

Rights Request Policy

Yealmpton Parish Council

Adopted: 9th February 2026

Review: Annually or upon legislative change

1. Purpose of this Policy

This policy explains how the parish council handles requests from individuals exercising their rights under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. It ensures that all requests are dealt with lawfully, fairly, and promptly.

2. Scope

This policy applies to:

- All personal data processed by the parish council
- All councillors, the Clerk, volunteers, and contractors who handle personal data
- All rights requests made verbally, in writing, by email, or through the council website

It covers requests made by residents, volunteers, contractors, councillors, and any other data subjects.

3. Roles and Responsibilities

3.1 The Parish Council (Data Controller)

Responsible for ensuring compliance with data protection legislation.

3.2 The Clerk

Responsible for:

- Receiving and acknowledging rights requests
- Verifying identity where necessary
- Coordinating the response
- Keeping records of all requests
- Ensuring statutory deadlines are met

3.3 Councillors and Volunteers

Must:

- Forward any rights request to the Clerk immediately
- Not respond directly unless authorised

4. How Individuals Can Make a Rights Request

Individuals may submit a request:

- By email

- In writing
- Verbally (including by phone or in person)
- Through the council website contact form

No specific wording is required.

If a request is unclear, the Clerk may ask for clarification.

The council will not charge a fee unless the request is manifestly unfounded or excessive.

5. Identity Verification

Where necessary, the Clerk may request proof of identity to ensure personal data is not disclosed to the wrong person.

The one-month response period begins once identity is confirmed.

6. Response Times

The council will respond:

- Within one month of receiving the request
- This may be extended by up to two further months for complex or multiple requests
- The individual will be informed if an extension is required

7. Rights Covered by This Policy

7.1 Right of Access (Subject Access Request)

Individuals can request:

- Confirmation that their data is being processed
- A copy of their personal data
- Supplementary information about how it is used

The council will:

- Provide data securely
- Redact third-party information where necessary
- Not disclose Emergency Plan or volunteer data that would compromise another person's safety

7.2 Right to Rectification

Individuals can request correction of inaccurate or incomplete data.

The council will update records promptly and notify relevant third parties where appropriate.

7.3 Right to Erasure ("Right to be Forgotten")

This right applies only in certain circumstances.

The council may refuse erasure where data is required for:

- Statutory functions
- Legal obligations
- Public interest tasks
- Archiving or transparency requirements

Volunteer contact details, club contacts, and WhatsApp group membership can be erased on request unless required for safety or statutory reasons.

7.4 Right to Restrict Processing

Individuals may request temporary restriction of processing, for example:

- While accuracy is being checked
- During an objection
- If processing is unlawful but the individual prefers restriction to deletion

Restricted data will be clearly marked and not used except for storage or legal claims.

7.5 Right to Object

Individuals may object to processing carried out under:

- Public Task
- Legitimate Interests

The council will consider the objection and stop processing unless:

- There are compelling legitimate grounds
- Processing is required for legal claims or statutory duties

Objections to marketing are always upheld (though the council does not conduct marketing).

7.6 Right to Data Portability

This applies only to:

- Data provided by the individual
- Processed by consent or contract
- Processed by automated means

The council rarely processes data under these conditions, but will comply where applicable.

7.7 Rights Related to Automated Decision-Making

The council does not carry out automated decision-making or profiling.

8. Exemptions

The council may refuse or limit a request where:

- Disclosure would reveal another person's data

- Data is held for legal claims or law enforcement
- Data is required for statutory functions
- Requests are manifestly unfounded or excessive

Any refusal will be explained in writing.

9. Record-Keeping

The Clerk will maintain a Rights Request Log including:

- Date request received
- Identity verification steps
- Nature of request
- Actions taken
- Date of response
- Whether the request was upheld, restricted, or refused

This log is reviewed annually.

10. Complaints

Individuals may raise concerns with the Clerk.

If unresolved, they may contact the Information Commissioner's Office (ICO).

11. Review of this Policy

This policy is reviewed annually or sooner if:

- Legislation changes
- New systems are introduced
- A rights request highlights a need for improvement