

**SEEND PARISH COUNCIL**  
**POLICY FOR RESPONDING TO A SUBJECT ACCESS REQUEST**  
**Adopted: 28<sup>th</sup> August 2018**

**What must the Parish Council do**

1. On receipt of a subject access request you must **forward** it immediately to the person responsible for dealing with a SAR request. For Seend Parish Council, this will be the Parish Clerk
2. We must correctly **identify** whether a request has been made under the Data Protection legislation.
3. A member of staff, and as appropriate, councillor, who receives a request to locate and supply personal data relating to a SAR must make a full exhaustive **search** of the records to which they have access.
4. All the personal data that has been requested must be **provided** unless an exemption can be applied.
5. We must **respond** within one calendar month after accepting the request as valid.
6. Subject Access Requests must be undertaken **free of charge** to the requestor unless the legislation permits reasonable fees to be charged.
7. Councillors and managers must ensure that the staff they manage are **aware** of and follow this guidance.
8. Where a requestor is not satisfied with a response to a SAR, the council must manage this as a **complaint**.

**How will the Parish Council deal with a SAR**

1. We must ensure a request has been received in writing where a data subject is asking for sufficiently well-defined personal data held by the council relating to the data subject. You should clarify with the requestor what personal data they need.
2. They must supply 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)
  - Utility bill, verifying the name and address of the requester.
3. Depending on the degree to which personal data is organised and structured, we will need to search 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. which we are responsible for.

4. We must not withhold personal data because we believe it will be misunderstood; instead, we should provide an explanation with the personal data. We must provide the personal data in an “intelligible form”, which includes giving an explanation of any codes, acronyms and complex terms. The personal data must be supplied in a permanent form except where the person agrees or where it is impossible or would involve undue effort. You may be able to agree with the requester that they will view the personal data on screen or inspect files on our premises. You must redact any exempt personal data from the released documents and explain why that personal data is being withheld.
5. Make this clear on forms and on the council website
6. We should do this through the use of induction, my performance and training, as well as through establishing and maintaining appropriate day to day working practices.
7. A database is maintained allowing the council to report on the volume of requests and compliance against the statutory timescale.
8. When responding to a complaint, we must advise the requestor that they may complain to the Information Commissioners Office (“ICO”) if they remain unhappy with the outcome.

This policy was adopted by Seend Parish Council on: 28<sup>th</sup> August 2018

Review Date: August 2019

**SEEND PARISH COUNCIL  
 Subject Access Request Form**

|   |     |    |
|---|-----|----|
| <b>Process to Action</b>  |     |    |
| Name of requester<br>(Method of communication)<br>Email Address<br>Phone number<br>Postal Address   |     |    |
| Date Subject Access Request made  |     |    |
| Is the request made under the Data Protection Legislation   | Yes | No |
| Date Subject Access Request action to be completed by<br>(One month after receipt time limit)   |     |    |
| Extension to the date of reply requested<br>( An extension of another two months is permissible provided it is communicated to the subject within the one month period)   | Yes | No |
| Extension date advised to the Subject Requester and method of contact   |     |    |
| Identification must be proven from the below list:<br>Current UK/EEA Passport<br>UK Photo card Driving Licence (Full or Provisional)<br>EEA National Identity Card<br>Full UK Paper Driving Licence<br>State Benefits Entitlement Document<br>State Pension Entitlement Document<br>HMRC Tax Credit Document<br>Local Authority Benefit Document<br>State/Local Authority Educational Grant Document<br>HMRC Tax Notification Document<br>Disabled Driver's Pass<br>Financial Statement issued by bank, building society or credit card company<br>Utility bill for supply of gas, electric, water or telephone landline<br>A recent Mortgage Statement<br>A recent council Tax Bill/Demand or Statement<br>Tenancy Agreement<br>Building Society Passbook which shows a transaction in the last 3 months and their address |     |    |
| Verification sought that the Subject Access request is substantiated  | Yes | No |
| Verification received   | Yes | No |
| Verification if the Council cannot provide the information requested  | Yes | No |
| Is the request excessive or unfounded?  | Yes | No |
| Request to be actioned  | Yes | No |
| Fee to be charged   |     |    |

|   |     |    |
|---|-----|----|
| (Subject Access requests must be undertaken free of charge to a requester unless the legislation permits a reasonable charge)   | Yes | No |
| If the request is to be refused, action to be taken and by whom.  |     |    |
| Changes requested to data/ or removal   |     |    |
| Complaint Process<br>(Where a requestor is not satisfied with a response to a SAR, the council must manage this as a complaint) |     |    |
| Completion date of request  |     |    |
| Date complaint received by requested and details of the complaint   |     |    |
| Date complaint completed and outcome  |     |    |

### Categories of Data to Check

| Data               | Filing Cabinet | Laptop | Checked | Corrected/Deleted | Actioned by |
|--------------------|----------------|--------|---------|-------------------|-------------|
| HR                 |                |        |         |                   |             |
| Democracy          |                |        |         |                   |             |
| Statutory Function |                |        |         |                   |             |
| legal              |                |        |         |                   |             |
| Business           |                |        |         |                   |             |
| Legal requirement  |                |        |         |                   |             |
| General Data       |                |        |         |                   |             |
| Consultation Data  |                |        |         |                   |             |
|                    |                |        |         |                   |             |
|                    |                |        |         |                   |             |
|                    |                |        |         |                   |             |
|                    |                |        |         |                   |             |