



AXMINSTER TOWN COUNCIL

Subject Access Request (SAR) Policy

Processing an SAR

1. On receipt of a subject access request it **must** forward it immediately to the Town Clerk.
2. Then it must be identified as to whether a request has been correctly made under the Data Protection legislation.
3. A member of staff, and as appropriate, any Councillor, who receives a request to locate and supply personal data relating to a SAR **must** make a full exhaustive search of the records to which they have access.
4. All the personal data that has been requested **must** be provided unless an exemption can be applied.
5. The Council **must** respond within one calendar month after accepting the request as valid.
6. Subject Access Requests **must** be undertaken free of charge to the requestor unless the legislation permits reasonable fees to be charged.
7. Councillors and staff with management responsibilities **must** ensure that the staff they manage are aware of and follow this guidance.
8. Where a requestor is not satisfied with a response to a SAR, the council must manage this as a complaint.

Requirements

1. Any request must be received in writing where a data subject is asking for sufficiently well-defined personal data held by the council relating to the data subject. You should clarify with the requestor what personal data they need. They must supply their address and valid evidence to prove their identity. The council accepts the following forms of identification:
 - Current UK/EEA Passport
 - UK Photocard Driving Licence (Full or Provisional)
 - Firearms Licence / Shotgun Certificate
 - EEA National Identity Card
 - Full UK Paper Driving Licence
 - State Benefits Entitlement Document*
 - State Pension Entitlement Document*
 - HMRC Tax Credit Document*
 - Local Authority Benefit Document*



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- State/Local Authority Educational Grant Document*
- HMRC Tax Notification Document
- Disabled Driver's Pass
- Financial Statement issued by bank, building society or credit card company+
- Judiciary Document such as a Notice of Hearing, Summons or Court Order
- Utility bill for supply of gas, electric, water or telephone landline+
- Most recent Mortgage Statement
- Most recent council Tax Bill/Demand or Statement
- Tenancy Agreement
- Building Society Passbook which shows a transaction in the last 3 months and your address

* These documents must be dated in the past 12 months

+These documents must be dated in the past 3 months

2. Depending on the degree to which personal data is organised and structured, a search for personal data will require a search of emails (including archived emails and those that have been deleted but are still recoverable), Word documents, spreadsheets, databases, systems, removable media (for example, memory sticks, floppy disks, CDs), tape recordings, paper records in relevant filing systems etc. and CCTV footage (where within the relevant timeframe) which the Council is responsible for or owns.
3. It is not acceptable to withhold personal data because you believe it will be misunderstood; instead, an explanation should be provided with the personal data. The personal data must be provided in an "intelligible form", which includes giving an explanation of any codes, acronyms and complex terms. The personal data must be supplied in a permanent form except where the person agrees or where it is impossible or would involve undue effort. It may be possible to agree with the requestor that they will view the personal data on screen or inspect files on Council premises. Exempt personal data must be redacted from the released documents and explain why that personal data is being withheld.
4. This will be made clear on forms and on the Council website.



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5. Staff and Councillors, where appropriate, should undergo induction, performance and training, as well as through establishing and maintaining appropriate day to day working practices to familiarise themselves with the requirements of this policy.
6. A database is maintained allowing the council to report on the volume of requests and compliance against the statutory timescale.
7. When responding to a complaint, the Council must advise the requestor that they may complain to the Information Commissioners Office (“ICO”) if they remain unhappy with the outcome.