**INTERNAL GUIDANCE ON HOW TO RESPOND TO DATA SUBJECT ACCESS REQUESTS**

1. introduction

This document provides HES International B.V. (''**HES**'') with internal guidance on how to respond to data subject access requests ("**SARs**" or "**subject access requests**") received by HES pursuant to the General Data Protection Regulation (EU) 2016/679 (the "**GDPR**").

1. the right of access (subject access)

A data subject is the individual whose personal data is being collected, held or processed. Data subjects have the legal right under the GDPR to be provided with a copy of any personal data that is processed about them, along with supplementary related information.

This legal right is known as the 'right of access' or 'subject access'. The purpose of the SARs right is to allow individuals to confirm whether their personal data is being processed, and to verify the lawfulness of that processing.

1. PROCESS FOR PROVIDING A SAR RESPONSE

A communication from the data subject does not need to note that it is a SAR (although clarification should be sought if unclear). If you are unsure if you have received a SAR, you should in the first instance contact the Local Compliance Officer on the same working day of receipt of the request. If you are unable to obtain prompt advice for any reason, you should forward any correspondence received that might be considered to be a right of access request to the Chief Compliance Officer (compliance@hesinternational.eu) on the same working day.

If you receive a verbal SAR from a data subject, you should direct them to put the request in writing to the Local Compliance Officer. You can send them a standard form if the data subjects would like to make a SAR. However, use of this form is not compulsory and, while you can invite a data subject to use this if they wish to do, you cannot, and must not, require them to do so, nor does a SAR need to be in writing under the GDPR for it to be valid.

Under the GDPR, HES should ensure that where a request has been submitted electronically, the personal data is also provided in an electronic format and that it is done so in a secure way (pursuant to Article 15(3) GDPR).

A cover letter should be provided responding to the SAR which includes confirmation that the data subject's data is being processed and other supplementary information which corresponds to the information that should be provided in a privacy notice (see Article 15 of the GDPR). You can use the attached template letter which can be completed by you using information contained in the individual's privacy notice.

1. template emails/letters

We recommend to use the templates attached in the Annex to ensure a consistent approach. These include emails or letters:

* + - acknowledging receipt of a SAR;
    - requesting further information from the individual (e.g. proof of identity, narrowing of scope);
    - substantively responding to the SAR.

**ANNEX**

**Template Emails/Letters**

**1/ Initial Response**

***[Note: this letter should be used to acknowledge receipt of the subject access request and request further information (where applicable)]***

Dear *[*Name of individual*]*

Thank you for your *[*letter*]*/*[*email*]* of *[*date*]* in which you make a request for access to *[*personal data which we process about you *[*or specify*]]*.

This correspondence is to formally acknowledge receipt of your request for access to personal data which we process about you *[*under the EU General Data Protection Regulation*]*.

*[****Note: Include if further information IS required to verify identity****]*

In order to assist us to process your request, please provide us with proof of your identity in the form of a photocopy of your passport or driving licence. We hope that you understand that we need to check your identity to ensure that we do not disclose your personal data to any unauthorised person.

*[****Note: Include if further information IS required to narrow down scope of request****]*

We have attached a Subject Access Request Form. This form is not mandatory. However, it will enable us to locate more easily the information you are seeking.

If you complete the attached Subject Access Request Form, please return it to us at *[*insert, e.g. the address shown at the top of this letter*]* / *[*by reply to this email*]*.

We look forward to hearing from you.

Please do let us know if you have any questions.

Kind regards

*[*Name*]*

**2/ DSAR Request Form**

***[Note: this form should not be mandatorily required for individuals to complete in order to exercise their rights.]***

This form can be used by individuals who wish to make a data subject access request under Article 15 of the General Data Protection Regulation ("**GDPR**").  **This form is not mandatory**, but is preferred by HES.

Date of request: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| **Name** |  | |
| **Address** |  | |
| **Affiliation with HES** |  | |
| **Scope of request** | Nature of personal data requested | Date range |
| My request is in respect of personal data concerning the following:  [*Please be as specific as possible, for example, concerning specific decisions affecting you or in relation to particular allegations made etc.*] |  |
| **Custodians** | Please list any individual who you believe processed your personal data in connection with the above: | |
| **Variants of name** | Please describe any variants of the spelling of your name and/or any nicknames, abbreviations or similar regularly used to refer to you. | |
| **Confirmation of ID** | If you are not currently employed / engaged, please provide a copy of your driving licence or passport to confirm your identity. | |

**3/ Response**

*[****Note: this letter is to be used when responding to a data subject access request****]*

Dear *[*name*]*

**Data Subject Access Request**

We write further to your subject access request dated *[date]* (the "**Request**") *[*and details of any related correspondence*]*.

*[*HES International B.V.*]* has carried out the Request and we enclose copies of your personal data. In carrying out the Request, we conducted the following searches:

* *[*confirm which systems were searched*]*

*[*Please note that certain legally privileged information and/or commercially sensitive information has been redacted, along with personal information belonging to other individuals*.]*

We have done our best to respond to your request and hope that you have found our approach helpful.

Please do not hesitate to contact us if you have any questions about the contents of this letter.

**Your rights in connection with personal data**

You may be interested to know of certain rights that you have in connection with your personal data, including the right to complain to your local data protection authority about *[*HES International B.V.'s*]* handling of your personal data and the Request. Further information about this, along with details about what personal data *[*HES International B.V.*]* processes about you, the safeguards it has in place and who your information is shared with, is contained in ***[***HES International B.V.'s Privacy Notice, available [*insert*].***]***

Yours sincerely,

*[*Name*]*