



# **Subject Access Request Policy & Procedure Parrs Wood High School**

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## **Document Owner: Greater Manchester Learning Trust**

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### **Introduction**

All personal data processed by the school is within the scope of this policy. Personal data that is asked for as a matter of routine may include copies of employment contracts, job descriptions or other information already received by data subjects.

Data subjects are entitled to ask:

- Whether the School is processing any personal data about that individual and, if so, to be given:
  - a description of the personal data;
  - the purposes for which it is being processed; and,
  - details of who will be allowed to see the personal data.
- To be given a copy of the information and to be told about the sources from which the school derived the information; and

### **Responsibilities**

The Head Teacher is responsible for the application and effective working of this policy and procedure, and for reporting to the Board of Governors on Subject Access Requests (SARs). The School Business Manager is responsible for handling all SARs, with the advice and guidance of the Data Protection Officer.

### **Subject access requests**

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed.
- Access to a copy of the data.
- The purposes of the data processing.
- The categories of personal data concerned.
- Who the data has been, or will be, shared with?
- How long the data will be stored for, or if this is not possible, the criteria used to determine this period.
- The source of the data, if not the individual.
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual.

Subject access requests should include:

- Name of individual
- Correspondence address

- Contact number and email address
- Details of the information requested

If staff receive a subject access request, they must immediately forward it to the School Business Manager.

### **Children and subject access requests**

Personal data about a child belongs to that child, and not the child's parents or carers. *The UK-GDPR grants the right of access to pupils and those with parental responsibility for that pupil. What this essentially means is that a pupil, parent, or carer can ask the Trust whether they are processing personal data about that pupil; they can also request copies of that information verbally or in writing by making a subject access request.*

A record of the Subjects Access Request and the subsequent disclosure will be retained for a period of 12 months and a record of each disclosure will be recorded on the SAR Register. *If parental authority is in place and the child is 12 years of age or under, the parent or carer can also request copies of their child's personal data without consent of the child. The Trust reserve the right to obtain permission / consent from pupils above this age should a parent or carer make a request on their behalf.*

*The age of consent for children in the UK is set at the age of 13 years as at this age they are typically regarded as mature enough to understand their rights and make informed decisions regarding their personal data. This rule is not explicit and a pupil's ability to understand their rights will always be assessed on a case-by-case basis.*

*The Trust would ask that requests regarding children under this age are made by the parent or carer. The Trust reserve the right to seek verification of parental responsibility prior to actioning any requests from parents or carers.*

### **Responding to subject access requests – Procedure**

When responding to requests, we:

- Ensure the application is made using our '**Subject Access Request (Form)**' at **Annex A.**
- May ask the individual to provide 2 forms of identification.
- May contact the individual via phone to confirm the request was made.
- Request the Data Subjects permission to disclose the data to a parent or guardian.
- Will respond without delay and within 1 month of receipt of the request.
- Will provide the information free of charge.
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month and explain why the extension is necessary.

Collection will entail either:

- Collecting the data specified by the data subject, or
- Searching all databases and all relevant filing systems (manual files) of the school, including all back up and archived files, whether computerised or manual, and including all e-mail folders and archives. The ICT Lead maintains a data map that identifies where all data in the school is stored.

We will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual.

- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests.
- Is contained in adoption or parental order records.
- Is given to a court in proceedings concerning the child.
- Information covered by legal professional privilege.
- Negotiations with the data subject in relation to the request.
- Information for crime prevention or detection.
- Management forecasts.
- Information used for research, historical or statistical purposes.

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which considers administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive or asks for further copies of the same information.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

### **Supplying the data to the data subject**

The information is provided to the data subject in electronic format unless otherwise requested and all the items provided are listed on the '**Responding to a Subject Access Request (Form)**' at **Annex B** that shows the data subject's name and the date on which the information is delivered.

The electronic formats used for responses to SARs are:

- CSV files
- Excel files
- Word files

All machine-readable transitions require a robust level of encryption to send the information to a data subject and or transmit that data to another controller, at the written request of the Data Subject.

## Annex A – SAR Form for Data Subject to Complete

### Subject Access Request (Request Form)

**[Insert date]**

**[Insert the school name and address]**

**Re: subject access request**

Dear *school*,

I would like to request the information held about myself/my child in the school. I am entitled to receive this information under the UK General Data Protection Regulation. I would like to be aware of the information that the school is processing about me and verify the lawfulness of this processing.

Here is the necessary information:

Name	
Relationship with the school	<b>Please select:</b> Pupil / parent / employee / governor / volunteer  Other (please specify):
Correspondence address	
Contact number	
Email address	
Details of the information requested	<b>Please provide me with:</b> <i>Insert details of the information you want that will help us to locate the specific information. Please be as precise as possible, for example:</i> <ul style="list-style-type: none"><li>• My personnel file</li><li>• My child's medical records</li><li>• My child's behavior record, held by <i>[insert class teacher]</i></li><li>• Emails between 'A' and 'B' between <i>[date]</i></li></ul>

If you require any further information from me, please do not hesitate to contact me.

Please bear in mind that, in most cases, you must supply me with the information within 1 month and free of charge.

If you require any advice on dealing with this request, you can contact the Information Commissioner's Office (ICO) on 0303 123 1113 or at [www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely,

**[Insert Name]**

## Annex B – SAR Response Template for School

### Responding to a Subject Access Request (Form)

**[Insert date]**

**[Insert your school's name and address]**

**Re: subject access request**

Dear *insert the name of the individual who submitted the subject access request*

Please find enclosed the information that you requested under the UK General Data Protection Regulation (UK-GDPR).

Your name	
Your relationship with the school	Please select: Pupil / parent / employee / governor / volunteer  Other (please specify):
Details of the information you requested/enclosed	<i>Insert details of the specific information requested, such as:</i> <ul style="list-style-type: none"><li>• Your personnel file</li><li>• Your child's medical records</li><li>• Your child's behavior record, held by <i>[insert class teacher]</i></li><li>• Emails between 'A' and 'B' between <i>[date]</i></li></ul>
Date you requested the information	
Date we supplied the information	<i>This must be within one month of the above date</i>
Format we supplied the information	<i>For example, encrypted USB stick accompanying this letter</i>

**[Ensure we send the data either manually or electronically and record a copy on the schools Server]**

If you need any further advice relating to your subject access request, please contact: *[insert name]*, School Business Manager on *[telephone]* or *[email]* or the Data Protection Officer for the school: *[insert details]*

The School Business/Office Manager on *Insert Number*

Yours sincerely,  
*[Insert Name]*