

Data protection request terms and conditions

1. **Personal details:** Please complete your personal details as requested. Please tell us if you have been previously known by any other name and if you have lived at your present address for less than two years, your previous address. If you are requesting historical information then provide as many details as possible; for example, previous addresses with dates. Use a separate sheet of paper if required.
2. **Details of the information you require:** You should give as much assistance as you can about particular areas to search so that we can give you what you require without further correspondence. If the information you require is held in only one place you should identify that place if you can, for example a particular office. You should also give any relevant reference numbers that might be used for you. These details are required to assist location of your information so you can be given a copy of everything held about you, as required by the Act
3. **Proof of identification:** Proof of name and address is required to ensure we only give information to the correct person. We require two copies of documentation, for example, a recent utility bill (less than 3 months old), bank statement (photocopies are acceptable) showing your name and address. In some cases additional details such as a photocopy of your passport or photo ID driving licence may be required due to the sensitive nature of information held. Proof of change of name document(s), if relevant.
4. **Proof of entitlement:** Under the Data Protection Act, only the data subject has a right to ask to see their own records. We normally expect the subject access request to be made by the data subject; all individuals aged 16 or over should make their own subject access requests if they have the mental capacity to make their own decisions (mental capacity as defined in the Mental Capacity Act 2005), unless they appoint someone else to make the subject access request on their behalf.

People making subject access requests on behalf of the data subject need to demonstrate that they have the right to do so. We require one of the following proofs of this right:

- A. A birth parent making a subject access request on behalf of their child aged below 16 years
 1. Birth mother (married or unmarried to birth father of child)
 1. Child's birth certificate
 2. Birth father (married to birth mother of child)
 1. Child's birth certificate and birth parents' marriage certificate
 3. Birth father (unmarried to birth mother of child).

For child born before 1 December 2003

1. Child's birth certificate showing re-registration of the birth after 1 December 2003 and naming the birth father as the child's father
2. Parental Responsibility Order granted by Court

3. Residence Order granted by Court
4. Proof of being appointed the child's Guardian by Court, by child's birth mother or other Guardian, or
5. Parental Responsibility Agreement with birth mother.

For child born after 1 December 2003

- Child's birth certificate naming the birth father, or
- (2) to (5) from above for child born before 1 December 2003.

NOTE: Registration or re-registration of the child's birth requires both the mother and the father being physically present at the registry office and signing the birth register.

- B.** An adoptive parent making a subject access request on behalf of their child aged below 16 years must provide an Adoption Order as proof.
- C.** A person who is not the child's parent making a subject access request on behalf of a child aged below 16 years:
1. Residence Order granted by Court
 2. Special Guardianship Order granted by Court, or
 3. Proof of permission to make the subject access request – a signed letter or consent form from a person with parental responsibility and/or from the child (if the child is 12 years or older).

Children or young people aged 12 to 15 years: if you make a subject access request on behalf of a child or young person aged 12 to 15 years, we may independently seek their consent to release the documents to you, even if you have parental responsibility for them. If they are deemed competent to make this decision, we will abide by it. This means that we may not disclose their information to you, should they refuse their consent.

- D.** A person making a subject access request on behalf of a person with mental capacity aged 16 or over:
- Proof of permission to make the subject access request – a signed letter or consent form from the data subject (we may contact the data subject for confirmation that we can release the information to you).
- E.** A person making a subject access request on behalf of a person lacking mental capacity aged 16 or over:
1. For young persons aged 16 to 17 years, proof of parental responsibility (see A, B, C.1 and C.2 above)
 2. For persons aged 18 or over, proof of a valid Lasting Power of Attorney or an Enduring Power of Attorney or proof of Court-appointed Deputyship.

Subject access requests on behalf of persons lacking mental capacity:

Please note that Lambeth Living Limited will only release information if we can establish that the disclosure is justified, having balanced the person's best interests and the public interest against the person's right to privacy.

- 5. Keep your documents secure:** Always send important documents by recorded / special / registered delivery as appropriate or by bringing them to our offices. We cannot be held liable for items lost in the post.

6. **Payment:** A search fee of £10 is required for each separate request, an additional £10 fee may be required if more than one person's records are requested. The fee is not refundable if the result of the search shows that there is no information to be supplied.
7. Please make cheques payable to **Lambeth Living Ltd.**

If you have any questions relating to identification requirements or any other aspect of a subject access request, you can email us at feedback@lambethliving.org.uk or telephone us on 020 7926 1282.