

What is a Subject Access Request?

A Subject Access Request (SAR) or right of access to give it its official title, is enshrined in the Data Protection Act 2018. It gives an individual (Data Subject) to request **a copy of all the personal data** the Council may hold on an individual.

The Council must respond to SAR **within one month** of receipt of a valid request. It is a mandatory requirement and enforced by the Information Commissioners Office.

Anyone can submit a SAR including children. A third party can also, subject to authorisation, submit a SAR on behalf of a data subject. For example a Solicitor may submit a SAR on behalf of a client.

What to do on receipt of a SAR

You should immediately engage with the Data Protection Team at the earliest opportunity. Their email is **dataprotection@swindon.gov.uk**

All personal information is subject to release to an individual, Staff should be aware that to hide, amend or delete personal information that is the subject of a SAR can be considered an offence.

Remember the response time is one month from when you receive the request. During this time searches across all data stores have to be undertaken, then any retrieved information must be proofread and where necessary redacted. **Please do not underestimate the time** the process takes from start to finish.

Quick link to resources



[SAR Process Procedure](#)



[Download a copy of the SAR form](#)



[ICO Guidance - right of access](#)

What makes a SAR valid ?

- An individual can make a SAR verbally or in writing, including on social media.
- it is clear that the individual is asking for their own personal data. An individual does not need to use a specific form of words, refer to legislation or direct the request to a specific contact.
- An individual may ask a third party (eg a relative, friend or solicitor) to make a SAR on their behalf. You may also receive a SAR made on behalf of an individual through an online portal.
- Before responding, you need to be satisfied that the third party making the request is entitled to act on behalf of the individual. It is the third party's responsibility to provide evidence of their authority.

Checklists

Preparing for subject access requests

- We know how to recognise a subject access request and we understand when the right of access applies.
- We have a policy for how to record requests we receive verbally.
- We understand what steps we need to take to verify the identity of the requester, if necessary.
- We understand when we can pause the time limit for responding if we need to ask for clarification.
- We understand when we can refuse a request and are aware of the information we need to provide to individuals when we do so.
- We understand the nature of the supplementary information we need to provide in response to a subject access request.
- We have suitable information management systems in place to allow us to locate and retrieve information efficiently.