

Acton Parish Council

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Subject Access Requests Policy

Reviewed: Annually

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ABOUT THIS POLICY

This policy outlines the standards Acton Parish Council ('the Council') intends to observe in responding to subject access requests in compliance with the General Data Protection Regulation (GDPR) and subsequently revised UK Data Protection law.

1. Upon receipt of an SAR, the Council will:

- (a) Check if the information requested is already publicly available (in accordance with Section 21 of the Freedom of Information Act 2000 (information accessible by other means)).
- (b) Verify whether it is controller of the data subject's personal data. If the council is not a controller, but merely a processor, it will inform the data subject and refer them to the actual controller.
- (c) Verify the identity of the data subject; if needed, the council will request any further evidence on the identity of the data subject.
- (d) Verify the access request; is it sufficiently substantiated? Is it clear to the data controller what personal data is requested? If not the council will request additional information.
- (e) Verify whether requests are unfounded or excessive (in particular because of their repetitive character); if so, the council may refuse to act on the request or charge a reasonable fee.
- (f) Promptly acknowledge receipt of the SAR and inform the data subject of any costs involved in the processing of the SAR.
- (g) Verify whether you process the data requested. If you do not process any data, inform the data subject accordingly. At all times the council make sure the internal SAR procedure is followed and progress can be monitored.
- (h) Ensure data will not be changed as a result of the SAR. Routine changes as part of the processing activities concerned are permitted.
- (i) Verify whether the data requested also involves data on other data subjects and make sure this data is filtered before the requested data is supplied to the data subject; if data cannot be filtered, the council will ensure that other data subjects have consented to the supply of their data as part of the SAR.

2. Responding to an SAR, the Council will:

- (a) Respond to a SAR within one month after receipt of the request:
 - (i) If more time is needed to respond to complex requests, an extension of another two months is permissible, provided this is communicated to the data subject in a timely manner within the first month;

- (ii) if the council cannot provide the information requested, it should inform the data subject on this decision without delay and at the latest within one month of receipt of the request.
- (b) If an SAR is submitted in electronic form, the council will endeavour to provide any personal data by electronic means as well.
- (c) If data on the data subject is processed, the council will include as a minimum the following information:
 - (i) the purposes of the processing;
 - (ii) the categories of personal data concerned;
 - (iii) the recipients or categories of recipients to whom personal data has been or will be disclosed, in particular in third countries or international organisations, including any appropriate safeguards for transfer of data, such as Binding Corporate Rules¹ or EU model clauses²;
 - (iv) where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
 - (v) the existence of the right to request 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 ("ICO");
 - (vii) if the data has not been collected from the data subject: the source of such data;
 - (viii) the existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- (d) Provide a copy of the personal data undergoing processing.

¹ "Binding Corporate Rules" is a global data protection policy covering the international transfer of personal data out of the European Union. It requires approval of a data protection regulator in the European Union. In the UK, the relevant regulator is the Information Commissioner's Office.

² "EU model clauses" are clauses approved by the European Union which govern the international transfer of personal data. The clauses can be between two data controllers or a data controller and a data processor.