Lochaber Housing Association Group

Subject Access Request Guide

Updated November 2026

Due for next review October 2027

1. What is a Subject Access Request?

The Data Protection Legislation (comprising the Data Protection Act 2018, the UK General Data Protection Regulations (UK GDPR) and Data (Use and Access) Act 2025) provides individuals with rights relating to the personal data which organisations hold on them. As controller of personal data, the Lochaber Housing Association Group (the LHA Group) must be able to comply with these rights. Once a request has been received by the LHA Group from a data subject, the LHA Group must respond to it without undue delay and at the latest within one month of receipt. The Data Protection Legislation provides the following rights for data subjects:

Right to restrict processing	When this right is exercised by a data subject, the LHA Group is permitted to store their personal data but not further process it. Restricted information about the individual may be retained to ensure that the restriction is respected in the future. The right to restrict processing applies in the following circumstances: • when a data subject contests the accuracy of their personal data, then processing should be restricted to storage only until accuracy is verified; • when a data subject objects to processing carried out to perform a task in the public interest, or for the legitimate interests of the controller, then LHA Group, as controller, must restrict processing to storage only whilst we consider whether our legitimate grounds override the rights and freedoms of the individual; • when processing is unlawful and a data subject opposes erasure and requests restriction to storage instead; or • when LHA Group no longer needs the personal data but the data subject requires it for the purpose of a legal claim.
Right to data portability	This right allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows the individual to move, copy or transfer personal data easily from

	one IT environment to another in a safe and secure way in a common data format, for example, Excel or CSV file. The right to data portability applies in the following circumstances: • when the personal data was provided to the LHA Group directly by the data subject; • where the processing is based on consent or performance of a contract; or • when processing is carried out by automated means.
Right to object	Individuals have the right to object to: • processing based on legitimate interest or performance of a task in the public interest/exercise of official authority (including profiling); • direct marketing (including profiling); or • processing for the purposes of scientific/historical research and statistics.
Rights in relation to automatic decision making and profiling	This right provides safeguards for individuals against the risk that a potentially damaging decision is taken without human intervention. The Right not to be subject to a decision applies when: • it is based on automated processing • it produces legal/significant effects on the individual It does not apply if the decision: • is necessary for entering into or performance of a contract • is authorised by law • is based on explicit consent • does not have a legal/significant effect on the data subject.

2. Can I access information on someone else's behalf?

We will need to be satisfied you have the individual's permission to act on their behalf. You may be committing an offence to seek data about other individuals without their consent.

If you wish to access information about someone else, we will require their written consent for you to do this in the form of a representation mandate or a legal document which proves you can act on their behalf, for example a power of attorney or guardianship order.

3. How long will it take for you to respond to my request?

When we receive a subject access request, we will undertake a reasonable and proportionate search for the personal data in question. We will make all efforts to fully comply with your request within one month, starting from the day after we receive your request. In any event, you will receive all the information that has been located and can be released within one month and an explanation for any information that cannot be provided at that time

Before we release information to you, we need to be confident of your identity so we may ask you for additional information in order to verify it.

4. Will any information be withheld?

There are some circumstances where the information you have asked for contains information that relates to another person.

Unless the other person gives their permission, or it is reasonable in all the circumstances to provide the information without permission, we are entitled to withhold this information.

Third party information may be edited out (redacted) so that it does not form part of the requested information.

There are exemptions within the UK GDPR and the Data Protection Act 2018 which may allow us to refuse to comply with your request.

Where an exemption applies to the facts of your request, we may refuse to provide all or some of the information requested, depending on the circumstances. For example, if

providing you with the information would be likely to affect the way crime is detected or prevented. When responding to you, the reasons will be explained.

5. What happens if I am not happy with the handling of the request?

If you are unhappy with the response to your subject access request, then you can raise a concern to us about it. We will then review your concern and issue a response to you within one month of receipt. If you wish to raise a concern then, please write to:

The Data Protection Officer, Lochaber Housing Association, 101 High Street, Fort William, PH33 6DG.

To allow us to investigate your concern please:

- be specific about the issues you wish us to address
- include full details of your concern
- include all information to help us identify you and your concern correctly
- send us copies of all the key documents you have to evidence your concern.

Don't send us the originals as you might need them later. Also, don't include additional documentation 'just in case'.

Should you remain dissatisfied with the handling of your subject access request and the review, you may wish to raise a concern with the **Information Commissioner.**

6. Making a Data Protection Complaint

You also have the right under the Data (Use and Access) Act 2025 to make a Data Protection compliant about how we are handling yours or other people's information if, for example:

- we have not properly responded to your request for your personal information;
- we are not keeping information secure;

- we hold inaccurate information about you;
- we have disclosed information about you, or you have received information about someone else;
- we are keeping information about you for longer than is necessary;
- we have collected information for one reason and are using it for something else; or
- we have not upheld any of your data protection rights.

Most data protection complaints can be resolved quickly and easily, providing you give us full details of your concern right at the beginning.

You should always complain to LHA Group in the first instance, and if you still remain dissatisfied after this has been reviewed, you can complain to the Information Commissioner. You can complain to the Information Commissioner by completing their **online form**.