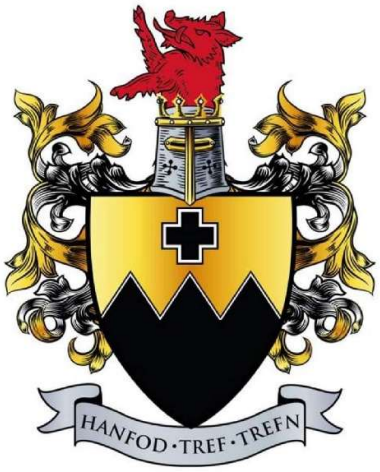

Right of Access (Subject Access Request) Policy

Adopted: 02nd Nov 2026
Min No: 04021126(v)
Review Date: AGM 2028

1. Purpose

The Town Council is committed to complying with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. This policy sets out how individuals may exercise their Right of Access to personal data held by the Council and how the Council will respond to such requests. Based on ICO guidance on the Right of Access, individuals are entitled to obtain confirmation that their personal data is being processed and to receive a copy of that data.

2. Scope

This policy applies to:

- Councillors
- Employees
- Contractors
- Volunteers
- Service users
- Residents and members of the public
- Any individual whose personal data is processed by the Council

3. Legal Framework

This policy operates within the requirements of:

- UK GDPR
- Data Protection Act 2018
- Freedom of Information Act 2000 (where applicable)
- ICO Guidance on the Right of Access

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

A Subject Access Request is a request from an individual seeking:

- Confirmation that the Council processes their personal data.
- Access to a copy of their personal data.
- Information about how and why their personal data is processed

A request does not need to mention "Subject Access Request", "SAR", "Article 15", or "UK GDPR" to be valid. Any request for personal information held about an individual may constitute a SAR. Requests may be made verbally or in writing, including by email and social media

5. Receiving a Request

All staff and councillors must be able to recognise a Subject Access Request.

Requests may be received:

- By letter
- By email
- Through social media
- Over the telephone
- In person

Any officer or councillor receiving a SAR must immediately forward it to the Clerk or designated Data Protection Officer.

The Council will maintain a record of all SARs received and monitor progress until completion.

6. Verification of Identity

Before disclosing personal information, the Council may request evidence of identity where this is necessary to ensure data is not disclosed to the wrong person.

The Council will:

- Only request information necessary to verify identity.
- Use proportionate verification measures.
- Request additional evidence when justified by the sensitivity of the information requested.

The statutory response period does not commence until satisfactory proof of identity has been received where verification is required.

7. Requests Made on Behalf of Others

The Council may accept requests submitted by:

- Solicitors
- Family members
- Representatives
- Holders of Power of Attorney

The representative must provide evidence that they are authorised to act on the individual's behalf before information is disclosed.

8. Timescales

The Council will respond:

- Without undue delay; and
- Within one calendar month of receipt of the request or receipt of any necessary identity evidence.

The Council may extend the response period by up to a further two months where:

- The request is complex; or
- Multiple requests have been submitted by the same individual.

The requester will be informed of any extension within the initial one-month period

9. Clarification of Requests

Where a request is unclear or the Council holds a large volume of information about the individual, the Council may seek clarification.

When clarification is requested:

- The response timescale is paused.
- The requester will be informed that the clock has been stopped.
- The response timescale resumes once clarification is received

10. Information Provided

When responding to a SAR, the Council will provide:

- A copy of the individual's personal data.
- The purposes for processing.
- The categories of personal data concerned.
- Details of recipients or categories of recipients.
- Retention periods.
- Information about rights to rectification, erasure, restriction and objection.
- Details of the right to complain to the Information Commissioner's Office (ICO
- Information will be supplied in a concise, transparent, intelligible and easily accessible form.

11. Format of Responses

Where possible, responses will be provided electronically.

The Council will:

- Use commonly accessible formats.
- Consider requests for alternative formats.
- Make reasonable adjustments for disabled individuals.
- Ensure information is transmitted securely.

12. Fees

The Council will normally provide information free of charge.

A reasonable fee may only be charged where:

- The request is manifestly unfounded; or
- The request is excessive; or
- Additional copies of information are requested.

13. Exemptions

Some information may be withheld where a lawful exemption applies.

Examples include:

- Information relating to another individual.
- Information protected by legal professional privilege.
- Management forecasting and planning information.
- Confidential references.
- Information where disclosure would prejudice crime prevention or investigations
- The Council will consider exemptions on a case-by-case basis and document its reasoning.

14. Third-Party Information

Where requested information contains personal data relating to another individual, the Council will assess whether:

- Consent has been obtained; or
- Disclosure is reasonable without consent.

Where necessary, information will be redacted before disclosure.

15. Record Keeping

The Council will maintain a SAR register recording:

- Date received
- Requester details
- Nature of request
- Identity verification undertaken
- Actions taken
- Outcome
- Date completed

Records will be retained in accordance with the Council's Retention and Disposal Policy

16. Complaints

Individuals dissatisfied with the Council's handling of a Subject Access Request may:

1. Request an internal review by the Clerk.
2. Complain to the Information Commissioner's Office (ICO).
3. Seek a remedy through the courts.

17. Responsibilities

Town Council

- Ensure compliance with data protection legislation.
- Maintain effective procedures and records.

Clerk / Data Protection Officer

- Coordinate responses to SARs.
- Maintain the SAR register.
- Provide advice and guidance.

Staff and Councillors

- Recognise and promptly forward SARs.
- Assist with searches for information when required.

18. Review

This policy will be reviewed every two years or sooner if legislation, ICO guidance, or Council procedures change.

19. Reference

This document has been created using information for the ICO website
Subject access requests (also known as SARs or right of access) | ICO