

**Adult Social Care
Children & Families**

Social Care & You

Access to your Personal Information



SWINDON
BOROUGH COUNCIL

Introduction

Swindon Borough Council takes the security and privacy of personal information that it has about you and all the other people they are in contact with seriously.

This leaflet tells you about your right to see your personal information and what you will need to do if you decide that you would like to access it.

What Records Are Kept And Why

If you have been in contact with Swindon Borough Council and /or are getting help or services from us we may have records of important things such as:

- The names and addresses of members of your family.
- The name and address of your Doctor.
- The name and address of your School.
- An outline of the facts of your circumstances and problems.
- A description of the service being provided to you.
- Decisions that have been made and the evidence these have been based on.
- Decisions, reviews and records of different communications with you. (i.e letters, phonecalls, face to face meetings.)

Keeping accurate records enables Swindon Borough Council staff to provide you with the best services possible.

Your Right To See Your Personal Information

You have a right to see your personal information under the Data Protection Act*. This means that when you make a request to the Data Protection Officer, they 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 reason why we have the information and how we are using it.
- Those who it is or may be shared with.
- Whenever 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.

The Data Protection Officer is the person who deals with all the requests across the council for any one to see information that is held about them and is in charge of making sure that this is dealt with properly.

* This refers to the Data Protection Act 1998. 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.

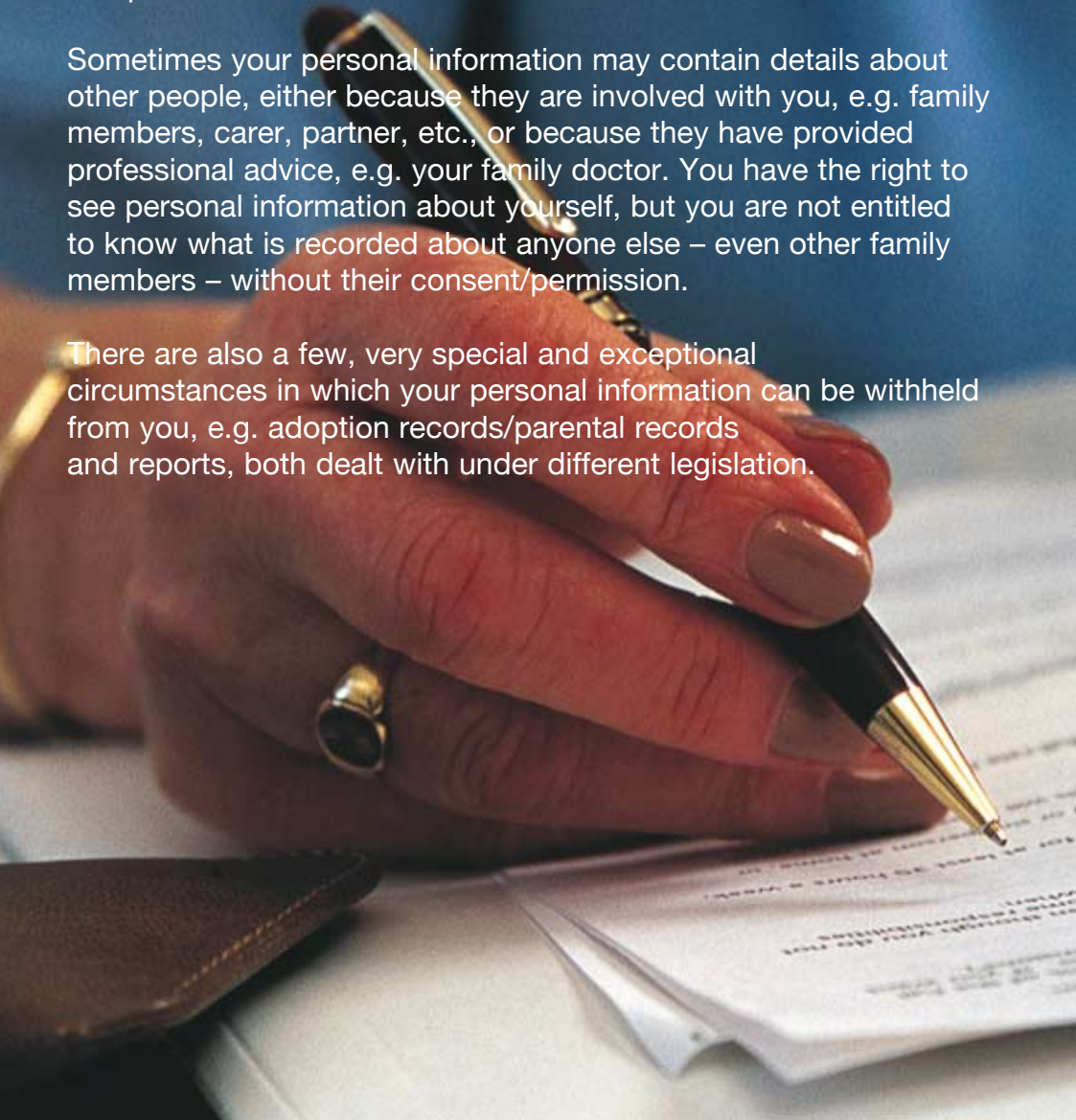


What Can I See?

You are able to see personal information that we keep about you on our computer systems and paper files. When you make a formal request to the Data Protection Officer to see your personal information you will be able to let them know whether or not you want to see your paper file(s) as well as any information kept on computers.

Sometimes your personal information may contain details about other people, 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/permission.

There are also a few, very special and exceptional circumstances in which your personal information can be withheld from you, e.g. adoption records/parental records and reports, both dealt with under different legislation.



How To Access Your Information

You can make a request direct to the Data Protection Officer at the address below or you can talk to any Council Officer, for children/young people this is likely to be your social worker. They will give you the information and forms that you will need to make an application and provide you with any further help you might need. You can make this request in person, by telephone, fax, email or letter but please remember to make it clear you are **making a request to see your personal information**. If you are unable, or do not want to make a request yourself, you can ask someone else to do this on your behalf, e.g. your parent, foster carer, social worker, solicitor or another person you feel comfortable to help you.

Contact:

The Data Protection Officer
Swindon Borough Council
Civic Offices, Euclid Street
Swindon, SN1 2JH

Children/Young People Wanting To See Their Personal Information

As a general guide, by the age of 12 years old it is thought a child will have enough of an understanding to decide whether or not they want to make a request to see their personal information. When a child/young person requests to see their information the Data Protection Officer will talk to the social worker involved to agree whether they think the child/young person has enough understanding to go ahead. The age is only a guide because everyone is different and some children/young people may need more time and/or help to understand what it all means. If everyone agrees to go ahead they will then decide the best way to provide the information. This would most usually be done by the social worker who will arrange a time to meet you to go through your personal information.



How Long Does It Take To see My Personal Information?

From when your formal written request is received by the Data Protection Officer we have a maximum of 40 days to provide you with the information you have asked for. The amount and type of information we keep will affect how long it will take. We will however try really hard to provide the information as quickly as possible.

Does It Cost Me Anything?

Yes. The Council will make a charge of £10 for each application. You will need to send this to the Data Protection Officer when you return your completed form, otherwise they will not be able to process your application.

If you are a young person who is in care, been in care or leaving care first speak to your social worker. They may be able to answer any questions you have without you having to write to the Data Protection Officer.

Further Information

More detailed information on Data Protection, the access to personal information process and what to do if you are unhappy with the way your request has been dealt with can be found via:

Website: www.swindon.gov.uk ,

Leaflet: 'Access to Your Personal Information'

Access To Adoption Records

If you want to gain access to your Adoption Records you must contact the address below as this *cannot* be dealt with through the Data Protection procedure described above. You can get hold of an application form by writing to the Register General at:

Office for National Statistics
The General Register Office
Adoptions Section
Smedley Hydro
Trafalgar Road
Birkdale, Southport
PR8 2HH

Tel: 0151 471 4830

Email: adoptions@ons.gov.uk



People adopted before 12 November 1975 are required to see a counsellor before they can be given access to their records.

If you were adopted after 11th November 1975 you may choose whether or not you would like to see a counsellor before you are given the information, which will lead you to your birth record.

For further information or to talk through this process the Family Placement Team would be happy to help you:

Tel: 01793 465700

Email: familyplacement@swindon.gov.uk

Or visit our adoption pages at: www.swindon.gov.uk/adoption

This information about Access to your Personal Information is available on the internet at www.swindon.gov.uk. It can be produced in a range of languages and formats (such as large print, Braille or other accessible formats) by contacting the Customer Services Department.

Tel: 01793 445500

Fax: 01793 463331

E-mail: customerservices@swindon.gov.uk