

Subject Access Request Policy

Leicestershire and Rutland

Association of Local Councils

This procedure is to be followed when an individual contacts LRALC Ltd. to request access to their personal information. Requests must be completed within 1 month, so it should be actioned as soon as it is received. Subject Access Requests should be provided free of charge, however, a 'reasonable fee' can be charged when a request is manifestly unfounded or excessive, particularly if it is repetitive.

LRALC Ltd. will follow the following steps to action a request:

1. Confirm that the Subject Access Request (SAR) is valid by:
 - Ensuring the request has been received in writing;
 - Ensuring the request is sufficiently well-defined – is it clear what personal data is required? If not, clarify with the requestor what personal data they need.
 - Ensuring the requestor has supplied their address and valid evidence to prove their identity. LRALC Ltd. accepts the following forms of identification.

* These documents must be dated in the past 12 months,

+ These documents must be dated in the past 3 months:

- 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

LRALC Ltd.

- 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.
2. In order to respond to a Subject Access Request, LRALC Ltd. will search all records to which it has access (including archived emails and those that have been deleted but are still recoverable), word documents, spreadsheets, databases, systems, removable media, recordings, paper records in relevant filing systems etc.
 3. LRALC will not withhold personal data because it could be misunderstood and will, if necessary, provide an explanation with the personal data. LRALC will provide the personal data in an “intelligible form”, which includes explaining any codes, acronyms and complex terms. The personal data will be supplied in a permanent form except where the person agrees or where it is impossible or would involve undue effort. LRALC may agree with the requester that they will view the personal data on screen or inspect files on its premises. LRALC will redact any exempt personal data from the released documents and explain why that personal data is being withheld.
 4. LRALC will ensure that staff are aware of correct processes through induction and training and by establishing and maintaining appropriate day to day working practices.
 5. LRALC will ensure a record is maintained to demonstrate the volume of requests received and compliance against the statutory timescale.
 6. Before responding to a Subject Access Request LRALC will screen the information to ensure it can be disclosed and is not subject to an exemption. Examples of exemptions include:
 - References provided by LRALC in confidence
 - Information accessible by other means
 - Information intended for future publication
 - Information that could prejudice law enforcement
 - Personal data of third parties

Legal advice should always be sought before relying on an exemption. LRALC Ltd. Will ensure that the personal information of individuals who have not given their consent to share their personal information with others is redacted before the Subject Access Request response is sent out.

7. Responses to a SAR should include a copy of the personal data in addition to confirmation of:

LRALC Ltd.

- 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 third countries or international organisations, including any appropriate safeguards for transfer of data, such as Binding Corporate Rules or EU model clauses;
 - d) where possible, the envisaged 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) 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.
8. When responding to a complaint, LRALC will advise the requestor that they may complain to the Information Commissioners Office (“ICO”) if they remain unhappy with the outcome.
9. Responses to a Subject Access Request should follow the following templates:

Template 1: 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 1(a) to (h) above.

Copyright in the personal data you have been given belongs to the LRALC Ltd. 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”

Template 2: Release of part of the personal data, when the remainder is covered by an exemption

[Name] [Address]

LRALC Ltd.

[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 enclose] I have not enclosed all of the personal data you requested. This is because [explain why it is exempt].

Include 1(a) to (h) above.

Copyright in the personal data you have been given belongs to LRALC Ltd. 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”

Template 3: 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 is ‘legally privileged’ because it is contained within legal advice provided to LRALC Ltd. or relevant to on-going 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 LRALC Ltd. is going to rely on the exemption to withhold or redact the data disclosed to the individual, then in this section of the letter LRALC Ltd. should set out the reason why some of the data has been excluded.]

Yours sincerely,