

BORDEN PARISH COUNCIL SUBJECT ACCESS REQUEST (SAR) POLICY

Adopted: 20/11/2025

1. Introduction

Under the **UK General Data Protection Regulation (UK GDPR)** and the **Data Protection Act 2018**, individuals (data subjects) have the right to request access to personal data held about them by **Borden Parish Council**.

This policy sets out how the Council will handle such **Subject Access Requests (SARs)**, ensuring responses are lawful, fair, and within statutory time limits.

Information about data rights is available in the Council's **General Privacy Notice** (on the website or via the Clerk: clerk@bordenparishcouncil.gov.uk).

2. Submitting a Subject Access Request

- Requests must be made in writing to the Parish Clerk, who acts as the Data Controller.
- Proof of identity is required before the request can be processed. Acceptable ID includes a passport, driving licence, or recent utility bill/bank statement showing the requester's name and address.
- The Clerk may ask for clarification if the request is unclear or too broad.

3. Timescales

- The Council will respond within one calendar month of receiving a valid request.
- If the request is complex or involves multiple records, the response period may be extended by up to two further months. The Clerk will notify the requester of any extension within the first month.
- Requests will be acknowledged within five working days of receipt.

4. Fees

- Subject Access Requests will normally be processed **free of charge**.
- However, under Article 12(5) of the **UK GDPR**, the Council may charge a reasonable administrative fee if the request is manifestly unfounded, excessive, or repetitive.
- Any fee will be based on the actual administrative cost of fulfilling the request, which may include:
 - Staff time spent locating, retrieving, reviewing, and redacting data;
 - Printing, photocopying, or postage costs; and
 - The cost of providing data on an alternative format or storage device (e.g. USB stick or CD).
- The requester will be notified of any applicable fee **before** the Council proceeds with the request.

5. Responding to the Request

If the Council holds personal data about the requester, the response will include:

- Confirmation that their data is being processed
- A copy of the data held; and
- The following details:
 - The purpose of processing;
 - Categories of personal data;
 - Recipients or categories of recipients;
 - Retention periods or criteria for determining them;
 - Rights to rectification, erasure, restriction or objection;

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- The right to complain to the **Information Commissioner's Office (ICO)**;
- The source of the data (if not collected from the individual); and
- Any automated decision-making, including profiling.

If no data is held, the requester will be informed in writing.

6. Third-Party Data

Information that identifies another individual will be redacted unless that person has given consent or disclosure is otherwise lawful.

7. Implementation and Record-Keeping

- The Clerk will log all SARs, including the date received, verification steps, actions taken, and the date of response.
- Data will not be altered or deleted once a SAR is received, except for routine updates unrelated to the request.
- All staff and councillors will be made aware of their responsibilities under this policy.

8. Complaints

If a requester is dissatisfied with the handling of their SAR, they may request an internal review by writing to the Clerk.

If still dissatisfied, they may contact the **Information Commissioner's Office (ICO)**:

0303 123 1113 | www.ico.org.uk

9. Review

This policy will be reviewed annually or earlier if required by legislative changes.¹

¹ This document has been compiled with reference to the following:

- UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018
- Information Commissioner's Office (ICO) Guidance
- National Association of Local Councils (NALC) – LTN 38