



North Town Primary School & Nursery
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North Town Primary School & Nursery

Subject Access Request Policy and Procedure

Signed:Head teacher

Signed:Chair of Governors

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Table Of Contents

1. Policy Name.....	3
2. Policy Statement.....	3
3. Definitions.....	3
4. Policy Principles.....	3
5. Procedures.....	4
6. Further Reading.....	4
Appendix 1 – Dealing with a Subject Access Request.....	6

Awaiting Review & Ratification



1. Policy Name

Subject Access Request (SAR) Policy and Procedure

2. Policy Statement

This policy outlines the principles associated with a SAR and the procedure the School or Nursery will follow on receiving a SAR.

3. Definitions

A subject access request (SAR) is simply a written request made by or on behalf of an individual for the information which he or she is entitled to ask for under section 7 of the Data Protection Act 1998 (DPA).

4. Policy Principles

The following principles have been adopted from the Information Commissioners Office (ICO) website - <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/subject-access-request/>

4.1 What is an individual entitled to?

Under the right of subject access, an individual is entitled only to their own personal data, and not to information relating to other people (unless they are acting on behalf of that person). Neither are they entitled to information simply because they may be interested in it.

In most cases the School or Nursery will respond to a subject access request promptly and in any event within 40 calendar days of receiving it.

4.2 What is a valid subject access request?

For a subject access request to be valid, it should be made in writing.

4.3 Supplying amended data.

The DPA specifies that a subject access request relates to the data held at the time the request was received. However, in many cases, routine use of the data may result in it being amended or even deleted whilst the School or Nursery deal with the request. Therefore it is reasonable for the School or Nursery to supply information held when a response is sent, even if this is different to that held when the request was received.

4.4 Information supplied

The DPA requires that the information the School or Nursery provide to the individual is in "intelligible form". At its most basic, this means that the information provided should be capable of being understood by the average person. However, the Act does not require the School or Nursery to ensure that the information is provided in a form that is intelligible to the particular individual making the request.

4.5 Charges

On receiving a subject access request the School or Nursery will charge a fee for dealing with it and do not need to comply with the request until the fee is received. However the School or Nursery will not ignore a request simply because the individual has not sent a fee.



4.6 Confirmation

The DPA allows the School or Nursery to confirm two things before responding to a request:

- a. Firstly for enough information to judge whether the person making the request is the individual to whom the personal data relates. This is to avoid personal data about one individual being sent to another, accidentally or as a result of deception.
- b. Secondly to ask for information that the School or Nursery reasonably need to find the personal data covered by the request.

4.7 Requests for information about children?

Even if a child is too young to understand the implications of subject access rights, data about them is still their personal data and does not belong, for example, to a parent or guardian. So it is the child who has a right of access to the information held about them, even though in the case of young children these rights are likely to be exercised by those with parental responsibility for them.

Before responding to a subject access request for information held about a child, the School or Nursery will consider whether the child is mature enough to understand their rights.

4.8 Data about other people

Responding to a subject access request may involve providing information that relates both to the individual making the request and to another individual. The DPA says the School or Nursery do not have to comply with the request if to do so would mean disclosing information about another individual who can be identified from that information, except where:

- the other individual has consented to the disclosure; or
- it is reasonable in all the circumstances to comply with the request without that individual's consent.

4.9 Repeated or unreasonable requests

The DPA does not limit the number of subject access requests an individual can make to any organisation. However, it does allow some discretion when dealing with requests that are made at unreasonable intervals. The School or Nursery are therefore not obliged to comply with an identical or similar request to one already dealt with, unless a reasonable interval has elapsed between the first request and any subsequent ones.

5. Procedures

The procedure for dealing with a Subject Access Requests is shown in Appendix One.

6. Further Reading

- <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/subject-access-request/>



Authorities / Key dates:

Policy custodian	Mike Snowden
Reviewed by Policy Committee on the	
Ratified on the	
To be reviewed on the	

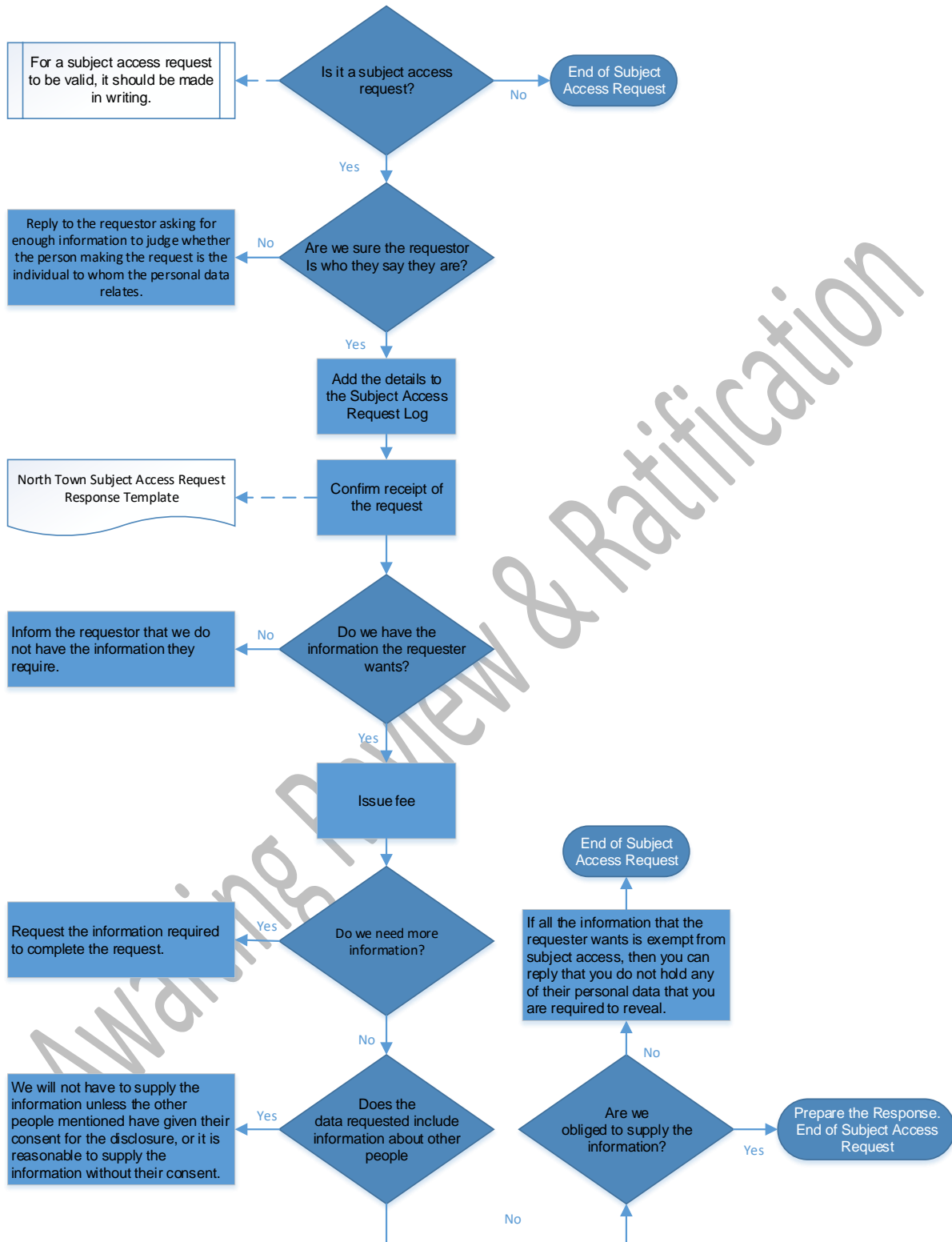
Modifications / Amendments history:

Date	Modifications / Amendment

Awaiting Review & Ratification



Appendix 1 – Dealing with a Subject Access Request





Subject access requests – a step-by-step guide through the process:

Is this a subject access request?

Key points to consider:

- Any written enquiry that asks for information you hold about the person making the request can be construed as a subject access request, but in many cases there will be no need to treat it as such.
- Would you usually deal with the request in the normal course of business? If so, do so – promptly.
- If you are in any doubt how to respond, go back to the individual or their representative and clarify the situation.

Do you have enough information to be sure of the requester's identity?

Key points to consider:

- Often you will have no reason to doubt a person's identity.
- If a person with whom you have regular contact sends a letter from their known address it may be safe to assume that they are who they say they are.
- If you have good cause to doubt the requester's identity you can ask them to provide any evidence you reasonably need to confirm it.

Do you need any other information to find the records they want?

Key points to consider:

- You will need to ask the individual promptly for any other information you reasonably need to find the records they want.
- You might want to ask them to narrow down their request. For example, if you keep all your customers' information on one computer system and your suppliers' information on another, you could ask what relationship they had with you. Or, you could ask when they had dealings with you.
- You have 40 calendar days to respond to a subject access request after receiving any further information

you need and any fee you decide to charge.

Are you going to charge a fee?

Key points to consider:

- If you need a fee you must ask the individual promptly for one.
- The maximum you can charge is £10 unless medical or education records are involved.
- The 40 calendar days in which you must respond starts when you have received the fee and all necessary information to help you find the records.

Do you hold any information about the person?

Key points to consider:

- If you hold no personal information at all about the individual you must tell them this.
- Remember, if you outsource data processing, subject access requests may be sent to a third party. Make sure suppliers are fully aware of their obligations and are trained in handling requests.

Will the information be changed between receiving the request and sending the response?

Key points to consider:

- You can still make routine amendments and deletions to personal information after receiving a request. However, you must not make any changes to the records as a result of receiving the request, even if you find inaccurate or embarrassing information on the record.

Does it include any information about other people?

Key points to consider:

- You will not have to supply the information unless the other people mentioned have given their consent, or it is reasonable to supply the information without their consent.
- Even when the other person's information should not be disclosed, you should still supply as much as possible by editing the references to other people. Visit www.ico.gov.uk for more detailed guidance.

Are you obliged to supply the information?

Key points to consider:

- There may be circumstances in which you are not obliged to supply certain information. Visit www.ico.gov.uk for further information regarding exemptions.
- If all the information you hold about the requester is exempt, then you can reply stating that you do not hold any of their personal information that you are required to reveal.

Does it include any complex terms or codes?

Key points to consider:

- The information you hold may include abbreviations, codes or technical terms that the individual will not understand. You must make sure that these are explained so the information can be understood.

Prepare the response

Key points to consider:

- A copy of the information should be supplied in a permanent form except where the individual agrees or where it is impossible or would involve undue effort. This could include very significant cost or time taken to provide the information in hard copy form.
- An alternative would be to allow the individual to view the information on screen.