



SUBJECT ACCESS REQUEST POLICY

Version 1 - Adopted by Full Council on 9th December 2024
Latest Review by the Policy and Procedures Committee on 25th November 2024
Revision by the Policy and Procedures Committee due: November 2025

1. Introduction and Background

1.1. This document sets out the parish council's policy for responding to subject access requests under the General Data Protection Regulations (GDPR). It explains the rights of the data subject in relation to a data subject access request and the council's responsibilities when dealing with that request.

2. Individual Rights

2.1. Any individual has the right to know what information is held about them. GDPR provides a framework to ensure that personal information is handled properly. This information must be:

- Processed fairly, lawfully, and in a transparent manner;
- Processed for specific, legitimate and lawful purposes;
- Adequate, relevant and not excessive;
- Accurate and up to date;
- Kept in accordance with the council's data retention policy;
- Processed in line with an individual's rights;
- Secure; and
- Not transferred unless in accordance with agreed terms and conditions.

3. How do you make a Subject Access Request?

3.1. A subject access request is a written request for personal information held about you by the parish council. You have the right to see what personal information we hold about you. You are entitled to be given confirmation as to whether we hold your personal information, and if so, you are entitled to access all your personal information as well as details of:

- The purposes for which we process your personal data;
- The categories of your personal data we process;
- The recipients, or categories of recipient to whom personal data has been or will be disclosed;
- How long we expect to store your data;

- Where you did not give us the personal data, the source from which we collected the personal data; and
 - Whether we use any automated decision making in relation to the processing of your personal data.
- 3.2. You are entitled to have any mistakes in your personal data rectified, and to have the data deleted if you would no longer like us to store or process your personal data, or to request restriction of our processing of your personal data.
- 3.3. Subject access requests should be made in writing by contacting the Parish Clerk by email: clerk@helsbyparishcouncil.gov.uk or by post to the parish office.
- 3.4. If you are not satisfied with how we have stored or processed your personal data, you have a right to lodge a complaint. Any complaints should be lodged with the Parish Clerk and/or the Information Commissioner's Office (ICO).

4. What is Personal Information?

- 4.1. Personal data is information which relates to an individual or refers to the individual. Data refers to an individual if that individual can be identified as such by using their name, location or factors that are specific to the individual by which they could be identified.

5. What do we do when we receive a subject access request?

- 5.1. Verify your identity – if we have cause to doubt your identity, we will ask for information to verify it, such as a passport or driving licence.
- 5.2. Collate information – we will gather any manual or electronically held information and identify any information provided by a third party or which identifies a third party.
- 5.3. Third parties – before sharing information that relates to third parties, we will, where possible, redact or edit information that might affect another party's privacy.
- 5.4. We may also summarise information rather than provide a copy of the whole document. The GDPR requires us to provide information, not documents.

6. Issuing a response

- 6.1. Once any queries around the information requested have been resolved, copies of the information will be sent to you electronically wherever possible or, if this is not technically possible, by post.

7. Will we charge a fee?

- 7.1. For initial or 'one off' data subject requests, no fee will be charged. However, if your data subject access requests are excessive or manifestly unfounded, we will charge £10 to cover the administrative costs involved in dealing with

your request. In extreme circumstances, we reserve the right to refuse your requests.

8. What is the time frame for responding to the subject access requests?

- 8.1. We have one month (30 calendar days) starting from when we received the information necessary to identify you, to identify the information you requested, and provide you with the information (or explain why we were unable to provide the information)