

# **General Data Protection Regulation & UK Data Protection Act 2018 Subject access request procedure**

## **1. Introduction**

This procedure explains how you can access personal information that the Care Inspectorate may hold about you.

## **2. Data Protection Legislation**

The General Data Protection Regulation and UK Data Protection Act 2018 (the 'Legislation') came into force on 25 May 2018. They set down rules for processing personal information and apply to paper records as well as those held electronically.

## **3. How can the Legislation help?**

The legislation works in two ways:

- It gives you certain rights.
- It provides that those who record and use personal information must be open about how the information is used and must follow the six principles of 'good information handling' which are known as the Data Protection Principles.

The six principles make sure that your information is handled properly.

They say that personal data must:

- be processed lawfully, fairly and in a transparent manner;
- be collected for specified, explicit and legitimate purposes
- be adequate, relevant and limited;
- be accurate and where necessary kept up to date;
- not be kept for longer than is necessary;
- be processed securely to ensure its integrity and confidentiality

- not be transferred to countries outside the European Economic Area where suitable safeguards are not in place.

By law we must keep to and be able to demonstrate our compliance with these six principles.

#### **4. How can I find out what information is held?**

The Legislation allows you to find out what information about you is held electronically and in some paper records. This is known as the 'right of subject access'.

Please complete our 'Subject Access Request Form' at the end of this document if you would like to access the information which the Care Inspectorate holds about you.

You will need to provide adequate proof of identity such as a passport, birth certificate or driving licence. We will only accept original documents.

Once we have everything we need from you, we will respond to you within 28 days.

#### **5. Can I see all the information held?**

Yes, normally you can. However, there are some exceptions. For example, if giving you information would be likely to affect:

- the way crime is detected or prevented
- the catching or prosecuting of offenders
- the assessing or collecting of taxes or duty.

It may also be necessary for us to make redactions to the information which we send to you in order to protect the identities and the rights of third parties under the Legislation who are also named in the information.

#### **6. The Information Commissioner**

The Information Commissioner is a UK independent supervisory authority reporting directly to the UK Parliament which enforces and oversees the Legislation.

In the UK the Information Commissioner has a range of duties. This includes promoting good information handling and encouraging codes of practice for data controllers. A data controller is anyone who decides how and why personal data, (information about identifiable, living individuals) are processed. The Care Inspectorate is registered with the UK Information Commissioner as a data controller. You can access further information about this and check the register of data controllers which the UK Information Commissioner keeps on their website, [www.ico.org.uk](http://www.ico.org.uk).

You can contact the Information Commissioner as follows:.

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113  
Fax: 01625 524 510

Website: [www.ico.org.uk](http://www.ico.org.uk)

## **General Data Protection Regulation & UK Data Protection Act 2018**

If you wish to make a subject access request please complete this subject access request form. The information we ask for allows us to be sure of your identity and to find any data we hold on you.

When you have completed this form please send it to:

**Data Protection Officer  
The Care Inspectorate  
Compass House  
11 Riverside Drive  
Dundee  
DD1 1NY**

If you need help completing the 'right of subject access' process or would like to discuss the information we hold with a member of staff, please contact the Data Protection Officer through our National Enquiry Line on 0345 600 9527 or email [infogovernance@careinspectorate.com](mailto:infogovernance@careinspectorate.com)

### **Part 1 – About you**

Title (tick box as appropriate) Mr Mrs Miss Ms

Other title (for example, Doctor, Reverend and so on) \_\_\_\_\_

Surname/family name \_\_\_\_\_

First names \_\_\_\_\_

Home address \_\_\_\_\_

Post code \_\_\_\_\_

Telephone \_\_\_\_\_

**Part 2 – Proof of identity**

You must send us proof of identity with this form. This should be an official document bearing your name, for example, a banker’s card, birth certificate, passport or driving licence. We will only accept original documents as proof of identity.

**Part 3 – Help us to find your information**

Please select in which capacity you have had dealings with the Care Inspectorate (please circle):

- Service owner/manager
- Service staff
- Service user
- Family/ friend of service user
- Complainant
- Care Inspectorate staff/former staff

Please describe the nature of your contact with the Care Inspectorate, including the name of the organisation/service if relevant, the dates of your contact, the departments you had contact with and any other appropriate information:

**Part 4 – Checklist**

- Have you completed all of the form?
- Have you enclosed appropriate proof of identity?
- Have you signed the form?
- Have you enclosed the fee (if we have indicated this is required)?

**Part 5 – Declaration (Declaration to be signed by the applicant)**

The information which I have supplied in this application is correct and I am the person to whom it relates.

Signed by \_\_\_\_\_

Date \_\_\_\_\_

**WARNING** – a person who impersonates or attempts to impersonate another may be guilty of an offence.