



# MELTON PARISH COUNCIL

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## HOW MELTON PARISH COUNCIL (THE COUNCIL) WILL RESPOND TO A SUBJECT ACCESS REQUEST (SAR)

### 1. Recognition of the SAR

The SAR will entitle the requester, in addition to their own personal data, to information about how their personal data is being processed, including the purpose, source and who the data has or will be shared with. However this will be subject to:

- Verification that the Council is the controller of the data subject's personal data
- Verification of the identity of the data subject. Here proof of identity may be sought if required.
- Verification that the request is sufficiently clear to be responded to and that the request is not excessive
- Verification that the Council processes the data requested
- Verification that if the data requested cannot be disaggregated from data held on other subjects, they have consented to their data being transmitted.

### 2. Responding to the SAR

The Council has one month from receipt of the SAR to provide a response. The Information Commissioner strongly encourages organisations to contact the requester to clarify the personal data they wish to receive. The Council will acknowledge all requests as soon as possible and open up a line of communication with the requester, both providing reassurance that the Council is taking its data protection responsibilities seriously and providing opportunity to both clarify and refine the parameters of the data requested.

Where the request has been made electronically the response to the SAR and all correspondence will also be conducted electronically. However the requester's preference as well as security will be of paramount consideration.

Any SAR response will provide:

- The source of the data
- The purposes of processing
- The categories of personal data concerned
- The recipients of the disclosed personal data
- The length of time that the personal data is likely to be stored
- The existence of the right to have personal data erased and to complain to the Information Commissioner.

Personal data is defined as any information relating to an individual who can be identified from that information by either name or any other means e.g. ID number. The Council is obliged to disclose the information from the original document or record, but not necessarily the document or record itself.

There are exemptions to the requirement of disclosure as set out within Article 15 GDPR and Schedules 2-4 to the Data Protection Act 2018. Additionally the Council will not be able to disclose individual personal data where to do so would adversely affect the rights of other individuals e.g. in email chains. Where these circumstances apply the Council will advise the requester of the reasons why disclosure cannot be made.

The Council will keep a record of both the request, the sources of information collated, the review undertaken and any decisions made as to what amounted to personal data and whether any exemptions applied, together with all communications with the requester and any other third parties. This will provide an audit trail essential if the requester wishes to either seek a review of any decision / response or complain to the Information Commissioner.

Melton Parish Council

15 January 2020