



THE LABOUR COURT
An Chúirt Oibreachais

LABOUR COURT DATA SUBJECT ACCESS REQUEST (SAR) PROCEDURE

Telephone Request

Please note the Labour Court cannot accept requests made by phone. The request must be in writing or by e-mail (See the Data Subject Access Request (SAR) Form) and must include a *Proof of Identity* and *Proof of Address* (if looking for the data to be posted) or an email address that has been used by you before to contact the Labour Court.

Proof of Identity and Data Retention

Your identity can be verified by photographic ID and you should send this in by post or email to the following address:

By post to:

Data Protection

The Labour Court
Lansdowne House,
Lansdowne Road,
Ballsbridge,
Dublin 4

Or by e-mail to:

dataprotection@labourcourt.ie

Examples of acceptable I.D. s include a copy of a passport, a driver's licence or a PPS card.

The Court will only keep a copy of these documents until your Subject Access Request (SAR) application has been fully processed and issued to you and all relevant review or appeal procedure timelines have expired.

Fees

In general, there are no fees chargeable to an individual who seek access to their own personal records. A reasonable fee may be charged for any further copies of the personal data or where the access request is manifestly unfounded or excessive taking into account the administrative costs of providing the information.

Response Timelines

The Subject Access Request (SAR) should be concluded within **one month**.

You can extend the time to respond by a further **two months** if the request is complex or you have received a number of requests from the same individual. You must let the individual know that you intend to extend the response time limit within **one month** of receiving their request and explain why the extension is necessary.

Note: However, it is the Data Protection Commission's view that it is unlikely to be reasonable to extend the time limit if:

- it is manifestly unfounded or excessive;
- an exemption applies; or
- you are requesting proof of identity before considering the request.

Where the request is extremely broad or unclear, you can seek clarification by contacting the Data Subject (i.e. the individual).

Exceptions to the right of access

In a small number of circumstances, the Data Subject's right to access personal records can be limited. This is necessary in order to strike a balance between the rights of the individual, on the one hand, and some important needs of civil society, on the other hand.

Under the General Data Protection Regulation (GDPR)/ Data Protection Acts 1988 – 2018, there are some grounds for refusing to grant an access request, for example:

- to safeguard judicial independence and court proceedings;
- where the data consists of the expression on an opinion given in confidence to a person who has a legitimate interest in receiving the information;
- where the request is manifestly unfounded/excessive;
- where it would adversely affect the rights and freedoms of others.

Making a complaint

A Data Subject may also make a complaint to the [Data Protection Commission](#).

Further information on the process involved in making a complaint to the Data Protection commission is available [here](#).

Supervision and enforcement

Independent supervisory authorities

Under the GDPR, each EU Member State will have one or more independent public authorities responsible for monitoring the application of the Regulation. In Ireland, under the [Data Protection Act 2018](#), the Data Protection Commissioner has been replaced with a [Data Protection Commission](#).

European Data Protection Board

The GDPR will introduce a new [European data protection supervisory authority](#). The European Data Protection Board will be responsible for ensuring that the GDPR is applied consistently across the European Union. The Board will issue guidelines and recommendations on the application of the Regulation. The Board will also advise the EU Commission on the application of the Regulation and any updates that may be required. The Board will be made up of the head of one supervisory authority of each EU Member State and a European Data Protection supervisor.

Further information about an individual's rights under the Data Protection Acts

The [Data Protection Commission](#) website offers an explanation of the rights and responsibilities under the Data Protection Acts.

Information is also available from:

| Portarlinton Office | Dublin Office |
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| Office of the Data Protection Commission | Office of the Data Protection Commission |
| Canal House | 21 Fitzwilliam Square |
| Station Road | Dublin 2 |
| Portarlinton | D02 RD28 |
| Co. Laois | |
| R32 AP23 | |

You can contact the Office of the **Data Protection Commission** by emailing info@dataprotection.ie or by telephone at 1890 252 231.

Further information is also available on the dedicated website [GDPR and You](#).

Procedure dated September 2018.

This Procedure is subject to regular review. Any changes to it will be notified via the Court's website.