

# WELFORD PARISH COUNCIL

## SUBJECT ACCESS REQUEST PROCEDURE

This procedure is to be followed when an individual contacts Welford Parish Council to request access to their personal information held by the Council. Requests must be completed within 1 month, so it should be actioned as soon as it is received. Subject Access Requests (SAR) should be provided free of charge, however, we can charge a "reasonable fee" when a request is manifestly unfounded or excessive, particularly if it is repetitive.

The steps below should be followed to action the request:

1. Is it a valid subject access request?
  - a) The request must be made in writing (letter, email, social media or fax)
  - b) Has the person requesting the information provided sufficient information to allow a search for the information?
2. Verify the identity of the requester. Welford Parish Council must be confident that the person requesting the information is indeed the person the information relates to. We can request reasonable proof of identity passport/photo driving licence and confirmation of their address (utility bill/bank statement).
3. Determine where the personal information will be found.
  - a) Consider the type of information requested and use the data processing map to determine where the records are stored. (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).
  - b) If we do not hold any personal data, inform the requestor. If personal data is held, continue to the next step.
4. Screen the information.
  - a) Some of the information that is retrieved may not be disclosable due to exemptions, in some cases legal advice should be sought before applying exemptions.

Examples of exemptions are:

- References you have given
- Publicly available information
- Crime and taxation
- Management information (restructuring/redundancies)
- Negotiations with requestor
- Regulatory activities (planning enforcement, noise nuisance)
- Legal advice and proceedings
- Personal data of third parties

5. Is Welford Parish Council able to disclose all the information?

- a) 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.
6. Prepare the SAR response and make sure to include as a minimum 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 third countries or international organisations, including any appropriate safeguards for transfer of data;
  - d) where possible, the envisaged period for which personal data will be store, 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 Officer (ICO);
  - g) if the data has not been collected from the data subject: the source of such data;

Be sure to also provide a copy of the personal data undergoing processing.

All SAR's should be logged to include the date of receipt, identity of the data subject, summary of the request, indication of if the Council can comply, date information is sent to the data subject.

The Subject Access Requests (SAR) procedure has been adopted by Welford Parish Council

**Signed.....Nigel Brotherton.....**

**Chair of Welford Parish Council**

**Date.....6<sup>th</sup> December 2018.....**