# Subject Access request form

This form is designed to assist with the process of making a subject access request. Please read the following guidance before filling out the form.

## Which sections should I complete?

* **Sections one, two, three, four and five** should be completed for all applications.
* **Sections six, seven and eight** (representative details and authority to release Information to a representative)should only be completed if the application is being made by a representative (i.e. someone other than the data subject themselves).
* **Section three** (proof of the applicant’s identity) **-** If you do not have any of the forms of identity listed, we may in exceptional circumstances accept alternatives for consideration. If you cannot provide us with satisfactory proof of identity, your application will be rejected.

## What information will help with the processing of my subject access request?

Identification of relevant records will be easier if you can provide any references issued by Cheshire West and Chester Council in relation to the information we may hold on you, for example case reference numbers, council tax number, emails with dates.

## What personal information can I ask for?

You can ask for any information that we hold about you. Under Data Protection Legislation, personal information is any information that we collect about you or can be used to identify you.

Examples of information that can be considered personal information include:

* case file or a report about you
* the IP address of the computer that you used to access any of our website services
* other people’s opinions about you
* photographs
* your finger or voice prints
* your blood type
* video or audio footage.

There may also be some circumstances where it is not possible to provide you with all of your information, these include but are not limited to:

* information supplied in a confidential reference
* information supplied in confidence
* information that could be used to obstruct attempts to prevent or detect crime
* information about you that is already publically available
* information that is used about you in management forecasting or planning
* information that could cause you serious harm.

## Does it cost anything to access my personal information?

Requests for access to your personal data are free of charge, however we will charge an administration fee if your request is for further copies of the same information or your request is considered excessive or manifestly unfounded as defined by the General Data Protection Regulation (GDPR).

If we do have to apply an administration charge, we will only do so after informing you of the approximate cost up front and you agree to proceed with the request at that cost.

If you feel that are trying to apply an unreasonable fee, you have the right to [make a complaint](https://ico.org.uk/concerns)[[1]](#footnote-1) to the Information Commissioner’s Office.

## What format can I receive my information in?

We have a range of format options available to you and will normally respond to you by the method in which you made contact with us.

* **Electronic file**If you contacted us by email or use any of our online forms, then we will normally supply you with an electronic copy of your information, this will be usually be in Portable Document Format (PDF).
* **Paper copy**If you write to us, or request a paper copy when contacting us by email or online, you will receive a paper copy of your file.
* **In person**If make a request to access your information from one of our offices, we will invite you in to come in to see us.
* **Portable format**Under Data Protection Legislation, you can also request access to your information in a format that will allow you to use it within other computer software. When making this type of request please be aware that we can only supply you with the information that you have provided to us and we will not be able to provide you with any of our detailed assessments of your data.

If you have a disability that requires a format other than paper or the format prevents you from accessing the material by electronic means, then you should let us know when you make your request.

## How long will it take to get my data?

Under Data Protection Legislation, we are required to respond to your request for access to your information within one calendar month.

Sometimes there may be specific circumstances where we may not be able to respond to your request within one month and we may be required to apply a two month extension. This may be due to the size of the files or complexity of the request at the time. If we need to apply an extension, we will notify you within one calendar month and always outline the reasons why.

If you have concerns over the way we are handling your personal information or need to appeal against any of our decisions with regards to your rights, in the first instance, you will need to write to the Council’s Data Protection team by writing to the Data Protection Officer.

* Email: dpo@cheshirewestandchester.gov.uk
* By post: Data Protection Officer, Cheshire West and Chester Council, HQ, 58 Nicholas Street, Chester, CH1 2NP

If you still have concerns over the way we handled you request or you are not happy with the way we are handling your personal data, you can write to the Information Commissioner’s Office.

* Online: <https://ico.org.uk/concerns/handling/>
* By post: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
* Telephone: 08456 30 60 60 or 01625 54 57 45

## General notes

1. We will not acknowledge your application in writing but we will provide you with a reference number when we write to you.
2. When we process information requests for children aged 13 or over or information about your spouse, we will require their signature of authority before disclosing data. A separate application form should be completed for each individual. Sections, 4 and 5 should be completed by a parent/guardian for any children under 13.
3. The documents that you receive may have data redacted, i.e the information will be removed or blacked out. This is because we aim to supply copies of the original records whenever possible. Under Data Protection Legislation any data about someone other than yourself is also removed
4. We will not disclose information by fax or telephone.

## Where to send your completed forms

All completed forms and supporting documentation should be sent to the Disclosures team.

* Email: dpawest@cheshirewestandchester.gov.uk
* By post:Disclosures Team, Cheshire West and Chester Council, HQ, 58 Nicholas Street, Chester, CH1 2NP

## Section one: applicant details

|  |  |
| --- | --- |
| Title |  |
| Forename |  |
| Family name |  |
| Previous family name |  |
| Other name(s) known by |  |
| Date of birth |   |
| Please specify your gender |  |
| Nationality |  |
| Place of birth |  |

##  Section two: applicant contact details

|  |  |
| --- | --- |
| Address line 1 |  |
| Address line 2 |  |
| Address line 3 |  |
| Town |  |
| County |  |
| Postcode |   |
| Telephone number |  |
| Email address |  |

## Section three: proof of the applicant’s identity

In order to prove the applicant’s identity, we need to see copies of two pieces of identification, one from list A and one from list B below.

Please send only send scanned or photocopies. Do not send an original passport, driving licence or identity card

### List A

* Passport/travel document
* Driving Licence
* Foreign National Identity Card
* Child under 13 – full birth certificate
* Child under 13 – Court documents

**List B**

* A letter sent to you by Cheshire West and Chester Council
* Council tax bill
* Utility bill
* Bank statement

Please specify which documents you will be including with this application

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For children less than 13 years of age, please provide photocopies of all Court Orders. Please state if there are none

## Section four: details of information required

Please use this space to give us any details about the information you are requesting, for example by stating specific documents you require (use extra sheets if necessary).

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## Section five: declaration

The information which I have supplied in this application is correct, and I am the person to whom it relates or a representative acting on his/her behalf. I understand that the Cheshire West and Chester Council may need to obtain further information from me/my representative in order to comply with this request.

|  |  |
| --- | --- |
| Signature of applicant: | Date: |

## Section six: representative details

If this section is completed, Cheshire West and Chester Council will reply to the address you provide in this section.

|  |  |
| --- | --- |
| Name of Representative: |  |
| Address line 1 |  |
| Address line 2 |  |
| Address line 3 |  |
| Town |  |
| County |  |
| Postcode |   |
| Telephone number |  |
| Email address |  |

## Section seven: proof of the representative’s identity

Please provide copies of two pieces of identification, one from list A and one from list B below and indicate which ones you are supplying.

Please send only send scanned or photocopies. Do not send an original passport, driving licence or identity card.

### List A

* Passport/travel document
* Driving Licence
* Foreign National Identity Card

**List B**

* A letter sent to you by Cheshire West and Chester Council
* Council tax bill
* Utility bill
* Bank statement

Please specify which documents you will be including

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## Section eight: authority to release information to a representative

A representative needs to obtain authority from the applicant before personal data can be released. The representative should obtain the applicant’s signature below, or provide a separate note of authority.

This must be an original signature, not a photocopy (tip: using blue ink often helps verification).

If the applicant is signing as the guardian of a child under 13, proof of legal guardianship must also be provided.

I hereby give my authority for the representative named in Section 3 of this form to make a Subject Access Request on my behalf under the Data Protection Act.

|  |  |
| --- | --- |
| Signature of applicant: | Date: |
| Signature of representative: | Date: |

##

## Section nine: timescale

If you have specific reasons for requiring data by a specific date please give details below.

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|  |

1. ICO Reporting a Concern - https://ico.org.uk/concerns [↑](#footnote-ref-1)