

Widcombe-in-the-Moor Parish Council

SUBJECT ACCESS REQUESTS POLICY

What must the Parish Council do?

1. **MUST:** On receipt of a subject access request, it must be **forwarded** immediately to the Clerk to the Parish Council acting on behalf of the Data Controller (Widcombe-in-the-Moor Parish Council)
2. **MUST: Identify** whether a request has been made under the Data Protection legislation
3. **MUST:** 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. **MUST:** All the personal data that has been requested must be **provided** unless an exemption can be applied.
5. **MUST:** The Parish Council must **respond** within one calendar month after accepting the request as valid.
6. **MUST:** Subject Access Requests must be undertaken **free of charge** to the requestor unless the legislation permits reasonable fees to be charged.
7. **MUST:** Councillors and managers must ensure that the staff they manage are **aware** of and follow this guidance.
8. **MUST:** Where a requestor is not satisfied with a response to a SAR, the council must manage this as a **complaint**.

How must the Parish Council do it?

1. Notify the Clerk by email upon receipt of a request.
2. It must be ensured that 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. It should be clarified with the requestor what personal data they need. The requestor 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
 - 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. Depending on the degree to which personal data is organised and structured, the Council 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 your area is responsible for or owns.
 4. The Council must not withhold personal data because it believes it will be misunderstood; instead, the Council should provide an explanation with the personal data. The personal data must be supplied 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. By agreement, the requester can view the personal data on screen or inspect files on the Council's premises. You must redact any exempt personal data from the released documents and explain why that personal data is being withheld.
 5. A database is maintained allowing the Council to report on the volume of requests and compliance against the statutory timescale.
 6. When responding to a complaint, the Council must advise the requestor that they may complain to the Information Commissioners Office (ICO) if they remain unhappy with the outcome.

Adopted by Widecombe-in-the-Moor Parish Council on 5 July 2018