

# Requesting your Personal Information

## Your rights of access

Data Protection law provides you with a right of access to any personal information which we hold about you as a Council. These requests are commonly referred to as subject access requests (SARs).

## Who can make a request?

Anyone aged 12 years and older can make a subject access request. You can ask someone else to make a request on your behalf, such as a family member, or solicitor. Parents are usually able to make a request on behalf of their child.

## How do I make a request?

You can make a request in writing or make your request verbally, contact details below. You may find it helpful to use the online [subject access request form](#).

Telephone: 0131 200 2340

Email: [informationRights@edinburgh.gov.uk](mailto:informationRights@edinburgh.gov.uk)

## Who processes my request?

The Council has an Information Rights Team who co-ordinate and process all subject access requests. If you have any questions the team will be able to support and advise.

## Validating your request

If you request your own personal information, we require proof of your identity. We need this documentation so we can be sure that we are only releasing personal information to the individual who is entitled to receive it.

Examples of the kind of acceptable ID documents include copies of your driving licence, passport, birth certificate, utility bill or letter from a government agency. You can send us digital copies, or clear photographs of these documents

If you do not have any of these documents, please contact us using the contact details above.

## Someone making a request on my behalf

If an individual, such as a family member or solicitor, is making a request on your behalf, you need to provide us with written permission that you are happy for them to

act on your behalf, and that you are happy for us to disclose your personal information to them.

### **Making a request on behalf of a child or young person**

If a child or young person is under the age of 12, a parent can usually exercise their right of access on their behalf. In these instances, you will be asked to provide proof of identity.

### **What personal information can I ask for?**

You can ask for any personal information we hold about you as a Council. However, the Council is a large complex organisation which provides many services to its customers. This means we may hold information in variety of locations and systems, depending on the services you access from the Council – for example, Council Tax, Social Care, Housing, Education, Homelessness Services, Planning, Complaints, Library Services etc.

To help us deal with your request please let us know, if you can, which services you would like information about, or (if you want all information) which services you may have interacted with.

If you are seeking specific information, or information from a particular time, please let us know. We may be able to search through the records more quickly to locate the information you are interested in receiving, rather than providing an entire file.

### **Specific enquiries**

The request process gives you a right of access to copies of your records. If you are making a request because you are looking for specific explanations or answers to questions (e.g., details about your time in care), it may be more useful to direct your questions to the service in the first instance.

### **Requesting care records**

If your request concerns your time in care, knowing the type of care you received can help our search for records. For example, were you in kinship care, foster care, or residential care? If you were in residential care, can you provide the name of the children's home?

Your records may be held under your own name. However, historically, records were sometimes maintained as a family file, often under a particular sibling. Consequently, it is helpful if you are able to provide the names of any siblings and their dates of birth, if

possible. Please also let us know if you were known by any other names. This ensures that our searches are as thorough as possible.

Accessing your care records can be challenging and difficult, particularly if you suffered some form of abuse. In such instances, the Council can provide you with support and help in accessing your care records. Further information can be found [here](#).

### **Adoption records**

There is separate legislation governing access to adoption records. Please contact our [Adoption Team](#) for further information.

### **How we process your request**

When we receive your request for information, and your ID or mandate has been confirmed, we contact relevant Council services to check what information is held about you. These records might be held in a variety of formats such as paper files, email and electronic documents, case management systems, audio and video files, and microfiche.

The Information Rights Team will review all information provided by Council services and check to make sure all of the information can be provided. Sometimes information will be redacted (removed) from documents - see 'What information may not be provided' below.

Before sending a copy of the information to you, we try to remove duplicate documents and order the records logically, to ensure the documentation is as easy as possible to read and understand.

### **What information may not be provided**

Data Protection law does not provide a right to personal information about other people. This information is often referred to as 'third party information' because it relates to someone else. We need to keep personal data secure and only disclose it to people who have a right to see it. Therefore, it may be necessary to redact (remove) personal information about other people which is contained within your records.

What we redact depends very much on the context of your request. For example, if someone was acting in a professional capacity in relation to you, or if the third-party information was already known to you through your own experience, we would consider it reasonable to disclose that information to you.

We will always try to provide you with as much information as we can, while balancing the privacy rights of all individuals mentioned in the records.

While third party personal information is the most common form of information which we may withhold, there are other exemptions which may apply to your information. In all cases, we explain why information has been withheld from you.

### **How long does it take?**

Data Protection legislation requires organisations to respond to requests for information within one month. However, it also allows for the deadline to be extended to three months for 'complex' requests. For example, social care records are often longer and more complex because individuals may have a long association with the Council which can mean locating, collating, assessing, and preparing thousands of pages of information.

If your request is assessed as complex, we will notify you and tell you why.

The Council is committed to providing the information you are entitled to within the statutory timescales set out in Data Protection law. However, sometimes requests take longer, often as a result of their size and complexity. If this happens, we will let you know, and provide you with regular updates concerning progress, including an indication of when you are likely to receive a response.

### **Receiving your records**

We can provide you with your personal information in electronic and/or paper formats.

If you want to receive your personal information in a paper format, we will send this to you by recorded delivery. This means you will need to sign for the package containing your personal information.

Information sent electronically is transferred to you through a secure portal. A password will be sent to you including a link to your documentation which you can then download.

### **Right of appeal**

You can ask the Council to review its handling of your request if you are unhappy with how it has been handled. You can also refer your concerns to the UK Information Commissioner (ICO).

The ICO is the independent regulator for data protection law within the UK, and responsible for promoting and enforcing data protection rights. Their website is [www.ico.org.uk](http://www.ico.org.uk) which contains further details on how they can be contacted for advice.

Please bear in mind, the Information Governance Unit and ICO can only review the information provided to you and the handling of your request. If you are unhappy with the nature of the information you have received, i.e. how the service has acted, you should progress such concerns through the [Council's complaints process](#).