Subject access request policy

1. Poynton Town Council will:

a. Inform data subjects of their right to access data and provide an easily accessible mechanism through which such a request can be submitted by email or letter to the Town Clerk.

b. Regularly review the subject access policy and the internal procedures on the handling of subject access requests (SARs) to ensure they are accurate and complied with and include, among other elements, provisions on:
   i) Responsibilities (who, what);
   ii) Timing;
   iii) Changes to data;
   iv) Handling requests for rectification, erasure or restriction of processing.

c. Ensure personal data is easily accessible at all times in order to ensure a timely response to SARs and that personal data on specific data subjects can be easily filtered.

d. Where possible, implement standards to respond to SARs, including a standard response.

2. Upon receipt of a SAR, the Town Council will:

a. Verify whether the Town Council is the controller of the data subject's personal data. If the Town Council is not a controller, but merely a processor, inform the data subject and refer them to the actual controller;

b. Verify the identity of the data subject; if needed, request any further evidence on the identity of the data subject;

c. Verity the access request; is it sufficiently substantiated? Is it clear to the data controller what personal data is requested? If not: request additional information;

d. Verify whether requests are unfounded or excessive (in particular because of their repetitive character); if so, the Town Council may refuse to act on the request or charge a reasonable fee;

e. Promptly acknowledge receipt of the SAR and inform the data subject of any costs involved in the processing of the SAR;

f. Verify whether the Town Council process the data requested. If it does not process any data, inform the data subject accordingly. At all times follow the internal SAR policy and monitor progress;

g. Ensure data will not be changed as a result of the SAR. Routine changes as part of the processing activities concerned are permitted;

h. Verify whether the data requested also involves data on other data subjects and make sure this data is filtered before the requested data is supplied to the data subject; if data

cannot be filtered, ensure that other data subjects have consented to the supply of their data as part of the SAR.

3. Responding to a SAR, the Town Council will:

a. Respond to a SAR within one month after receipt of the request:
   i) If more time is needed to respond to complex requests, an extension of another two months is permissible, provided this is communicated to the data subject in a timely manner within the first month;
   ii) If the Town Council cannot provide the information requested, it should inform the data subject on this decision without delay and at the latest within one month of receipt of the request.

b. Provide any personal data by electronic form if a SAR is submitted in electronic form.

c. If data on the data subject is processed, include as a minimum the following information in the SAR response:
   i) The purposes of the processing;
   ii) The categories of personal data concerned;
   iii) 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, such as Binding Corporate Rules[1] or EU model clauses[2];
   iv) Where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
   v) 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;
   vi) The right to lodge a complaint with the Information Commissioner's Office (ICO);
   vii) If the data has not been collected from the data subject: the source of such data;
   viii) 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.

d. Provide a copy of the personal data undergoing processing.

4. Poynton Town Council will:

a. On receipt of a subject access request forward it immediately to the Town Clerk;

b. Correctly identify whether a request has been made under the Data Protection legislation;

[1] "Binding Corporate Rules" is a global data protection policy covering the international transfer of personal data out of the European Union. It requires approval of a data protection regulator in the European Union. In most cases this will be the relevant regulator where an organisation's headquarters is located. In the UK, the relevant regulator is the Information Commissioner's Office.

[2] "EU model clauses" are clauses approved by the European Union which govern the international transfer of personal data. The clauses can be between two data controllers or a data controller and a data processor.

c. An officer, and as appropriate, a 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;

d. Provide all personal data that has been requested unless an exemption can be applied;

e. Respond within one calendar month after accepting the request as valid;

f. Undertake the SAR free of charge to the requestor unless the legislation permits reasonable fees to be charged;

g. Councillors and managers must ensure that the staff they manage are aware of and follow this guidance;

h. Where a requestor is not satisfied with a response to a SAR, the council must manage this as a complaint.

5. Process

a. All councillors and staff will notify the Town Clerk upon receipt of a request.

b. The Town Council will ensure a request has been received in writing where a data subject is asking for sufficiently well-defined personal data held by the Town Council relating to the data subject. The Town Council will clarify with the requestor what personal data they need. They must supply their address and valid evidence to prove their identity. The Town 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*;
- 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 the requestor's address.

* These documents must be dated in the past 12 months
+ These documents must be dated in the past 3 months.

c. Depending on the degree to which personal data is organised and structured, the Town Council will need to search 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. which the Town Council is responsible for or owns.

d. The Town Council will not withhold personal data because it believes the data will be misunderstood; instead, an explanation will be provided with the personal data. The Town Council will provide the personal data 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. The Town Council may be able to agree with the requestor that they will view the personal data on screen or inspect files on the Town Council's premises. The Town Council will redact any exempt personal data from the released documents and explain why that personal data is being withheld.

e. This will be made clear on forms and on the Council website.

f. The SAR policy and procedures will be included during induction, performance management and training, as well as through establishing and maintaining appropriate day to day working practices.

g. A database is maintained allowing the Town Council to report on the volume of requests and compliance against the statutory timescale.

h. When responding to a complaint, the Town Council will advise the requestor that they may complain to the Information Commissioners Office (ICO) if they remain unhappy with the outcome.

Approved by Finance & General Purposes Committee on behalf of the Town Council
October 2026
Review Date: October 2027