

From: [REDACTED]
To: [DPC Info](#)
Subject: RE: DPC Response
Date: Thursday 15 August 2019 18:38:00

Dear [REDACTED]

1. Could you please state precisely how the SAR is not valid with reference to a specific legal provision? You will see from the request itself that the reference to children's allowance and to the forms was by way of background and was provided to give some context to the request and preceded the specific request which comes after the words "The request is as follows:"
2. It is clear what personal data of my children is being sought. As indicated in my request, it is the information collected by Welfare on forms that seek details of the children's school and GP. There is no question that this is my children's personal data and that myself as their parent and that both they and I are entitled to access it via a SAR submitted by myself as their parent. It is apparent from the section 21 response that this data is being processed and is stored in a database.
3. The smart-arsed reply from Welfare that the children's allowance is paid to my wife or that it is associated with forms that she signed is neither here nor there and is not a valid reason to refuse the request. I have submitted a SAR for my children's personal data that is being processed by DEASP, particularly the details of their school and GP that DEASP has collected. It is clear from the objection response that DEASP is processing this personal data and that it relates to myself and my children and we have a right of access.
4. I am quite concerned that you are saying that it is "highly likely that documents relating to information regarding your children's school or doctor would contain information to which you would not be entitled." You then advise me to "revert to the DEASP to clarify that you are requesting information on the school or doctor specifically as it relates to your children". This is bizarre and contradictory and I have no idea what you are saying here.
4. The bottom line is myself and my children are entitled to access their personal data via a request submitted by myself and a valid access request has been made. DEASP knows exactly what is requested. There is absolutely no need or requirement for me to contact DEASP again given they have unlawfully refused the request. Your office has all the powers it needs to investigate this complaint to conclusion.
5. In terms of the section 21 request my contention is that article 6(1)(c) is not a valid legal basis since the legal provisions that DEASP relies on contain no specific legal obligation to compile the school/GP information and therefore DEASP is incorrect in its assertion. This means that section 6(1)(e) is the only other relevant legal basis for processing and therefore I am entitled, on behalf of my children, to object to the processing.
6. I look forward to a formal decision as soon as possible.

Many thanks
[REDACTED]

I would ask you therefore to investigate this complaint thoroughly and ensure a formal

-----Original Message-----

From: DPC Info <info@dataprotection.ie>
Sent: Thursday 15 August 2019 17:02
To: [REDACTED]
Subject: DPC Response

Data Protection Commission
Ireland