

# Blewbury Parish Council GDPR 2018 Policy on

## Public Right of Access to personal and supplementary information

### At a glance

- Individuals have the right to access their personal data and supplementary information.
- The right of access allows individuals to be aware of and verify the lawfulness of the processing.

### In brief

#### What information is an individual entitled to under the GDPR?

Under the GDPR, individuals will have the right to obtain:

- confirmation that their data is being processed;
- access to their personal data; and
- other supplementary information – this largely corresponds to the information that should be provided in a privacy notice

#### What is the purpose of the right of access under GDPR?

The GDPR clarifies that the reason for allowing individuals to access their personal data is so that they are aware of and can verify the lawfulness of the processing

#### Can the Parish Council charge a fee for dealing with a subject access request?

Council must provide a copy of the information **free of charge**. However, it can charge a 'reasonable fee' when a request is manifestly unfounded or excessive, particularly if it is repetitive.

It may also charge a reasonable fee to comply with requests for further copies of the same information. This does not mean that you can charge for all subsequent access requests.

The fee must be based on the administrative cost of providing the information.

#### How long does the PC have to comply with the request?

Information must be provided without delay and at the latest within one month of receipt.

The PC will be able to extend the period of compliance by a further two months where requests are complex or numerous. If this is the case, you must inform the individual within one month of the receipt of the request and explain why the extension is necessary.

#### What if the request is manifestly unfounded or excessive?

Where requests are manifestly unfounded or excessive, in particular because they are repetitive, the PC can:

- charge a reasonable fee taking into account the administrative costs of providing the information; or
- refuse to respond.

Where the PC refuses to respond to a request, it must explain why to the individual, informing them of their right to complain to the supervisory authority and to a judicial remedy without undue delay and at the latest within one month.

#### How should the information be provided?

The PC must verify the identity of the person making the request, using 'reasonable means'.

If the request is made electronically, the PC should provide the information in a commonly used electronic format.

The GDPR includes a best practice recommendation that, where possible, organisations should be able to provide remote access to a secure self-service system which would provide the individual with direct access to his or her information. This may not be appropriate for our organisation.

The right to obtain a copy of information or to access personal data through a remotely accessed secure system should not adversely affect the rights and freedoms of others.

#### What about requests for large amounts of personal data?

The PC does not process a large quantity of information about an individual, however if a request arises the GDPR permits you to ask the individual to specify the information the request relates to .