

# **STAPLEHURST PARISH COUNCIL SUBJECT ACCESS REQUEST POLICY**

## 1. Scope

- 1.1 All personal data processed by Staplehurst Parish Council is within the scope of this procedure. This procedure excludes personal data that is asked for as a matter of routine by data subjects
- 1.2 Data subjects are entitled to ask
  - Whether Staplehurst Parish Council is processing any personal data about that individual and, if so, to be given:
    - a description of the personal data;
    - the purposes for which it is being processed; and,
    - details of who will be allowed to see the personal data.
  - To be given a copy of the information and to be told about the sources from which Staplehurst Parish Council derived the information; and
  - Where appropriate, logic involved in any automated decisions relating to them.

## 2. Responsibilities

- 2.1 GDPR-*info* Ltd are responsible for the application and effective working of this procedure, and for reporting to the Parish Clerk on Subject Access Requests (SARs).
- 2.2 Staplehurst Parish Council (Data Controller) is responsible for handling all SARs with advice from GDPR-*Info* Ltd

## 3. Procedure

- 3.1 Subject Access Requests can be made using email, letter or text or our web page <https://gdpr-info.com/data-protection-contact-form/>
- 3.2 The data subject must provide evidence as to identity.
- 3.3 The data subject must identify the data that is being requested and where it is being held and this information must be shown on the SAR application form. Note that the data subject is entitled to ask for all data that Staplehurst Parish Council holds, without specifying that data.
- 3.4 The date by which the identification checks, and the specification of the data sought must be recorded; Staplehurst Parish Council has 30 days from the initial application date to provide the requested information. Should the information requested require a longer time to collate, then the Data Controller is allowed up to an additional 60 days (Provided they inform the Data Subject within the initial time period).
- 3.5 The SAR application (if the above link is used) is immediately forwarded to GDPR-info Ltd, who will ensure that the requested data is collected within the time frame.
- 3.6 Collection will entail either:

- 3.6.1 Collecting the data specified by the data subject, or
- 3.6.2 Searching all databases and all relevant filing systems (manual files) in Staplehurst Parish Council, including all back up and archived files, whether computerised or manual, and including all e-mail folders and archives voicemail or CCTV. The Parish Clerk maintains a data map that identifies where all data in Staplehurst Parish Council is stored.
- 3.7 Staplehurst Parish Council maintains a record of requests for data and of its receipt, including dates. Note that data may not be altered or destroyed in order to avoid disclosing it.
- 3.8 Staplehurst Parish Council is responsible for reviewing all provided documents to identify whether any third parties are identified in it and for either excising identifying third party information from the documentation or obtaining written consent from the third party for their identity to be revealed.
- 3.9 If the requested data falls under one of the following exemptions, it does not have to be provided:
- 3.9.1 Crime prevention and detection.
- 3.9.2 Negotiations with the requester.
- 3.9.3 Management forecasts.
- 3.9.4 Confidential references given by Staplehurst Parish Council (not ones given to Staplehurst Parish Council).
- 3.9.5 Information used for research, historical or statistical purposes.
- 3.9.6 Information covered by legal professional privilege.
- 3.9.7 If originally stated as a use against the Council
- 3.10 The information is provided to the data subject in electronic format unless otherwise requested and all the items provided are listed on a schedule that shows the data subject's name and the date on which the information is delivered.
- 3.11 The electronic formats used for responses to SARs are: .CSV file / PDF / Doc & should be password protected.

This policy supersedes any former policy and was adopted by Staplehurst

Parish Council on .....11<sup>th</sup> March 2024.....Minute...2207/6.2.....