



## **Treverbyn Parish Council**

### **Data Subject Access Request (DSAR) Policy**

#### **1. Introduction**

Treverbyn Parish Council (“the Council”) recognises the rights of individuals to access personal data held about them.

This policy sets out the procedures for handling Data Subject Access Requests (DSARs) in accordance with:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Guidance issued by the Information Commissioner’s Office (ICO)

The Council is committed to responding to requests lawfully, fairly, transparently and within statutory timescales.

#### **2. Purpose**

The purpose of this policy is to:

- Ensure Data Subject Access Requests are handled correctly and consistently
- Protect the rights of individuals
- Ensure compliance with data protection legislation
- Clarify responsibilities for councillors, staff and volunteers
- Promote good information governance practices

#### **3. Scope**

This policy applies to all personal data processed by the Council, including information held:

- Electronically
- In emails
- In paper records

- In cloud-based systems
- On portable devices
- On personal devices used for Council business

The policy applies to:

- Councillors
- Employees
- Volunteers
- Co-opted members
- Any person handling Council information

#### **4. What is a Data Subject Access Request?**

A Data Subject Access Request (DSAR) is a request made by an individual seeking access to personal data held about them by the Council.

An individual may request:

- Confirmation that their personal data is being processed
- Access to their personal data
- Information about how their data is used
- Copies of their personal data

Requests do not need to mention “GDPR” or “Subject Access Request” to be valid.

Requests may be made:

- In writing
- By email
- Verbally
- Through social media or other communication channels

#### **5. Rights of Individuals**

Under UK GDPR, individuals have the right to:

- Be informed about processing
- Access their personal data
- Request correction of inaccurate data
- Request erasure where applicable
- Restrict processing in certain circumstances
- Object to processing where applicable

This policy specifically addresses access requests.

## **6. Responsibilities**

### **6.1 The Council**

Treverbyn Parish Council is the Data Controller and is responsible for ensuring compliance with data protection legislation.

### **6.2 The Clerk**

The Clerk shall oversee the handling of Data Subject Access Requests and shall:

- Receive and acknowledge requests
- Verify identity where necessary
- Coordinate searches for relevant information
- Review information for disclosure
- Apply lawful exemptions where appropriate
- Respond within statutory timescales
- Maintain records of requests

### **6.3 Councillors, Staff and Volunteers**

All persons handling Council information must:

- Forward requests promptly to the Clerk
- Cooperate with searches for relevant information
- Protect confidential and third-party information
- Follow this policy and related procedures

## **7. Submitting a Request**

Requests should normally be directed to the Clerk.

Requests may be submitted:

- By email
- In writing
- Verbally

The requester should provide enough information to identify:

- The individual concerned
- The information requested

The Council may request clarification if a request is unclear or excessively broad.

## **8. Verification of Identity**

Before releasing personal data, the Council may request proof of identity where necessary.

This may include:

- Photographic identification
- Proof of address
- Other reasonable verification measures

Information shall not be disclosed where identity cannot be confirmed adequately.

## **9. Timescales**

The Council shall normally respond within one calendar month of:

- Receiving the request, or
- Receiving sufficient identification where required

The response period may be extended by up to two further months for complex or multiple requests where permitted by legislation.

Where an extension applies, the requester shall be informed within the initial one-month period.

## **10. Searching for Information**

The Council shall undertake reasonable and proportionate searches for relevant information, including data held:

- In Council email accounts
- On Council systems
- In paper records
- In archived records where appropriate

Councillors using personal devices or personal email accounts for Council business may be required to search those records where relevant to a lawful request.

## **11. Information That May Be Disclosed**

The Council shall provide:

- Copies of personal data
- Information about processing activities
- Information required under UK GDPR

Information shall normally be provided electronically unless otherwise requested.

## **12. Exemptions and Restrictions**

The Council may withhold information where exemptions apply under legislation.

Examples may include:

- Information relating to third parties
- Legally privileged information
- Confidential references
- Information connected to ongoing investigations
- Information exempt under the Data Protection Act 2018

Where information is withheld, the Council shall explain the reason where lawful and appropriate.

## **13. Third-Party Information**

The Council shall protect the rights and privacy of third parties.

Personal data relating to other individuals may be:

- Redacted
- Withheld
- Anonymised

where necessary and lawful.

## **14. Refusal of Requests**

The Council may refuse requests where permitted by legislation, including where requests are:

- Manifestly unfounded
- Excessive
- Repetitive

The Council shall explain the reasons for refusal and inform the individual of their right to complain to the Information Commissioner's Office (ICO).

## **15. Fees**

Requests shall normally be processed free of charge.

The Council may charge a reasonable fee where permitted by legislation, including for:

- Repeated requests
- Excessive requests
- Additional copies of information

## **16. Record Keeping**

The Council shall maintain records of:

- Requests received
- Dates of receipt and response
- Information disclosed
- Decisions made
- Exemptions applied

Records shall be retained securely.

## **17. Complaints**

Individuals dissatisfied with the handling of a request may complain to the Council.

Complaints may also be made to the:

- Information Commissioner's Office

The Council shall cooperate with lawful investigations and regulatory requirements.

## **18. Training and Awareness**

Appropriate guidance and awareness shall be provided to councillors and staff handling personal data.

All users are expected to maintain awareness of good information governance practices.

## **19. Review**

This policy shall be reviewed annually or sooner if required due to legislative or operational changes.

## **20. Adoption**

Adopted by Treverbyn Parish Council on: