

Data Subject Access Request Procedure

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References	Main Legislation – Data Protection Act 1998 and 2018 www.ico.org.uk
Related Policies	Data Protection Policy Freedom of Information Policy

Version Control

Version	Date approved	Minute Ref	Website updated	Next Review
V1	18/07/2023	061/23	02/10/2023	Q3 2026

1. Introduction

The Data Protection Act 1998 gives any individual (data subject) the right to request access to all the information held about them, commonly known as a Subject Access Request. It offers individuals the right to obtain a copy of their personal data, as well as other supplementary information. It helps individuals to understand how and why Boyatt Wood Parish Council (BWPC) is using their data, and check that it is processed lawfully.

The right of access does not entitle individuals to receive full copies of original documents held by an organisation – only the personal information contained within it.

This procedure is supported by the Data Protection Policy and describes how BWPC will process a Data Subject Access Request.

All requests are to be made to the Parish Clerk. Email clerk@boyattwood-pc.gov.uk
Tel: 02382 121529

2. Making a Data Subject Access Request

A request can be made in writing or verbally, there is no charge for making a Data subject access request. However, a 'reasonable fee' will be applied when a request is manifestly unfounded or excessive, particularly if it is repetitive.

A request is valid if the individual is asking for their own personal data, a copy of the data will be supplied in a legible format.

An individual may ask a third party to complete the request on their behalf, such as a friend or relative. If this is the case, they will need to include proof of authority when making the request.

It is beneficial to include as much detail as possible that will assist BWPC locating the information requested. To assist BWPC to be able respond fully and promptly it is preferred that all DSARs are made in writing using the attached form at [Appendix A](#).

3. Receiving a Data Subject Access Request

Upon receiving the DSAR the Parish Clerk will review the request to ensure it is a valid request under the Data Protection legislation. The Parish Clerk will

- Acknowledge receipt. The DSAR must be completed within a calendar month from the date of receipt and will confirm final date a formal response will be sent.
- Verify the identity of the requester, this may include requesting identification documents. It is important to disclose information only to those persons entitled to receive it. Acceptable forms of Identification and confirmation of address include:
 - Valid Passport
 - Valid Photo driving licence
 - Utility statement
 - Bank/Building Society statement

- Council Tax demand
- HMRC documentation
- Ensure sufficient details are in the request to identify the correct information. This may require the Clerk to communicate with the requestor to ensure correct understanding of request.
- If it is known immediately that the information is not held by BWPC the requester will be informed without undue delay.

Failing to respond to a DSAR promptly or provide an inadequate response can result in complaints and regulatory action, which could potentially harm BWPC reputation.

4. Actioning a request

BWPC will locate the information if held, that is applicable to the request. The type of information requested may be in different formats such as electronic records, emails, paper documents and held in varying systems, filing cabinets and databases. A thorough search of all relevant systems will be conducted using the identifiable markers such as name, address, date of birth.

Normally a response is sent within a month, however, if it is anticipated that due to the volume and or complexity of the information retrieved that to process the request will take longer, the requester will be advised.

Once all the information is collated, it must be reviewed to ensure that all the material can be disclosed to the requester.

5. Preparing to disclose information.

When the searches have concluded and material gathered a screening process needs to be implemented to ensure the requester receives only the information they are entitled to, that relates to them directly.

Information retrieved may contain material relating to another individual and therefore may need to be redacted or withheld.

Some of the information may be subject to exemption, if this is the case legal advice should be sought prior to any disclosure.

Examples of Exemptions are.

- Publicly available information
- Crime and taxation
- Legal advice and proceedings
- Personal data of third parties
- Regulatory activities

6. Disclosing the information

The data subject request and copies of the material has been gathered, reviewed and ready to be disclosed. When disclosing the information to the requester it must be in an intelligent format and include

- Confirmation BWPC is processing their data and categories of personal data held.
- What BWPC is using the information for.
- Who BWPC shares the information with.
- How long BWPC we will retain the information, and the criteria for the decision.
- Where BWPC obtained the information from.
- Details of requester rights to challenge the accuracy of the information, to have it deleted, amended or to object to its use.
- Requester rights to complain to the Information Commissioner Office.

7. DSAR Register

BWPC will maintain a register of all Data subject access requests received. The register will contain as a minimum the below details.

- Date DSAR received.
- Date acknowledgement of receipt sent.
- Identity of subject – including how verified
- Summary of request
- Description of systems searched.
- Date information is sent to requester.

Data Subject Access Request Form

Your Name		
Title		
Alias (if any)		
Address		Postcode:
Contact number	Home:	Mobile:
Email Address		

Are you making this request on behalf of someone else?		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Go to next section
Other person's name				
Title				
Alias (if any)				
Address		Postcode:		
Contact number	Home:	Mobile:		
Email Address				

What personal data are you requesting?
Briefly describe your request including any date range

Further information to help find the data you need
If there is anything else that can help to identify you or the data you are requesting

Method of response
We will try to respond in a way that suits you. Please let us know if we need to make any adjustments, Eg Large font
<input type="checkbox"/> Email <input type="checkbox"/> Post <input type="checkbox"/> Other (please specify)

When fully complete please send to clerk@boyattwood-pc.gov.uk