat/public/college-governance/charters-statutes-ordinances-regulations/policies-regulations-codes-of-practice/information-systems-security/Information-Security-Policy-v7.0.pdf">https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/secretariat/public/college-governance/charters-statutes-ordinances-regulations/policies-regulations-codes-of-practice/information-systems-security/Information-Security-Policy-v7.0.pdf</a></p> <p>Information Governance Policy Framework / <a href="https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/secretariat/public/information-governance/Information-Governance-Policy-Framework---to-be-reviewed.pdf">https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/secretariat/public/information-governance/Information-Governance-Policy-Framework---to-be-reviewed.pdf</a></p>		
<b>Notes and latest changes:</b>	<p>May 2018 V1.0</p> <ul style="list-style-type: none"> <li>- Approved</li> </ul> <p>March 2021 V1.0</p> <ul style="list-style-type: none"> <li>- Reviewed and approved by IGSG</li> </ul> <p>March 2022</p> <ul style="list-style-type: none"> <li>- Amended to reference DART</li> <li>- Amended to reference Central Secretariat as opposed to Legal Team</li> </ul> <p>April 2022</p> <ul style="list-style-type: none"> <li>- Approved by Central Secretariat / College Secretary</li> </ul> <p>February 2025 V2.0</p> <ul style="list-style-type: none"> <li>- Updated to meet new brand standard</li> <li>- Removal of references to 'College'</li> <li>- Updated URL's</li> <li>- Added reference to students being able to view scripts whilst under supervision by department</li> </ul> <p>November 2025 V2.1</p> <ul style="list-style-type: none"> <li>- Removed all hidden URLs for purpose of improving accessibility.</li> </ul>		