

Clifton Village Hall Committee (CVHC)

- SUBJECT ACCESS REQUEST (SAR) - (POLICY)

“Data Subject” is the individual person about whom personal data is processed.

“Data Controller” is CVHC, who collect/process the data in the first instance.

“Data Processor” is www.venues4hire.org, the third party who processes the data on behalf of CVHC.

Subject Access Requests (“SAR”) – What the Data Controller must have in place:

- A. The Data Controller will inform data subjects of their right to access data and provide an easily accessible mechanism through which such a request can be submitted.
- B. The Data Controller is required to have in place internal procedures to handle SAR’s in an accurate and compliant way, including, among other elements, provisions for taking responsibility to action the request, know what they need to do to fulfil the request, be aware of the time limits for completing the request, ensuring they have procedures for maintaining changes to personal data, and handling requests for rectification, erasure or restriction of processing.
- C. The Data Controller must ensure personal data is easily accessible at all times in order to achieve a timely response to SAR’s and that personal data on specific data subjects can be easily identified and recovered/filtered/redacted
- D. The Data Controller, where possible, will implement a process to respond to SARs, including a standardised response in line with the adopted policy, as follows:

1. Upon receipt of a SAR the Data Controller will:

- (a) Verify whether we are the data controller of the data subject’s personal data in question. If we are not the controller, and there is another data controller or data processor involved, then we will inform the data subject and refer them to the correct source.
- (b) Verify the identity of the data subject; and if needed, request any further evidence to substantiate their identity.
- (c) Verify 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 nature); if so, we may refuse to act on the request or otherwise 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 at the outset.
- (f) Verify whether we process the data requested. If we do not process the data, we will inform the data subject accordingly. At all times we will make sure the internal SAR policy & procedure is followed and that progress is logged and monitored in the Personal Data Information Audit document.
- (g) Ensure data will not be changed as a direct 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 individual making the request; if data cannot be filtered, ensure that any other data subjects whose data is included have consented to the supply of their data as part of the SAR, otherwise if this is not possible then the data belonging to the other data subjects involved will be fully redacted (eg. scored out, made unreadable).

2. Responding to a SAR

- (a) The Data Controller will respond to a SAR within one month after the date of 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 data controller cannot provide the information requested, it should inform the data subject on this decision without delay and at the latest within one month of the date of receipt of the request.
- (b) If a SAR is submitted in electronic form, any personal data should preferably be provided by electronic means as well.
- (c) If data on the data subject is processed by CVHC, the response will 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 any third countries or international organisations, including any appropriate safeguards for transfer of data, such as Binding Corporate Rules¹ or EU model clauses²;
 - (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 Commissioners Office (“ICO”);
 - (vii) if the data has not been collected from the data subject: then 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.

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.

Clifton Village Hall Committee

- SUBJECT ACCESS REQUEST (SAR) - (PROCEDURE)

Any member of CVHC who has been made aware of or receives a Subjects' Access Request MUST:

1. On receipt, forward it immediately to the Chairman, for CVHC. Contact details are available on the website <http://www.cliftonvillagehall.org.uk> or from any Trustee/Committee Member.

The Chairman (acting as Data Protection Officer) MUST:

2. Correctly identify whether a request has been made under the Data Protection legislation
3. If necessary eg. they do not have access to the data required for themselves, will make a formal request to member(s) of CVHC to locate and supply personal data relating to a SAR, in which case they must make a full exhaustive search of the records to which they have access.
4. Ensure that all the personal data that has been requested is subsequently provided unless an exemption can be applied.
5. Respond within one month of the data of the request, once the request is found to be valid.
6. Undertake the SAR process free of charge to the requestor unless the legislation or nature of the request(s) permits reasonable fees to be charged.
7. Ensure that Trustees/Committee members and any other staff/volunteers/role-holders employed by CVHC in its management and processing of personal data, are aware of and how to follow this guidance.
8. Ensure that the requestor is satisfied with a response to a SAR, and if they are not then the Data Controller will inform the Data Subject and the CVHC to manage this as a complaint.

How it must be done:

1. Notify the Chairman, for CVHC. Contact details are on the website www.cliftonvillagehall.org.uk, and available from any Trustee/Committee Member.
2. Ensure a request has been received in writing where a data subject is asking for sufficiently well-defined personal data held by CVHC 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. CVHC 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
- 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
3. Depending on the degree to which personal data is organised and structured, there may be a need to search: emails (including archived emails and those that have been deleted but are still recoverable), electronic sources such as word-processed, spreadsheets, databases, stand-alone systems & devices, removable media (eg. memory sticks, external hard drives, cloud storage, and any other removable media as may have been used), tape recordings, paper records in relevant filing systems which may be stored in different locations and be owned and managed by more than one individual or organisation.
 4. Personal data must not be withheld because you believe it will be misunderstood; instead, an explanation should be provided along with the personal data requested. The personal data must be provided in an “intelligible form”, which includes giving an explanation of any codes, acronyms or other such complex terms. The personal data must be supplied in a “permanent form” except where the requestor agrees or where it is impossible or would involve undue effort. In some situations, but with agreement from the requestor, they may be able to view the personal data on a screen or inspect physical/electronic files on CVHC’s premises. Any exempt personal data within the documents released/displayed must be redacted, and an explanation given as why it is being withheld.
 5. CVHC’s website will be used to inform individuals of these details, and via forms or documents that will subsequently be made available.
 6. CVHC will deliver awareness to Trustees/Committee Members, and any Role Holders, through Induction, performance reviews, and training, as well as through establishing and maintaining appropriate day to day working practices.
 7. CVHC will record, for reasons of analysis and reporting to supervisory authorities such as the Information Commissioner’s Office, a database which allows CVHC to report on the volume of SAR requests, and their compliance against the statutory timescales and standards.
 8. If CVHC receives a complaint relating to a SAR request, it will advise the requestor that they have a right to lodge a complaint with the Information Commissioners Office (“ICO”) on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

**** This Policy was last reviewed in September 2018**