

Office use only

Ref No.....

**Data Protection Act 1998
Subject Access Request Form**



eastsussex.gov.uk

Please refer to the Guidance notes provided at the end of this form before completing it.

1) Your details

Name: (first names, middle names, surname (current and any previous):	
Mr / Mrs / Ms / Miss:	Date of birth:
Current address:	Previous address:

Daytime telephone number:

Email address:

You will be asked to provide proofs of your identity and address. Please see the Guidance notes.

2) Whose information are you requesting? (please tick relevant box.)

- My own (Go to section 4)
- Someone else's
- Both my own and someone else's.

3) If you are requesting someone else's information, whose is it? Please provide their details:

Name: (first name, surname (current and any previous):	
Mr / Mrs / Ms / Miss:	Date of birth:
Current address:	Previous address:

Daytime telephone number:

Email address:

Your relationship to this person: **(please tick relevant box.)**

"I am the....."

- Mother
- Father
- Other (please explain below)

You will be asked to provide proofs of your entitlement to request information on someone else's behalf. Please see our guidance notes.

4) Details of the information you are requesting. (Please include any known reference numbers)

ESCC department/s that you think hold the information you are requesting:

Place/office where the information is held, if known to you:

Please describe the type of information you want to see:

5) Former looked after children (children in care/fostered children) or children receiving social care. In the past we used to keep family files. In order to locate your information we may need to know the names and dates of birth of your parents and siblings. Please provide as much information as you can, including addresses at the time ESCC was involved in your care.

Name:

Date of Birth:

Relationship:

Addresses:

6) Proof of Identification and Entitlement

Documents supplied as proof of identity (see note 3 in the Guidance section):

- Recent (Less than 3 months old) utility bill (Original)
- Bank statement (Original)
- Passport **or** Photo ID driving licence
- Change of name document(s) if relevant

Document/s supplied as proof of entitlement (see note 4 in the Guidance section). Please describe what document/s you are providing:

7) Please note that the information you provide on this form will be recorded for administrative purposes and may be used for statistical analysis. We will not disclose or share your personal information for any other purpose.

8) Payment

Please enclose a cheque for £10 made payable to East Sussex County Council. The completed application form, fee and supporting proof of identity should be taken or sent to:

Data Protection Officer, Governance and Community Services, Room C6F, East Sussex County Council, County Hall, Lewes, East Sussex. BN7 1UE.

Signature of applicant:

Date:

For office use only:

Fee: £

Cheque/cash

Date Request Accepted:

Date Reply sent (within 40 days of Request Acceptance):

General

- 1. Personal details:** Please complete your personal details as requested. Please tell us if you have been previously known by any other name and if you have lived at your present address for less than two years, your previous address. If you are requesting historical information then provide as many details as possible; for example, previous addresses with dates. Use a separate sheet of paper if required.
- 2. Details of the information you require:** You should give as much assistance as you can about particular areas to search so that we can give you what you require without further correspondence. If the information you require is held in only one place you should identify that place if you can, for example a particular office or school. You should also give any relevant reference numbers that might be used for you. These details are required to assist location of your information so you can be given a copy of everything held about you, as required by the Act. A list of what each department does is given below.
- 3. Proof of identification:** Proof of name and address is required to ensure we only give information to the correct person. We require two original pieces of documentation, for example, a recent utility bill (less than 3 months old), bank statement (photocopies are not acceptable) showing your name *and* address. In some cases additional details such as a passport or photo ID driving licence may be required due to the sensitive nature of information held. Proof of change of name document(s), if relevant. Release of financial, social care or education records will normally require this additional information.
- 4. Proof of entitlement:** Under the Data Protection Act, only the data subject has a right to ask to see their own records. We normally expect the subject access request to be made by the data subject; all individuals aged 16 or over should make their own subject access requests if they have the mental capacity to make their own decisions (mental capacity as defined in the Mental Capacity Act 2005), unless they appoint someone else to make the subject access request on their behalf.

People making subject access requests on behalf of the data subject need to demonstrate that they have the right to do so. We require one of the following proofs of this right:

A) A birth parent making a subject access request on behalf of their child aged below 16 years

- 1. Birth mother (married or unmarried to birth father of child)**
 1. Child's birth certificate
- 2. Birth father (married to birth mother of child)**
 1. Child's birth certificate and birth parents' marriage certificate
- 3. Birth father (unmarried to birth mother of child)**
 - **For child born before 1 December 2003**
 1. Child's birth certificate showing re-registration of the birth after 1 December 2003 and naming the birth father as the child's father, or
 2. Parental Responsibility Order granted by Court, or
 3. Residence Order granted by Court, or
 4. Proof of being appointed the child's Guardian by Court, by child's birth mother or other Guardian, or
 5. Parental Responsibility Agreement with birth mother.
 - **For child born after 1 December 2003**
 1. Child's birth certificate naming the birth father, or
 2. (2) to (5) from above **for child born before 1 December 2003.**

NOTE: Registration or re-registration of the child's birth requires both the mother and the father being physically present at the registry office and signing the birth register.

B) An adoptive parent making a subject access request on behalf of their child aged below 16 years

1. Adoption Order

C) A person who is not the child's parent making a subject access request on behalf of a child aged below 16 years

1. Residence Order granted by Court, or
2. Special Guardianship Order granted by Court, or
3. Proof of permission to make the subject access request – a signed letter or consent form from a person with parental responsibility and/or from the child (if the child is 12 years or older).

Children or young people aged 12 – 15 years:

Please note that if you make a subject access request on behalf of a child or young person aged 12 – 15 years, we may independently seek their consent to release the documents to you, even if you have parental responsibility for them. If they are deemed competent to make this decision, we will abide by it. This means that we may not disclose their information to you, should they refuse their consent.

D) A person making a subject access request on behalf of a person with mental capacity aged 16 or over

1. Proof of permission to make the subject access request – a signed letter or consent form from the data subject (we may contact the data subject for confirmation that we can release the information to you).

E) A person making a subject access request on behalf of a person lacking mental capacity aged 16 or over

1. For young persons aged 16-17 years, proof of parental responsibility (see A, B, C.1 and C.2 above)
2. For persons aged 18 or over, proof of a valid Lasting Power of Attorney or an Enduring Power of Attorney or proof of Court-appointed Deputyship.

Subject access requests on behalf of persons lacking mental capacity:

Please note that East Sussex County Council will only release information if we can establish that the disclosure is justified, having balanced the person's best interests and the public interest against the person's right to privacy.

5. **Keep your documents secure:** Always send important documents by recorded / special / registered delivery as appropriate or by bringing them to County Hall Offices in Lewes. East Sussex County Council cannot be held liable for items lost in the post. ESCC undertake to return documents safely by recorded delivery.
6. **Payment:** A search fee of £10.00 is required for each separate request, an additional £10 fee may be required if more than one person's records are requested. The fee is not refundable if the result of the search shows that there is no information to be supplied.
7. Please make cheques payable to **East Sussex County Council**.

If you have any questions relating to identification requirements or any other aspect of a subject access request, you can email us at dataprotection@eastsussex.gov.uk or telephone us on 01273 482913.

What each department does

Corporate Resources Directorate

Key areas:

- Finance (including insurance and risk assessment)
- Property
- Information Communication Technology
- Audit and Performance

Governance and Community Services

Key areas:

- Heritage Services (Archive and Records)
- Libraries
- Communications & Public Relations
- Human Resources / Personnel

Children's Services

Key areas:

- Human Resources / Personnel
- Early Years and Child Care
- Psychology and Learning
- Extended Schools
- Children's Centres
- School Admissions and Transport
- School Place Planning and Development
- Social Care Policy and Practice
- Special Educational Needs
- Youth Development Service

Adult Social Care

Key areas:

- Older people
- People with a physical disability
- People with mental health problems
- People with learning disability

Economy, Transport and Environment

Key areas:

- Road safety training
- Cycle training records
- Trading Standards
- Minibus drivers