

Data Protection Act 2018

Nottinghamshire Police Subject Access Form



NOTTINGHAMSHIRE
POLICE
PROUD TO SERVE

An individual has a right to access their personal information held by a Data Controller under the Data Protection Act 2018. Under this Act individuals have the right to obtain:

- confirmation that their data is being processed;
- access to their personal data; and
- other supplementary information relating to the processing of their data

The Chief Constable has the right to deny access to information where the Act allows for example in the interests of the prevention or detection of crime and the apprehension and prosecution of offenders.

There are two application options available should you wish to exercise your right of access:-

COMPLETE THIS FORM to request information about you that may be held by Nottinghamshire Police.

For example, Crime Reports, Incident Reports, Custody Records for incidents which took place within Nottinghamshire (only).

DO NOT COMPLETE THIS FORM If you require:

- a copy of your Criminal Convictions History including arrests, criminal convictions, cautions, juvenile reprimands, final warnings, non-convictions and no further action (NFA) outcomes or a letter confirming that no information is held on the Police National Computer (PNC) you will need to complete the ACRO SAR 1 form. This form can be obtained from ACPO Criminal Records Office (ACRO) by calling 02380 479920 or from the ACRO Criminal Records Office website:
https://www.acro.police.uk/Subject_Access_Online.aspx
- 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: AccessNI via their website www.nidirect.gov.uk/campaigns/accessni-criminal-record-checks

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. They should instead be using the existing formal criminal records check arrangements operated by the Disclosure and Barring Service, Disclosure Scotland or Access Northern Ireland.

**THIS FORM IS NOT TO BE USED FOR REQUESTING CRB/DBS CHECKS
OR POLICE CERTIFICATES FOR EMIGRATION AND VISA PURPOSES.
PLEASE SEE THE NOTTINGHAMSHIRE POLICE WEBSITE IF YOU
REQUIRE ANY OTHER INFORMATION IN RESPECT OF SUCH
APPLICATIONS OR REFER TO THE ACPO CRIMINAL RECORDS OFFICE**

Please read the guidance notes below before completing your application.

Data Protection Act 2018 Subject Access Form

Guidance Notes

Your Rights under the Data Protection Act 2018

Under the Act, individuals have the right to obtain:

- confirmation that their data is being processed;
- access to their personal data; and
- other supplementary information – relating to the processing of your information/records retention periods and rights to have records amended/deleted.

You have the right to be told whether any information is held about you and a right to a copy of that information, unless exemptions apply. You will be provided with that information only if you have provided satisfactory proof of your identity. Information may not have to be provided if someone else can be identified in or from the information. If you think that information might be held about you that may identify or have been provided by another person, you may want to get that person's written agreement to enable the information to be given to you. In addition to their consent, they will also need to provide two proofs of identity

Chief Constable Rights

The Chief Constable may refuse to provide information where disclosure may have a prejudicial effect on the following Policing purposes;

- a) the prevention and detection, or
- b) the apprehension or prosecution of offenders

The Chief Constable has the right to ask that you provide documentation to verify your identity. Consequently, Section 4 asks you to provide evidence of your identity and address by supplying copies of at least two official documents which, between them, provide sufficient information to prove your name, date of birth, current address and signature – further information on this is provided below.

If your request is deemed 'manifestly excessive or unfounded', The Chief Constable has the right to:

- charge a reasonable fee taking into account the administrative costs of providing the information; or
- refuse to respond

Where a request is refused on the grounds of being manifestly excessive or unfounded you will be advised of this.

The information you provide on this form will be used for processing your request. If you provide your telephone contact details within this form these may be used to contact you to discuss your request.

What to do

1. Complete **Section 1, 2, 3, 4 (and 5 & 6 if required)**

2. **Include Proof of Identity.** To help establish your identity this application must be accompanied by **two** official documents (*photocopies only*) which between them clearly show:

- **Your name**
- **Current postal address**
- **Date of birth**

- **Signature**

(For example: birth certificate, driving licence, passport, medical card, benefit(s) book, pension book or bank book.)

3. The completed form and proof of identity documents should be sent to the **Information Management Office, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottingham, NG5 8PP.**

What Happens Next

Your application will be processed and a response sent to the address provided on the form. If you require your response sending to a different address please specify this within Section 2 of the application.

If you consent to your response being disclosed to your personal email address, then please provide a valid email address in Section 2 and tick the box to confirm that you are happy to receive a reply by email only. Please note that email is an unsecure method of delivery and Nottinghamshire Police cannot be held responsible for loss or unauthorised access of information if you elect to receive your response by this method.

If email delivery is not required, disclosure will be made by special delivery to the address stated within your request form. A signature will be required from you to accept delivery. If your request does attract any fees we will contact you directly to discuss this prior to any work being undertaken.

You should receive a reply within 1 month from the date the completed application form is received by us. In some circumstances we have the right to extend this period by an additional 2 months if the request is excessive or complex. If your request is subject to a deadline extension we will contact you to advise you of this within 1 month of receipt of your request.

Please be advised that only the first copy of any disclosure is provided free of charge. Requests for any subsequent copies of disclosures will attract a fee.

Please contact us on **101 ext 318 0888** or e-mail data.protection@nottinghamshire.pnn.police.uk, if you have not received a response within this period or if you have any queries regarding a subject access request.

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

Section 2 – Delivery of your Disclosure

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

Please select only one option:

Email Post Collection from Police Station

If collecting from a Police Station Please identify from which station you would like to arrange collection:

- Mansfield
- Newark
- Kirkby
- Retford
- Worksop
- Carlton
- Beeston
- Radford Road
- Byron House
- West Bridgford

Email address:

Please ensure the email provided is correct.

Email disclosures will be sent to the email address specified above. Please be aware that whilst the email response will be sent from Nottinghamshire Police secure network, unless you have a secure email address the delivery to your personal inbox is an insecure connection via the public internet. Nottinghamshire Police 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 submitted is accurate.

If email delivery is not required, postal disclosure will be made by Special delivery to the address listed as your current address unless otherwise stated below. A signature will be required

If requiring collection from a Police station then this must be arranged with us in advance. This option is only available from Police Stations operating a front counter service. Disclosures cannot be collected from Force Headquarters

Please see guidance notes for further information regarding delivery methods

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

I (print name), hereby give consent for the requested information to be sent directly to the nominated person named below acting on my behalf.

| | |
|--------------|--|
| Name | |
| Company Name | |
| Address | |
| Postcode | |

Section 3 – Details of Your Request

To help us find the information that we may hold about you, **please complete this section as fully as possible**. Please be specific about the information required, for **example details of a reported crime or incident, quote any reference number that you may have or provide as much detail as you can**. Continue on a separate sheet if necessary. Please be advised that requests which ask for 'all information held' will be returned to the applicant for more specific information to be provided.

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

If your request for information is manifestly unfounded or excessive we can refuse to respond (please see guidance notes for further information).

Were you:- (tick as appropriate)

| | |
|---|--|
| A person reporting an offence or incident <input type="checkbox"/> | A witness to an offence or incident <input type="checkbox"/> |
| A victim of an offence or incident <input type="checkbox"/> | A person accused or convicted of an offence <input type="checkbox"/> |
| A person who has been or is currently employed by Nottinghamshire Police <input type="checkbox"/> | Other – please specify below <input type="checkbox"/> |

State here what information you are requesting.

(DO NOT COMPLETE THIS FORM for Criminal Convictions History/CRB/DBS checks and emigration and visa certificates, see page 1 of this form for further information)

State here the date, time and location and any reference numbers you might have

Section 4 – Declaration and 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 Nottinghamshire Police.

Signature Date

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

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 has been enclosed:

Letter of authority Lasting or Enduring Power of Attorney

Evidence of parental responsibility Other (give details):

If the data subject is completing this form but would like us to discuss the request with somebody else, please complete section 5.

| CHECKLIST | | | | |
|--|-----|--------------------------|----|--------------------------|
| Have you completed all relevant Sections of this form? | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| Have you nominated a delivery method e.g. email/post? | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| Have you included two forms of Identification? | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |

Section 5 – Consent (to be completed if the disclosure is to be sent to or discussed with a third party)

Nottinghamshire Police will not discuss your request with another party or disclose details without your consent. If for any reason you wish to nominate a representative to discuss this request 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 | |
| Relationship to you | |
| Telephone Number | |
| Email Address | |

Section 6 – Enforced Subject Access

Have you been asked by someone to apply for information about any cautions or convictions under subject access and provide them with the response for the purposes 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 subject access, 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.

The data provided within this form will be used to process your request for information held by Nottinghamshire Police under the Data Protection Act 2018. The information provided within will be used to conduct searches of Nottinghamshire Police systems to locate the information being requested.

We may use your email address and telephone number to contact you regarding our processing of your request. We will not discuss this request with any third party unless explicitly consented to by you within this form.

If specified within the form, the disclosure will be sent to the email address provided so it is important that this is accurately recorded.

Your details will be recorded within our Information Request Management System (Cyclops) for a period of 24 months from the date your request is answered. After this period, your request details, request response and any disclosure sent to you will be deleted from Cyclops.