



Barrowby Parish Council

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Subject Access Request Procedure

Document control

- **Owner:** Assistant Clerk
- **Responsible officer:** Clerk / Proper Officer
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- **Review:** Annually or earlier if legislation/guidance changes
- **Next review due:** January-March 2027 at Full Council for formal adoption at Parish Council May 2027

1. Purpose

This procedure sets out how Barrowby Parish Council will recognise, record, assess and respond to a **subject access request (SAR)** under the UK GDPR and Data Protection Act 2018. Its purpose is to ensure that the Council:

- responds lawfully and within the required timescales;
- protects personal data while respecting individuals' rights;
- applies a consistent approach across Council services and records; and
- keeps an adequate record of requests and responses.

2. Scope

This procedure applies to all subject access requests relating to personal data held by the Council in any format, including:

- email;
- paper files;
- scanned records;
- allotment, burial ground and venue hire records;
- complaints and correspondence files;
- staffing records;
- CCTV images where applicable;
- social media messages where retained as Council records; and
- any other systems or files containing personal data.

3. What is a subject access request?

A subject access request is a request made by an individual, or by someone properly authorised to act on their behalf, asking for access to their own personal data.

A requester does not need to:

- use the words "subject access request";
- mention the UK GDPR or Data Protection Act 2018; or

- use a specific form.

A request may be made verbally or in writing.

4. Responsibility

Barrowby Parish Council is the data controller.

The **Assistant Clerk**, as the Council's **lead officer for data protection**, is responsible for coordinating the handling of subject access requests, maintaining the SAR log, coordinating searches, assessing exemptions, preparing the response, and issuing the final response.

The **Clerk / Proper Officer** retains managerial oversight and will support escalation where required.

All councillors, staff, volunteers and contractors must pass any request that may amount to a SAR to the Assistant Clerk **immediately**.

If the request concerns the Assistant Clerk, or they are unavailable, it must be passed to the Clerk / Proper Officer.

5. How to recognise a SAR

A request should be treated as a SAR if a person asks for:

- a copy of their personal data;
- confirmation that the Council is processing their personal data;
- access to records, emails, correspondence, CCTV, notes or files about them; or
- "all the information you hold about me" or similar wording.

If a request is unclear, the Council should seek clarification promptly.

6. Receiving and logging the request

When a SAR is received, the Assistant Clerk must:

1. record the date received;
2. record the requester's name and contact details;
3. note how the request was received;
4. log the request in the SAR register;
5. calculate the response deadline; and
6. send an acknowledgement where appropriate.

7. Identity checks

If the Council is satisfied as to the requester's identity, it should proceed without asking for further proof.

If there are reasonable doubts about identity, the Council may ask for proof of identity. Any request for ID must be reasonable and proportionate to the circumstances and the sensitivity of the information involved. The response period does not begin until the requested ID has been received.

8. Clarifying the scope

If the Council processes a large volume of information about the person and genuinely needs clarification to identify what they want, it may ask the requester to clarify the scope.

Clarification should be sought promptly and courteously. The Council should still carry out reasonable and proportionate searches and should not use clarification requests to delay unnecessarily. ICO guidance allows the time limit to be paused for clarification where clarification is genuinely needed to respond.

9. Time limits

The Council must respond **without undue delay** and normally **within one calendar month** of receiving the request, or of receiving any ID reasonably requested. If the deadline falls on a weekend or bank holiday, the Council has until the next working day.

The Council may extend the time to respond by up to **two further months** where:

- the request is complex; or
- the Council has received a number of requests from the same person.

If an extension is needed, the Council must tell the requester within the initial one-month period and explain why.

10. Fees

SARs are normally dealt with **free of charge**.

A reasonable fee may be charged only where:

- the request is manifestly unfounded or manifestly excessive; or
- the requester asks for further copies of information already provided.

Any decision to charge a fee must be documented and approved by the Assistant Clerk, with escalation to the Clerk / Proper Officer where appropriate.

11. Searching for information

The Assistant Clerk will coordinate proportionate searches of all likely locations, which may include:

- Council email accounts;
- paper files;
- electronic folders and cloud storage;
- committee and service files;
- allotment, cemetery or venue records;
- complaint and correspondence files;
- CCTV systems where relevant; and
- information held by processors on the Council's behalf.

Councillors and staff must assist promptly when asked to search their Council records.

Searches should be targeted, documented and proportionate to the request.

12. Reviewing the information

Before disclosure, the Council must review the material located to decide:

- whether it is the requester's personal data;
- whether any information is outside scope;
- whether information includes personal data of another individual;
- whether any exemption applies; and
- whether any redaction is required.

The Council should not disclose third-party personal data unless it is reasonable and lawful to do so.

13. Exemptions and refusals

The Council may withhold some or all information only where permitted by law, including where:

- an exemption under the Data Protection Act 2018 applies;
- disclosure would adversely affect the rights and freedoms of others;
- legal professional privilege applies; or
- the request is manifestly unfounded or manifestly excessive.

If the Council refuses all or part of a request, it must tell the requester:

- the reason for the decision;
- their right to complain to the ICO; and
- their right to seek a judicial remedy,

and it must do so without undue delay and at the latest within the applicable time limit.

14. Form of response

The Council will usually provide the response in writing, by secure electronic means unless the requester asks otherwise or another format is more appropriate.

The response should include:

- confirmation whether the Council processes the requester's personal data;
- a copy of the personal data, subject to lawful redactions;
- the purposes of processing;
- categories of personal data concerned;
- recipients or categories of recipient;
- retention information or retention criteria;
- information about the requester's rights;
- the right to complain to the ICO; and
- where applicable, source information and details of automated decision-making.

Information should be supplied in an intelligible form.

15. Requests made on behalf of another person

If a request is made by a solicitor, relative, friend or other representative, the Council must be satisfied that the person has authority to act on behalf of the data subject, unless another lawful basis clearly permits disclosure.

Written authority should normally be obtained unless the circumstances clearly justify another approach.

16. Record keeping

The Council will keep a SAR log recording:

- reference number;
- requester name;
- date received;
- deadline;
- any ID or clarification requested;

- scope of searches;
- exemptions or redactions applied;
- date of response; and
- outcome.

Copies of the request, acknowledgement, search notes and response should be retained in accordance with the Council's Records Retention Schedule.

17. Relationship with other procedures

This procedure should be read alongside the Council's:

- Data Protection Policy;
- Privacy Notice;
- Records Retention Schedule;
- Data Breach Response Plan;
- FOI / EIR Policy and Procedure;
- IT / Email / Information Security Policy; and
- CCTV Policy and CCTV Privacy Notice where relevant.

18. Review

This procedure will be reviewed annually and sooner if required by changes in law, ICO guidance or Council practice.

Subject Access Request Checklist

On receipt

- Is this a request for the person's **own personal data**?
- Date received recorded
- Request logged in SAR register
- Assistant Clerk notified immediately
- Deadline calculated
- Acknowledgement sent if appropriate

Identity and authority

- Identity known already
- If not, reasonable ID requested promptly
- If representative acting, authority checked
- Clock start date recorded correctly

Clarifying the request

- Is the request clear enough to search properly?
- If not, clarification requested promptly
- Clarification request recorded
- Clock paused only where genuinely permitted

Search stage

- Email accounts checked
- Paper files checked
- Electronic folders / cloud storage checked
- Service-specific records checked
- Councillors / staff asked to search where appropriate
- Processor-held data considered
- Search steps documented

Review stage

- Personal data identified
- Irrelevant material removed
- Third-party data considered
- Redactions applied where necessary
- Exemptions considered
- Decision documented

Response stage

- Response sent within one month, or lawful extension notified in time
- Copy of personal data prepared in intelligible form
- Supplementary information included
- ICO complaint rights included
- Response sent securely
- SAR log updated

After completion

- File saved to SAR case record
- Retention applied under Records Retention Schedule
- Any lessons learned noted