



New Alresford Town Council

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Subject Access Request Policy

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Related Documents	General Data Protection Regulation (GDPR) Data Protection Act 2018 Freedom of Information Act 2000

Version Control

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1 Introduction

Under the General Data Protection Regulations (GDPR) and Data Protection Act 2018 (DPA), individuals have rights of access to information held by organisations about them.

In order to comply with GDPR and DPA New Alresford Town Council (NATC) must have procedures in place to comply with Subject Access Requests.

2. Subject Access Request

Individuals have the right to ask organisations whether or not they hold not they are using or storing your personal information. They can also ask for copies of personal information, verbally or in writing.

This is called the right of access and is commonly known as making a subject access request or SAR.

3. Submitting the SAR

The SAR needs to be directed to The Town Clerk and in their absence the Deputy Clerk. Including as much information as possible will assist NATC in recovering personal data. The request should include the below points.

- A clear label for your request (eg use 'subject access request' as email subject line or a heading for a letter);
- The date of request;
- Full name (including any aliases, if relevant);
- Any other information used by the organisation to identify or distinguish you from other individuals (eg customer account number or employee number);
- Up-to-date contact details;
- A comprehensive list of what personal data you want to access, based on what you need;
- Any details, relevant dates, or search criteria that will help NATC identify what you want; and
- How you would like to receive the information (eg by email or printed out).

SAR's can be made verbally, however NATC will request that all SARs are made in writing.

4. Processing a SAR

- 4.1 Upon receipt of a SAR the Clerk will review to ensure it is a valid request and complies with GDPR and DPA.
- 4.2 The Clerk can refuse to comply with a SAR if it is unfounded or excessive.
- 4.2 To ensure that the person requesting the information is indeed the person the information relates to, the person must attend the office with their identification and confirmation of address

- 4.3 Acceptable forms of Identification and confirmation of address are listed below
- Valid Passport
 - Valid Photo driving licence
 - EEA National Identity card
 - Utility statement
 - Bank/Building Society statement
 - Council Tax demand
 - HMRC documentation
- 4.4 Requests must be completed within 1 calendar month and will be provided free of charge. However, a 'reasonable fee' will be charged if it is determined that a request is manifestly unfounded or excessive, particularly if it is repetitive.

5 **Location of information**

- 5.1 Considering the type of information requested a search will commence for the personal data. This will include searching of emails, databases, paper records and audio recordings.
(Personal data is data which relates to a living individual who can be identified from the data (name, address, email address, database information) and can include expressions of opinion about the individual.)
- 5.2 Some of the information retrieved may not be disclosable due to exemptions, Examples of exemptions are:
- References you have given
 - Publicly available information
 - Crime and taxation
 - Management information (restructuring/redundancies)
 - Negotiations with the requestor
 - Regulatory activities (planning enforcement, noise nuisance)
 - Legal advice and proceedings
 - Personal data of third parties
- 5.3 In some cases, emails, and documents may contain the personal information of other individuals who have not given their consent to share their personal information with others. If this is the case, the other individual's personal data must be redacted before the SAR is sent out.
- 5.4 If no personal data is found, the requestor will be informed.

6 **The SAR response**

The response will be made within a calendar month, if this is not possible the requester will be contacted and informed of the status of the request. Any data will be supplied in an intelligent format offering explanations where required. The response will be in writing and should include the below information.

- the purposes of the processing
- If information is shared, who with;
- How long the data will be stored and the criteria used to determine that period
- the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject
- the right to lodge a complaint with the Information Commissioners Office (ICO)
- if the data has not been collected from the data subject, the source of such data

7. Recording SARs

All SAR's will be recorded on a register and include the following information

- Date of receipt
- Identity of the data subject,
- Summary of the request,
- An indication if NATC can comply,
- Date information is sent to the data subject.