



THERFIELD
Parish Council

GDPR SUBJECT ACCESS REQUEST POLICY

1. SCOPE

1.1 All personal data processed by Therfield Parish Council is within the scope of this procedure.

1.2 Data subjects are entitled to ask:

- Whether Therfield 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.

2. RESPONSIBILITIES

2.1 The Clerk is responsible for the application and effective working of this procedure, and for reporting to Therfield Parish Council on Subject Access Requests (SARs).

2.2 The Clerk is responsible for handling all SARs.

3. PROCEDURES

3.1 A data subject can make a SAR verbally or in writing, including on social media. A request is valid if it is clear that the data subject is asking for their own personal data. A data subject does not need to use a specific form of words, refer to legislation or direct the request to a specific contact.

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. Note that the data subject is entitled to ask for all data that Therfield Parish Council holds.

3.4 Therfield Parish Council will respond to a SAR without undue delay and at the latest within one month of receiving the request. Therfield Parish Council reserves the right to extend the time to respond by a further two months if the request is deemed “complex” in accordance with the ICO definition, or where Therfield Parish Council has received a number of requests from the data subject e.g., other types of requests relating to individuals’ rights.

3.5 Where Therfield Parish Council processes a large amount of information about the data subject, the Council reserves the right to request further information on what the request relates to, if it is not clear. The time limit for responding to the request is paused until clarification is received.

- 3.6 Therfield Parish Council will make reasonable efforts to find and retrieve the requested information. Therfield Parish Council is not required to conduct searches that would be unreasonable or disproportionate to the importance of providing access to the information.
- 3.7 Therfield Parish Council will provide the information in a commonly used electronic format unless the data subject requests otherwise.
- 3.8 The Clerk maintains a record of requests for data and of its receipt and provision, including dates.
- 3.9 Data may not be altered or destroyed in order to avoid disclosing it.
- 3.10 Therfield Parish Council may refuse to comply with a SAR if it is manifestly unfounded or manifestly excessive in accordance with ICO guidance.
- 3.11 If the requested data falls under one of the following exemptions (as set out in Schedules 2 and 3 of the DPA 2018) it does not have to be provided:
- Crime and taxation: general
 - Crime and taxation: risk assessment
 - Legal professional privilege
 - Functions designed to protect the public
 - Regulatory functions relating to legal services, the health service and children's services
 - Other regulatory functions
 - Judicial appointments, independence and proceedings
 - Journalism, academia, art and literature
 - Research and statistics
 - Archiving in the public interest
 - Health, education and social work data
 - Child abuse data
 - Management information
 - Negotiations with the requester
 - Confidential references
 - Exam scripts and exam marks
 - Other exemptions

3.12 Where possible, Therfield Parish Council will consider whether it is possible to comply with the request without disclosing information that identifies another individual. If this is not possible Therfield Parish Council does not have to comply with the request except where the other individual consents to the disclosure or it is reasonable to comply with the request without that individual's consent.

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