

For Internal Use Only

DATA PROTECTION – SUBJECT ACCESS REQUEST

To be completed by Council Officer, signed by applicant and sent to:
Data Protection Officer, 1st Floor, Civic Offices, Euclid Street.

Please ensure:

Today's date is written on the letter in pack;
that all documents minus this form are handed to applicant.

Service Area/Location where request made:	
Officers name:	
Date Enquiry Made:	
Name:	
Address:	
Requesters Pack given to Applicant:	
Covering Letter	<input type="checkbox"/>
Access to your Personal Information	<input type="checkbox"/>
Application Form	<input type="checkbox"/>
Authority Form for Agent	<input type="checkbox"/>
Telephone No: <i>optional</i>	
Signature of applicant:	

£10 fee advised YES/NO



The information provided will be sent to the Data Protection Officer to confirm that you have received an Application Pack for Subject Access.

Data Protection Subject Access Application Pack





Law and Democratic Services

Civic Offices, Euclid Street
Swindon, SN1 2JH

Tel: 01793 463000

Fax: 01793 463405

DX: 133055 Swindon 16

Minicom: 01793 436659

Please ask for: Anna Marzec

Direct Dial No: 01793 463404

Email: amarzec@swindon.gov.uk

Our Ref: SAR-Infopacksubacc

Your Ref:

Date:

Dear Sir/Madam

Data Protection – Subject Access Request.

Your request for your personal information is a data protection subject access request and we have a formal procedure for processing these requests; this letter explains how your request will be dealt with.

Please find enclosed a copy of the Council leaflet, 'Access To Your Personal Information', together with a copy of the "Application for Subject Access Request" form, and an 'Authorisation of Agent for Subject Access' form, should it be required.

The leaflet explains how we will deal with your request, what you are able to see and how long we have to respond to your request. Please read this information carefully and then complete the application form as fully as you can. The application form will help us to locate the personal information that you wish to see as quickly as possible.

The formal Subject Access Application form should be returned to myself who will take responsibility for dealing with your request, please mark the envelope **PRIVATE & CONFIDENTIAL**. Please note if you do not write this on your envelope it will be opened by the post room staff.

The Council is legally obliged to provide you with the personal information that you have requested within forty (40) Calendar days of receiving your formal, written request.



Stephen P. Taylor M.A

The Council is entitled to charge a £10 fee (for each application) for providing information, so please remember to include this payment when you return your application form. Cheques should be made payable to Swindon Borough Council.

The Information Commissioners contact details are:

www.ico.org.uk

Please contact me on the number above if I can be of further assistance.

Yours faithfully,

Anna Marzec
Data Protection Officer

ACCESS TO YOUR PERSONAL INFORMATION

An information leaflet to explain how you get to see your personal information

Swindon Borough Council wishes to be quite open about the type and extent of personal information it holds and is committed to working in accordance with data protection legislation*.

This leaflet tells you about your right to see your personal information and the things that you will need to do if you decide that you want to see your personal information. It also tells you about how we will respond to your request and circumstances, which *may* affect what you can see.

* ***This refers to the Data Protection Act 1998. This leaflet is not a full statement of the law and does not detail all of your rights. It is concerned with your right to access your personal information.***

YOUR RIGHT TO SEE YOUR PERSONAL INFORMATION

You have a right to see your personal information under data protection legislation*. This means that when you make a request to us we will:

- ◆ Tell you whether or not we hold any personal information about you and, if we do, provide you with:
 - a description of the personal information
 - the purposes for which the information is being processed
 - those to whom it is or *may* be disclosed
- ◆ Whenever practicable and possible provide you with a permanent copy of your personal information
- ◆ Provide an explanation of what the information means if this is necessary, e.g. if computer codes or symbols have been used that you would not understand
- ◆ Provide information about the source or sources of the data *to the extent that we are able to within the legislation*

WHAT CAN I SEE?

You are able to see personal information that we keep about you on our computer systems. The new data protection legislation will also give you the right to see personal information that is readily available in manual files. When you submit a formal request to the Data Protection Officer to see your personal information you will be able to indicate whether or not you wish to see your manual records as well as any information that is kept on computers.

Sometimes your personal information may contain references about other individuals, either because they are involved with you, e.g. family members, carer, partner, etc., or because they have provided professional advice, e.g. your family doctor. You have the right to see personal information about yourself, but you are not entitled to know what is recorded about anyone else – even other family members - *without their consent*. We may also owe a duty of confidentiality to individuals who have provided information, e.g. your family doctor, and under these circumstances would require their consent to reveal information. If individuals withhold consent it may mean that you will be unable to see *some* of your personal information.

There are also a few, very special and exceptional circumstances in which your personal information can be withheld from you, e.g. *the administration of justice for the prevention or detection of crime*.

Adoption Records

Requests are exempt from disclosure under the subject access provisions of the Data Protection Act. For access you will need to write to the Register General at the following address, who will forward an application form to you to complete:

Office for National Statistics.
The General Register Office
Adoptions Section
Smedley Hydro
Trafalgar Road
Birkdale, Southport
PR8 2HH
Tel: 0151 471 4830
Or Email: adoptions@ons.gov.uk

It is the aim of the Council to ensure that you may see all of the information that you are entitled to. The consent of other individuals will be sought where this is necessary and practical and decisions to withhold information will only be made by senior managers after careful consideration of each individual case.

HOW DO I MAKE A REQUEST TO SEE MY PERSONAL INFORMATION?

The Borough Council's Data Protection Officer is responsible for dealing with all formal requests for access to personal information, but you can express an interest to see your personal information to any Council officer. The Council officer will give you the information and forms that you require to make an application and provide you with any further assistance that you may need. You can, of course, make a request to see your personal information direct to the Borough Council's Data Protection Officer whose address appears later in this leaflet. You can make the request in person or by telephone, fax, 'e' mail, letter, but please remember to make it clear to whoever you are writing or speaking to that you *are making a request to see your personal information*. This will help us to ensure that we act on your request and follow the appropriate procedures.

If you are unable, or do not wish, to make a request yourself you can ask someone else to do this on your behalf, e.g. your parent or solicitor.

WHAT HAPPENS NEXT?

When we have received your request we will send or give you, or the person acting on your behalf (your agent):

- ◆ A copy of this leaflet
- ◆ A letter acknowledging your initial enquiry
- ◆ A list of the data entries that we have notified to the Information Commissioner's Office
- ◆ A form (or forms if you have an agent) for you to complete and return, which will help us to identify and locate the personal data that you wish to see

When you have completed the form, or forms, they should be returned to:

Data Protection Officer
Swindon Borough Council
Civic Offices
Euclid Street
Swindon
SN1 2JH.

The Data Protection Officer will acknowledge your request as soon as possible and at the latest within seven days of receipt. Contact will be made with nominated staff in the Council to ask them to locate your personal information, which will be collated by the Data Protection Officer and made available to you.

HOW LONG DOES IT TAKE TO SEE MY PERSONAL INFORMATION?

From the receipt of your formal request and Fee by the Data Controller we have a maximum of forty days to provide you with the information that you have asked for. The extent and nature of the personal information that we keep will to some extent determine how long it will take, particularly if we have to try to obtain consent from a number of different individuals. We will, however, make every attempt to provide information as quickly as possible.

DOES IT COST ME ANYTHING?

Yes, the Council will make a charge of £10 for each application. You will need to send this to the Data Protection Officer when you return your completed form, or forms, otherwise he will be unable to process your application.

WHAT DO I DO IF I THINK THE INFORMATION IS INACCURATE?

If you feel that any of the *factual* information about you is inaccurate or misleading and you would like it corrected or erased please tell us. It would help us if you could write to the Council's Data Protection Officer explaining which information you consider to be inaccurate and provide a statement of the correct information. If you are in contact regularly with a Council officer you can ask for their help to do this.

Where we make corrections to, or erase parts of, your personal information the Data Protection Officer will write to you to confirm that the appropriate changes have been made.

There may be occasions when we feel that the information we have is correct and we are unable to agree to the changes that you request. Should this occur we will tell you and keep a record of your request.

YOUR RIGHT OF APPEAL

If you are unhappy about any aspect of the way in which the Council has dealt with your request for access to your personal information you can request an assessment by the Information Commissioner. The address of the Commissioner's Office is:

The Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

INFORMATION ABOUT SWINDON BOROUGH COUNCIL

If you would like to know more about Swindon Borough Council and the services we provide and you have a computer with Internet access you can visit us on our website at: <http://www.swindon.gov.uk>



Data Protection
Application for Subject Access

How to complete this application

Please read the booklet 'Access to Your Personal Information', which will help you to understand what the Council will do in response to your request and explain what information you are able to see.

In order to ensure that you see all of the personal information about yourself that you wish to, please complete Section 5 as fully as you can. This will help us to locate your information quickly and will avoid undertaking searches of our record systems that could not possibly hold any information about you.

If you need any assistance in completing this application form a Council officer who you have regular contact with will be able to help you. If not you can contact the Data Protection Officer on (01793) **463404**

If you are appointing an Agent to act on your behalf

I would like my agent:

Of.....Solicitors:

to deal with this application on my behalf and attach a signed authorisation form.

1) Personal details

Title:

Surname:

First name(s):

Proof of ID Please enclose a copy of Driving License/Birth Certificate or Latest Utility Bill. **If applying on behalf of a child please see section 4**

Please tick box if you require Proof of ID to be returned.

If you do not want your proof of ID returned, it will be disposed off securely.

Date of birth*:

** You do not have to provide your date of birth, but it may help us to confirm your identity.*

2) Address

.....

Postcode:

.....

Daytime Telephone No.....

3) Previous address (if you have moved within the last 12 months)

.....

.....

.....

4) If you are requesting information on behalf of a child

Details of data subject (child)

If the child is 12 years or over but under 18 years of age consent from the child is also necessary.

Name of child.....

DOB.....

Consent of child(12 or older)

Signature.....

Print Name..... Dated.....

I give consent for..... to access information on my behalf.

You will also need to supply proof of relationship between yourself and the child named above either a copy of the child's birth certificate or documentary evidence of an approved child benefit award.

5) Personal information that you wish to access

In what capacity are you known to the Council (e.g. Housing Benefit claimant, Social Services client, Council housing tenant, employee of the Council etc.)?

Can you tell us in which area (or areas) of the Council's service provision the personal information that you wish to see is held, (e.g. Housing Benefits, Council Tax, Social Services, Education, Trading Standards, etc.)?

Can you tell us the approximate date (mmm/yyyy) from which you wish to see the personal information that we hold about you? e.g from Jan 2001 – we will provide copies of your personal information from January 2001 until the current date.

If you have had regular contact with a specific Council officer could you please tell us who this is? It may help us to locate your information more quickly.

6) Access to manual records (paper records or files)

I would also like to see any personal information held in manual records for the purpose, or purposes, that I have listed in Section 5 of this form.

Yes:

No:

7) Fee

I have enclosed the £10 fee* Tick Box

* *Cheques should be made payable to 'Swindon Borough Council'.*

8) Collection

Where ever possible and in order to reduce costs, information should be collected from the Civic Offices, Euclid Street. Contact will be made when information ready for collection.

9) Declaration

I confirm that the information given by me on this subject access request form to Swindon Borough Council is true, and I understand that Swindon Borough Council may need more information to confirm my identity/ that of the data subject and to locate the information that I am requesting.

Signature of Applicant (or Agent):

Date:

Please return this form to:

**Anna Marzec
Data Protection Officer
Swindon Borough Council
Civic Offices
Euclid Street
Swindon SN1 2JH**

You should receive an acknowledgement of this request within **10** days of receipt. If you have not please contact the Data Protection Officer on (01793) **463404**

For Office use only

SA Enquiry No.

Amount:

ID Verified document provided : Driving License/Birth Certificate or Latest Utility

Bill (Delete not applicable)

Date acknowledgement sent:

Date responded:



Data Protection Authorisation Agent for Subject Access

1) Name of Agent

Title:

.....

Surname:

.....

First name(s):

.....

2) Address of Agent

.....

.....

.....

Postcode:.....

Daytime Telephone No.....

3) Details of person on whose behalf application is being submitted

Title:

.....

Surname:

.....

First name(s):

.....

I am the parent/guardian/person with parental responsibility* for the child (young person) and he/she:

has consented to my making this request on his/her behalf

is not capable of understanding the nature of the request

(*delete as applicable)

I confirm that I am the person detailed in Section 3 of this form and authorise the Council to give the information requested to my agent.

Signature:

Date:

6) Declaration Agent

I confirm that I am the person detailed in Section 1 of this form and that I have been asked to act as an agent in respect of this request for subject access.

Signature:

Date:

Please return this form, together with a *COMPLETED* 'Application for Subject Access' form to:

Anna Marzec
Data Protection Officer
Swindon Borough Council
Civic Offices
Euclid Street
Swindon
SN1 2JH