

LONDON BOROUGH OF RICHMOND UPON THAMES Access to Personal Information

Application Form

Dear [Name of Requester]

Under Section 7 of the Data Protection Act 1998 an individual is entitled to ask the London Borough of Richmond upon Thames ("Council") for copies of the personal information which the Council holds about him/her. Subject to certain exemptions under the Act, the Council is required to provide the individual access to his/her personal information as requested.

To enable the Council to comply with your request to see your personal information, could you please complete the questionnaire included on this letter and return it to the address at the bottom of the letter. You will also need to provide us with:

- (a) an original document that verifies your name and address (see **Section 5** of the questionnaire for information about this); and
- (b) our standard £10 processing fee as set out in Section 7(2)(b) of the Act. This may be waived at the Council's discretion.

Your information will be provided within 40 days from the date of receipt of ID and fee.

Please note that under the Act only the following people can request to see personal information about an individual:

- the person whom the information is about ("Data Subject") – this includes a person under 18 where they understand the nature of the request;
- an agent acting on the Data Subject's behalf (e.g.: a solicitor); if this is a case then a letter of consent signed by the data subject is required
- the parent or legal guardian of the Data Subject where the Data Subject is under 12 or lacks sufficient maturity until a later age; in this case proof of parental responsibility needs to be provided
- a person acting under an order of the Court of Protection or acting within the terms of a registered Lasting Power of Attorney in respect of a person who lacks the capacity to manage their affairs and make the request themselves.

QUESTIONNAIRE:

SECTION ONE: PLEASE COMPLETE THE DATA SUBJECT'S DETAILS:

Surname: _____

First Name(s): _____

Date of birth: _____

Current Address: _____

Last Address likely to be known by the Council:

SECTION TWO: IF YOU ARE MAKING THE REQUEST BUT ARE NOT THE DATA SUBJECT, PLEASE PROVIDE YOUR OWN DETAILS:

Full Name: _____

Address: _____

SECTION THREE: WHAT DEPARTMENT(S) WITHIN THE COUNCIL HOLD THE INFORMATION THAT YOU WANT TO SEE?

There may be a number of Departments within the Council that hold personal information about you or the Data Subject. If you have not already done so, please let us know which Department's files about you or the Data Subject you would like to see. For example is it files held by: Housing Benefits, Human Resources, Parking Services, Social Services (please specify Adult's or Children's) and Children's Services etc:-

.....
.....
.....

Please provide any further details that you believe will assist the Council in locating your information, for example, the names of any officers within the Council that you believe may hold relevant information. Please note that the more specific you are with your request and the more information you provide us, the easier and quicker it is for us to locate your information and respond to you.

.....
.....
.....

Please provide the time period for which you are requesting information in respect of (for example 2010 to date):

.....
.....
.....

SECTION FOUR: YOU ARE MAKING THE REQUEST BUT ARE NOT THE DATA SUBJECT

If you are, you need to ensure that part (a), (b) or (c) is completed:

(a) Individual acting as agent of the Data Subject (e.g.: solicitor)

The **Data Subject** must complete the following declaration:

I hereby agree for _____ (*Name of agent*)
to act on my behalf in relation to my Data Subject access rights under The Data Protection Act 1998

SIGNED _____ **DATE** _____

(b) Parent or legal guardian making application on behalf of person under 12

The **parent/legal guardian** must complete the following declaration:

I declare that I am the *parent/legal guardian of the Data Subject who is under 12 years of age
(*delete as appropriate)

I am making the Data Subject access request on behalf of _____ (*Name of Data Subject*) as the Data Subject, and either:

The child/young person is incapable of understanding the request

OR

The child/young person has consented to my making this request on his/her behalf by signing below: Please provide proof of your relationship to the child and evidence of your parental responsibility

SIGNED by parent/guardian:

_____ **DATE** _____

SIGNED by child where consented to the request:

_____ **DATE** _____

(c) Request made on behalf of an adult incapable of making own request.

The **individual with the legal right to make the request on behalf of the Data Subject** must make the following declaration:

I am making a request on behalf of _____ (*Name of Data Subject*) as the Data Subject because the Data Subject lacks the required mental capacity to make the request and is incapable of managing his/her own affairs. In making this request on behalf of the Data Subject I am either:

Acting under an order of the Court of Protection; or

Acting within the terms of an Enduring Power of Attorney

SIGNED _____ **DATE** _____

[Please provide evidence of the power to act]

SECTION FIVE: DECLARATION

Before you sign this form and send it to the Council at the below address, please note the following:

- (a) **Verification of Identity:** If you are the Data Subject or are requesting information about your child who is under 12, please provide us with a form of identification so that we can verify your identity and ensure that we provide the documents to the right individual. Ideally you should provide us with photo identification, such as a copy of your passport or driver's licence. However, if you do not have such identification we will also accept proof of residence such as a Council Tax Registration Form, Council or Housing Trust Rent Book, medical card or utilities bill. For confidentiality reasons you do not need to provide us with any details on the document other than your name and address/photo. When submitting this form
- (b) **What we might not provide you:** Under the Act there is some information that we are entitled to remove from your file(s) prior to giving you access/providing you with copies. We may also need to obtain the consent of other individuals to the disclosure of their information to you. Information held about you is exempt from disclosure if it was obtained for the purpose of—
- (a) the prevention or detection of crime, or
 - (b) the apprehension or prosecution of offenders
- Information held about you by Legal Services, is exempt from disclosure if it was collected for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings) and for the purpose of obtaining legal advice.
- (c) We may need to contact you for further information before we provide you with the requested information.
- (d) Have you included the £10 processing fee? If you are in receipt of benefits or a child we will consider waiving the fee.

Declaration:

I wish to apply for access to the above named Data Subject's personal information as specified in this questionnaire. I confirm that to the best of my knowledge the details provided on this questionnaire are true and correct:

SIGNATURE OF INDIVIDUAL COMPLETING THE FORM:

SIGNED _____ DATE _____

ADDRESS TO SEND QUESTIONNAIRE

Data Protection & Information Officer
London Borough of Richmond upon Thames
Civic Centre
44 York Street
Twickenham
TW1 3BZ