

## Data Protection Act 2018 Subject Access Request Form

Please refer to the Guidance notes on page 3 & 4 before completing this form. **If you are requesting records about an adoption, you will need to [contact the Adoptions Team Directly](#).**

### 1) Your details

Name:(first names, middle names, surname (current and any previous):	
Mr / Mx / Mrs / Ms / Miss:	Date of birth:
Current address:	Previous address:
Daytime telephone number:	
Email address:	
Are you a Current ESCC Employee? (Y/N)	

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

### 2) Whose information are you requesting? Please tick relevant box (see note 4 of guidance notes for advice on requesting another's personal information)

- 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 names, middle names, surname (current and any previous):	
Mr / Mx / 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 proof of your entitlement to request information on someone else's behalf.

### 4) Details of the information you are requesting

**Please provide as much detail as possible**, including specific dates for which you require the information, any specific documents that you would expect us to hold or any reference numbers which are related to your contact. **See point 2 of the guidance notes for further information.;** see point 2 of

**guidance notes for further information.** Please continue onto a separate sheet, or if completing on a computer, expand boxes as required.

Please describe the type of information you would like to see:

**4) Details of the information you are requesting continued...**

Please let us know the ESCC department/s, location/s or offices where you think the information is held, This should include the names of any members of staff who you know have been involved if known to you:

**5) To your knowledge: were you adopted? Is the person you are requesting information about adopted? Or were your/their parents adopted? If you are requesting information about the adoption, please [contact the Adoptions Team directly](#).**

Yes (please fill out section below)

No

**Please provide as much information as you can about the adoption:** (for example; names, place of adoption, dates, addresses:

**6) 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:

**7) Proof of Identification** - Documents supplied as proof of identity (see note 3 in the Guidance notes)

Recent (Less than 3 months old) utility bill

Bank statement

Passport **or** Photo ID driving licence

Change of name document(s) if relevant

**8) Proof of Entitlement** (if relevant) - document/s supplied as proof of entitlement (see note 4 in the guidance notes)

Please describe what document/s you are providing:

Please see our [Privacy Notice](#) for more information.

The completed application form and supporting proof of identity should be emailed or sent to:

[foi@eastsussex.gov.uk](mailto:foi@eastsussex.gov.uk)

Information Governance Officer, W1D, County Hall, St Anne's Crescent, Lewes, East Sussex BN7 1UE

**Signature of applicant:**

**Date:**

□

## Guidance notes

---

- 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, please give us your previous address. If you are requesting historical information then provide as many details as possible; for example, previous addresses you lived at with dates. Use a separate sheet of paper if required. If you are a current employee, we take steps to anonymise your request as far as possible. You will also not be required to provide identification. Please speak to the Customer Services Team if you have any questions.
- 2. Details of the information you require:** So that we can direct our searches more efficiently and respond to you as quickly as possible, you should give as much detail as possible about the information that you would like to see. If you know that the relevant information will have been recorded within a certain time period, then please give us these dates. This may also help us to identify where the information will be stored. It is also helpful if you can specify which departments, and teams specifically, you will have had contact with during these dates, including the names of any individual members of staff who worked with you. The County Council stores information in several locations, e.g. County Hall Lewes, St Marks House, Eastbourne, Ocean House, Hastings and the Archives in Falmer and Hailsham. If known, please direct us to the most likely location that your documents would be held in. Please also provide us with any relevant reference numbers that might be used for you. These details help us locate your information.
- 3. Proof of Identity:** Proof of name and address is required to ensure we only give information to the correct person. We require two pieces of identification to prove who you are. This should include one piece of photographic identification (passport/driver's license) and recent proof of address (utility bill/bank statement). We consider recent to be less than three months old. The proof of address must show your name, address and recent date. Please send proof of change of name document(s), if relevant.

**PLEASE NOTE: Photocopies of original documents are acceptable;** however, East Sussex County Council reserves the right to see original documents on request at any point during our search, if it is reasonable to do so in the circumstances.

- 4. Proof of Entitlement to Request another person's Personal Information:** Under the Data Protection Act 2018, only an individual (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 themselves. 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 be able to show that they have the right to do so. We require one of the following to evidence this:

**Children or young people aged 13 – 15 years:**

Please note that if you make a subject access request on behalf of a child or young person aged 13 – 15 years, we will independently seek their consent to release the documents to you, even if you have parental responsibility for them. Without this consent we would not disclose the information to you (providing the child in question had mental capacity to give consent).

**4.1) When the data subject is 16 and over:**

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

1. Proof of consent – we require a signed letter of consent from the data subject saying that you can access their personal information
2. We require proof of identification and proof of address documents for both the requester and the subject

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

2. 1. For young persons aged 16-17 years, proof of parental responsibility and lack of capacity 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 against the person's right to privacy.

**4.2) When the data subject is under 16:**

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

1. Adoption Order

**D) 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).

**E) 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 – showing both the named mother, the named child

**2. Birth father (married to birth mother of child)**

1. Child's birth certificate – showing the named father, the named child and the 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**

2. Child's birth certificate naming the birth father, or
3. (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.**

- 5. Keeping your documents secure:** If you're sending originals we advise you send 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. East Sussex County Council will return originals by recorded delivery, and photocopies only when requested.

If you have any questions relating to a subject access request, you can email us at [foi@eastsussex.gov.uk](mailto:foi@eastsussex.gov.uk) or telephone us on **01273 482913**. If you are visiting the offices, please call ahead of your visit to ensure someone is in the office to meet with you.