Accessing your information

Your rights in relation to the records we hold about you
Subject to certain conditions, you have the following rights under the Data Protection Act 1998:

- to know what information we hold about you
- to know why we hold information
- to know who this information is shared with
- to see a copy of the information we hold
- to be informed where we got this information
- to deal with information if it is inaccurate
- to prevent processing that may cause damage or distress.

What information is held about you and/or your family
If you have had contact with Adult or Children’s Services, it is likely that we hold information about you. This may be because you have used our services, or because you have been involved in the care of a service user as part of their family and/or as a carer.

The information held may include:

- basic personal information, such as address, date of birth, ethnicity
- date and details of referral
- relevant background information
- assessments, reports and care plans
- notes regarding any contact between you and the service
- records of decisions made about the support and services you need
- relevant information from anyone who cares for or knows you, for example a health professional or a relative.
Why we hold this information
We need to keep these records to help us provide an efficient, high quality and appropriate service to you as service users, relatives and/or carers.

Seeing a copy of the information we hold on you
If you would like to see some or all of the information we hold on you and/or your family, please speak or write to the professional or team with whom you have contact.

You may be asked to put your request in writing, or to fill in a ‘Subject Access Request Form’. This form can be found on our website www.surreycc.gov.uk if you search on ‘data protection subject access form’.

If you do not know who to contact to ask to see your and/or your family’s personal information, please write or send your completed Subject Access Request Form to the Data Protection Officer at the Surrey County Council address detailed below.

Once we have received a request from you in writing, we have to provide you with the information you have asked for, or give you a legal reason why you cannot see the information you have asked for, within 40 days of receiving your request.

It is common for us to arrange an appointment for you to come in to the office to see the requested information, unless it is appropriate for us to make alternative arrangements. You may be able to take copies of some or all of this information.
Information that you are not allowed to see
The Data Protection Act 1998 identifies certain information that we are not obliged to release to you. This may include:

- information that could cause physical or mental harm to you or someone else
- information that has been supplied to us in confidence by someone else and they are not willing to let you see it
- information that is personal to someone else who has not given their consent for you to see it
- information that relates to prevention or detection of crime.

Correcting inaccurate data on you and/or your family
If you think any information we have recorded is incorrect, you have the right to ask us to change it. We may not be able to change it, as it is necessary for us to have a complete record of our contact with you. If we are not able to change it, we will record the fact that you disagree. You also have a right to appeal against any statements that you think are misleading.
**Preventing processing if it may cause damage or distress**

If you think that the processing of any of your and/or your family’s information is likely to cause anyone substantial unwarranted damage or distress, you have the right to ask us to stop processing it. There may be legal reasons that mean we can continue processing your information in this way. If this is the case, we will explain to you why we are not able to stop processing the information.

**Arranging to see records on another person**

There may be a reason why you would like to see the personal information that we hold on someone other than yourself, for example if someone in your family has contact with us.

If this person has sufficient capacity to understand your request and to give their consent for you to see this information then we would normally need to seek the consent of that person before we can share their information.

Where a child does not have capacity to make a request on their own behalf, the parent with parental responsibility for the child, who is also looking after the child, is ordinarily entitled to make the request on the child’s behalf.

Relatives, carers or friends of adults who do not have capacity to make a request on their own behalf or to give their consent are not automatically entitled to access that adult’s personal information.
The professionals involved may share certain, relevant information with appropriate people if the Local Authority considers it is necessary to do so and is in the best interests of the adult concerned. If you have been appointed to act on behalf of an adult who lacks mental capacity, either by an Enduring or Lasting Power of Attorney, or by a Court Order, you may be able to access information relevant to that Power or Order on that adult’s behalf.

Please contact the Freedom of Information Officer if you would like to access any other information held by the county council, at the Surrey County Council address detailed below.
Any questions or complaints?
If you have any questions regarding the sharing of your personal data, please contact the Data Protection Officer at Surrey County Council, Legal Services, County Hall, Penrhyn Road, Kingston-upon-Thames, KT1 2DN. If you would like to complain about the way your information has been processed, please contact the professional or team involved in supporting you.

Independent advice about Data Protection
If you would like independent advice about Data Protection, please contact the Information Commissioner at:
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Phone: 01625 545745
Fax: 01625 524510
Email: mail@ico.gsi.gov.uk
Website: www.ico.gov.uk

If you would like this document in large print, on tape or in another language please contact us on:
Tel: 08456 009 009
Fax: 020 8541 9004, Minicom: 020 8541 8914
email: contactcentre@surreycc.gov.uk
Your Information Leaflets
If you would like to see any information held about you and/or your family or to be given information on how your information is shared, please speak or write to the professional or team with whom you have had contact.

Further information can be found in the Protecting Your Information and Sharing Your Information leaflets. Copies of these can be obtained from the team you have contact with or from the Contact Centre on 08456 009 009.

Please note that these leaflets are for general information only and are not a full explanation of the law.

Protecting Your Information
Explains access by staff to your personal information; the duty of confidentiality; electronic and paper records; and Surrey County Council’s data handling guarantee.

Sharing Your Information
Explains the many benefits to sharing information between agencies (e.g. the NHS, housing services, schools) and the principles governing when and why your information may be shared.