The General Data Protection Regulation (GDPR) 2016 provides you, the data subject, with a right to receive a copy of the data/ information we hold about you or to authorise someone to act on your behalf. Please complete this form if you wish to see your data. You will need proof of your identity. Your request will be processed within 1 month upon receipt of a fully completed form and proof of identity.

Under the terms of the Data Protection Act 2018, you are entitled to ask us for a copy of all the personal information which we hold about you for the purposes of providing services to you.

The information, which you are entitled to receive from us, includes a description of these purposes, recipients to whom the data are disclosed and sources of the data.

If you would like to access the personal data we hold about you please complete this form. Complete **Section 1** if you are making the request on your own behalf, or if a request is made on behalf of another individual then complete **Section 2**.

We require proof of your identity before we can disclose personal data. Proof of your identity should include a copy of two documents such as your birth certificate, passport, driving licence, official letter addressed to you at your address e.g. bank statement, recent utilities bill or council tax bill. The documents should include your name, date of birth and current address. If you have changed your name, please supply relevant documents evidencing the change.

There is no charge for Subject Access Requests.

Please note a person who unlawfully obtains or attempt to obtain data is guilty of a criminal offence and is liable for prosecution.

**Send completed forms and proof of identity to:**

Data Protection Officer

South Lakeland District Council

South Lakeland House

Lowther Street

Kendal

CUMBRIA

LA9 4DQ

foi@southlakeland.gov.uk

**Some things to note before completing this form:**

Two forms of **original** identification (or certified copies) must be provided with this form and will be returned to you via **First Class Signed for delivery**.

If you would rather not send original documentation through the post, you can either bring it to South Lakeland House where our staff will make a certified copy for you free of charge or alternatively, solicitors and some Post Office branches provide this service but will charge a fee.

**NB:** Please **do not** scan or photocopy documents yourself as we cannot accept these and it will delay your request

For access to CCTV footage of yourself or someone you represent, we will require a recent facial photograph.

For access to CCTV footage of your vehicle, we will require evidence of ownership.

If your request relates to the personal data of a deceased person, you cannot use this form as the GDPR and DPA 2018 only apply to living individuals.

Under the General Data Protection Regulation and Data Protection Act 2018, the Council has **1 month** in which to process your request once original/certified identification has been received, verified and accepted and enough information to locate the data that has been requested; only then will this timescale come into force. You may also be contacted for further clarification before we can start your request.

When making an application on behalf of a person who is unable to understand the Rights of Access, Rectification and Erasure process, you must do so only with their best interests in mind.

South Lakeland District Council reserves the right to refuse a request if the release of personal information to another party is believed not to be in the best interests of the Data Subject.

If the Data Subject is over the age of 13 years you must provide either written or legal authority to act on their behalf. This can be either a letter signed by the person themselves or an official document showing you have legal authority to act on their behalf, e.g., a Lasting Power of Attorney (LPA).

**NB:** Please note there are two types of LPA (Property and Financial Affairs and Health and Welfare) so please ensure you provide the correct one for each data type you are requesting, e.g., if you are requesting details of housing benefit you will need to provide an LPA for Property and Financial Affairs.

If the Data Subject is under the age of 13 years you will need to prove that you have parental responsibility for them. If you are providing their full birth certificate as proof of identity for Section 2 which shows your name as a parent that is sufficient. If not, in addition we will need the document that awards you parental responsibility, e.g., a Court Order.

**Privacy Notice**

**Please read the following before giving consent to us processing your information**

The Data Controller for the information you provide on this form is South Lakeland District Council, South Lakeland House, Lowther Street, Kendal, CUMBRIA LA9 4DQ. Our Data Protection Registration Number is: Z4644478.

If something on this form is unclear or you need help before you can complete it, please contact the Data Protection Officer on Tel: 01539 733333 or Email: foi@southlakeland.gov.uk

Information you provide on this form will be used solely to process your request and will be held securely at our premises and/or on our electronic network for a period of 2 years after completion of the request. It will not be transferred outside of the EEA or used for marketing purposes.

We will need to share this information with authorised staff in other areas of the council in order to locate the information you are requesting access to or rectification/erasure of. In some circumstances we may also need to forward it to third parties in order to obtain their permission to release information we hold about you if it was originally provided by them. We will not share it with any other organisation unless required to do so by law.

Under GDPR and the DPA 2018 you have the right to:

* access information that we hold about you or have it rectified if it’s inaccurate or incomplete (but you will need to provide evidence before we can do so)
* have your information erased where we don’t have a legal requirement to retain
* withdraw your consent if you no longer wish us to process this request
* restrict how we process your information, i.e., object to us using your information for marketing or research purposes or in relation to a legal task or in the exercise of an official authority
* request that a person reviews an automated decision where it has had an adverse effect on you

If you would like to exercise these rights, please complete and submit this form with the appropriate documentation or, if you have concerns regarding the way we have processed your information, please contact The Data Protection Officer, South Lakeland District Council, South Lakeland House, Lowther Street, Kendal, CUMBRIA LA9 4DQ Tel: 01539 733333 Email: foi@southlakeland.gov.uk

Please refer any complaints to us initially so we can try to put things right. However, if you are unhappy with the way we have processed your information or how we have responded to your request to exercise any of your data rights, you can raise your concerns with the Information Commissioner’s Office Tel: 0303 123 1113 https://ico.org.uk/concerns/

**SECTION 1**

|  |  |
| --- | --- |
| Title: |  |
| Surname/ Family Name: |  |
| First Name(s)/ Forenames: |  |
| Previous Names: |  |
| Address: |  |
| Post Code: |  |
| Previous Addresses:(if you have lived at your current address for less than two years) |  |
| Post Code: |  |
| Day Time Telephone Number(s): |  |

**Please provide proof of identity as detailed on page 1.**

|  |
| --- |
| I am enclosing the following copies as proof of identity (two items): |
| Birth Certificate: |[ ]
| Driving Licence: | [ ]  |
| Passport: | [ ]  |
| An official letter to my address: | [ ]  |

If none of these are available we will not be able to process your request.

**Personal Information**

Please indicate to which dates the information relates:

|  |  |
| --- | --- |
| **From:** | **To:** |

**Please state the information you require:**

|  |
| --- |
|  |

**Please tell us if you know in which capacity or format the information is being held:**

|  |
| --- |
|  |

**Employment Records**

If you are now, or have been employed by South Lakeland District Council and are seeking personal information in relation to your employment please provide details of your employment, including dates of employment.

|  |
| --- |
|  |

|  |
| --- |
| **I wish to:** |
| Receive the information in electronic format: |[ ]
| My email address is: |  |
| Collect the information in person: | [ ]  |
| First Class Signed For delivery: | [ ]  |

|  |
| --- |
| **Consent to process personal data** |
| [ ]  | I confirm that I have read and understood the Privacy Notice (as detailed in this form) and consent to the information provided on this form being processed for the purposes of complying with this request and that without consent, South Lakeland District Council will be unable to proceed with my request. |

|  |
| --- |
| **Data Subject Declaration** |
| I certify that the information provided on this form is correct to the best of my knowledge and that I am the person to whom it relates. I understand that South Lakeland District Council is obliged to confirm proof of identity/ authority to obtain further information in order to comply with this subject access request. |
| Name: |  |
| Signature: |  |
| Date: |  |

**Section 2**

Please complete this section of the form with your details if you are acting on behalf of someone else (i.e. the Data Subject).

If you are **not** the data subject, but an agent appointed on their behalf, you will need to provide evidence of your identity as well as that of the data subject and proof of your right to act on their behalf.

|  |  |
| --- | --- |
| Title: |  |
| Surname/ Family Name: |  |
| First Name(s)/ Forenames: |  |
| Previous Names: |  |
| Address: |  |
| Post Code: |  |
| Previous Addresses:(if you have lived at your current address for less than two years) |  |
| Post Code: |  |
| Day Time Telephone Number(s) |  |

**Please provide proof of identity**

**Please provide proof of identity as detailed on page 1.**

|  |
| --- |
| I am enclosing the following copies as proof of identity (two items): |
| Birth Certificate: |[ ]
| Driving Licence: | [ ]  |
| Passport: | [ ]  |
| An official letter to my address: | [ ]  |

If none of these are available we will not be able to process your request.

|  |
| --- |
| **What is your relationship to the data subject? (e.g. parent, carer, legal representative)** |
|  |

|  |
| --- |
| I am enclosing the following copy as proof of legal authorization to act on behalf of the data subject: |
| Letter of Authority - Lasting or Enduring Power of Attorney: |[ ]
| Letter from Data Subject authorizing disclosure: | [ ]  |

|  |
| --- |
| **Consent to process personal data** |
| [ ]  | I confirm that I have read and understood the Privacy Notice (as detailed in this form) and consent to the information provided on this form being processed for the purposes of complying with this request and that without consent, South Lakeland District Council will be unable to proceed with my request. |

|  |
| --- |
| **I wish to:** |
| Receive the information in electronic format: |[ ]
| My email address is: |  |
| Collect the information in person: | [ ]  |
| First Class Signed For delivery: | [ ]  |

|  |
| --- |
| **Authorised person – Declaration (if applicable)** |
| I confirm that I am legally authorized to act on behalf of the data subject. I understand that South Lakeland District Council is obliged to confirm proof of identity/ authority and it may be necessary to obtain further information in order to comply with the subject access request. |
| Name: |  |
| Signature: |  |
| Date: |  |

*Please note a person who unlawfully obtains or attempt to obtain data is guilty of a criminal offence and is liable for prosecution.*