

## Subject Access - A Parent's Guide

People have the right to ask us if we are using or storing their personal information. They can also ask us for copies of their personal information. This is the right of access, known as making a [subject access request](#) or SAR.

The right of access to a child's information is the right of that child, and not their parent or guardian. If the child is too young or unable to understand, a person with parent may usually make a request on their behalf. But it remains the right of the child rather than anyone else such as a parent or guardian.

If your child can understand their rights they must consent to us providing their information to you. There may be some information they do not want shared with a parent/guardian. If your child consents and it is in their best interests, we will allow you to exercise their right of access.

A child of 12 years should be mature enough to use their right of access, based on Frazer/Gillick case law. If your child is over the age of 12 and able to understand their rights, we will either;

- a) Respond to your child about the SAR, or
- b) Ask the child if they are happy for us to provide their information to you,  
or
- c) Ask you to provide [written consent](#) from your child to give you the right to access their information.

If your child is under the age of 12 and you hold parental responsibility for them, we will usually respond to you.

As a local authority we have a duty of care to all young people in Essex. The law requires us to be sure you have a legal right before providing access to the personal data of your child.

Our child information generally relates to social care and special educational needs services. If you want to request a child's educational record, you should ask the school as we do not hold these.

### Making a request

To make a request for information about your child, you'll need to provide:

- your full name and address
- your telephone number and email address
- your child's date of birth
- a document proving your identity (like a passport, driving license or birth certificate)



Essex County Council

- a description of the information you want to access. The information you give us will help us process your request quicker.
- the birth certificate naming you as parent, proving parental responsibility for the child
- proof you have [consent](#) to request the information, such as a letter of consent from your child

You might find it helpful to use our [request form](#)

Send all this information to the Transparency Team at:

Email: [transparencyteam@essex.gov.uk](mailto:transparencyteam@essex.gov.uk)

Post: Transparency Team. PO Box 11. County Hall. Chelmsford. Essex. CM1 1LX

Telephone: 033301 39853

If you're unhappy with our response you can contact our Data Protection Officer.

Email: [DPO@essex.gov.uk](mailto:DPO@essex.gov.uk)

Telephone: 0345 743 0430 (ask to speak to the Information Governance Team)

You can also speak to the [Information Commissioner's Office \(ICO\)](#) about your complaint. You can also [find out more about access requests](#) on the ICO website.

You can see why and how we use personal information on [Your privacy pages](#).