



Cropwell Bishop Parish Council

How to Request Your Personal Information

Can I access my personal information?

You have the right to get a copy of the information that is held about you. This is known as a subject access request.

This right of subject access means that you can make a request under the General Data Protection Rules (GDPR) to Cropwell Bishop Parish Council if they are processing your personal data. The Act calls these organisations 'data controllers'. The Data Controller is Cropwell Bishop Parish Council.

You can ask the organisation you think is holding, using or sharing the personal information you want, to supply you with copies of both paper and computer records and related information.

However, it is important to remember that not all personal information is covered and there are 'exemptions' within the GDPR which may allow the Parish Council to refuse to comply with your subject access request in certain circumstances.

Can I access personal information on someone else's behalf?

The GDPR does not stop you making a request on someone else's behalf. This is often necessary for a solicitor acting on behalf of a client, or it could simply be that an individual wants someone else to act for them.

In these cases, Cropwell Bishop Parish Council will need to satisfy itself that the third party making the request has the individual's permission to act on their behalf. It is the third party's responsibility to provide this evidence, which could be a written authority to make the request, or a power of attorney.

If a person does not have the mental capacity to manage their own affairs and you are their attorney, for example you have a Lasting Power of Attorney with authority to manage their property and affairs, you will have the right to access information about the person you represent to help you carry out your role. The same applies to a person appointed to make decisions about such matters:

- In England and Wales, by the Court of Protection

Can I access information about the deceased under the GDPR?

The GDPR only applies to personal information about a living individual. You may access information about deceased individuals through other legislation, such as the Access to Health Records Act.

How do I make a request?

To make a subject access request, follow these steps:

Write to Cropwell Bishop Parish Council, The Old School, Fern Road, Cropwell Bishop, Notts NG12 3BU

When requesting your personal information from the Parish Council, you should include the following information:

- your full name, address and contact telephone number;
- any information used by the Parish Council to identify or distinguish you from others of the same name (account numbers, unique ID's etc);
- details of the specific information you require and any relevant dates, for example:
 - your personnel file;
 - emails between 'A' and 'B' (between 1/6/11 and 1/9/11);
 - your medical records (between 2006 & 2009) held by Dr 'C' at 'D' hospital;
 - CCTV camera situated at ('E' location) on 23/5/12 between 11am and 5pm;
 - copies of statements (between 2006 & 2009) held in account number xxxxx .

It may also be helpful to include:

- a reference to the 1 month deadline that applies when dealing with requests to provide personal information;
- a reference to the GDPR and subject access requests; and
- reference to the assistance that the Information Commissioner's Office can provide.

You also have the right to ask about any logic involved in any automated decisions made about you.

There is a template letter you may wish to use in the GDPR section of the Cropwell Bishop Parish Council website "Subject Access Request Letter".

Keep copies and proof of receipt

It is best to send your request by recorded delivery or by email, and you should keep a copy of the request and all other correspondence. This will be important as evidence if you need to complain to the Information Commissioner's Office that the Parish Council has not given you the information you think you are entitled to.

Do I have to make the request in writing?

A request sent by email is as valid as one sent in hard copy. It may be impractical for the Parish Council to use this same method to supply information to you.

If you find it impossible or unreasonably difficult to make a request in writing, the Parish Council may have to make a reasonable adjustment for you under the Equality Act 2010. This could mean, for example, that the Parish Council has to consider treating a verbal request for information as if it was a valid subject access request.

What can I expect from the Parish Council?

How should the Parish Council respond to my request?

The Parish Council has to reply within 1 month, starting from the day they receive both the fee and the information they need to identify you and the information you need. A credit reference agency must reply within seven days to a request for a credit file.

If the Parish Council reasonably needs more information to help them find your information or identify you, they have to ask you for the information they need. They can then wait until they have all the necessary information as well as the fee before dealing with your request.

The Parish Council should give you the information in writing but they need not do this if it is not possible, if it takes 'disproportionate effort' or if you agree to some other form, such as seeing it on screen. The Act does not define what disproportionate effort means but we think the following should be taken into account:

- the cost of giving you the information;
- the length of time it will take;
- how difficult it will be; and
- the effect on you of not having the information in permanent form.

What should the Parish Council send me?

You are entitled to be told if any personal information is held about you and if it is, to be given:

- a copy of the information in permanent form;
- an explanation of any technical or complicated terms;
- any information the Parish Council has about where they got your information from;
- a description of the information, the purposes for processing the information and who the Parish Council is sharing the information with; and
- the logic involved in any automated decisions (if you have specifically asked for this).

Can the Parish Council withhold any information?

Yes. There are some circumstances where the information you have asked for contains information that relates to another person. Unless the other person gives their permission, or it is reasonable in all the circumstances to provide the information without permission, the Parish Council is entitled to withhold this information.

The GDPR covers personal information that:

- is held, or going to be held on computer;
- is in, or going to be in, a manual filing system that is highly structured so that information about you can be easily retrieved;
- is in most health, educational, social service or housing records; or
- is other information held by a public authority.

What can I do if the Parish Council does not respond?

If more than 1 month has passed since you made your request, we advise you write to the Parish Council to remind them of your request and their obligations under the GDPR. We recommend you send any correspondence by recorded delivery.

There is a template letter you may wish to use in the GDPR section of the Cropwell Bishop Parish Council website "Non Response to Subject Access Request Letter".

If you have contacted the Parish Council and still believe some of your personal information is being withheld, please contact the ICO helpline on 0303 123 1113.