

Subject Access Request: Policy and Procedures

1.0 Purpose

The General Data Protection Regulation (GDPR), which came into effect on 25th May 2018, and the Data Protection Act 2018 which gives further effect to this Regulation provide data subjects with a right to access their personal data. The purpose of this document is to outline Dublin Port Company's policy and procedures for processing requests received from data subjects for access to their personal data.

2.0 Definitions

For the purposes of this policy and procedures document the following definitions apply:

- **Data Subject:** is an individual who is the subject of personal data.
- **Data Subject Access Request (DSAR):** is a request received from a data subject for access to personal data.
- **Personal Data:** any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- **Processing:** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

3.0 Scope

The scope of this document applies to all personal data held by Dublin Port Company in physical or electronic format relating to members of the public, service users, suppliers and employees.

4.0 Policy

It is the policy of Dublin Port Company to ensure that data subject access requests are dealt with in a timely and comprehensive manner that focuses on respecting the rights of the data subject.

5.0 Procedures

The procedures for dealing with data subject access requests are as follows:

5.1 Making a Data Subject Access Request

Data subject access requests may be made verbally or in writing. Where practical, individuals are encouraged to submit written access requests; this is to avoid disputes over the details, extent, or timing of an access request. Written requests made be made in physical or electronic format e.g. by letter or e-mail.

A Subject Access Request Form is attached to this policy. Requests by post should be made to *the Data Protection Officer, Dublin Port Company, Port Centre, Alexandra Road, Dublin 1 D01 H4C6* or by email to dataprotection@dublinport.ie

5.2 Confirming the Identity of a Data Subject

Where it is deemed necessary or appropriate Dublin Port Company may request the provision of additional information to confirm the identity of the person submitting a data subject access request. This is because Dublin Port Company has duty to protect personal data; it can only be disclosed to the Data Subject. Dublin Port Company must be satisfied that the individual making the DSAR is the Data Subject of the personal data requested. We therefore need to verify your identity. You will therefore need to provide one of the following forms of identity:

- A copy of a photo-ID with an address, such as a passport or driving licence. We will not retain these documents once we have verified your identity. **Please do not send original documents.**
- A copy of a photo ID without an address, such as Public Services Card, a work or student ID, together with a copy of a document containing proof of address e.g. a recent utility bill or a letter from a public service body. We cannot accept a Public Services Card alone as evidence of identity, as it does not contain an address and because Dublin Port Company has no legal authority to process Personal Public Service Numbers (PPSNs) for this purpose. We will not retain these documents once we have verified your identity. **Please do not send original documents.**
- If you do not have any of the identity documents above, please contact the Dublin Port Company Data Protection Officer, who will arrange a suitable means of identification with you so that you can exercise your right to make a DSAR.
- If you are requesting a copy of your identifiable Closed Circuit Television (CCTV) footage, we will need the following to identify your footage:
 - The specific location from which you want the footage
 - The date(s), arrival departure time(s) of your visit (as precisely as possible)
 - If you arrived at those sites or properties in a vehicle, please give us its details, including the colour, make, model and registration number, as many of our sites have CCTV cameras covering their car parks
 - A recent photograph of yourself so that we can identify your images –passport and ID card photos are often out of date and very small.
 - A description of any distinctive items of clothing you wore or items you carried, e.g. a blue shirt, a yellow rain jacket, a red and black umbrella etc.

Please bear in mind that we cannot provide you with the personal data of any other Data Subjects, so will have to pixelate their images and those of their vehicles. This is an expensive and slow process. Where your vehicle has been damaged, we cannot identify the offending vehicle or give you images of the collision as evidence. We can only give you images of yourself or your own vehicle and this is unlikely to be of much help to you. If you believe your vehicle was damaged maliciously, you can of course contact the Gardaí and they can follow up the investigation with Dublin Port Company.

The Data Protection Act 2018 set the age of digital consent at 16 (sixteen). Therefore Data Subjects under the age of 16 years are deemed to be children. Where personal data is sought in respect of a child, a parent or guardian must submit the DSAR to the Data Protection Officer and any response will be directed to the parent or guardian. The Data Protection Officer will need to be satisfied as to the identity of the parent or guardian before issuing personal data in respect of the child.

5.3 Acknowledging a Data Subject Access Request

Dublin Port Company shall acknowledge a data subject access request without undue delay and in any event within two weeks of receiving the request. The acknowledgement shall specify the expected time frame for issuing a decision on the request and the procedure for making a complaint to the Data Protection Commission in the event that a decision is not made.

5.4 Decision on a Data Subject Access Request

Dublin Port Company may grant or refuse a data subject access to his or her personal data.

5.5 Granting Access to Personal Data

In instances where access to personal data is being granted, the following applies:

Dublin Port Company shall provide the personal data to the data subject without undue delay and in any event within one month of receipt of the request. Where a request is received without verifiable ID, or where there is a concern as to the validity of the ID, the time limit for response will not commence until Dublin Port Company has verified the ID of the individual making the request. Likewise, if the Data Protection Officer requires further clarification from the Data Subject, the time limit for response will not commence until Dublin Port Company has received clarification from the individual making the request.

Dublin Port Company may extend the period for providing data subjects with their personal data by 2 further months in cases where the requests are complex or numerous. In such circumstances the data subject shall be informed of the extension within one month of receipt of the request and provided with a reason for the extension.

Dublin Port Company will normally provide personal data to a data subject free of charge.

However if a data subject access request is excessive or repetitive, in particular because of its repetitive character, Dublin Port Company may charge a reasonable fee taking into account the administrative costs of providing the personal data.

Where the data subject access request is made by electronic means, the personal data shall be provided by electronic means, where possible, unless otherwise requested by the data subject.

The notification of the decision to grant access to personal data shall outline further details regarding the rights of the data subject under the GDPR. Details to be provided to the data subject shall include information relating to:

- The purposes for processing the personal data.
- The categories of personal data concerned.
- The recipients or categories of recipients to whom the personal data has been or will be disclosed.
- Where possible, the envisaged period for which the personal data will be retained or, if not possible, the criteria used to determine that period.
- The rights of the data subject to request the rectification or erasure of personal data or restriction to the processing of personal data concerning the data subject or to object to such processing.
- Where the personal data is not collected from the data subject, any available, information as to its source.
- If automated decision-making applies, details of how these decisions are made.

The notification of a decision to grant a request must inform the data subject of his or her right to make a complaint to the Data Protection Commission if he or she is dissatisfied with the decision and outline the process for making such a complaint to the Data Protection Commission.

5.6 Refusing Access to Personal Data

A data subject may be refused access to his/her personal data in the following instances:

- Where a data subject access request is considered to be manifestly unfounded or excessive, in particular because of its repetitive character;
- Where the scope of access is restricted under provisions contained in data protection legislation enacted by the State.

Dublin Port Company shall notify the requester of its refusal to a data subject access request within one month of receiving the request.

The reason(s) for refusing a data subject access request shall be outlined in the notification.

The notification of a decision to refuse a request must inform the data subject of his or her right to make a complaint to the Data Protection Commission if he or she is dissatisfied with the decision and outline the process for making such a complaint to the Data Protection Commission.

6.0 Complaints to the Data Protection Commission

Data subjects may make a complaint in the following circumstances:

- If they experience a delay outside of the prescribed timeframe for making a decision on a data subject access request;
- If they are dissatisfied with a decision by Dublin Port Company on their data subject access request;
- If they consider that Dublin Port Company's processing of their personal data is contrary to data protection legislation.

The Data Protection Commissioner can be contacted at the address below or online through their website www.dataprotection.ie

The Data Protection Commissioner, 21 Fitzwilliam Square South, Dublin 2, D02 RD28, Ireland.

DATA SUBJECT ACCESS REQUEST FORM

Request made under the General Data Protection Regulations and the Data Protection Act 2018.
Note: Proof of identity must accompany this Data Subject Access Request Form.

REQUEST MADE BY (FULL NAME):	
ADDRESS (including Eircode):	
TELEPHONE*:	E-MAIL*:

** We ask for this as we may need to contact you to discuss your access request*

I, [Insert name], wish to make an access request for a **copy** of any personal data that Dublin Port Company holds about me. If you are looking for specific data please record details in the box below. I am making this access request under **Article 15 of the General Data Protection Regulation**.

Please note below any other information relevant to your access request e.g. if requesting images/recordings made by CCTV, please state the date, time and location of the images/recordings in the box below together with any additional information by which we may identify you (clothing worn, items carried for example, otherwise it may be very difficult or impossible for Dublin Port Company to locate the data. It is important that a photographic identity document (passport or driving licence for example) should be provided. This is required for identification purposes only and documents provided will be securely destroyed on completion of the request procedure.

Signed:

Date

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PLEASE FORWARD REQUEST BY POST TO DATA PROTECTION OFFICER, DUBLIN PORT COMPANY, PORT CENTRE, ALEXANDRA ROAD, DUBLIN 1 D01 H4C6 OR BY EMAIL TO DATAPROTECTION@DUBLINPORT.IE