

Eaton Bray Academy



SUBJECT ACCESS REQUEST POLICY

V0.1

Headteacher:	Mrs. S. Hounslow
Address:	School Lane Eaton Bray LU6 2DT
Tel No:	(01525) 220468
Email:	admin@eba.ec
Website:	www.eatonbrayacademy.co.uk

Eaton Bray Academy

Subject Access Request Policy

VERSION:	V0.1
VERSION DATE:	16 th May 2018
AUTHOR:	Office Manager
REVIEWED BY:	Governing Body



The Copyright in this work is vested in Eaton Bray Academy and the document is issued in confidence for the purpose only for which it is supplied. It must not be reproduced in whole or in part or used for tendering or manufacturing purposes except under an agreement or with the consent in writing of Eaton Bray Academy and then only on the condition that this notice is included in any such reproduction. No information as to the contents or subject matter of this document or any part thereof arising directly or indirectly there from shall be given orally or in writing or communicated in any manner whatsoever to any third party being an individual firm or company or any employee thereof without the prior consent in writing of Eaton Bray Academy



AMENDMENT HISTORY

Issue	Author	Date	Description
V0.1(Draft)	RM	16/05/2018	Initial draft



Introduction

In line with the provisions of the General Data Protection Regulations (GDPR), any individual, person with parental responsibility, or young person with sufficient capacity, has the right to ask what data the school/academy holds about them, and can make a Subject Access Request (SAR).

The school is required to provide the individual with the data it holds on them within one calendar month. An extension of up to one calendar month can be granted if a school closure period is scheduled to occur during the initial one calendar month response time.

All information relating to the individual, including that held in electronic or manual files should be considered for disclosure, subject to certain exemptions.

This policy outlines the procedures to be taken by Eaton Bray Academy should an SAR be made.

Mrs. Hounslow
Headteacher



CONTENTS

1	WHO CAN MAKE A SUBJECT ACCESS REQUEST?.....	6
2	MAKING A SUBJECT ACCESS REQUEST (SAR)	6
3	RESPONDING TO AN SAR.....	7
4	EXEMPTIONS	7
5	APPENDIX A.....	8
6	APPENDIX B	10



1 WHO CAN MAKE A SUBJECT ACCESS REQUEST?

Any person with parental responsibility or young person with sufficient capacity over the age of 12 years has the right to ask what data the school/academy holds about them and/or their child, and can make a Subject Access Request (SAR).

An individual with ownership of their own information rights (ie over the age of 12 years) may alternatively appoint another person to request access to their records on their behalf. In such circumstances the Academy Trust must have written evidence that the individual has authorised the person to make the application and the Data Protection Officer must be confident of the identity of the individual making the request and of the authorisation of the individual to whom the request relates.

Where a child or young person does not have sufficient understanding to make his or her own request (usually those under the age of 12, or over 12 but with a special educational need which makes understanding their information rights more difficult), a person with parental responsibility can make a request on their behalf.

The Data Protection Officer must, however, be satisfied that:

- the child or young person lacks sufficient understanding; and
- the request made on behalf of the child or young person is in their interests.

2 MAKING A SUBJECT ACCESS REQUEST (SAR)

All requests should be made in writing using a Subject Access Request Form (see Appendix A) available from the School Office.

Evidence of the identity of the person making the request and their relationship to the pupil must be gained prior to any disclosure of information. This should be recorded on the SAR Form and the SAR log.

Proof of identity should include a copy of two documents such as birth certificate, passport, driving licence, official letter addressed to the individual at their address e.g. bank statement, recent utilities bill or council tax bill. The documents should include the individual's name, date of birth and current address.

SARs should be sent to the Data Protection Officer within 3 school days of receipt, and must be dealt with in full without delay and at the latest within one month of receipt.

An extension of up to one calendar month can be granted if a school closure period is scheduled to occur during the initial one calendar month response time



3 RESPONDING TO AN SAR

Upon receipt of an SAR, it is permissible to ask the individual who has made the request to be more specific about the information that they require, in order to ensure that the information they are provided with meets their requirements, rather than providing lots of information that may not be relevant to their query.

An individual only has the automatic right to access information about themselves and/or the child for whom they have parental responsibility. When responding to requests, care needs to be taken not to disclose the personal data of third parties where consent has not been given, or where seeking consent would not be reasonable, and it would not be appropriate to release the information. Particular care must be taken in the case of any complaint or dispute to ensure confidentiality is protected.

Where all the data in a document cannot be disclosed, a permanent copy should be made and the data obscured, or retyped if this is more sensible. A copy of the full document and the altered document should be retained, with the reason why the document was altered.

Access to records will be refused in instances where an exemption applies, for example, where information sharing may place the individual at risk of significant harm or jeopardise police investigations into any alleged offence(s).

Wherever possible, the response to the SAR will be provided in an electronic form. A copy of the information will be supplied to the individual free of charge; however, the school may impose a 'reasonable fee' to comply with requests for further copies of the same information. All fees will be based on the administrative cost of providing the information.

All files must be reviewed by the Headteacher before any disclosure takes place. Access will not be granted before this review has taken place.
All SARs will be logged.

4 EXEMPTIONS

Exemptions to a SAR include:

- information that might cause serious harm to the physical or mental health of the pupil or another individual
- information that would reveal that the child is at risk of abuse, where disclosure of that information would not be in the child's best interests
- information contained in adoption and parental order records
- certain information given to a court in proceedings concerning the child
- statutory test marks and scripts prior to results being officially announced
- information relating to national security, crime and taxation
- information contained in a confidential reference



5 APPENDIX A

Subject Access Request (SAR) Form

Part A: Data Subject's Details (person whose information you are requesting)

Title:
Full Name:
Date of Birth:
Address:
Year Group (if pupil at school)

Part B: Requestor Details

Title:
Full Name:
Address:
Phone Number:
Email Address:

Evidence of Identity (e.g. passport, driving license):

Evidence Provided? Yes / No
Details:

Status of Requestor:

Data Subject: Yes / No
Parent or person with parental responsibility: Yes / No
Other: Yes / No
If you have selected 'yes' for 'Other', please outline your role here:



Part C: Details of Subject Access Request

Details of Data Being Requested:

Part D: Declaration

Option i I , , hereby
request that Eaton Bray Academy provide the data requested about me.

Signed: _____

Date: _____

Option ii I , , hereby
request that Eaton Bray Academy provide the data requested about
..... (insert child's name) on
the basis of the authority that I have.

Signed: _____

Date: _____



6 APPENDIX B

Subject Access Request Log

No.	Data Subject	Requestor	Relationship to Data Subject	ID		Date SAR Received	Reason for SAR	Expiry date (1 calendar month)	Complied with	Comments
				Requested	Received					