

## IKEN PARISH COUNCIL

### SUBJECT ACCESS REQUEST POLICY AND PROCEDURE

#### 1. Iken Parish Council will:

- a) Ensure data subjects are aware of their right to access their personal data by publishing this policy and procedure document on its website and by making it available on request.
- b) Ensure that its procedures on handling a Subject Access Request (SAR) are lawful and complied with.
- c) Ensure that personal data is easily accessible at all times in order to ensure a timely response to a SAR.
- d) Ensure that personal data on specific data subjects can be easily filtered.

#### 2. Upon receipt of a SAR, IPC will:

- a) Acknowledge receipt within three working days and indicate by when it aims to provide a response. This will normally be within one calendar month following receipt of the request. If more time is needed to respond to a complex request, the response time may be extended by further two months.
- b) Verify whether IPC is the controller of the data subject's personal data. If it is not a controller, but merely a processor, it will inform the data subject and refer them to the actual controller.
- c) Verify whether the SAR is sufficiently substantiated. If it is not clear to IPC what personal data is requested then clarify with, or request additional information from, the requestor.
- d) Ensure the request has been received in writing, either by email or post. If a SAR is submitted in electronic form, the response will also be provided by electronic means.
- e) Ensure the requestor has supplied their full name, address, telephone number and valid evidence to prove their identity. IPC 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
  - State Benefits Entitlement Document\*
  - State Pension Entitlement Document\*
  - HMRC Tax Credit Document\*
  - Local Authority Benefit Document\*
  - State/Local Authority Educational Grant Document\*
  - HMRC Tax Notification Document
  - Disabled Driver's Pass
  - Financial Statement issued by bank, building society or credit card company+
  - Judiciary Document such as a Notice of Hearing, Summons or Court Order
  - Utility bill for supply of gas, electric, water or telephone landline+
  - 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 and the requestor's address

\* These documents must be dated in the past 12 months.

+ These documents must be dated in the past 3 months.

- f) Verify whether requests are unfounded or excessive (in particular because of their repetitive character). If confirmed, IPC may refuse to act on the request or charge a reasonable fee.
- g) Verify whether IPC processes the data requested. The Clerk must make a full exhaustive search of all the records to which they have access. If IPC does not process the data, inform the requestor accordingly.
- h) Verify whether the data requested also involves data on other data subjects and make sure this data is filtered before the requested data is supplied to the data subject. If data cannot be filtered, ensure that other data subjects have consented to the supply of their data as part of the SAR.
- i) Inform the data subject of any costs involved with the processing of the SAR.

- j) Ensure data will not be changed as a result of the SAR. Routine changes as part of the processing activities concerned are permitted.
- k) If data on the data subject is processed, IPC will include as a minimum the following information in the SAR response:
  - (i) the purposes of the processing;
  - (ii) the categories of personal data concerned;
  - (iii) 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;
  - (iv) where possible, the envisaged period for which personal data will be stored or, if not possible, the criteria used to determine that period;
  - (v) the existence of the right for the data subject 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;
  - (vi) the right to lodge a complaint with the Information Commissioner's Office;
  - (vii) 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.
- l) Ensure that all the personal data that has been requested is provided unless an exemption can be applied.
- m) Ensure that any personal data is not withheld because it believes it will be misunderstood; instead an explanation must be provided with the personal data.
- n) Ensure the personal data is provided in an intelligible form, which includes giving an explanation of any codes, acronyms and complex terms.
- o) Ensure the personal data is supplied in a permanent form except where the requestor agrees or where it is impossible or would involve undue effort. Where practical, PPC may agree with the requestor that they will view their personal data on screen or inspect files on PPC premises.
- p) Ensure any exempt personal data from the released documents is redacted and explain why that personal data is being withheld.
- q) Ensure that if a requestor is not satisfied with a response to a SAR, PPC manages this as a complaint.
- r) Ensure that the requestor has been made aware that they may complain to the Information Commissioners Office if they remain unhappy with the outcome.
- s) Ensure all response letters include the following information:
  - i) the purposes of the processing;
  - ii) the categories of personal data concerned;
  - iii) 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 or EU model clauses;
  - iv) where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
  - v) 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; vi) the right to lodge a complaint with the Information Commissioners Office;
  - vii) if the data has not been collected by PPC, the source of such data;
  - viii) 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.