

Guide to accessing your records under data protection law

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1. Your right to access records

You have a right under data protection law to ask whether the Council holds any records about you and to receive a copy of that information, subject to certain exemptions which may apply. This type of request is known as a 'subject access request' (SAR). The Council makes no charge for this service.

When asked, the Council must confirm to you if it is processing your personal information and provide you with copies of that information.

You are only entitled to access your personal information and not that belonging to any other person, unless you have authority to act on their behalf.

2. Accessing someone else's records

If you are the parent of a child and you have parental responsibility for them, then you may request access to any personal information that the Council holds about them on their behalf. Before the Council can make any searches for relevant information, you need to provide proof of parental responsibility. For examples of accepted documents to prove parental responsibility, please see [paragraph 6\(c\)](#) of this guidance.

Please note that if your child is over 13 years old, they will be asked to provide their written permission for you to access records on their behalf. Alternatively, children over 13 years old can make their own request to access their information.

If you are making a request on behalf of any other person, you will need to provide us with proof that you have permission to act and they will need to provide documentary evidence of their identity. For examples of proof of permission to act, please see [paragraph 6\(d\)](#).

3. Submitting your request

You can make a request, either in writing or verbally. If you would like to submit a written request, please send it to the contact details given in [paragraph 11](#) of this guidance.

If you would like to make a verbal request, you can phone a member of the Data Protection Team on 01473 265323, who will take your details and make a record of your request.

When you submit a request for access to records we are required by law to make sure that we have confirmed your identity (please see [paragraph 6](#) below). Therefore, when you submit your request (whether written or verbally), you will need to provide documents to prove your identity and your current address.

If you are requesting access to records on behalf of somebody else, for example a child, or other relative, you will also need to provide proof of your authority to act. Please see [paragraph 6\(d\)](#) below for a list of acceptable documentation.

4. Information required

So that we can make the correct searches for any information that the Council may hold about you, you need to provide us with the following information:

- i) your name
- ii) your date of birth
- iii) your current address
- iv) your email address (so we can send you your records)

The details above are the minimum that we require to allow us to make searches on the Council's systems. However, the more detailed information you can give us, the more helpful that will be in helping us know where to look. Some examples of additional information include:

- v) the time period you are interested in receiving records for
- vi) any previous names or addresses that you have been known by
- vii) the name of any Council staff with whom you may have been in contact
- viii) the names and dates of birth of any family members

Before we are able to process your request further, you will also need to provide copies of relevant supporting documents – please see [paragraph 6](#) below for full details.

5. How your information will be used

The information you provide when you make a request to access your records will only be used to progress your request for access to records and for related administrative purposes, including records retrieval. For more information about how the Council processes your personal data, please see the [privacy notice](#) on its website.

6. Supporting documents

To ensure the Council never discloses your information to anyone who is not entitled to it, we will need to check your identity before we can progress your request. Please provide one document from each of the identity and address lists below, e.g. passport and store card statement.

If you have difficulty providing the requested documents, please contact us. The Council will accept originals, photocopies or scanned copies of documents. Please note that we do not retain copies of these documents and proof of identity will be required for any subsequent requests.

a) List of valid identity documents:

- i) Passport (any nationality)
- ii) UK birth certificate (long-form only)
- iii) UK-issued driving licence England/Wales/Scotland/Northern Ireland/Isle of Man; either photo card or paper
- iv) EU national identity card
- iv) Travel documents issued by the Home Office; or certificate of naturalisation; or registration; or Home Office standard acknowledgement letter (SAL)

- v) HM forces ID card (UK)
- vi) Adoption certificate (UK)

All documents must be in your name and should include your signature and date of birth. If your name is now different from that shown on the document provided to confirm identity, please also supply documentary evidence to confirm the change of name, e.g. marriage certificate, decree absolute or decree nisi papers, deed poll or statutory declaration.

b) List of valid address documents:

- i) Financial statement, e.g. pension, endowment, ISA*
- ii) Bank/building society statement*
- iii) Utility bill (electricity, gas, water, telephone - including mobile phone contract/bill)*
- iv) Credit card statement*
- v) Store card statement*
- vi) Benefit statement, e.g. child allowance, pension*
- vii) A document from central/local government/government agency giving entitlement (UK), e.g. Department for Work and Pensions (DWP), the Employment Service, National Health Service (NHS), Customs & Revenue, Jobcentre Plus, Social Security*
- viii) Mortgage statement**
- ix) Insurance certificate**
- x) Council tax statement (UK)**
- xi) TV licence**

*documentation should be less than three months old

**issued within past 12 months

c) Proof of parental responsibility (only required if a parent is looking to access their child(ren)'s records)

- i) A copy of the longform birth certificate
- ii) A parental responsibility order made by a court
- iii) A signed parental responsibility agreement between parents

d) Proof of permission to act (only required when acting on behalf of someone else)

- i) A signed form of consent from your client if you are a legal representative
- ii) A signed letter of consent (must be accompanied by relevant ID and proof of address)
- iii) A copy of a Lasting Power of Attorney giving authority to act

Documents can be sent to us either by post (we advise by recorded delivery) or delivered in person (**by appointment only**) to the above address. If you wish to deliver documents in person, please contact us to arrange an appointment to view the documents. If originals are posted to us we will return them, after verification, via recorded delivery. Photocopies and scanned documents will be securely destroyed after verification.

N.B. If we do not receive relevant supporting documents within 14 days of your initial enquiry, we will close it without further correspondence. It can, however, be re-opened at any time on production of the relevant information.

7. The SAR process

Once we have received everything we need to proceed with your request, the Data Protection Team will make reasonable searches of all the Council's electronic databases, of any hard copy records that may exist, and of archived information held in its Record Management Centre.

The information located from these searches will be returned to the Data Protection Team where a case manager will be responsible for preparing the records to be released to you. This preparation involves reading all the information contained within the records to make sure that you are entitled to access it.

Once this has been completed, your records will be sent to you. Please see [paragraph 9](#) below for further information.

8. Timescales

Under data protection law, the Council has one month to provide you with its response. However, where there are a lot of records or, if they are particularly complex, this can be extended by a further two months.

Where we need to extend the time for response, the Data Protection Team will contact you to tell you this and when you can expect to receive your records.

9. Sending you your records

Once your records have been prepared by the Data Protection Team, you will be provided with a copy in permanent format.

We will send you your records via encrypted email so please ensure you include an email address when you submit your request. This is a secure method of transferring information and when your records are ready, you will receive an email which contains instructions about how to access your records. You will then receive a second email which will contain your records as an attachment.

If you would prefer to receive your records via post on an encrypted memory stick, please let the Data Protection Team know when you submit your request. This will be sent to you via Royal Mail "Signed For" delivery and you will be provided with a password separately to enable you to access your records.

Please contact the Data Protection Team if you have difficulty accessing records once they have been sent to you.

10. How to make a complaint

If you are unhappy with the way your subject access request has been handled, you may request an internal review by writing to the Data Protection Team, using the contact details below. Please address your email / letter for the attention of the Data Protection Manager.

In addition, you also have the right to apply directly to the Information Commissioner for a decision in relation to the processing of your application. The Information Commissioner can be contacted either at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, or via email at www.ico.org.uk.

You can also seek to enforce your rights through the courts. If you decide to do this, we strongly advise that you seek independent legal advice first.

11. How to contact us

The Data Protection Team forms part of the wider Performance & Information Management Team within Suffolk County Council and are based in Ipswich, at Constantine House.

You can contact us by:

Post:

Data Protection Team
Performance & Information Management
Constantine House
5 Constantine Road
Ipswich
Suffolk
IP1 2DH

Email:

data.protection@suffolk.gov.uk

Telephone:

01473 265323