

# Briefing Note

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## GDPR Subject Access Request Policy

### **1.0 Background**

1.1 As part of the council's plan to become GDPR compliant, it has accepted a schedule of policies and documents that need to be endorsed. These policies are sourced from the NALC GDPR Toolkit (National Association for Local Councils) issued in February 2018, and may be updated after advice from CALC.

### **2.0 Outline Proposals**

2.1 The SAR Use Policy sets out best practice in the way that requests for personal information will be managed. A SAR request is not the same as a Freedom of Information (FOI) request because the latter can cover any information that the council holds. The SAR request gives individuals the right to obtain a copy of their personal data as well as other supplementary information. It helps individuals to understand how and why the council is using their data, and check it is doing it lawfully.

2.2 An individual is only entitled to their own personal data, and not to information relating to other people (unless the information is also about them or they are acting on behalf of someone).

2.3 Councillors need to be aware that this policy exists so that they can refer enquiries onto the Data Protection officer. There is no need for councillors to be familiar with the detail of how the policy operates in practice.

### **3.0 What must the parish council do?**

3.1 This section explains what the council must do when it receives a SAR. This includes the timescale, the obligations to deliver and how to manage a dissatisfied requestor.

### **4.0 How must we do it?**

4.1 The DPO must be clear about what data is required and satisfied that the person making the enquiry has a right to be supplied with the information. Searching for information will include the council's own computer, backup data, audio recordings and paper records. If any of the information references other people, then their details must be redacted and an explanation given.

### **5.0 How will we ensure compliance?**

5.1 Councillors and other staff will be aware of the council's obligations through this briefing note and publication of the policy. Reference is also made in the council's General Privacy Notice (published on the front page of the website).

### **6.0 Sources**

6.1 The policy has been extracted from the NALC GDPR Toolkit February 2018.

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