

# Acton Burnell, Frodesley, Pitchford, Ruckley & Langley Parish Council

## Subject Access Requests (SARs) Policy

**This document outlines the procedure the Council will follow in order to process Subject Access Requests.**

### Introduction

Under the UK General Data Protection Regulation (GDPR) individuals have a right to access any personal information relating to them from businesses and other organisations. The right of access is commonly referred to as Subject Access and gives individuals the right to obtain a copy of their personal data, as well as other supplementary information. It helps individuals to understand how and why their data is being used, and to check that it is being used lawfully.

### Procedure

1. Any subject access requests will be forwarded immediately to the Clerk. The Clerk will co-ordinate the Council's response to the request including assessment of the request and the collection and provision of information to the requestor.
2. The Clerk will identify whether a request has been made correctly under the Data Protection legislation under the following criteria:
  - a. The request must be received in writing.
  - b. The data requested must be well-defined personal data and relate to the data subject.
  - c. Upon request the requestor must clarify what personal data they need.
  - d. The requestor must provide their address and valid evidence to prove their identity. The council accepts the following forms of identification (\* These documents must be dated in the past 12 months, +These documents must be dated in the past 3 months):
    - Current UK/EEA Passport
    - UK Photocard Driving Licence (Full or Provisional)
    - Firearms Licence / Shotgun Certificate
    - EEA National Identity Card
    - Full UK Paper Driving Licence
    - State Benefits Entitlement Document\*
    - State Pension Entitlement Document\*
    - HMRC Tax Credit Document\*
    - Local Authority Benefit Document\*
    - State/Local Authority Educational Grant Document\*
    - HMRC Tax Notification Document
    - Disabled Driver's Pass
    - Financial Statement issued by bank, building society or credit card company+
    - Judiciary Document such as a Notice of Hearing, Summons or Court Order
    - Utility bill for supply of gas, electric, water or telephone landline+
    - Most recent Mortgage Statement

- Most recent council Tax Bill/Demand or Statement
  - Tenancy Agreement
  - Building Society Passbook which shows a transaction in the last 3 months and your address
3. If the request is determined to be invalid, the Clerk will aim to contact the requestor as soon as possible within **two weeks** of this decision.
  4. If the Council accepts the request as valid, the Clerk will provide the information requested within **one calendar month** of this decision.
  5. The Clerk and, as appropriate, any councillor, who receives a request to locate and supply personal data relating to a SAR will make a full exhaustive search of the records to which they have access. "Records" may include: emails (including archived emails and those that have been deleted but are still recoverable), Word documents, spreadsheets, databases, systems, removable media (for example, memory sticks, floppy disks, CDs), tape recordings, paper records in relevant filing systems etc.
  6. All the personal data that has been requested will be provided unless an exemption can be applied. Where it is possible that data may be misunderstood, that data will not be withheld, rather an explanation of the data will be provided. Data will be provided in an intelligible form, which includes giving an explanation of any codes, acronyms and complex terms. The personal data will be supplied in a permanent form except where the requestor agrees or where it is impossible or would involve undue effort. As such, the Clerk may contact the requestor to see if they will agree to view the personal data on screen or inspect files on our premises. Any exempt personal data will be redacted from the released documents and an explanation will be provided as to why that personal data is being withheld.
  7. SARs will be undertaken free of charge to the requestor unless the legislation permits reasonable fees to be charged.
  8. The Clerk will be provided with sufficient training on Data Protection legislation to ensure that SARs are processed correctly. The Clerk's knowledge of the correct procedure will be assessed at their annual performance review to ensure appropriate working practice is maintained.
  9. The Clerk will maintain a database of SARs so that the Council may report on the volume of requests and compliance against the statutory timescale.
  10. Where a requestor is not satisfied with a response to a SAR, the Council will manage this as a complaint. If the requestor is unhappy with the outcome of the complaint they will be advised that they may complain to the Information Commissioners Office (ICO).

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