# Application Form

## Schedule 2, Part 1 (2) Data Protection Act 2018 (Crime and Taxation)

This form is designed to assist organisations or individuals wanting to access personal data under the [Data Protection Act 2018, Schedule 2, Part 1(2)](https://www.legislation.gov.uk/ukpga/2018/12/schedule/2/part/1).

Recipients will become the data controller in respect of any personal data that is disclosed to them pursuant to this request and must adhere to all relevant data protection legislation in their handling of that personal data.

Completed forms should be submitted:

By email: dataprotection@westmorlandandfurness.gov.uk
By post: Data Protection Officer, Legal and Democratic Services, Westmorland and Furness Council, South Lakeland House, Lowther Street, Kendal, Cumbria LA9 4UF.

Westmorland and Furness Council must be satisfied that all requests are justified and have a clear legal basis.

Failure to complete the form in full is likely to delay the process of obtaining the information. If the form is not completed in full you will be asked to resubmit the request. We will notify you if we do not hold the requested information or if your request for disclosure is refused.

**Please note there is no obligation on the council to disclose information under this provision.**

## Section 1: About You

Please provide your name, job title and organisation to enable us to identify you as a person with statutory authority to make a request under the Data Protection Act 2018, Schedule 2, Part 1(2)

Please include your address, a secure email address and a telephone number to allow us to contact you or forward the information once a decision has been made.

|  |  |
| --- | --- |
| Full Name: |  |
| Job Title/Rank: |  |
| Organisation: |  |
| Address: |  |
| Telephone: |  |
| Email: |  |

## Section 2: About the Data Subject

|  |  |
| --- | --- |
| Full Name/Previous Name: |  |
| Current or last known address: |  |
| Other identifying information: |  |

## Section 3: Required Information

Please specify the information you are looking for and, where known, any other details which would enable us to locate the data, this can include dates, times and locations if applicable.

You can attach any additional documents which may help us to locate the information or identify the data subject.

|  |
| --- |
|  |

[ ]  Please tick if you’ve provided additional support information with your application.

## Section 4: Justification

Please supply details of the alleged offence. Where you are unable to specify the offence please tick the appropriate box. This should only be used where it is likely to prejudice the case as this information can aid the decision-making process.

|  |
| --- |
|  |

[ ]  Please tick here if you are unable to specify the offence due to risk of disclosure prejudicing the investigation/case.

Please state under what statutory powers you are requesting the information, by stating the law you require the information under will provide us with a legal basis for processing your request.

By selecting one of the following, state the purpose for requesting disclosure of personal information about the data subject specified in Section 2 of this form:

☐ prevention or detection of crime.
☐ apprehension or prosecution of offenders.
☐ assessment or collection of tax, duty or imposition of a similar nature.
☐ protecting the vital interests of a person under UKGDPR Article 6(1) (d).

**The Council will only consider disclosing information which is necessary to your case and where non-disclosure of the information sought will prejudice the purpose given above.  Information requests vague in descriptions will not be sufficient.**

|  |  |
| --- | --- |
| Why the data requested is relevant to your investigations/case |  |
| How the personal data will be used |  |
| How your activities will be prejudiced if the information is not provided  |  |
| Is this information available via other means?  |  |

[ ]  Please tick if you’ve provided additional support information with your application.

## Section 4: Authorisation and Declaration

The Authorising Officer must be ranked Police Inspector or higher and for other ‘relevant bodies’ a Senior Officer/Manager.  In instances where it is not operationally viable to obtain a wet signature then we will accept an email from the Authorising Officer attaching this paperwork and confirming their approval.

**We confirm that:**

* information requested is compatible with the stated purpose and that any information disclosed will not be used in any way which is incompatible with this purpose
* information provided on this form to be correct.
* it is understood that if any information given on this form is incorrect; it may be an offence under Data Protection Act 2018 Section 170.

### **Requesting Officer**

|  |  |
| --- | --- |
| Name: |  |
| Job Title/Rank: |  |
| Signature: |  |
| Date: |  |

### **Authorising Officer**

|  |  |
| --- | --- |
| Name: |  |
| Job Title/Rank: |  |
| Signature: |  |
| Date: |  |

## Section 5: Disclosure

Please state how you would like to receive the information. The most convenient, secure and preferred method is via secure email.

[ ]  by secure email

[ ]  by post
[ ]  collection in person (proof of identification required when collecting)

## Section 6: Submitting Requests

Completed forms can be submitted:

By email: dataprotection@westmorlandandfurness.gov.uk
By post: Data Protection Officer, Legal and Democratic Services, Westmorland and Furness Council, South Lakeland House, Lowther Street, Kendal, Cumbria LA9 4UF.

We recommend that you use a secure e-mail solution for sending personal or confidential information to us. If you choose post, please ensure it is sent securely and the envelope is marked ‘Private and Confidential’.