



DERBYSHIRE CONSTABULARY

DATA PROTECTION ACT 2018 – SUBJECT ACCESS REQUEST

Please read the following information carefully before completing the application for access to information held locally by Derbyshire Constabulary

This request form is not for use for the following purposes;

1. Applying only for data held on the Police National Computer (PNC).
2. Applying only for a police certificate for the visa or emigration purposes for specific countries.

For guidance and application forms for these purposes please refer to the information on the ACRO website <https://www.acro.police.uk/>

If you require a disclosure for employment purposes, and you live in England, Scotland or Wales, please contact the following for assistance:

England and Wales: Disclosure and Barring Service (DBS) <https://www.gov.uk/request-copy-criminal-record>

Scotland: Disclosure Scotland www.mygov.scot/disclosure-types/

Northern Ireland: Access NI <https://www.nidirect.gov.uk/campaigns/accessni-criminal-record-checks>

Note: Certain employers and organisations such as recruitment agencies may attempt to exploit the subject access process by requiring individuals to use it to obtain a copy of their criminal convictions (or evidence that there is nothing held) as part of recruitment or continuing employment processes. This practice is known as enforced subject access as covered by Section 184 of the Data Protection Act 2018.

It is a criminal offence for a current or prospective employer or recruitment agency to require an individual to make a subject access request as a condition of employment or for the provision of goods or services. In this instance the existing formal criminal records check arrangements operated by the Disclosure and Barring Service, Disclosure Scotland or Access Northern Ireland should be used.

Your Subject Access rights to 'locally held' information

You have a right to be told whether the Constabulary is processing information about you and a right to a copy of that information, unless certain exemptions apply.

You can expect a response to be provided to you within one calendar month following receipt of the completed form and satisfactory proof of your identity.

You will be entitled to your information only and not to information relating to or which can identify another person. If you think that information might be held about you that may identify or have been provided by another person, you may want to obtain their written consent to enable the information to be provided to you. They will also need to provide satisfactory proof of their identity.

The legislation allows us to extend the response period by a further two months where requests are complex or numerous. If this is the case, we will inform you within one month of receipt of your request and explain why the extension is necessary.

Chief Constable's rights

The provisions of the Data Protection Act mean that in certain circumstances some personal data will not be provided. For example you will not be provided with personal data if releasing it to you would be likely to prejudice a criminal investigation. In some cases we may not provide you with information that identifies other individuals unless we feel it is reasonable to do so.

What to do next

1 - Complete **Sections 1 - 7 overleaf**. The information you provide on this form will be used for processing your request and to ensure the accuracy of Police systems.

2 - Include **Proof of Identity**. To help establish your identity this application must be accompanied by copies of **two** official documents which between them clearly show your **name, current postal address, date of birth and signature**, for example: birth certificate, driving licence, passport, medical card, bank statement, utility bill, rent agreement. If you have changed your name, please supply relevant documents evidencing the change.

DO NOT SEND ORIGINAL DOCUMENTS AS THESE WILL NOT BE RETURNED. It will assist with processing your application if one of the documents is a photographic identity document such as your passport or driving licence.

Derbyshire Constabulary reserves the right to request original documentation in some cases. Where original documents are requested, they will be returned by registered post.

3 – Send the completed form and proof(s) of identity to:

Freedom of Information Unit
Derbyshire Constabulary
Butterley Hall
Ripley
Derbyshire
DE5 3RS

foi@derbyshire.pnn.police.uk

What Derbyshire Constabulary will do next

On receipt of the completed form and satisfactory proof of your identity, Derbyshire Constabulary will search for the information you have requested and respond to you at the address shown in Section 4 within one calendar month.

Further information about the subject access process is available on our website at www.derbyshire.police.uk or by contacting the Freedom of Information Unit on 0300 122 8752.

Note: Derbyshire Constabulary will be unable to provide you with information contained on police systems over the telephone or by email prior to completion of your request.

Please note that fields marked * are mandatory

1 Personal information

*Title:	Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other ☐ (specify)
*ALL forename(s)/given name(s):	
*Surname/Family name:	
*Have you ever used or been known by any other names?	Yes ☐ No ☐
If you have answered Yes to the question above, please provide a list of all your previous names below, including maiden/married names, names prior to and after change by deed poll, and name at birth if different from the above. Failure to answer this question will delay your request. If you run out of space, please supply any additional information on a separate sheet.	
Please provide surnames in <u>UPPER CASE</u> Previous/former name(s):	
*Date of birth: (dd/mm/yyyy)	
*Place of birth: Village/town: Country:	
*Gender:	Male ☐ Female ☐

2 Contact details – we ask for this in case it is necessary to contact you

Email address:	
Daytime telephone number: Please make sure that you include local/area dialling codes.	

3 Address history

*Current address: This is the physical address at which you reside (not a PO Box) and should be shown on your proof of address within your identification documents.	
Postcode:	
Date from: (mm/yyyy)	

Previous addresses: If the information you are requesting refers to previous addresses you have lived at, it will assist our search if you indicate below those addresses

Previous addresses:

Date from: (mm/yyyy)

Date to: (mm/yyyy)

Postcode:

4 Delivery of your disclosure

***How would you like your subject access disclosure to be delivered?**

Please select only one option and refer to the below guidance for email disclosure:

Email ☐ Post ☐ Collect in person from Derbyshire Constabulary Police Headquarters ☐

Postal disclosures will be delivered by 1st class recorded delivery.

Email disclosures will be sent to the email address specified above. Security of information sent by email cannot be guaranteed. The Constabulary can, if preferred, help to secure your information by encrypting your documents and separately providing you with a password to enable you to open the file.

Derbyshire Constabulary cannot accept responsibility for any loss or inappropriate access to the email response once it has left our secure network. It is also the responsibility of the applicant to ensure that the email address provided is accurate.

If you prefer to receive your information without added security please indicate here ☐

Alternative postal address: Only complete this box if you **do not** want correspondence to be sent to your current address.

Postcode:

5 Third party nomination

Derbyshire Constabulary will not discuss or disclose your requested information with another party without your consent. If for any reason you wish to nominate a representative to act on your behalf you must provide their contact details below. Providing contact details for a third party will be considered as consent. If you are a Power of Attorney for the applicant, please enclose a copy of the Power of Attorney documents with this request.

***Name of representative/contact:**

***Relationship to you:**

Telephone number:	
Email address:	

6 Information requested

To help find any information that may be held about you, please supply additional details in the boxes below.

For example: A description of the information you are looking for, such as a description of the circumstances in which you had contact with the Police – e.g. were you a person reporting an offence or incident; a witness, a victim, a correspondent, an offender etc. If you have a crime reference or incident number, dates and times or any other information that you can provide this may assist us in finding the information you seek.

If you are requesting photographs or CCTV footage please supply a portrait photograph (e.g. passport style photograph) to assist identification. Please note failure to provide such details may result in your application being rejected and returned to you.

Have you been asked by someone to apply for any information which might include cautions or convictions under the subject access process and provide them with the response for the purpose of:

- your current job, or
- a job you have been offered, or
- to enter a contract for goods, facilities or services?

You do not have to answer this question, but if you do it will not affect your request.

Yes ☐ No ☐

If yes, then whoever has asked you may be committing an offence under Section 184 of the Data Protection Act 2018. You have not committed any offence in submitting your request and your request will be processed.

You are not obliged to do so, but we would appreciate it if you would provide details below of whoever has asked you to apply through the subject access process, and under what circumstances. We may pass these details to the Information Commissioner's Office who may investigate further with a view to prosecuting whoever has asked you.

7 Declaration & Signature

The information I have supplied in this request is correct and I am the person to whom it relates. By signing this form I accept the terms and conditions of service and I confirm that I wish to be supplied with information held by Derbyshire Constabulary.

Signature: _____ **Date:** _____

If the person completing the request form is not the data subject, a Power of Attorney or an original letter of authority signed by the data subject must be enclosed. Please tick as appropriate below:

Letter of authority ☐ Lasting or Enduring Power of Attorney ☐

Evidence of parental responsibility ☐ Other (give details) ☐

A person who impersonates or attempts to impersonate another person may be guilty of an offence.

Returning the application form – checklist

Have you fully completed all the sections you need to?	
Have you signed the application form?	
Have you enclosed the photocopy identity documents required to provide proof of: (1) name & date of birth, (2) name & current address	
Have you used the correct value of postal charge on the envelope?	

Return the completed form to:

Freedom of Information Unit
Derbyshire Constabulary
Force Headquarters
Butterley Hall
Ripley
Derbyshire
DE5 3RS

foi@derbyshire.pnn.police.uk

Should you require any advice or guidance in completing this application, please contact us on 0300 122 8752 or visit www.derbyshire.police.uk

For further details about how we use information, your information rights, partner working arrangements, retention periods and how to complain, please visit:
www.derbyshire.police.uk