



ACCESS TO YOUR PERSONAL INFORMATION

An information leaflet to explain how you get to
see your personal information

Swindon Borough Council wishes to be quite open about the type and extent of personal information it holds and is committed to working in accordance with data protection legislation*.

This leaflet tells you about your right to see your personal information and the things that you will need to do if you decide that you want to see your personal information. It also tells you about how we will respond to your request and circumstances, which *may* affect what you can see.

* *This refers to the Data Protection Act 2018. This leaflet is not a full statement of the law and does not detail all of your rights. It is concerned with your right to access your personal information.*

YOUR RIGHT TO SEE YOUR PERSONAL INFORMATION

You have a right to see your personal information under data protection legislation*. This means that when you make a request to us we will:

- ◆ Tell you whether or not we hold any personal information about you and, if we do, provide you with:
 - a description of the personal information
 - the purposes for which the information is being processed
 - those to whom it is or *may* be disclosed
- ◆ Whenever practicable and possible provide you with a permanent copy of your personal information
- ◆ Provide an explanation of what the information means if this is necessary, e.g. if computer codes or symbols have been used that you would not understand
- ◆ Provide information about the source or sources of the data *to the extent that we are able to within the legislation*

WHAT CAN I SEE?

You are able to see personal information that we keep about you on our computer systems. This legislation will also give you the right to see personal information that is readily available in manual files. When you submit a formal request to the Data Protection Officer to see your personal information you will be able to indicate whether or not you wish to see your manual records as well as any information that is kept on computers.

Sometimes your personal information may contain references about other individuals, either because they are involved with you, e.g. family members, carer, partner, etc., or because they have provided professional advice, e.g. your family doctor. You have the right to see personal information about yourself, but you are not entitled to know what is recorded about anyone else – even other family members - *without their consent*. We may also owe a duty of confidentiality to individuals who have provided information, e.g. your family doctor, and under these circumstances would require their consent to reveal information. If individuals withhold consent it may mean that you will be unable to see *some* of your personal information.

There are also a few, very special and exceptional circumstances in which your personal information can be withheld from you, e.g. *the administration of justice for the prevention or detection of crime*.

Adoption Records

Requests are exempt from disclosure under the subject access provisions of the Data Protection Act. For access you will need to write to the Register General at the following address, who will forward an application form to you to complete:

Office for National Statistics.
The General Register Office
Adoptions Section
Smedley Hydro
Trafalgar Road
Birkdale, Southport
PR8 2HH
Tel: 0151 471 4830
Or Email: adoptions@ons.gov.uk

It is the aim of the Council to ensure that you may see all of the information that you are entitled to. The consent of other individuals will be sought where this is necessary and practical and decisions to withhold information will only be made by senior managers after careful consideration of each individual case.

HOW DO I MAKE A REQUEST TO SEE MY PERSONAL INFORMATION?

The Borough Council's Data Protection Officer is responsible for dealing with all formal requests for access to personal information, but you can express an interest to see your personal information to any Council officer. The Council officer will give you the information and forms that you require to make an application and provide you with any further assistance that you may need. You can, of course, make a request to see your personal information direct to the Borough Council's Data Protection Officer whose address appears later in this leaflet. You can make the request in person or by telephone, fax, 'e' mail, letter, but please remember to make it clear to whoever you are writing or speaking to that you *are making a request to see your personal information*. This will help us to ensure that we act on your request and follow the appropriate procedures.

If you are unable, or do not wish, to make a request yourself you can ask someone else to do this on your behalf, e.g. your parent or solicitor.

WHAT HAPPENS NEXT?

When we have received your request we will send or give you, or the person acting on your behalf (your agent):

- ◆ A copy of this leaflet
- ◆ A letter acknowledging your initial enquiry
- ◆ A form (or forms if you have an agent) for you to complete and return, which will help us to identify and locate the personal data that you wish to see

When you have completed the form, or forms, they should be returned to:

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Information Governance Officer (Data Protection)
Swindon Borough Council
WTE 1st Floor Civic Campus
Swindon
SN1 2JH

*Please mark the envelope Private and Confidential

We will acknowledge your request as soon as possible and at the latest within seven days of receipt. Contact will be made with nominated staff in the Council to ask them to locate your personal information, which will be collated by the Information Governance team and made available to you.

HOW LONG DOES IT TAKE TO SEE MY PERSONAL INFORMATION?

From the receipt of your formal request by the Data Controller we have one calendar month to provide you with the information that you have asked for. However, if the request is of a complex or voluminous nature we have the option to extend this by a further two calendar months. If this is the case, you will be informed within one calendar month of our decision and our reasons for extending the deadline. We will, however, make every attempt to provide information as quickly as possible.

DOES IT COST ME ANYTHING?

No. The previous fee of £10 was abolished by the Data Protection Act 2018 so there is currently no charge.

WHAT DO I DO IF I THINK THE INFORMATION IS INACCURATE?

If you feel that any of the *factual* information about you is inaccurate or misleading and you would like it corrected or erased please tell us. It would help us if you could write to the Council's Data Protection Officer explaining which information you consider to be inaccurate and provide a statement of the correct information. If you are in contact regularly with a Council officer you can ask for their help to do this.

Where we make corrections to, or erase parts of, your personal information the Data Protection Officer will write to you to confirm that the appropriate changes have been made.

There may be occasions when we feel that the information we have is correct and we are unable to agree to the changes that you request. Should this occur we will tell you and keep a record of your request.

YOUR RIGHT OF APPEAL

If you are unhappy about any aspect of the way in which the Council has dealt with your request for access to your personal information you can request an assessment by the Information Commissioner. The address of the Commissioner's Office is:

The Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

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INFORMATION ABOUT SWINDON BOROUGH COUNCIL

If you would like to know more about Swindon Borough Council and the services we provide and you have a computer with Internet access you can visit us on our website at: <http://www.swindon.gov.uk>