



SUBJECT ACCESS REQUEST COMPLAINT POLICY

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1 Introduction

- 1.1 You have the right to be confident that Neston Town Council handles your personal information responsibly and in line with good practice
- 1.2 The Council has a Subject Access Request (SAR) Policy that sets out how it will handle requests by individuals for information on their personal data and how it is processed.
- 1.3 This policy is specifically for complaints regarding Subject Access Requests.
- 1.4 The Council has a separate Complaints Procedure to address complaints in relation to the council.

2. Raising a complaint

- 2.1 If you have a concern about any of the following, we will take your concern seriously and work with you to try to resolve it:
 - keeping your information secure,
 - holding inaccurate information about you,
 - disclosing information about you,
 - keeping information about you for longer than is necessary,
 - collecting information for one reason and using it for something else.
- 2.2 Although the Council will take a verbal complaint seriously, it should be followed up in writing as soon as possible to the Council Manager at:
 - Email: alison.kunaj@nestontowncouncil.org.uk
 - Post: Mrs A Kunaj, Council Manager
Neston Town Hall
High Street
Neston
CH64 9TR
- 2.3 In your complaint, provide details of your concern, explaining clearly and simply what has happened and, where appropriate, the effect it has had on you. Include either your address or email address so that the Council Manager may contact you.
- 2.4 The Council Manager will respond within one calendar month although before addressing your concern, you may be asked for further clarification.
- 2.5 You may be asked for proof of identity before any information about the personal data the council holds on you is released to you.

- 2.6 If the Council cannot provide all the information you require within one calendar month, the Council Manager will contact you to explain the reason why.
- 2.7 If in the response, it appears your complaint has not been fully understood or you believe you have not had a full response, please let the Council Manager know as soon as possible.

3 What happens if some or all of your request is refused?

- 3.1 The Council is permitted to withhold information if it falls under one of the exemptions in the Data Protection Act.

The exemptions are listed on the ICO website <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/exemptions/>

If you are unhappy with the decision, you can write to the Information Commissioner to request a review of that decision.

4 What do you do if your information is incorrect?

- 4.1 You must write to the Council Manager, detailing what information is incorrect and asking for it to be corrected. The Council must tell you what it has done within 21 days of receiving your request. If the Council does not agree that the information is incorrect, you can ask the Council Manager to record your disagreement in the Council's records.
- 4.2 Following this review, should you still be unhappy with how your information request has been handled, you have a further right to appeal to the Information Commissioner who is responsible for ensuring compliance with the Data Protection Act.

5 How many requests can you make?

- 5.1 The Council is not obliged to respond to manifestly unfounded or excessive requests. This may include repeated requests from the same person for the same information.

6 What if your complaint is unresolved?

- 6.1 If you are not satisfied with how the Council has dealt with your complaint, you can contact the Information Commissioners Office (ICO) via their website www.ico.org.uk or phone number 0303 123 1113.