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# Right of Access Request Form

Privacy Notice

We are committed to protecting your personal data and privacy and to complying with the requirements of the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other privacy laws. The information you supply on this form will be used for the purpose of making a right of access request only. It will not be shared with any third parties or used for any other purpose. The lawful basis for this processing is ‘legal obligation.’ We will retain the personal data you provide on this form for three years, after which time it will be securely destroyed. For more information on how we protect your information and about your rights, see our [Privacy Policy](https://www.eden.gov.uk/about-this-site/website-legal-statements/privacy-policy/).

## 1. What is my legal right of access?

The General Data Protection Regulation (GDPR) and Data Protection Act 2018 allow you a right to access the information we hold about you (your personal data) and to receive a copy of it. This is sometimes known as a ‘Subject Access Request.’

## 2. How do I exercise the right of access?

To make a right of access request, please complete this form to tell us what information you are looking for and to help us to confirm your identity. To enable us to deal promptly with your request, please provide as much detail as possible. You may prefer to use our online form or to make a request by post or email.

## 3. How long does the Council have to deal with my request?

From the date we receive your completed form and your identity is confirmed (we may need to ask for further proof of identity), we will have 30 calendar days to provide you with a response. We will calculate the time limit from the day after we receive your request (whether the day after is a working day or not), until the corresponding calendar date in the next month. We will make every effort to provide you with the information as soon as possible and in any event within 30 calendar days.

In certain circumstances where a request is complex or we have received a number of requests from you, we may extend the deadline by a further 60 days. We will let you know whether or not the deadline will be extended, within 30 calendar days of your request being accepted.

## 4. How much do I have to pay?

There is no charge for making a right of access request, unless repeat requests or a request is manifestly excessive.

## 5. Does the Council always have to comply with my request?

In some circumstances we may not be able to provide you with all your personal data held by us. This would be the case if to disclose the information would prejudice the prevention or detection of crime, or where the information would reveal the identity of a third party.

## 6. Can someone else access my information on my behalf?

If you have legal authorisation to act on behalf of an individual, for example if you are acting as an agent, with power of attorney or as a litigation friend, you will need to provide a copy of that authorisation with your completed form to evidence it.

## 7. Making a request

If you would like to make a right of access request, please complete the following sections, with as much detail as possible:

| **1. Details of data subject** |  |
| --- | --- |
| First Name |  |
| Second Name |  |
| Any other names that you have been known by |  |
| Address |  |
| Length of time at this address | Years: Months: |
| If living at this address for less than two years, please provide previous address(es) |  |
| Daytime telephone number |  |
| Email |  |

| **2. Details of Request:** Please provide as much detail as possible about the information you are looking for. For example, the services or staff members you have been in contact with and the time period your request relates to. |
| --- |
|  |

| **3. How would you like to receive the information?** (please tick one box below) |
| --- |
| By email |  |
| By post |  |
| Collect in person at Penrith Town Hall |  |
| Other (please state) |  |

| **4. Are you requesting this information about yourself?** (please tick as appropriate) |
| --- |
|  **Yes** |  |
|  **No** |  |
| If **Yes** please sign the declaration in section **5** | If **No** please complete section **6** and the declaration in section **7** |

| **5. Declaration** I confirm that the information I have provided on this form is true to the best of my knowledge and that I am requesting information about myself. I understand that it may be necessary for the Council to confirm my identity and it may be necessary for me to provide more details to help find the information I have requested. |
| --- |
| Signed: | Date: |

| **6. Details of person making the request** (if requesting information on behalf of someone else) |
| --- |
| First Name |  |
| Second Name |  |
| Address |  |
| Daytime telephone number |  |
| Email |  |
| Relationship to data subject |  |

| **7. Declaration** I confirm that I am acting on behalf of the data subject and have submitted my proof of authority to do so. |
| --- |
| Signed: | Date: |

Please return your completed form and supporting proof of authority (if acting as an agent) by email to: FOI@eden.gov.uk or by post to: FOI Team, Legal Services, Town Hall, Penrith, Cumbria CA11 7QF

## What happens if I am not happy with the Council’s response?

If you wish to make a complaint about the way we have handled your request, you can have your complaint considered under the Council’s Complaints Procedure. To do this you will need to contact:

**Director Corporate Services**
Eden District Council
Town Hall
Corney Square
Penrith
Cumbria CA11 7QF

Email: legal@eden.gov.uk

If you are dissatisfied with the way we have handled your complaint, you may contact the Information Commissioner's Office:

**Information Commissioner’s Office**
Wycliffe House
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Website: [ico.org.uk](https://ico.org.uk/)

Email: casework@ico.org.uk

| **For official use only** |  |
| --- | --- |
| Date received |  |
| Date entered onto ESB |  |
| Date proof of identity requested |  |
| Date proof of identity received |  |
| Date response required |  |