KING'S SUTTON PARISH COUNCIL

Subject Access Requests Policy

When an individual contacts King's Sutton Parish Council to request access to their personal information held by the Council the following procedure shall be followed.

What to Do.

1. On receipt of a subject access request **forward** it immediately to the Clerk
2. Correctly **identify** whether a request has been made under the Data Protection legislation
3. The Clerk, 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. **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 must ensure that the Clerk is **aware** of and follows this guidance.
8. Where a requestor is not satisfied with a response to a SAR, the council must manage this as a **complaint**.

How to do it.

1. Notify the Clerk upon receipt of a request.
2. 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. Clarify with the requestor what personal data they need. They must supply their address and valid evidence to prove their identity.
   The council accepts the following forms of identification
   - Current UK/EEA Passport
   - UK Photocard Driving Licence (Full or Provisional)
   - Firearms Licence / Shotgun Certificate
   - EEA National Identity Card
   - Full UK Paper Driving Licence
   - Bus Pass
   - State Benefits Entitlement Document* dated in the past 12 months
   - State Pension Entitlement Document* dated in the past 12 months
   - HMRC Tax Credit Document* dated in the past 12 months
   - Local Authority Benefit Document* dated in the past 12 months
   - State/Local Authority Educational Grant Document* dated in the past 12 months
   - HMRC Tax Notification Document
   - Disabled Driver's Pass
   - Financial Statement issued by bank, building society or credit card company+ dated in the past 3 months
   - Judiciary Document such as a Notice of Hearing, Summons or Court Order
   - Utility bill for supply of gas, electric, water or telephone landline+ dated in the past 3 months
   - 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 & address

3. Depending on the degree to which personal data is organised and structured, 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.

4. Do not withhold personal data because you believe it will be misunderstood; instead, provide an explanation with the personal data. 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. 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. Do this through the use of induction, 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, advise the requestor that he/she may complain to the Information Commissioners Office ("ICO") if he/she remains unhappy with the outcome.

Signed: _____

Chairman

Date: _____

Reviewed: 26th September 2022 Minute No. FGP 41.22/23 E8

Approved: 6th October 2022 Minute No 119.22/23 B9

Reviewed: 16th September 2025 Minute No. FGP 41.25/26 E8

Approved: 2nd October 2025 Minute No 116.25/26 B.4.8

A. Sample letters

1. All letters must include the following information:

(a) the purposes of the processing;

(b) the categories of personal data concerned;

(c) the recipients or categories of recipients to whom personal data has been or will be disclosed, in particular in third countries or international organisations, including any appropriate safeguards for transfer of data, such as Binding Corporate Rules[1] or EU model clauses[2];

(d) where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;

(e) the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;

(f) the right to lodge a complaint with the Information Commissioners Office ("ICO");

(g) if the data has not been collected from the data subject: the source of such data;

(h) the existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

[1] "Binding Corporate Rules" is a global data protection policy covering the international transfer of personal data out of the European Union. It requires approval of a data protection regulator in the European Union. In most cases this will be the relevant regulator where an organisations head quarters is located. In the UK, the relevant regulator is the Information Commissioner's Office.

[2] "EU model clauses" are clauses approved by the European Union which govern the international transfer of personal data. The clauses can be between two data controllers or a data controller and a data processor.

2. Replying to a subject access request providing the requested personal data

"[Name] [Address]

[Date]

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of *[date]* making a data subject access request for *[subject]*. We are pleased to enclose the personal data you requested.

Include 1(a) to (h) above.

Copyright in the personal data you have been given belongs to the council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely"

3. Release of part of the personal data, when the remainder is covered by an exemption

"[Name] [Address]

[Date]

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of *[date]* making a data subject access request for *[subject]*. To answer your request we asked the following areas to search their records for personal data relating to you:

- [List the areas]

I am pleased to enclose *[some/most]* of the personal data you requested. *[If any personal data has been removed]* We have removed any obvious duplicate personal data that we noticed as we processed your request, as well as any personal data that is not about you. You will notice that *[if there are gaps in the document]* parts of the document(s) have been blacked out. *[OR if there are fewer documents enclose]* I have not enclosed all of the personal data you requested. This is because *[explain why it is exempt]*.

Include 1(a) to (h) above.

Copyright in the personal data you have been given belongs to the council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published, or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely"

4. Replying to a subject access request explaining why you cannot provide any of the requested personal data

"[Name] [Address]

[Date]

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of *[date]* making a data subject access request for *[subject*].

I regret that we cannot provide the personal data you requested. This is because *[explanation where appropriate]*.

[Examples include where one of the exemptions under the data protection legislation applies. For example the personal data might include personal data is 'legally privileged' because it is contained within legal advice provided to the council or relevant to on-going or preparation for litigation. Other exemptions include where the personal data identifies another living individual or relates to negotiations with the data subject. Your data protection officer will be able to advise if a relevant exemption applies and if the council is going to rely on the exemption to withhold or redact the data disclosed to the individual, then in this section of the letter the council should set out the reason why some of the data has been excluded.]

Yours sincerely"