



## Data Protection Act 1998

### Members of the Public – Accessing Your Information

#### **The Right to Access Your Information**

The right to access your information is given by the Data Protection Act 1998 and is known as 'Subject Access'.

The sixth principle of the Data Protection Act states that all personal information must be processed in accordance with the rights of the 'data subject' (You). Subject access to your personal information is one of those rights. This includes the right for you to be given a description of:

- Your personal information
- The purposes for which the information is processed and
- Those to whom the data is, or may be, disclosed

and the right to have all personal information communicated to you in an intelligible, permanent form. This includes;

- A copy of the information about you,
- the source of the information, if known and,
- the logic involved in any relevant automated decision taking, if specifically requested.

In accordance with the Data Protection principles, Derbyshire County Council takes all possible steps to ensure that all personal information is adequate, relevant and not excessive, accurate and kept up-to-date (where appropriate) and that there remains good reason for holding the information.

## Subject Access Request Forms

To apply for 'Subject Access' to the Council's files

1. Please complete the attached form 'Derbyshire County Council - Subject Access Request'. The information you give us will allow us to search for your personal information quickly and thoroughly.
2. The form should be sent to:  
  
The Data and Information Manager  
Adult Care Department  
Derbyshire County Council  
Room 337 / 338  
County Hall  
Matlock  
Derbyshire  
DE4 3AG
3. Mark your envelope "Subject Access Request - Confidential".
4. We will write to you confirming receipt of your request within 7 days.
5. We will prepare a copy of your information, which you may collect or which will be sent to you. If appropriate, we can arrange for you to view the files, although this is not a right under the Data Protection Act.
6. We will deal with your request promptly and within 40 days of receipt of your request, excluding any time we may need to request any fees or further information from you. All codes and technical terms in the files will be explained.
7. If you are currently receiving social care, or if you believe that there may be sensitive or difficult information in your files, we advise you to make an appointment to receive your information with an appropriate member of staff present to offer support.

Please note that although your subject access request has to be made in writing under the Data Protection Act 1998 you do not necessarily have to use the attached form to do so. However the form does cover all the key information you need to supply in order for us to respond to your request in timely manner and it would be helpful if you do so.



## Derbyshire County Council - Subject Access Request

### Application Form

Under the Data Protection Act 1998, you have the right to enquire of any organisation whether they hold information about you and to see a copy of that information. Individuals are called 'data subjects' in the Act.

If you require copies of the data held about you please complete all sections below and return this form together with payment of the appropriate fee.

The information on the form will only be used to process your request and find data that relates to you. It will be kept on file to respond to any subsequent correspondence, and provide statistics relating to our response times to requests, but will not be used for any other purpose.

#### 1. Details of Person Requesting Information

<b>Full Name:</b>	
<b>Date of Birth:</b>	
<b>Address:</b>	
<b>Telephone Number:</b>	
<b>Fax Number:</b>	<b>Email Address:</b>

**2. Are you the Data Subject? (please circle your response)**

<b>Yes</b>	
<b>No</b>	Are you acting on behalf of the Data Subject with their authority? If so they must also sign the application form. (This relates to children and young people aged 12 or over). Also please complete question 4

**3. Details of the Data Subject (if you are acting on behalf of Data Subject)**

<b>Full Name:</b>	
<b>Date of Birth:</b>	
<b>Address:</b>	
<b>Telephone Number:</b>	
<b>Fax Number:</b>	<b>Email Address:</b>
<b>Please describe your relationship with the Data Subject that leads you to make this request for information on their behalf:</b>	

**4. Please describe the information you require:**

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**5. Do you wish to view the information in person? (please circle your response)**

<b>Yes</b>	Please note that we will endeavour to provide you with an opportunity to view your records, but this is not an entitlement under the act.
<b>No</b>	Information will be supplied in hard copy format to the address supplied above

**6. Special Arrangements**

**Do you need someone to read the information to you? (please circle your response)**

Yes: \_\_\_\_\_ Language: \_\_\_\_\_

No:

**Do you need someone to interpret the information to you in sign language? (please circle your response)**

Yes

No

Signed: _____ Person Requesting the information	Date: _____
Signed: _____ Data Subject if not above	Date: _____

Please note that it may be necessary to seek further information or proof of identity (of data subject or requester) before the request can be processed. If this is the case, then the statutory 40 day limit will start from the date all necessary information and proof is received. Every effort will be made to provide you with your information as soon as possible after receipt of your application

If there is any part of this form that you do not understand, or if you need any further guidance, please contact The Data and Information Manager, Adult Care Department on 01629 537247 or email [adultcarefoi@derbyshire.gov.uk](mailto:adultcarefoi@derbyshire.gov.uk).

**Please return the completed form to:**

The Data and Information Manager  
 Adult Care Department  
 Derbyshire County Council  
 Room 337 / 338  
 County Hall  
 Matlock  
 Derbyshire  
 DE4 3AG