

## Subject Access Requests (SAR) A Guide for Applicants Making a Request for Personal Information under the General Data Protection Regulation/Data Protection Act 2018

### How to make a Subject Access Request

If you wish to make a request for 'personal data' under the General Data Protection Regulation (EU)2016/679 (GDPR)/ Data Protection Act 2018 (DPA18) 2018 you can do so in writing or by completing a Subject Access Request form, which is available on our website or by clicking the following link:

[http://www.leicspt.nhs.uk/Library/APPLICATIONFORM\\_Generic\\_Sept2015.docx](http://www.leicspt.nhs.uk/Library/APPLICATIONFORM_Generic_Sept2015.docx)

Please provide as much detail as possible in order that we can identify the information you require.

You may also make a request verbally to a member of the Information Request Team by calling 0116 225 3727 or directly to the health professional providing your care. This will be confirmed back to you in writing either by email or letter.

### Verifying your Identification

Leicestershire Partnership NHS Trust has a legal obligation to ensure personal information is kept secure and that the correct information goes to the correct person. Therefore, in most cases, we will only supply information once we receive your proof of identity. This will be in the form of **two** official documents showing your name, date of birth and current address. For example, birth/adoption certificate, current driving licence or passport **and** a utility bill dated within the last 6 months.

### Requesting another person's data

If you are applying to see another person's personal data we require the signed consent of the person whose personal data is being requested, along with the identification documents above for yourself and the person whose information is being requested.

Where the information being requested relates to an individual who lacks capacity and consent is required for lawful processing, consent must be provided from a person with legal responsibility for the individual. For example, if you hold power of attorney for the person whose records are being requested, we require a copy of the lasting power of attorney and also proof of yours and individual's identity, as set out above.

If you are applying to access a child's personal data and the child is aged under 13 years old, we will require proof of parental responsibility in the form of a full birth certificate naming the parent(s) along with the identification documents above. If the child is aged between 13 and 18 years we may require explicit consent directly from the individual, dependent on their capacity to understand.

If you are applying for access to the health records of a deceased individual, this will be handled under the Access to Health Records Act 1990 and we will require either, proof of your status as their personal representative, or details of the claim arising out of the death.

### **Privacy of your information**

The Information Request Team will only collect and use your information for the lawful purposes of administering Subject Access Requests. The Trust takes its duty to protect your personal information and confidentiality very seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, in whatever format it is held.

### **How much will it cost?**

From the 25 May 2018, in most cases, there will be no charge for making a subject access request. However, if your request is considered to be “manifestly unfounded or excessive”, or if a request is repetitive or additional copies of data are required, a fee may be charged or the request refused.

### **How long will it take to receive the information I have requested?**

From the 25 May 2018 the Trust has one month to comply with your request. However, we will endeavour to respond to your request as soon as possible.

### **Accessible Information Standards**

Please advise us if you have any communication needs and we will endeavour to provide information in a format which is accessible to you.

### **How will I receive my records?**

We will ask you to register for a secure email account with us so that we can correspond with you and send your records. However, if this is not suitable an alternative will be agreed with you.

### **If you are not satisfied with our response**

In the first instance you should contact the Information Request Team to discuss your concerns:

Information Requests Team

*Room 500, Rutland Building,*

*County Hall, Leicester Road,*

*Glenfield, Leicestershire,*

*LE3 8RA*

Email: [LPT.SARRequests@nhs.net](mailto:LPT.SARRequests@nhs.net)

However, if you wish to request a formal review of the handling of your request you may do so by writing to:

Head of Data Privacy

Leicestershire Partnership NHS Trust

*Room 500, Rutland Building, County*

*Hall, Leicester Road, Glenfield,*

*Leicestershire, LE3 8RA*

Email: [LPT.DataPrivacy@nhs.net](mailto:LPT.DataPrivacy@nhs.net)

If you remain dissatisfied with the Trust's response you can contact Information Commission's Office:

Information Commissioner's Office

Wycliffe House, Wycliffe Lane,

Wilmslow, Cheshire, SK9 5AF

Website: <https://ico.org.uk/>

Trust Headquarters: Room 100/110 Pen Lloyd Building, County Hall, Leicester Road, Glenfield, Leicestershire, LE3 8RA.

Chair: Crishni Waring Chief Executive: Angela Hillery

We are a smoke-free Trust.

NHS organisations now use 100 per cent recycled paper as part of our sustainability commitment

View our privacy notice at [www.leicspart.nhs.uk/\\_Aboutus-Whatwedowithyourinformationprivacynotice.aspx](http://www.leicspart.nhs.uk/_Aboutus-Whatwedowithyourinformationprivacynotice.aspx)

