DSAR ACKNOWLEDGMENT LETTER REQUESTING MORE INFORMATION

[TO BE SENT ON LETTERHEAD]

**Drafting Notes:** This letter will need to be tailored according to each DSAR received either directly from a data subject or via a claims management company / legal firm using the drafting notes (DNs). The DNs are in purple text and start with the letters DN and a number. The text that needs to be edited / deleted is in red font and contained in square brackets. Please refer to the DNs carefully and delete before sending the letter. This letter is limited in scope to DSARs relating to the council acting in its capacity as administering authority and regarding the data subject's transfer of benefits or application for ill health early retirement pension from the Local Government Pension Fund and as such it is anticipated that most of the personal data will be held in the data subject's pensions file; the administering authority may need to take further advice if the DSAR is wider in scope.

**Strictly Private and Confidential**

[BY EMAIL]

[NAME]

[ADDRESS] [DATE]

Dear [NAME],

# Data Subject Access Request ("DSAR") dated [DATE]

I am writing to acknowledge receipt of [your DSAR OR the DSAR submitted in relation to your client, [NAME]], addressed to [NAME] and made under Article 15 of the UK General Data Protection Regulation (**"UK GDPR"**) and the Data Protection Act 2018 (together, the **"Data Protection Laws"**).

Please note that **[NAME OF ADMINISTERING AUTHORITY]** (the **"Administering Authority"**) processes a large amount of information about [you OR your client] in its capacity as administering authority of the [NAME OF THE FUND].

**DN1** - If the scope of the request is so wide (e.g. all data held about the data subject) and the background information so limited that it has not been possible to perform any preliminary search, use this wording.

In light of this (and by including all the name variants set out in [your OR the] DSAR we anticipate that there are likely to be thousands, if not tens of thousands, of emails/documents to review against [your OR your client’s] current search parameters.

**DN2** – If it was possible to carry out a preliminary search in line with the search parameters in the original DSAR, use this wording.

In light of this, when we carried out a preliminary search of [your OR your client's] personal data against the parameters set out in [your OR the] DSAR, i.e. [DETAILS], this returned a substantial number of emails/documents (in excess of [NUMBER]).

**DN** – include in all cases

A significant proportion of these emails/documents will include personal data about third parties and information which is not [your OR your client's] personal data and which we may not be permitted to disclose to you under the Data Protection Laws.

**DN3** - Include if search parameters and / or results include emails. If there was no email data, delete.

A large number of these documents are emails, which by their very nature as a method of correspondence, will have both a sender and a recipient and other individuals may also be discussed in those emails.

**DN** – Include in all cases.

Before providing you with copies of [your OR your client's] personal data, as required under the Data Protection Laws, we need to review all of the emails/documents contained in the search results in order to work out what is and what is not [your OR your client's] personal data and identify any personal data of third parties that we are required to redact/withhold. There may also be information that we are entitled to withhold under one of the exemptions in the Data Protection Laws.

**DN4** - Use this wording if optional wording at DN1 above is used.

Our review of such a substantial number of emails/documents containing third party personal data is likely to be viewed by the Information Commissioner's Office (**"ICO"**) as a disproportionate invasion of the privacy rights of those third parties, whose data we would be reviewing.

**DN5** - Use this wording if optional wording at DN2 above is used.

Our review of over [NUMBER] emails/documents containing third party personal data is likely to be viewed by the Information Commissioner's Office (**"ICO"**) as a disproportionate invasion of the privacy rights of those third parties, whose data we would be reviewing.

**DN** – Include in all cases.

The ICO will expect us to balance the invasion of privacy to those individuals against [your OR your client's] need to obtain copies of the data [you OR your client] are seeking. It advises data controllers to do this by entering into a dialogue with the data subject who has made the request (or the person making the request on the data subject's behalf) to obtain further information from them to enable us, as the data controller, to refine our search criteria in order to locate the data subject's personal data.

**DN6** – The following wording should be used to request full details from the data subject / data subject's representative where you do not have sufficient background knowledge to indicate what the data subject / data subject's representative is looking for. If it is clear or you have an idea what the data subject / data subject's representative is looking for, use the wording at DN8 below and delete this section.

Please therefore confirm:

1. The nature or subject matter of the information you seek [on behalf of your client];
2. The type of documents that may contain the information that you are seeking [on behalf of your client], e.g. pensions administration file, emails, documents, etc.;
3. The date/s or approximate date/s in respect of which the information you seek [on behalf of your client] relates;
4. The individuals whose mailboxes/documents you wish to be included in our search; and
5. Any other information you believe will ensure a focused search, e.g. keyword search terms to be used to conduct our electronic search.

**DN7** - The following paragraph should be used only with the wording DN6 above. If the wording at DN8 is used instead, delete this paragraph as well as the wording at DN6 above. Note that the following paragraph does not include any reference to "stopping the clock" whilst this response is pending; this should only be utilised where the information provided by the data subject / data subject's is so scarce that it is impossible to perform any form of search other than a broad and general search without a response. In most cases, there will be sufficient information for searches relating to parts of the DSAR. You may wish to seek advice before seeking to rely on "stop the clock".

If you can assist us by clarifying the specific information you seek by responding to the above, this will enable us to focus our search and identify [your OR your client's] personal data much more quickly. It will also enable us to limit the invasion to third party privacy rights in performing our search. Please send [your replies OR your replies, on behalf of your client] to [NAME] at [EMAIL ADDRESS] as soon as possible.

**DN8** - If it is clear or you have an idea of what the data subject / data subject's representative is looking for, e.g. from background information or previous correspondence with the data subject / data subject's representative, the above wording can be used to set out the proposed scope of the search based on that information, instead of a blanket request for further details. If the wording at DN6 is used instead, delete this section.

Based on our current understanding of your concerns, we expect that you are seeking information related to [DETAILS e.g. the payment of [your OR your client's] transfer value from the [NAME OF FUND]; [your OR your client's] application for an ill health early retirement pension from the [NAME OF FUND] etc.]. We therefore propose to perform the following search for [your OR your client's] personal data:

1. a search of [your OR your client's] member file on the pensions administration system;
2. a search of the following individual's mailboxes for emails/documents using the phrases ["first name" OR "surname" OR Others] for all items sent or received between [DATE] and [DATE] (inclusive):
	* [Name of mailbox owner]
	* [Name of mailbox owner]
3. [Details of any other searches e.g. instant messaging platforms]

I would be grateful if you could provide us with any comments you have on our understanding of [your request OR your request, on behalf of your client] as set out above. Please send [your replies OR your replies, on behalf of your client] to [NAME] at [EMAIL ADDRESS] as soon as possible.

**DN** – Include in all cases.

Please note that should it become apparent that the scope of [your request OR your request, on behalf of your client] is complex, we reserve our rights under Article 12(3) of the UK GDPR to extend the period for responding to [your OR the] DSAR by up to a further two months. If this is the case, we will write to you within one month of [your request OR your request, on behalf of your client] and notify you of this, as well as the reasons why we require the extended time limit.

If you have any questions about this letter, please contact me at [EMAIL ADDRESS] to discuss it further. I will be overseeing the response to [your OR your client’s] the DSAR.

Yours sincerely

[NAME]

[ROLE]

[EMAIL ADDRESS]