



**Cliffe and Cliffe Woods Parish Council**  
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Clerk/PO Mrs Alex Jack, Clerk/RFO Mrs Helen Symmons  
and Assistant Clerk Mrs Parveen Comparat

## **SUBJECT ACCESS REQUEST PROCEDURE**

This Procedure outlines how the Parish Council must respond when an individual requests access to personal information held by the Council.

Subject Access Requests (SAR) will be made to the Clerk/PO to the Parish Council.

We must ensure a request have been received in writing. We will clarify with the requestor what personal data they need. They must supply their address and valid evidence to prove their identity. The Parish Council accepts the following forms of identification:

- Building Society Passbook which shows a transaction in the last 3 months and the requestor's address
- Current UK/EEA Passport
- Disabled Driver's Pass
- EEA National Identity Card
- Financial Statement issued by bank, building society or credit card company+
- Firearms Licence/Shotgun Certificate
- Full UK Paper Driving Licence
- HMRC Tax Credit Document\*
- HMRC Tax Notification Document
- Judiciary Document such as a Notice of Hearing, Summons or Court Order
- Local Authority Benefit Document\*
- Most recent Council Tax Bill/Demand/Statement
- Most recent Mortgage Statement
- State Benefits Entitlement Document\*
- State Pension Entitlement Document\*
- State/Local Authority Educational Grant Document\*
- Tenancy Agreement
- UK Photocard Driving Licence (Full or Provisional)
- Utility Bill for supply of gas, electric, water or telephone landline+

*+ these documents must be dated in the last 3 months, \* these documents must be dated in the last 12 months.*

Depending on the degree to which personal data is organised and structured, we will need to search (including archived emails and those that have been deleted but are still recoverable). Word documents, spreadsheets, databases, systems, removable media (for example,

memory sticks, floppy disks, CD's), tape recordings, paper records in relevant filing systems etc.

All the personal data that has been requested will be provided unless an exemption can be applied.

We will not withhold personal data because we believe it will be misunderstood; instead, the requestor should provide an explanation with the personal data. We will provide the personal data in an 'intelligible form', which includes giving an explanation of any codes, acronyms and complex terms. The personal data will be supplied in a permanent form except where the person agrees or where it is impossible or would involve undue effort. We might be able to agree with the requestor that they will view the personal data on screen or inspect files at suitable premises. We will redact any exempt personal data from the released documents and explain why that personal data is being withheld.

We will respond within one calendar month after accepting the request as valid.

Subject Access Requests will be undertaken free of charge to the requestor unless the legislation permits reasonable fees to be charged. We might charge a reasonable fee for requests that are manifestly unfounded, excessive or repetitive.

Parish Councillors will ensure that the Clerk/PO to the Parish Council is aware of and follows appropriate guidance.

Where a requestor is not satisfied with a response to a SAR, the Parish Council will manage this as a complaint. When responding to a complaint, we will advise the requestor that they may complain to the Information Commissioner's Office (ICO) if they remain unhappy with the outcome.

Sample letters are included at Appendices 1, 2 and 3 covering:

- Subject Access Request providing the requested personal data
- Release of part of the personal data when the remainder is covered by an exemption
- Replying to a Subject Access Request explaining why we cannot provide any of the requested personal data.

All letters will include the following:

- The purpose of the processing;
- The categories of personal data concerned;
- 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.
- Where possible, the envisaged period for which personal data will be stored, or, if not possible, 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 or to object to such processing;

## **Appendix 1**

### **Sample letter – Replying to a Subject Access Request Providing the Requested Personal Data**

(Name)

(Address)

(Date)

Dear (name of data subject)

#### **Data Protection Subject Access Request**

Thank you for your letter of (date) making a data subject access request (subject). We are pleased to enclose the personal data you requested.

(Include items requested)

Copyright of the personal data you have been given belongs to the Council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely

Cliffe and Cliffe Woods Parish Council

## **Appendix 2**

### **Sample letter – Release of Part of the Personal Data, When the Remainder is Covered by an Exemption**

(Name)

(Address)

(Date)

Dear (name of data subject)

#### **Data Protection Subject Access Request**

Thank you for your letter of (date) making a data subject access request (subject). To answer your request, we asked the following areas to search their records for personal data relating to you:

(List the areas)

I am pleased to enclose (some/most) of the personal data you requested. (If any personal data has been removed). We have removed any obvious duplicate personal data that we noticed as we processed your request, as well as any personal data that is not about you. You will notice that (if there are any gaps in the document) parts of the document(s) have been redacted. (OR if there are fewer documents enclosed) I have not enclosed all of the personal data you requested. This is because (explain why it is exempt).

(Include items)

Copyright of the personal data you have been given belongs to the Council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely

Cliffe and Cliffe Woods Parish Council

### **Appendix 3**

#### **Sample letter – Replying to a Subject Access Request Explaining Why We Cannot Provide Any of the Requested Personal Data**

(Name)

(Address)

(Date)

Dear (name of data subject)

#### **Data Protection Subject Access Request**

Thank you for your letter of (date) making a data subject access request (subject). I regret that we cannot provide the personal data you requested. This is because (explanation where appropriate).

(Examples include where one of the exemptions under the data protection legislation applies. For example data might include personal data which is 'legally privileged' because it is contained within legal advice provided to the council or relevant to on-going or preparation for litigation. Other exemptions include where the personal data identifies another living individual or relates to negotiations with the data subject. Your data protection officer will be able to advise if a relevant exemption applies and if the Council is going to rely on the exemption to withhold or redact the data disclosed to the individual, then in this section of the letter the Council should set out the reason some of the data has been excluded).

Yours sincerely

Cliffe and Cliffe Woods Parish Council