

**SUBJECT ACCESS REQUEST FORM**

You should complete this form if you want us to supply you with a copy of any personal data we hold about you. You are currently entitled to receive this information under the EU General Data Protection Regulation (GDPR), which came into effect in 2018.

You can also use this form to apply for personal information about someone else if you have their permission or have a legal authority to do so. Please complete sections 1 and 2 if you are asking for someone else’s personal data.

We can provide you with information about any processing of your personal data that is being carried out, the retention periods which apply to your personal data, and any rights to rectification, erasure, or restriction of processing that may exist. Please do this via our form [“Requesting information about how the Commission processes my personal data”](#)

It may be useful for you to read the privacy statement on our website or watch our video online as this explains more fully how we protect and manage your personal data.

We will try to respond promptly to any requests for personal information that we receive and within one month of us receiving:

- Your written request; or
- Any further information we may ask you to provide to enable us to comply with your request.

The information you supply in this form will only be used for the purposes of identifying the personal data you are requesting and responding to your request. You are not obliged to complete this form to make a request, but doing so will make it easier for us to process your request quickly. If you chose not to complete the form, you will still need to provide us with proof of identity in most circumstances.

<b>SECTION 1: Please give your details or, if you are asking for data about someone else, the data subject’s details</b>
Full name: <i>(including any name/names used previously)</i>
Address:
Contact telephone number:
Email address:

**SECTION 2: Please give your own details here only if you are not the data subject and are asking for personal information about someone else**

Full name:

Address:

Contact telephone number:

Email address:

**If you have authority to access the personal data of someone else without their consent, please give details here (e.g. via welfare guardianship)**

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**SECTION 3: What information are you seeking?**

Please describe the information you are seeking. Please provide any relevant details you think will help us to identify the information you require, for example records from within a particular timeframe or related to an incident. This is not mandatory but is helpful in narrowing down your request and may allow us to process your request more quickly.

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## SECTION 4: PROOF OF IDENTITY

To ensure we are releasing data to the right person, we require you to provide us with proof of your identity and of your address. Please supply us with a photocopy or scanned image (do not send the originals) of one of both of the following:

- 1) Proof of Identity: passport, photo driving licence, national identity card, birth certificate.
- 2) Proof of Address: utility bill, bank statement, credit card statement (no more than 3 months old); current driving licence; current TV licence; local authority tax bill, HMRC tax document (no more than 1 year old)

If you are unable to provide proof in either or both of the above categories, we will accept a recent photograph, signed on the back by someone who has known you for 5 years or more. If this is the case, please ask the person to complete the section below.

<b>I confirm that I have known the applicant for more than 5 years and can confirm that the photograph supplied is a true likeness of them. Please complete and sign below.</b>	
Name of applicant	
Your relationship to the applicant and contact email address	(e.g.) friend, advocate, doctor, lawyer etc.
Name and signature of the person verifying identity	

***If we are not satisfied you are who you claim to be, we reserve the right to refuse to grant your request.***

### **Notes about your request**

If the information you request reveals details directly or indirectly about another person we will have to seek the consent of that person before we can let you see that information if this is practical. In certain circumstances, where disclosure would adversely affect the rights and freedoms of others, we may not be able to disclose the information to you, in which case you will be informed promptly and given full reasons for that decision.

While in most cases we will be happy to provide you with copies of the information you request, we nevertheless reserve the right, in accordance with section 8(2) of the DPA, not to provide you with copies of information requested if to do so would take “disproportionate effort”, or in accordance with Article 12 of the GDPR to charge a fee or refuse the request if it is considered to be “manifestly unfounded or excessive”. However we will make every effort to provide you with a satisfactory form of access or summary of information if we can. Sometimes we will not be able to provide you with some information where an appropriately qualified person thinks that disclosing it may cause you or someone else harm.

**SECTION 5: Declaration**

*Please note that any attempt to mislead may result in prosecution.*

I confirm that I have read and understood the terms of this subject access form and certify that the information given in this application to the Mental Welfare Commission for Scotland is true.

I understand that it is necessary for Mental Welfare Commission for Scotland to confirm my / the data subject's identity and it may be necessary to obtain more detailed information in order to locate the correct personal data.

**Signed** ..... **Date** .....

If you need help with completing this form, you can contact our Data Protection Officer by email at [enquiries@mwscot.org.uk](mailto:enquiries@mwscot.org.uk) or by writing to the address given in the [Contact Us](#) section of our website.