Ewshot Parish Council

Subject Access Request (SAR) Policy

1. Purpose of This Policy

This policy sets out how the Parish Council will respond to Subject Access Requests (SARs) in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.
The Council recognises the right of individuals to access personal data held about them.

2. What is a Subject Access Request?

A Subject Access Request is a request made by an individual asking whether the Council holds personal data about them and, if so, to receive a copy of that data and related information.
Requests may be made in writing (letter or email) or verbally. No specific form is required.

3. Receiving a Request

All Subject Access Requests must be forwarded immediately to the Clerk.
The Council will:
• Record the date the request is received
• Log the request
• Verify the identity of the requester where necessary
If proof of identity is required, the response period will begin once sufficient identification has been received.

4. Timescales

The Council will respond without undue delay and within one calendar month of receiving the request and any required proof of identity.
Where a request is complex or multiple requests are received, the response period may be extended by up to two additional months. The requester will be informed within the initial one-month period if an extension is required.

5. Fees

The Council will not normally charge a fee for responding to a Subject Access Request.

A reasonable fee may be charged where a request is manifestly unfounded or excessive, or where additional copies of information are requested.

6. Information Provided

Where personal data is held, the Council will provide:
• A copy of the personal data
• The purposes of processing
• Categories of personal data concerned
• Recipients or categories of recipients
• Retention period or criteria used to determine it
• Information about rights to rectification, erasure, restriction or objection
• The right to lodge a complaint with the Information Commissioner's Office (ICO)
• The source of the data if not collected directly from the individual
• Details of any automated decision-making (if applicable)

7. Exemptions

Certain information may be withheld where exemptions apply under the Data Protection Act 2018, including:
• Personal data relating to another individual (unless consent is obtained or it is reasonable to disclose)
• Legally privileged information
• Confidential references (where applicable)
Where information is withheld, the Council will explain the reason unless legally restricted from doing so.

8. Format of Response

Information will normally be provided electronically where the request was made electronically, unless otherwise requested.
Paper copies may be provided where appropriate.

9. Refusal of a Request

The Council may refuse to comply with a request where it is manifestly unfounded or manifestly excessive.
If refusing a request, the Council will:
• Explain the reasons
• Inform the individual of their right to complain to the ICO
• Inform them of their right to seek judicial remedy

10. Complaints

If an individual is dissatisfied with the Council's response, they may complain to:
Information Commissioner's Office (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.org.uk

11. Responsibilities

The Clerk is responsible for:
• Coordinating responses to Subject Access Requests
• Ensuring compliance with statutory timeframes
• Maintaining records of requests
All Councillors and staff must forward any data protection requests immediately to the Clerk.