

HAZELDENE SCHOOL



SUBJECT ACCESS REQUEST POLICY WRITTEN MAY 2018

SIGNED DATE.....
HEADTEACHER

SIGNED DATE

CHAIR OF GOVERNORS

TO BE REVIEWED JAN 2019

Hazeldene School

Subject Access Request Policy

What is a subject access request?

Individuals have the right to access the personal data and supplementary information that Hazeldene School holds about them. This right applies to everyone whose personal data the school holds, including staff, governors, volunteers, parents and pupils.

The new rules: in summary

Under the General Data Protection Regulation (GDPR), in force from 25 May 2018. As a school we:

- Must provide the information **free of charge**
- Must comply within **1 month**
- Should provide the information in a commonly used electronic format, if the request was made electronically

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 isn't possible, the criteria used to determine this period
- The source of the data, if not the individual

How do you make a subject access request?

Subject access requests must be submitted in writing, either by letter, email to the school. They 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 DPO.

Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent. Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

How we will respond to subject access requests

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made
- 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

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

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account 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.