



DATA PROTECTION SUBJECT ACCESS REQUEST PROCEDURE

Subject Access Requests (SAR)

This procedure sets out the steps the School must follow when responding to a Subject Access Request (SAR), where an individual asks to access the personal data the School holds about them.

While Subject Access Requests can be made verbally or in writing, individuals are encouraged to send written requests to the Data Protection Officer via info@dpenterprise.co.uk to ensure clarity and to create an audit trail.

What is a valid subject access request?

The following should be considered when considering validity:-

- A request can be sent by email, in hard copy, via social media or made verbally but it always good practice to ask the individual to put their request in writing to ensure there is no misunderstanding as to what is required and to provide an audit trail.
- If a request is made verbally, it is good practice to confirm the details in writing, if possible, to ensure there is no misunderstanding on the information required.
- If someone finds it impossible or unreasonably difficult to make a Subject Access Request in writing, you may have to make a reasonable adjustment for them under the Equality Act 2010. You might also have to respond in a format which is accessible to a disabled person, such as Braille, large print, email or audio formats. If an individual believes you have failed to make a reasonable adjustment, they may make a claim under the Equality Act, or it may be appropriate for the individual to view the information on site.
- A valid SAR does not have to mention the Data Protection Act or UK GDPR. Any request from an individual for their own personal data constitutes a valid SAR, regardless of format. The School must respond even if the request is informal, although it is best practice to confirm the scope in writing.
- The School must consider its Public Sector Equality Duty and may need to provide support or reasonable adjustments to facilitate the request. A refusal to make such adjustments could lead to a complaint under the Equality Act 2010.

Information required before responding

1. Full details of information required and completion of the appropriate Subject Access Request form where required.
2. If you are unsure of the identity of the individual making the subject access request you must ask for proof of identity – birth certificate, passport, driving licence, utility bill. Name, current address, and date of birth must be proven so you may need more than one proof of identity document. ID verification must be proportionate. Where the requestor is known to staff (e.g a parent or student), formal ID checks may not be necessary unless doubt exists.

3. Where a child is aged 12 or over, they are generally presumed to have sufficient understanding to exercise their own data protection rights. Where this is the case, the child must make the request themselves or give written consent for a parent to act on their behalf.
4. Proof of Parental Responsibility – If a parent requests their child's personal data, the School must verify that they have parental responsibility. Mothers are assumed to have parental responsibility by default. Fathers must provide evidence such as, a marriage certificate dated before the child is born, birth certificate where father is named, PR agreement with the mother or a PR order from the Court.
5. Parental consent is required for children under 12.
6. Where a legal representative (e.g. solicitor) submits a SAR on behalf of an individual, written authority must be provided confirming they are authorised to act. The School must be satisfied that the authority is genuine.
7. A copy of the response (but not necessarily all the disclosed documents) should be retained securely as part of the SAR log, along with the request, ID checks and any correspondence, in line with the School's retention schedule.
8. It is unlawful to amend or delete personal data to avoid disclosing it as part of a SAR. However, routing data updates or corrections that would occur in the normal course of business can continue.
9. Where a request is for a child's educational record (as defined under the Education (Pupil Information) Regulations 2005), the School must respond within 15 school days. For all other SARs, the standard response time is one calendar month from the date of receipt or from verification of identity, whichever is later. If this time limit cannot be met, then the requester must be informed and a record of decisions to extend the deadline must be kept.

SUBJECT ACCESS REQUEST (SAR) PROCEDURE FLOW CHART

