

# **PRESTON UNDER SCAR PARISH COUNCIL**

## **SUBJECT ACCESS REQUEST POLICY**

**Adopted by the Parish Council on 29 September 2025**

**Review date: September 2027 (unless required earlier by changes to legislation)**

This policy was adopted by Preston under Scar Parish Council at its meeting held on 29 September 2025.

### **1. Introduction**

Individuals have the right to know what data the Parish Council holds on them, why the data is being processed and whether it will be given to any third party. They have the right to be given this information in a permanent form (hard copy). This is known as a 'Subject Access Request' or "SAR".

The Council must be able to identify a SAR, find all the relevant data and comply within one calendar month of receipt of the request.

The Council can refuse or charge a "reasonable fee" for requests that are manifestly unfounded, excessive or repetitive. If a request is refused the Council must tell the individual why and that s/he has the right to complain to the Information Commissioner (ICO) or go to court. A record should be kept of the reasons and decision process.

### **2. Process**

The Clerk and Chairman must be notified of receipt of an SAR. The SAR must be received in writing where a data subject is asking for sufficiently well-defined personal data held by the Council relating to the data subject. The Clerk will clarify with the requester what personal data they require. The requester must supply their address and valid evidence to prove their identity. The Council accepts the following forms of identification which must be dated in the 12 months preceding the date of the request

- 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 previous 3 months and the address of the person submitting the request.

The Clerk and, as appropriate, councillors, must make a full exhaustive search of the records to which they have access, including emails, Word documents, spreadsheets, systems, removable media and paper records.

All the personal data that has been requested must be provided unless an exemption can be applied. If the data falls under one of the following exemptions it does not have to be provided:

- Crime prevention and detection
- Negotiations with the requester
- Management forecasts
- Confidential references given by the Council (not ones given to the Council)
- Information used for research, historical or statistical purposes
- Information covered by legal professional privilege

Personal data cannot be withheld because the Council believes it will be misunderstood; instead, an explanation must be provided with the data.

The data will be provided in an "intelligible form", which includes an explanation of any codes, acronyms and complex terms. The personal data must be supplied in a permanent form except where the person agrees, or where it is impossible or would involve undue effort. The Council may be able to agree with the requester that they will view the personal data on screen or inspect files in the Village Hall by appointment. Any exempt personal data must be redacted from the released documents and an explanation must be given as to why that personal data is being withheld.

The Council must respond within one calendar month after accepting the request as valid.

SARs must be undertaken free of charge to the requester unless the legislation permits reasonable fees to be charged (ie for requests that are manifestly unfounded, excessive or repetitive)

The Council must keep a record of all SARs and compliance against the statutory timescale.

Where the requester is not satisfied with a response to a SAR, the Council must manage this as a complaint (ie in accordance with its Complaints Procedure). The requester must be advised that they may complain to the Information Commissioner's Office (ICO) if they remain unhappy with the outcome.