

## 7. Can the Board withhold any information?

Yes. There are some circumstances where the information you have asked for contains information that relates to another person. Unless the other person gives their permission or it is reasonable in all circumstances to provide the information without permission, the Board is entitled to withhold this information.

There are other circumstances where the Board can withhold information under the Act. For example, if it would put at risk a criminal investigation or catching an offender.

Also, the Act does not cover all personal information. However, it does cover personal information that is:

- Held, or going to be held on computer;
- In, or going to be in, a manual filing system that is highly structured so that information about you can be easily retrieved;
- In most health, educational, social service or housing records; or
- Other information held by a public authority.

## 8. What can I do if the Board does not comply with my subject access request?

If you have sent all the necessary information (including any fee) and:

- The Board does not respond to your request within 40 days; or
- You are not satisfied with our response;

You should send us a reminder letter by recorded delivery (and keep a copy of the letter).

If you do not get a reply within a reasonable timeframe or you think the information you receive is wrong or incomplete, you can:

- Ask the ICO to carry out an assessment to see whether it is likely or unlikely that the Board has responded properly; or
- Take legal action through the court. For information on how to do this, please see the ICO leaflet 'Taking a case to court'.

## 9. More information

### Northern Ireland Policing Board Data Protection Officer

Tel: 028 9040 8592 or 028 9040 8528  
Letter: Address provided in point 4  
Email: [dataprotection@nipolicingboard.org.uk](mailto:dataprotection@nipolicingboard.org.uk)  
Web: [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)

### Information Commissioner's Office

Tel: 028 9026 9380  
Email: [ni@ico.gsi.gov.uk](mailto:ni@ico.gsi.gov.uk)  
Web: [www.ico.gov.uk](http://www.ico.gov.uk)



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### DOCUMENT TITLE:

#### DATA PROTECTION ACT 1998 SUBJECT ACCESS – HOW TO USE THE ACT

This document may also be made available upon request in alternative formats or languages. Requests for alternative formats should be made to the Northern Ireland Policing Board.

### ONLINE FORMAT

This document is available in PDF format from our website.

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the NORTHERN IRELAND POLICING BOARD

DATA PROTECTION  
ACT 1998

**SUBJECT ACCESS  
– HOW TO USE THE ACT**

# DATA PROTECTION ACT 1998

The Data Protection Act 1998 gives you the right to access information held about you by organisations. The Act regulates the processing of information relating to individuals, this includes the obtaining, holding, using or disclosing of such information, and covers electronic records as well as manual filing systems.

## 1. How to access your information

This leaflet informs you of your rights under the Data Protection Act 1998 and how to get a copy of the information that is held about you.

Requests to access records and other related information are known as 'subject access requests'. If you believe that we are holding, using or sharing information about you and wish to see this information, you can make a request to the Northern Ireland Policing Board (the Board).

## 2. How can I find out what is held about me?

If you want to know if the Board holds information about you and, if so, what information we hold, you will need to

complete our subject access request form or alternatively write a letter to us. Details on how to do this are provided further on.

Please note that the Board does not hold information relating to criminal prosecutions, convictions or cautions history. This information is held by the Police Service of Northern Ireland (PSNI) and can be requested by completing a DAT1 form. This form is accessible on the PSNI website which can be found at [www.psnl.police.uk](http://www.psnl.police.uk)

## 3. How much does it cost?

The Board reserves the right to charge the recommended administration fee (£10) on each occasion that access is requested. However, in most cases this is waived unless the request is repeated or particularly complicated.

## 4. How do I make a subject access request?

You can make a subject access request in a number of ways. If you have access to a computer you can download a subject access request form from our website which can be found at [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)

When you have completed the form, please send it together with your proof of identity and fee (if applicable) to:

Data Protection Officer  
Northern Ireland Policing Board  
Compliance Branch  
5th Floor, Waterside Tower  
31 Clarendon Road  
Clarendon Dock  
Belfast  
BT1 3BG

Alternatively, you may write a letter to us advising what information you wish to access. You should include your full name and address and any other information to help identify you and the information you need. Please be as specific as possible as it will help if you state exactly what information you want.

In addition, to process your request, proof of identity will be required which confirms your name and address e.g. a copy of your driving license or your passport/birth certificate along with a utility bill.

## 5. Responding to your request

The Board aims to comply with requests for access to personal information as quickly as possible, but the Board must comply with a subject access request within 40 days of receipt of the request or, if later, within 40 days of the receipt of the identity information required, the completed subject access request form and the relevant fee.

## 6. What will be sent to me?

You are entitled to be told if any personal information is held about you and, if it is, to be given:

- A copy of the information in permanent form;
- An explanation of any technical or complicated terms;
- Any information the Board has about where we got your information from;
- A description of the information;
- The purposes for processing the information; and
- Who the Board is sharing the information with.

We need not do this if it is not possible, takes 'disproportionate effort' or you agree to some other form such as seeing it on screen. The Act does not define what disproportionate effort means but the Information Commissioner's Office (ICO) thinks the following should be taken into account:

- The cost of giving you the information;
- The length of time it will take;
- How difficult it will be;
- The size of the organisation;
- The effect on you of not having the information in permanent form.