



STOTFOLD TOWN COUNCIL

SUBJECT ACCESS REQUEST PROCEDURE

1. INTRODUCTION

- 1.1 This procedure is to be followed when an individual contacts Stotfold Town Council to request access to their personal information held by the Council. Requests must be completed within one calendar month, so it should be actioned as soon as it is received.

2. RECEIVING A SUBJECT ACCESS REQUEST

- 2.1 A Subject Access Request must be made in writing (letter, email or social media) by the data subject, or a nominated representative.

- 2.2 The request should be made by the data subject, with proof of identity and address to be included in their request. The following documents can be used as proof of identification and address:

- Current UK / EEA Passport
- UK Photocard Driving Licence (Full or Provisional)
- Firearms Licence / Shotgun Certificate
- EEA National Identify Card
- Full UK Paper Driving Licence
- Disabled Driver's Pass
- Financial statement issued by bank, building society or credit card company
- Utility bill for supply of gas, electric, water or telephone landline

- 2.3 In the case of a request received from a nominated representative, the data subject must provide a written permission document detailing the requestor's name, address, date of birth and contact details, together with a form of identification.

- 2.4 On receipt of a subject access request (SAR) it must be forwarded immediately to the Town Clerk, who is the designated Data Controller for Stotfold Town Council.

- 2.5 The Data Controller will determine if the SAR meets current Data Protection legislation and whether any clarification is required on the search terms for the SAR.

- 2.6 An acknowledgement of the receipt of the SAR should be sent by email or letter to the requestor noting the date of receipt and the due date for the response.

- 2.7 The SAR will be logged by the Data Controller, noting date of receipt, the name of the sender and the date of response.

3. PROCESSING THE REQUEST

- 3.1 The Data Controller will consider the type of information requested and use the data processing map to determine where the records are stored and perform a reasonable search for the requested information.

- 3.2 Personal data is data which relates to a living individual who can be identified from the data (name, address, email address, database information) and can include expressions of opinion

about the individual). If the Town Council does not hold any personal data, the requestor will be informed.

3.3 Once all the retrieved documentation has been collated, the Data Controller will screen the documentation to determine whether any of the documents are exempt from disclosure.

3.4 Exemptions to disclosure are set out in the Data Protection Act 2018, these are identified on the Information Commissioner's website as follows:

- Crime and taxation: general
- Crime and taxation: risk assessment
- Legal professional privilege
- Functions designed to protect the public
- Regulatory functions relating to legal services, the health service and children's services
- Other regulatory functions
- Judicial appointments, independence and proceedings
- Journalism, academia, art and literature
- Research and statistics
- Archiving in the public interest
- Health, education and social work data
- Child abuse data
- Management information
- Negotiations with the requester
- Confidential references
- Exam scripts and exam marks
- Other exemptions

3.5 In some cases, emails and documents may contain the personal information of other individuals who have not given their consent to share their personal information with others. If this is the case, the other individual's personal data must be redacted before the SAR is sent out.

3.6 The Data Controller will seek legal advice before applying exemptions.

4 PREPARING A RESPONSE

4.1 A response should be sent via email or mail within one calendar month of the receipt of the request.

4.2 The deadline to respond to the SAR can be extended by a further two months if the request is complex or a number of requests have been made by the data subject. The extension should be notified in writing to the data subject at the earliest opportunity with an explanation around the circumstances for the extension.

4.3 Preparation of the SAR response should include as a minimum the following information:

- a. The purposes of the processing;
- b. The categories of personal data concerned;
- c. 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;
- d. Where possible, the envisage period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
- e. 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;

- f. The right to lodge a complaint with the Information Commissioners Office (“ICO”);
- g. If the data has not been collected from the data subject: the source of such data;
- h. 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.

4.4 All SARs should be logged to include the date of receipt, identity of the data subject, summary of the request, indication as to whether the Council can comply, date information is sent to the data subject.

4.5 Templates for the response are set out as follows:

Replying to a subject access request providing the requested personal data

“[name], [address], [date]

Dear [name of data subject]

Data Protection subject access request

Thank you for your letter of [date] making a data subject access request for [subject]. We are pleased to enclose the personal data you requested.

[Include 4.2 a) to 9h) above]

Copyright in the personal data you have been given belongs to the Council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely”

Release of part of the personal data, when the remainder is covered by an exemption

“[name], [address], [date]

Dear [name of data subject]

Data Protection subject access request

Thank you for your letter of [date] making a data subject access request for [subject]. To answer your request, we asked the following areas to search their records for personal data relating to you.

- [list the areas]

I am pleased to enclose [some/most] of the personal data you requested. [if any personal data has been removed] We have removed any obvious duplicate personal data that we noticed as we processed your request, as well as any personal data that is not about you. You will notice that [if there are gaps in the document] parts of the document(s) have been blacked out [OR if there are fewer documents enclosed] I have not enclosed all of the personal data you requested. This is because [explain why it is exempt].

[include 6(a) to (h) above]

Copyright in the personal data you have been given belongs to the Council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published, or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely”

Replying to a subject access request explaining why you cannot provide any of the requested personal data

“[name], [address], [date]

Dear [name of data subject]

Data Protection subject access request

Thank you for your letter of [date] making a data subject access request for [subject].

I regret that we cannot provide the personal data you requested. This is because [explanation where appropriate].

[examples include where one of the exemptions under the data protection legislation applies. For example, the personal data might include personal data which is ‘legally privileged’ because it is contained within legal advice provided to the Council or relevant to ongoing or preparation for litigation. Other exemptions include where the personal data identifies another living individual or relates to negotiations with the data subject. Your Data Protection Officer will be able to advise if a relevant exemption applies and if the Council is going to rely on the exemption to withhold or redact the data disclosed to the individual, then in this section of the letter the Council should set out the reason why some of the data has been excluded].

Yours sincerely”

5 FEES FOR RESPONSES

- 5.1 Subject Access Requests (SARs) should be provided free of charge, however, the Town Council is able to charge a ‘reasonable fee’ when a request is manifestly unfounded or excessive, particularly if it is repetitive.

6 REFUSING A REQUEST

- 6.1 The Town Council will only refuse to provide the information if an exemption or restriction applies (see item 3.3 above), or if the request is manifestly unfounded or excessive.

7 CHANGES TO THIS PROCEDURE

- 7.1 The Town Council will keep this Subject Access Procedure under regular review and will place any updates on its website at www.stotfoldtowncouncil.gov.uk.
- 7.2 This Procedure was last updated in [February 2025].

8. CONTACT DETAILS

- 8.1 Individuals are requested to contact the Town Council if they have any questions about this Privacy Notice or the personal data the Town Council holds about them, or to exercise any or all of the relevant rights, queries or complaints:

Correspondence: The Data Controller, Stotfold Town Council, The Greenacre Centre, Valerian Way, Stotfold, Hitchin, Herts, SG5 4HG

Email: enquiries@stotfoldtowncouncil.gov.uk

Telephone: 01462 730 064

9. COMPLAINTS

- 9.1 In the event of a complaint regarding the way personal data has been processed by the Town Council, individuals are able to refer their complaint to the Town Council Data Controller at enquiries@stoftoldtowncouncil.gov.uk / Tel: 01462 730 064 or to the ICO at casework@ico.org.uk / Tel: 0303 123 1113.

10. ALIGNMENT WITH OTHER POLICIES OF THE TOWN COUNCIL

This Subject Access Request Procedure should be read in conjunction with the following Policies of the Council:

- Privacy Notice
- Privacy Policy
- Information and Data Protection Policy

Revision History

Adopted	May 2018
Reviewed and updated	Amendments to content March 2025 Addition of risk evaluation matrix.
Reviewed and updated	