Subject Access

Data Protection Act 2018

Application Form

DURHAM CONSTABULARY

**Subject Access Request – to apply for information held about you by Durham Constabulary**

**Your Subject Access Rights**

Subject to certain exemptions, outlined in the Data Protection Act 2018 you have a right to be told whether any information is held about you on Durham Constabulary local systems, and have a right to a copy of that information. The Chief Officer of Police will only give that information if he/she is satisfied as to your identity. Information does not have to be provided if someone else can be identified from it unless that person provides consent. The law requires that we reply within one calendar month of receiving your application and proof of identity.

**The Chief Officer’s Rights**

The provisions of the Data Protection Act 2018 2018 (which incorporates the UK General Data Protection Regulation (GDPR)) 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, and we may not provide you with information that identifies other individuals. The information you provide on this form will be used for processing your request and for any other policing purpose.

**This form should be used if you require information that is only held locally by Durham Constabulary.**

**To apply for information held only on the Police National Computer (PNC) (e.g. relating to convictions, cautions and juvenile warnings/ reprimands) do not use this form; please refer to the information on the ACRO Criminal Records Office website:** <https://www.acro.police.uk/>

**Proof of Identity**

Before any information can be provided, Durham Constabulary must be satisfied that you are the person you say you are. To establish your identity your application must be accompanied by two different documents which between them clearly show your name, current address and Date of Birth. (e.g. passport, driving licence, birth certificate, utility bill etc.).

DO NOT SEND ORIGINAL DOCUMENTS AS THESE WILL NOT BE RETURNED

No fee is payable. However, where the request is manifestly unfounded or excessive Durham Constabulary reserve the right to charge a ‘reasonable fee’.

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| **ABOUT YOURSELF** |
| **Title (please tick)** | Mr[ ]  | Mrs[ ]  | Miss[ ]  | Ms[ ]  |
| **Other Title (Dr, Rev etc.)** |       |
| **Surname/ Family Name** |       |
| **Forename(s)** |       |
| **Previous Name(s)** |       |
| **Date of Birth** |       |
| **Place of Birth** |       |
| **Home Address** |       |
| **Previous Addresses** **(for the period covered by your request)** |       |       |
|       |       |
| **Telephone Number(s)** |       |
| **Personal Email address** |       |

**Enforced Subject Access**

Certain employers and organisations (such as recruitment agencies) may attempt to exploit the Subject Access process by requesting that individuals use it to obtain their personal information as part of recruitment or continuing employment.

This practice is known as Enforced Subject Access and as covered by the Data Protection Act 2018. It is a criminal offence to require an individual to make a Subject Access Request as a condition of employment or for the provision of goods or services. They should instead be using the existing procedures operated by the Disclosure and Barring Service, Disclosure Scotland or Access Northern Ireland.

**Section 1.1**

**Section 1.2**

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| **How would you like your subject access disclosure to be delivered?** Please select only **ONE** option. |
| **Email via Egress** [ ]  |
| **Personal Email** [ ]  |
| **Royal Mail (Recorded delivery)** [ ]  |
| **EGRESS**: Egress is the preferred method of electronically sending Police disclosure information to a member of the public, as it is a secure method of electronically transferring large amounts of data. You will need to set up an Egress account (which is free) and then you can securely download the disclosure material to your computer.  Further details can be found via the following link: [https://switch.egress.com/ui/registration/accountcreate.aspx](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fswitch.egress.com%2Fui%2Fregistration%2Faccountcreate.aspx&data=05%7C01%7CDeborah.Hodgkinson%40durham.police.uk%7Cd9ad2b84854041cf780208daa7a76311%7C4bed7fe3f41040769052b7b894eafffe%7C0%7C0%7C638006634600132743%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=V%2FDsDPuOgDpYuxJxOfOLMNKfIBOS7J%2B4M3DMC1TCbKY%3D&reserved=0)Personal Email: Email disclosures will be sent to the email address you have provided. The email response will be sent from Durham Constabulary’s secure network. Please note however, that delivery to your personal inbox is insecure via the public internet, unless you have a secure email address. It is your responsibility to ensure that the email address submitted is accurate. Durham Constabulary cannot accept responsibility for any loss or inappropriate access to the email response once it has left our secure network and has been sent to the email address you have provided.  |

**Section 2.**

Describe the information you wish to access.

Please provide as much detail as possible about your request. If possible, include dates, times, locations and reference numbers (e.g. Incident or Crime number). The more information you supply, the easier it will be to process your request.

Note: If you require more space, please attach additional pages.

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| **INFORMATION REQUESTED** |
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| **Declaration** |
| The information I have supplied is correct and I am the person to whom it relates. |
| Name:       | Date:       |
| Warning. A person who impersonates or attempts to impersonate another may be guilty of an offence. |

**How to return the completed form:**

If you wish to return this application form via the post, please return it to:

**Information Rights & Disclosure Unit, Police Headquarters, Aykley Heads, Durham. DH1 5TT**

Please include copies of your two forms of identification.

Alternatively, email the completed form with scanned copies of your identification documents to:

**Data.Protection@durham.police.uk**

Alternatively, hand this form and your identity documents into the front counter of a Durham Constabulary Police Station. Please see Durham Constabulary website for opening hours <https://www.durham.police.uk/Contact-us/Police-Stations/Local-Police-Stations.aspx>

If you require any further assistance, please contact 0191 3752582 (office hours 9am-4.30pm).

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| **POLICE USE ONLY** |
| This section is to be completed by the person accepting this form |
| Date application received      |
| Application form checked and legible[ ]  | Identification documents checked[ ]  |
| Details of identification documents      |
| Name      | Collar No      | Station      |

**Terms and conditions of service:**

The following terms and conditions relate to the Subject Access service provided by Durham Constabulary in accordance with the General Data Protection Regulation (GDPR).

**General**:

1. You have a right to be told whether any information is held about you and a right to a copy of that information.
2. We must provide that information to you within one month from the date that Durham Constabulary receives the required documentation.
3. You will be provided with your information only if you have provided satisfactory proof of your identity.
4. The provisions of the GDPR mean that in certain circumstances we may not provide some personal data. For example, we may not provide personal data if disclosure is likely to prejudice an ongoing investigation, or if the data identifies other individuals without their consent.

**Privacy**:

1. The information you provide in your application will be used for processing your request and any other policing purpose.
2. The information supplied within your application and that on local records may be passed to other law enforcement agencies and government organisations in the interest of law enforcement.
3. If you impersonate or attempt to impersonate another person you may be guilty of an offence.
4. We will contact you in the event we require additional documents, information or clarification, via phone, email or letter.
5. We will securely store your information.

**Payment**:

1. There is ordinarily **no charge** for information supplied by Durham Constabulary in response to a Subject Access Request.
2. We may, however, charge a “reasonable fee” when a request is manifestly unfounded or excessive, particularly if it is repetitive.
3. Such a fee must be based on the administrative cost of providing the information.

General guidance for individuals wishing to request their information from an organisation can be found at:

<https://ico.org.uk/your-data-matters/>