

CADEBY PARISH COUNCIL

Subject Access Request (SARS) Policy

Introduction

This policy has been prepared by **CADEBY PARISH COUNCIL** in order to comply with the requirements of the General Data Protection Regulations (GDPR) May 2018 and to ensure that the council's internal procedures provide an accurate and timely response in the event of a SAR

Individuals are provided with certain rights in respect of information held about them. Details are set out in the Privacy Notice found on the Council's website. One such right permits an individual to request and see what information is held about them ('a subject access request')

In the event of receipt of a SAR

1. All Councillors and the Clerk will be notified of the receipt of a subject access request.
2. The Clerk must identify whether a request has been made under the Data Protection legislation.
3. The identity of the data subject will be verified. If needed, further evidence on the identity of the data subject may be requested.
4. The information given to a data subject must be issued in a concise, transparent, intelligible and easily accessible form.
5. The right to obtain information should not adversely affect the rights and freedoms of others.
6. Information will be given free of charge, unless where the legislation permits a reasonable fee to be charged.
7. A response will be issued within one month of the request.
8. Councillors must ensure that the staff they manage are aware of, and follow this guidance.
9. The requester must be advised that they can complain to the Information Commissioner's Office (ICO) if they are unhappy with the outcome of their request.

Responding to a SAR

1. All Councillors and the Clerk will be notified upon receipt of a request.
2. The Clerk must ensure a request has been made under Data Protection legislation and is in writing where a data subject is asking for sufficiently well-defined personal data held by the Council relating to the subject. The personal data requested should be clarified with the requester. 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)
 - Firearms Licence/Shotgun Certificate

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- EEA National Identity Card
- Full UK Paper Driving Licence
- Statement Benefits Entitlement Document*
- HMRC Tax Credit Document*
- Disabled Driver's Passport
- 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. All the personal data that has been requested must be provided unless an exemption applies. This will involve a search of emails/recoverable emails; word documents; spreadsheets; databases; systems; removable media (e.g. memory sticks; floppy discs; CD's) paper records in relevant filing systems etc.

4. It is not permitted to withhold personal data because the Council believes it will be misunderstood. Instead, an explanation should be provided with the personal data. The personal data must be provided in an 'intelligible form', which includes 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 cause undue effort. The Council may be able to agree with the requester that they will view the personal data on screen or inspect files held. Exempt personal data should be redacted from the released documents and an explanation provided as to why that personal data is being withheld.

5. Subject Access Requests will be undertaken free of charge unless where the request is manifestly unfounded or excessive, when a reasonable fee will be charged.

6. A response must be provided within one calendar month. If more time is needed to respond to complex requests, an extension of another two months is permissible. This will be communicated to the data subject within the first calendar month.

7. Awareness of how to deal with SARs should be raised through induction, performance and training, as well as establishing and maintaining working practices.

8. When responding to a complaint, the Clerk must advise the requester that they may complain to the Information Commissioners Office (ICO) if they remain unhappy with the outcome of their request.