

# Sithney Parish Council

## Subject Access Request (SAR) Policy

### 1 Purpose

This policy outlines how Sithney Parish Council complies with individuals' rights to access their personal data under the UK GDPR and the Data Protection Act 2018. It applies to all employees, councillors, and third parties handling personal data on behalf of the council.

### 2. Scope

This policy applies to all personal data processed by the Council relating to identifiable individuals (data subjects), including residents, service users, staff, councillors, and contractors.

### 3. Legal Framework

This policy is based on the following legislation and guidance: - UK GDPR (as incorporated into UK law via the Data Protection Act 2018) - Data Protection Act 2018 - ICO guidance on Rights of Access (2023–2025) - Freedom of Information Act 2000 (for access to non-personal data)

### 4. What is a Subject Access Request (SAR)?

A SAR is a request made by or on behalf of an individual for access to the personal data the council holds about them. Under Article 15 of the UK GDPR, individuals have the right to:

- Confirmation that their data is being processed.
- Access to their personal data.
- Supplementary information (as outlined in Article 15(1)).

### 5. How to Make a SAR

SARs can be made: -

- a. In writing (including email or letter)
- b. Verbally (in person or by phone)
- c. Via third parties (e.g. solicitors)

Requests should be directed to: The Clerk / Data Protection Officer [clerk@sithney-pc.gov.uk](mailto:clerk@sithney-pc.gov.uk)

### 6. Identity Verification

To protect personal data, the council will request evidence of identity before processing a SAR.

Acceptable documents include: -

- Photographic ID (passport or driver's license)
- Proof of address (utility bill, council tax bill)

Requests made on behalf of others will require proof of authority (e.g. signed consent, power of attorney).

### 7. Timescale for Responding

The council will respond to a SAR within one calendar month of receipt or, where applicable, from the date identity is verified. The time may be extended by up to two further months where requests are complex or numerous.

## **8. Fee Policy**

SARs are generally free of charge. However, a reasonable fee (refer to the council's publication scheme) may be charged if: - The request is manifestly unfounded or excessive - Additional copies of the information are requested.

## **9. Information Provided**

The response will include: -

- A copy of the individual's personal data
- The purposes of processing
- Categories of data –
- Recipients or categories of recipients –
- Retention periods –
- Information about the right to rectify, erase, restrict or object –
- Information about the right to complain to the ICO

Where applicable, details of any automated decision-making or international transfers

## **10. Exemptions**

Some information may be withheld under exemptions, including: -

- a. Legal privilege
- b. Management forecasts
- c. Confidential references

Data that identifies another individual (unless consent has been obtained or it is reasonable to disclose)

**11. Record-Keeping** The council will maintain a SAR log including: -

- Date received.
- Requester name.
- Description of request.
- Dates of identity verification and response.
- Any extensions or exemptions applied.

## **12. Responsibilities**

**Clerk/Data Protection Officer:** - primary responsibility for handling and responding to SARs.

**Councillors:** - must forward any SARs received to the Clerk immediately

**Data Processors:** - must cooperate with the council to fulfil SARs as per contract terms. The Clerk is responsible for data processing as well as handling and responding to SAR's.

## **13. Training and Awareness**

All staff and councillors are to receive training on data protection, including SAR handling.

#### **14. Complaints**

If a requester is dissatisfied with the response, they may:

1. Request an internal review by writing to the Clerk
2. Complain to the Information Commissioner's Office (ICO).

Website: <https://ico.org.uk>

Tel: 0303 123 1113 15.

#### **15. Review and Approval**

This policy will be reviewed annually or sooner if there are significant changes in legislation or guidance.

Adopted March 2026

Review March 2029