

ELLISFIELD PARISH COUNCIL

SUBJECT ACCESS REQUEST POLICY

1. Introduction

The UK General Data Protection Regulation (UK GDPR) gives individuals the 'Right of Access', which allows them to request confirmation from an organisation that their personal data is being processed and they can also request copies of it or make other requests relating to its use. This right helps individuals understand how and why their information is being used.

The process for obtaining this information is known as a Subject Access Request. Ellisfield Parish Council has legal responsibilities to respond to all such requests within specified timescales.

2. Purpose

This policy gives details of the Council's procedures for dealing with Subject Access Requests for the benefit of data subjects wishing to make a request, as well as for staff and Councillors. For more detail on the data protection measures in general, the terminology used and the legal framework, refer to Ellisfield Parish Council's Data Protection Policy.

3. Definition of personal data

Personal Data is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be by the personal data alone or in conjunction with any other held data. The Council's Data Protection Policy also details special categories of sensitive and criminal offence data.

4. Rights of Access by the Data Subject

Article 15 of the UK GDPR gives data subjects the right to obtain from any organisation confirmation as to whether or not personal data concerning him or her is being processed, and, where that is the case, the right to request access to the personal data and the following information:

- i. the purposes of the processing;
- ii. the categories of personal data concerned;
- iii. the recipients or categories of recipient to whom the personal data have been or will be disclosed;
- iv. the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- v. the existence of the right to request from the Controller (i.e. Ellisfield Parish Council) rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- vi. the right to lodge a complaint with the Information Commissioner's Office;
- vii. where the personal data are not collected from the data subject, any available information as to their source;
- viii. the existence of automated decision-making, including profiling, and the logic involved with it and the envisaged consequences for the data subject.

(Note: Ellisfield Parish Council does not perform any automated decision making or profiling, and neither does it transfer data to other countries)

5. How to make a Subject Access Request

A Subject Access Request (SAR) should preferably be sent to the Clerk in writing by email and it is helpful to have a subject line or header that says "Subject Access Request".

There is a Subject Access Request Form in the Appendix to this policy. It is not obligatory to use this but it is helpful to receive the information in this form, and it includes the information that is required. This form is available as a Word document on request.

If requesters are able to be specific about what personal data they are interested in and over what time frames it will enable them to get the information more quickly and more tailored to what they are interested in, and reasons for requesting the data, whilst not obligatory, are also helpful in meeting requests more quickly.

Requests can also be made using the web enquiry form or letter by post if the data subject or relevant third party does not have email. If using the web form, it is helpful to put the words 'Subject Access Request' as a header to the message.

UK GDPR allows requests to also be made verbally so the Council has no intention to disallow this. However, in order to ensure the accuracy of the request, for record keeping, and to ensure a point of contact for providing the information requested, the Council prefers that requests are not made verbally in person, by phone or voice mail where possible. Also there is a preference that they are not made by text (or social media if implemented) either and are sent by email. If this is not possible for any reason, the Clerk will write down the understood verbal request and contact information on an SAR form and check with the data subject that it is correct before proceeding.

Contact details for Council for making requests are given on the SAR form at the end of this policy.

UK GDPR allows SARs to be made by third parties. If someone is making the request on behalf of someone else, they should provide evidence that they are allowed to make the request for them e.g. a signed letter of consent, a power of attorney document or proof of parental responsibility such as a birth or adoption certificate.

Ellisfield Parish Council will normally require proof of ID (driving licence, passport or birth certificate) and proof of address (utility bill, council tax bill, TV licence or bank statement dated within the last 3 months) to be submitted with SAR requests, unless they are already known to the Council, and will require the person making the request to attend the Parish Office to verify their identity. The forms of identification listed are the most common; other forms of identification may also be acceptable, to be agreed with the Clerk.

If someone is making a request on behalf of a third party, the Council will need proof of ID for both the person making the request and the data subject.

6. Receiving and logging Subject Access Requests

The Clerk will promptly acknowledge an SAR with a target time of 2 working days. It will generally be sooner, but may occasionally be longer as the Council has only one part-time member of staff. The Clerk will respond by email or post, according to what contact method has been used or indicated, and will also send a copy of this policy.

If a Councillor is sent an SAR instead of the Clerk, they will forward it to the Clerk.

The Clerk will log the SAR in a register of SAR requests and this will be updated with actions as progress is tracked. This will include the date of receipt, identity verification of the data subject (and third party, if applicable), a summary of the request, indication of how the Council can comply, and the date information is sent to the data subject. The Clerk will also inform the Councillors of any requests.

7. Validating a Subject Access Request

The Clerk will check that all relevant information needed to process the request has been provided and will contact the data subject or the person making the request on their behalf if it is not sufficient.

If the request is too broad, the Parish Council will request further information to narrow down what is needed.

Before disclosing any personal information, the Clerk must verify the identity of the data subject, and so will do this before starting the search. Whilst it is important that Ellisfield Parish Council does not send copies of personal information to people who are not the data subject, it must not appear obstructive. The Data Protection Act requires Ellisfield Parish Council to take “all reasonable measures to verify the identity of a data subject who requests access”. Unless a data subject is already well known to the Council with previous evidence of identify, the data subject will be asked to provide identification.

The Clerk shall keep a record of what measures they have taken to verify the identity of the person making the request.

If someone is making the request on behalf of someone else, they should provide proof of ID and address for the data subject as well as also providing proof of ID for themselves to prove they are the person who has consent of legal rights to make a request on behalf of the other person. Since protection of personal data is at the heart of data protection legislation, obviously the Council cannot disclose personal data to someone who is not authorised to receive it.

If the clarification of the request or ID verification takes an unreasonable amount of time on the part of the data subject (or their representative) this will increase the time available for the Council to complete the request

8. Locating personal information for a subject access request

The Clerk will identify all records where personal data of the data subject is being held, as well as identifying the means by which the personal data can be extracted.

The Council holds a record of processing activities showing what type of personal data is held where to simplify the process of data access requests. The Council only has limited activities with regard to processing personal data and this extends to physical filing, electronic files on computer hard drives and back-ups, its hosted website, hosted email service, HMRC basic tools and Cloud-based accounting software.

If the Council does not hold personal data for the data subject, they will be informed of this outcome.

9. Reviewing Personal Information and determining what cannot be disclosed

Once personal data has been identified, the Clerk will extract and collate it and review it with the Chairman before disclosing it.

This shall include checking that the record is actually about the person concerned and not about someone else with the same name and screening out any duplicate records.

Personal data can include expressions of opinion about the individual.

The Council may have to withhold or redact information and there may be exemptions that apply to certain personal data. Examples are:

- References given, e.g. for jobs, education
- Publicly available information
- Crime and taxation
- Management information (e.g. restructuring, redundancies)
- Negotiations with the requestor
- Regulatory activities (e.g. planning enforcement, noise nuisance)
- Legal advice and proceedings
- Personal data of third parties

The Council will seek legal advice, if necessary, before applying exemptions.

10. Responses to Subject Access Requests

The response to SARs will be only be based on relevant the criteria covered in section 5, and will be in accordance with what was requested.

If exemptions apply or if information needs to be redacted, reasons will be given.

11. Erasure of personal data

The Council acknowledges that SARs may lead to requests for erasure of personal data.

The Council will action this immediately and complete it within a reasonable, practicable timescale and will inform the data subject when it is done, subject to exemptions.

Whilst some personal data may be provided by consent, and data subjects are at liberty to withdraw their consent, in practice most data processing will be based on other legal bases and the Council may not be able to delete it.

The Council has a data retention schedule in its Data Retention Policy and so should already be deleting personal data held in line with that. This identifies where data must be held for certain periods for legal and operational purposes, such as invoices held for six prior financial years for VAT records, or records held for an ongoing legal matter or insurance claim.

12. Timescales for responses

The UK GDPR allows one month for organisations to respond to a Subject Access Request and this time period will start from once the request has been validated with sufficient information and acceptable IDs, provided that the Council does not cause undue delays on this part of the process.

13. Charges

SAR's will normally be provided free of charge, however, the Parish Council can charge a 'reasonable fee' when a request is manifestly unfounded or excessive, particularly if it is repetitive.

If excessively large volumes of printed material is required, fees for printed copies will apply, and they will be same as detailed in the Council's Publication Scheme.

14. Vexatious Requests

The Council has a Vexatious Complaints Policy which will be brought into play if an individual makes repeated, vexatious Subject Access Requests.

15. Complaints

If an individual making a Subject Access Request is not happy with the process, the Council requests that they contact the Clerk in the first instance to see if the matter can be resolved quickly. The Council also has a Complaints Policy on its website, which outlines its Complaints procedure.

At any time, an individual is able to complain to the Information Commissioner's Office at

[Make a complaint | ICO](#).

Version Control

Version	Date adopted	Minute ref.
Subject Access Request Policy 2026		

Appendix 1. Subject Access Request Form

ELLISFIELD PARISH COUNCIL

c/o Medstead Parish Office, Roe Downs Road. Medstead, GU34 5LG
Tel. 07711 107378,
e-mail clerk@ellisfield.gov.uk
website: www.ellisfield.gov.uk
Clerk to the Council: Mrs Julie Russell

SUBJECT ACCESS REQUEST FORM

About You

Full name (of the person making the request)

If maiden names or other names have been used, please also include them if relevant to your request.

Email address

For the organisation to reply to you.

Address (optional)

Used to help the organisation find the information.

Telephone number (optional)

In case the organisation needs to call you to clarify this request

Proof of ID and address (optional)

List items sent below

Please upload a scanned copy or send a photocopy of: a proof of ID (driving licence, passport, birth certificate) AND a proof of address (utility bill, council tax bill, TV licence or bank statement). If you do not send this, the Council will request this information if it does not already have reasonable proof of your identity.

How do you hope to receive the information? (Electronic documents or printed)?

A printing fee may be incurred if the scale of request is excessive.

Details of the personal information you want

Be as specific as possible, e.g. employee file or certain types of emails sent etc.

This helps you get exactly what you need, ensures that time is not needlessly wasted, avoids you needing to search through information you do not need and will get you the relevant information soonest.

Time period

Give a date range of the information you are requesting.

Reasons for requesting this information (optional)

You don't have to include this, but it can help Ellisfield Parish Council find the information that you actually need and can help you get a better, faster response

Other details that will help the organisation find the information (optional)

Are you making this request for someone else?

Yes / No

If yes, please complete the following:

Evidence you're allowed to make this request for the person

Provide a digital or scanned copy of a signed letter of consent, a power of attorney document or proof of parental responsibility, such as a birth or adoption certificate.

Details of the person whom the personal information is about

Full name (of the person the information is about)

If maiden names or other names have been used, please also include them if relevant to your request.

Email address (optional)

Used to help the Council find the information. The Council may need to contact the person you're making the request for, to be sure they're happy for you to have the information.

Address (optional)

Used to help the Parish Council find the information.

Telephone number (optional)

In case the Council needs to call the person the information is about to clarify this request

Proof of ID and address (optional)

List items sent below for the person the information is about.

Please upload a scanned copy or send a photocopy of: a proof of ID (driving licence, passport, birth certificate) AND a proof of address (utility bill, council tax bill, TV licence or bank statement).

If you do not send this, the Council will request this information if it does not already have reasonable proof of identity.