HMRC - TCM0138280 - Miscellaneous (P To V): Subject Access Requests - Registering The SAR

Checklist

Before you follow this guidance make sure

you have the correct user roles to follow this guidance. Use the B&C Roles and Access Catalogue. You can find this by going to the Benefits & Credits homepage, selecting ‘R’ on the B&C A-Z index, selecting ‘Roles and Access Process’, selecting ‘Roles & Access Catalogue’ from the Related links menu

you are in the correct MU. Use TCM0322460 for the correct MU number.

Background

Subject Access Requests (SAR) can be received by email, letter or fax, but the request must be in writing. The request will be to see copies of all customer records including telephone calls

The customer can make a request for all records, telephone calls or computer records. This is known as a full SAR request. Any requests for correspondence, claim forms or award notices should be dealt with as ‘routine business’

A SAR request can also be for copies of

telephone calls only. This will be dealt with by the Call Retrieval Team situated at the Contact Centre head office in Manchester

telephone calls and correspondence. The Call Retrieval Team will deal with the telephone calls on this request and Tax Credits Office (TCO) will deal with the correspondence.

The SAR Team gather the information once they have established the type of SAR request

The information needed for the SAR must be sent to the SAR Team within 5 working days of any HMRC Office receiving the SAR request

Note: Any emails received from other HMRC departments advising they are faxing a request need to be saved in a shared folder named ‘polylopes’. Once the fax is received confirm receipt with the sender.

Guidance

Step 1

Consider the SAR request

If the request is a Freedom of Information request and not a SAR

make a note on the letter - ‘Not a SAR’ (This content has been withheld because of exemptions in the Freedom of Information Act 2000)

update Household Notes with the message MT01 from TCM0162080. For how to do this use TCM1000001

take no further action.

If the request is not a Freedom of Information request and not a SAR

send the correspondence to the appropriate team, marking the letter - ‘Not a SAR’

update Household Notes with the message MT01 from TCM0162080. For how to do this use TCM1000001

take no further action.

If the request is a new SAR, go to Step 2.

If the request is a completed and returned TC2008 or TC1203, go to Step 8.

If the BF date for a TC2008 or a TC1203 has expired, go to Step 12.

Top of page

Step 2

Consider if the SAR has any queries with it

If the SAR does not have any other queries with it, go to Step 3.

If the SAR has any other queries with it

photocopy the request

note on the original request ‘SAR being dealt with’ and forward to the appropriate team

Note: The outstanding overpayment disputes need to be forwarded to Overpayments, outstanding complaints to CSSG all other requests go to the Customer Information Team.

go to Step 3.

Top of page

Step 3

Check who made the original SAR request

If the request is from the customer, go to Step 5.

If the request is from an Intermediary or Citizens Advice Bureau (CAB), go to Step 4.

If the request is from a Member of Parliament, go to Step 8.

Note: Information can be released to an MP due to implied consent.

Top of page

Step 4

Check if the request includes a signed letter from the customer asking for the SAR to be sent direct to the Intermediary or CAB.

If we do have authority, go to Step 5.

If we do not have authority but the request is specific

photocopy the request

send form TC1203 to the customer with the copy of the original request

put the original request with a copy of the TC1203 in the relevant file to await their reply

update Household Notes with the message MT12 from TCM0162080. For how to do this follow TCM1000001.

set an action date of 30 days

take no further action.

If we do not have authority and the request is non-specific or ambiguous

photocopy the request

send form TC2008 and fact sheet TC2008(FS) to the customer with the copy of the original request

put the original request with a copy of the TC2008 in the relevant file to await their reply

update Household Notes with the message MT13 from TCM0162080. For how to do this follow TCM1000001.

set an action date of 30 days

take no further action.

Top of page

Step 5

If the request is specific, go to Step 8.

If the request is non-specific or ambiguous, go to Step 6.

Top of page

Step 6

Phone the customer to check what information they require. Follow the guidance in TCM0094080

Note: Make three attempts to call the customer at different times during the day to maximise the opportunity to contact the customer. Ensure that your last attempt is made before the final post collection of that day to enable you to write to the customer if the call is unsuccessful.

If you are able to contact the customer and clarify the information required

complete form TC648 with details of the information required

go to Step 8.

If you are able to contact the customer, but unable to clarify the information required, go to Step 7.

If you are not able to contact the customer by phone, go to Step 7.

Top of page

Step 7

update Household Notes with the messages MT14 and MT15 from TCM0168020. For how to do this, use TCM1000001

send form TC2008 and fact sheet TC2008(FS) to the customer

set an action date of 30 days

take no further action.

Top of page

Step 8

Register the request on the SARS database which can be found in the relevant folder with the following details

name

NINO

type of SAR (for example calls and correspondence)

date received in HMRC

date received in TCO

date received on SARS

Note: the database automatically generates a 40 day target.

Note: if you are dealing with a returned TC2008 or TC1203, the SAR received date will be the date the TC2008 or TC1203 was received, and not the date the original request was received.

go to Step 9.

Top of page

Step 9

Photocopy all SAR requests and send them to the Call Retrieval Team in an orange TNT polylope (This content has been withheld because of exemptions in the Freedom of Information Act 2000) P(This content has been withheld because of exemptions in the Freedom of Information Act 2000)

Note: They will copy all calls to disk and send to the customer.

file the calls only requests in the relevant ‘calls only’ file in alphabetical order

go to Step 10.

Top of page

Step 10

Request the forms

Note: Netherton should send all documents to us within 36 hours. Failure to do so should be raised through the SARS manager.

Note: if it is a two person claim, add both customers’ details to the form.

request the RDC forms. For how to do this use TCM0074060 then return to this guidance

request the manual correspondence. For how to do this use TCM1000051 then return to this guidance

then

go to Step 11.

Top of page

Step 11

Once the RDC’s and Manual Correspondence have been requested

put the date and your initials in the relevant boxes on the cover sheet

put the cover sheet and letter in an A4 plastic wallet and pass to the designated person to request Customer Service Support Group (CSSG) documents

link any RDC’s and correspondence returned to you by Document Management Team (DMT) or Netherton to the case

take no further action.

Top of page

Step 12

update Household Notes with the message MT16 from TCM0168020. For how to do this, use TCM1000001

send the request to storage. Follow the guidance in TCM0074140

take no further action.

Previous page

Next page