

Sutton-on-Trent Parish Council Subject Access Request Procedure

This procedure is to be followed when an individual (Data Subject) contacts Sutton-on-Trent Parish Council (the 'Council') to request access to their personal information held by the Council. Requests must be completed within one month, so it should be actioned as soon as it is received. A Subject Access Request ("SAR") should be provided free of charge, however, a 'reasonable fee' can be charged when a request is manifestly unfounded or excessive, particularly if it is repetitive.

The SAR must be in writing and include sufficient detail to allow the Council to search for the information requested. More information can be requested from the individual if the scope of the request is too broad.

The Council must be confident that the person requesting the information is indeed the person the information relates to. Verification of identity should be sought, for example passport/photo driving licence and confirmation of their address for example a utility bill or bank statement.

Upon receipt of a SAR, the Council will

- Verify whether it is the controller of the data subject's personal data. If the Council is merely a processor, it will inform the data subject and refer them to the actual controller.
- Verify the identity of the data subject and, if needed, request any further evidence on the identity of the data subject to identify whether the data requested is processed by the Council.
- Verify the access request to ensure it is clear what personal data is requested and if not request additional information.
- Verify whether requests are unfounded or excessive and if it is found to be so, the Council may refuse to act on the request or charge a reasonable fee.
- Acknowledge receipt of the SAR within seven days and inform the data subject of any costs involved in the processing of the SAR.
- Ensure data will not be changed as a result of the SAR. Routine changes as part of the processing activities concerned are permitted.
- Verify whether the data requested also involves data on other data subjects and make sure this data is filtered before the requested data is supplied to the data subject. If data cannot be filtered, the Council will ensure that other data subjects have consented to the supply of their data as part of the SAR.

Responding to a SAR

The Council will respond to a SAR within one month after receipt of the request. However, if more time is required to respond to a complex request, an extension of two months will be taken and communicated to the data subject in a timely manner within the first month.

If the Council cannot provide the information requested, it will inform the data subject without delay and at the latest within one month of receipt of the request.

If a SAR is submitted in electronic form, any personal data will be provided by electronic means in response where possible

Where data on a data subject is processed by the Council, the response to a SAR will include

- a copy of the personal data undergoing processing and the purpose of the processing the personal data concerned
- the recipients to whom personal data has been or will be disclosed
- where possible the period for which personal data will be stored
- the existence of the right to request rectification or erasure of personal data or the restriction of processing of personal data concerning the data subject or to object to such processing
- the source of the data if not collected from the data source

The Council will not withhold personal data in the belief it will be misunderstood, but instead provide an explanation of the data.

Data will be provided in an “intelligible form”, free of any acronyms, codes and complex terms and in a permanent form except where it is impossible to do so or the data subject agrees to view the data on a screen or in files at premises determined by the Council.

Where a data subject is not satisfied with a response to a SAR, the Council will manage this as a complaint.

The data subject has the right to lodge a complaint with the Information Commissioners Office (“ICO”). The ICO can be contacted on 0303 123 1113 or at the Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via email at <https://ico.org.uk/global/contact-us/email/>

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