**Application for Access to Restricted Material**

*Please read guidance overleaf*

**Name:**

**Address:**

**Nature of research (please circle):** book/ article/ thesis/ dissertation/ media/ family/ other *(please specify)*

**Subject of research:**

**Shelfmark, title and description of each item you are requesting to access:**

*Data Protection Act (section 33) conditions*

I request permission to consult the records named above and agree to make use of any personal data contained therein in compliance with the Data Protection Act 1998. My research will not be used to support measures or decisions with respect to particular individuals and will not cause or be likely to cause substantial damage or substantial distress to any person who is the subject of those data while he or she is alive or likely to be alive (assuming a lifespan of 100 years). I will not make the results of my research available in a form that identifies any data subject without the consent in writing of the data subject or the data controller.

I understand that I shall become responsible for compliance with the Data Protection Act 1998 in relation to any processing by me of personal data obtained from the above records and undertake to dispose of this data in an appropriate manner when it is no longer required for my research.

**Signed:**

**Date:**

The original signed undertaking will be retained by University of Leeds Special Collection. The Library will retain the form indefinitely as a record that you have accepted our terms and conditions of access to restricted material. The researcher is provided with a copy.

**STAFF USE ONLY**

Donor/ depositor permission necessary? Y/ N Donor/ depositor permission received? Y/ N

Application approved? Y/ N Reason for refusal:

**Data Protection Act 1998: Guidance for Researchers**

A researcher is responsible for any personal data concerning living individuals that s/he takes away from Special Collections (inclusive of any notes, digital images and photocopies). The researcher becomes the ‘data controller’ of the personal data held about the ‘data subjects’.

**Section 33** allows Special Collections to retain and hold personal data indefinitely for research purposes.Use of personal data for research, history and statistics (section 33) is made up of two conditions. Adherence to them will permit the researcher the same rights with respect to her/ his subsequent use of data taken from Special Collections, provided that data is used for the purposes of research, history and statistics. The conditions are:

* That the data are not processed to support measures or decisions with respect to particular individuals
* That the data are not processed in such a way that substantial damage or substantial distress is, or is likely to be caused to any data subject

Personal data which are processed only for research purposes are exempt from **section 7** of the Act (which obliges a data controller to notify data subjects of the processing of the data) if:

* They are processed in compliance with the relevant conditions of section 33
* The results of research/ any resulting statistics are not made available in a form which identified data subjects.

**Researcher’s responsibilities**

1. Do not cause substantial damage or distress to data subjects
2. Do not use data to support measures or decisions concerning individuals
3. Anonymise identities whenever possible when note-taking, in results of research and statistics
4. Respect the confidentiality of any documents/ information not connected with research but may have been seen in the course of it

In deciding when it is appropriate to use/ publish personal information consider:

* Is the person alive
* Is the information published/ in the public domain
* Is the individual a public figure
* Does the information belong to a sensitive category of information as defined by the Act
* Could the context of the information disclose data about an individual by default

Under principle 8 of the Act, personal data should not be transferred outside the EEA. There is an exemption under **Section 32** for journalism, literature and art (for publication where it is in the public interest).

Further guidance on the Act can be found on the Information Commissioner’s website at: <http://www.ico.gov.uk>