



# COUNCIL OF THE ISLES OF SCILLY

Town Hall, St Mary's, Isles of Scilly, TR21 0LW

☎ 0300 1234 105

✉ sar@scilly.gov.uk

## Subject Access Request form

### General Data Protection Regulation (GDPR) and Data Protection Act (DPA) 2018

Please note we cannot provide copies of educational records. For access to these, you would need to contact the relevant school.

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.

#### Section 1 – About You

Full name:

Any other names by which you have been known:

Address:

Date of birth:

Telephone number:

Email address:

Are you the Data Subject, ie the person who the information we hold is about?

Yes

No

If No, please ensure you also complete Section 2

If you are requesting access to information, how would you like to receive any copies:

Secure email

Hard copy sent via Signed For delivery

We need you to supply two forms of proof of your identity. We can only accept original documents or certified copies.

Please supply one of the following original documents, or a certified copy, to confirm your identity:

- Passport
- Driving licence
- Birth certificate

and one of the following original documents, or a certified copy, dated within the last three months to confirm your address:

- Utility bill
- Bank statement
- Benefits agency correspondence

## **Section 2 – Making a request on behalf of someone else**

Data Subject's full name:

Any other names by which they have been known:

Their address:

Their date of birth:

In addition to the requirements stated in Section 1 regarding proof of your identity, you must also provide evidence of (A) the Data Subject's identity and (B) your right to make this request on their behalf before we can start processing your request.

Please select below your relationship to the Data Subject:

- |                                    |   |  |
|------------------------------------|---|--|
| <input type="checkbox"/> Parent    | <input type="checkbox"/> Other relative | <input type="checkbox"/> Social Care/Health Professional |
| <input type="checkbox"/> Solicitor | <input type="checkbox"/> Other          |  |

If Other, please specify:

(A) Please supply one of the following original documents, or a certified copy, to confirm their identity:

- Passport
- Driving licence
- Birth certificate

and one of the following original documents, or a certified copy, dated within the last three months to confirm their address:

- Utility bill
- Bank statement
- Benefits agency correspondence

or if you are a practising solicitor, barrister or FCILEx, an undertaking that you have verified their identity.

(B) 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, eg a Lasting Power of Attorney (LPA).

Please note there are two types of LPA (Property and Financial Affairs and Health and Welfare) so you must ensure you provide the correct one for each data type you are requesting, eg if you are requesting social care records and details of housing benefit you will need to provide an LPA for both Health and Welfare and 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 birth certificate as proof of identity for requirement A which shows your name as a parent that is sufficient also to satisfy requirement B. If not, we will also need the document that awards you parental responsibility, eg a Court Order.

### **Section 3 – The data**

Please provide a description of the personal data that you either require access to, or rectification/erasure of. If you believe the information we hold is inaccurate or incomplete or you are requesting that we erase it, please tell us why and enclose documentation to evidence this where possible. If you know which service area holds your information, please let us know as this will help us to locate it more quickly.

The date range you would like us to search:

From:

To:

### **Section 4 – Privacy Notice**

The Data Controller for the information you provide on this form is the Council of the Isles of Scilly, Town Hall, St Mary's, Isles of Scilly, TR21 0LW.

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 two 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 is incorrect or incomplete (but you will need to provide evidence before we can do so)
- Have your information erased where we do not have a legal requirement to retain it
- Withdraw your consent if you no longer wish us to process this request

- Restrict how we process your information, ie 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 Information Governance team. You can also contact the Data Protection Officer for the Council of the Isles of Scilly at [dpo@scilly.gov.uk](mailto:dpo@scilly.gov.uk).

Please refer any complaints to us initially so we can try to put things right. If, however, 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, T: 0303 123 1113, W: [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns).

### **Section 5 – Additional information about your request**

Under the General Data Protection Regulation and Data Protection Act 2018, the Council has one month in which to process your request once original/certified identification has been received, verified and accepted and enough information to locate the data has been provided; 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. The Council of the Isles of Scilly 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.

### **Section 6 – Declaration**

The declaration below is to be completed by the requestor, ie the person identified in Section 1 of this request. Please be aware that misrepresentation may result in prosecution – knowingly or recklessly attempting to obtain personal data to which you are not entitled is an offence under the Data Protection Act 2018 and is punishable by an unlimited fine.

I, (insert full name)

certify that the information given on this form is true. I understand that it may be necessary for the Council of the Isles of Scilly to obtain further information in order to validate my request and locate the correct information. I confirm that I have enclosed all of the following:

Proof of my identity (original or certified copy)

Proof of my name and address (original or certified copy)

Evidence to support a request to rectify or erase your data if applicable

If you are not the Data Subject, we will also need:

Proof of their identity (original or certified copy)

Proof of their name and address (original or certified copy)

Written or legal authority to show you act on behalf of someone over 13 years of age or proof you hold parental responsibility for someone under 13 years of age (original or certified copy)

Consent to process personal data:

I confirm that I have read and understood the Privacy Notice at Section 4 and consent to the information provided on this form being processed for the purposes of complying with this request and that without consent, the Council of the Isles of Scilly will be unable to proceed with my request.

Signed:

Date:

Please send this completed form and supporting documentation to:

Information Governance team  
Council of the Isles of Scilly  
Town Hall  
St Mary's  
Isles of Scilly TR21 0JT  
E: [sar@scilly.gov.uk](mailto:sar@scilly.gov.uk)  
T: 0300 1234 105.

Please contact us if you have any questions about the completion of this form.