

Pinewood school Academy Trust

Subject Access Request (SAR) Policy

Approved by	Resources Committee	Date of Last Review	Feb 23
Frequency of Review	2 Years	Next Review	Feb 25

This policy should be read in conjunction with the school's Data Protection policy and staff, governor and pupil privacy notices which can be found on the school website here:

<https://www.pinewood.herts.sch.uk/school/data-protection/>

Do you need to make a Subject Access Request (SAR)?

If you only want information about a specific incident, you may find that you can get that information by asking for it directly from the department holding it, without having to go through the Subject Access Request procedure. It is possible that the department may have to check whether the data can be released, but that shouldn't take too long. If the department is happy to release your data to you in this way, it will be a much shorter and less formal process than the Subject Access Request process. However, if you want information from a number of areas of the school the best way is still to use the Subject Access Request.

How to make a request

To make a subject access request, please either call the school on 01920 412211 and ask to speak to the Data Protection Officer (Ed Uncle), email e.uncle@pinewood.herts.sch.uk or by post to:

The Data Protection Officer
Pinewood School
Hoe Lane
Ware
Hertfordshire
SG12 9PB

The school also provides a form that is designed to collect the information needed to identify the data you are requesting. You may optionally download and complete this form and then send it, with the appropriate identification documents via email or post using the details above.

You can download the form here: <https://www.pinewood.herts.sch.uk/school/data-protection/>

If you would prefer, you can bring original identification documents to the school office in person. The school does not charge for this service.

Where a request is made verbally, we will complete a form on your behalf in school to formally record the SAR and as a starting point for the search.

What information do we need to start the search?

In order to find the data you are requesting we will need the following information:

- Your name
- Your address
- Your date of birth
- A copy of your passport or driving licence including photograph page
- Details of the information required

Identification is required to confirm that you are the data subject – that is, the individual to whom the data refers – so that the school does not disclose any data to someone who is not entitled to receive it.

If you are making a request on behalf of the data subject e.g. you are a solicitor acting on your client's behalf, you will need to provide the information detailed above for the data subject, plus proof that you have your client's consent to request and receive their personal data. This may be a signed form of authority from the individual.

It would be helpful to provide some contextual information about the required data e.g. dates that the information may have been produced, or whether it refers to your time as a student or a member of staff.

What type of search will be carried out for the information requested?

We will carry out a reasonable search for the information requested in the subject access request.

If you are, or were, a pupil or parent, the school will routinely search the following areas for your data as these are the areas where most student data is held:

- Paper based pupil files.
- Data held on the school MIS systems and on the computer network.
- Financial records and systems – for details of fee payments and any disputes over payments.
- If you would like other specific areas searched for your data, you can indicate this on the SAR form.

If you are, or were, a member of staff, the school will routinely search the following areas for your data as this is where the majority of staff data is held:

- Human Resources – for your central HR file containing details of your initial application, any subsequent applications within the school, job changes, communications to and from HR; this includes paper files and files on the computer network.
- Finance records – payroll data, payments details, pension details.
- The department in which you are / were employed – for any locally held HR records and Personal Development records.
- If you would like other areas searched for your data, you can indicate these on the SAR form.

You may however, only want to receive information relating to a specific incident or issue. If that is the case, please provide as much detail as possible regarding the information you

require e.g. dates of events, when the information may have been recorded or where you think the information may be held, to help identify the data you require.

How long will it be before you receive your data?

The school has one month in which to provide the data you have requested. This period starts on the date that the school receives all of the information it needs to confirm which includes your identity, or your right to request a third party's data and the type of search you want carried out (either a general search or a search for specific information). The date on which you will receive your requested information will be confirmed once the school has received all the required information.

We may pause the time limit for responding if we need to ask for clarification until such time as that has been provided.

We may extend the time limit by a further two months if the request is complex or if we receive multiple requests from the same individual.

We can refuse to provide the information if an exemption of restriction applies, or if the request is manifestly unfounded or excessive.

How will your data be provided to you?

The General Data Protection Regulation requires that you receive a permanent copy of any personal data held about you. Therefore, you will receive either an electronic or paper copy of the personal data found about you, depending on the preference you selected on the SAR form, and the size of the data.

If you wish to receive your data in paper form, this will be sent to you using first class recorded delivery post. The school uses recorded delivery post to ensure an audit trail exists to show where the parcel was sent, who signed for it and when. In the event that no-one is available to sign for your parcel, it will be held at a local office until it is collected or finally returned to the school. This ensures your data is held as securely as possible until you receive it.

If you wish to receive your data electronically, assuming the file size is not too large, it will be sent to you by email as an attachment. The file will be password protected and once you receive the file, you will need to contact the school for the password in order to access the attachment. Information on how to do this will be included in the email that sends your data to you.

The information provided will be in an accessible, concise and intelligible format.

What data will be provided to you?

You will receive copies of the personal data relating to you. Personal data is defined as data that identifies a living individual and relates to that individual. Therefore, the data you receive will not only name you but also have some reference to you. As the school still holds some paper files as well as electronic records, a search will be carried out initially for files / folders that are named using your name in any format. After that, electronic searches will be carried out for any electronic records that contain your name in the body of the data – not just the title. It is not always possible to carry out this search fully without any background information on the type of record you are looking for.

Whether you receive copies of particular emails will depend on whether the data may relate to you. So, for example, you will not receive copies of emails that have been sent to a list of email addresses including yours, where the information in the email does not relate to you, e.g. it is a reminder of a student celebration evening open to everyone. However, you will receive a copy of an email that has been sent to a list of email addresses including yours, where the information in the email does relate to you.

Your personal data may be held in a document or database that contains personal data relating to other individuals. To avoid providing you with a third party's personal data, it may be necessary to redact the other person's data (that is, blank it out or obscure it in other ways) or to extract your data from the larger document / database. Therefore, you may receive copies of documents with blank spaces in the text, or with only one line of information under column headings.

Will you receive all of the data that relates to you?

It is important to note that it is not always possible to know exactly what information is held about an individual when a search is made. It may not always be possible for the school to provide every piece of information about your employment or studies, as there may have been some discussions relating to a final decision made at a meeting or over the telephone, which will not always be recorded. Emails are often seen as an informal method of communication and staff are encouraged to retain emails in line with their subject matter and our school's Data Retention & Disposal policy. That means that not all emails will be kept for the same length of time. Therefore, an email in which someone agrees to attend a meeting does not need to be kept for as long as one that includes a decision on a particular subject that has ramifications for others or over a length of time.

There may be occasions where the final data is provided to you but information which led to that data is not provided. An example of this is the data given to a Board of Examiners, which shows the marks you have received as a student. Unless there is any information other than your name and marks, this information will not routinely be sent to you because you will be provided it in a transcript of your marks.

There may be times when the school holds personal data about you which it does not / cannot disclose to you. This may be because it is not possible to disclose your personal data without disclosing a third party's data, and either the third party has refused to give consent for their data to be disclosed or the third party's data is awarded a degree of confidentiality which means the data cannot be disclosed.

There are other exemptions in the General Data Protection Regulations which mean that personal data can be withheld. Details and examples of these instances can be found in Chapter 9 of the Information Commissioner's Office, Subject Access Code of Practice. If it is necessary to withhold any data, you will be informed of the reasons for the non-disclosure, but the school endeavours to release as much of your data as possible.

Examples of information which (depending on the circumstances) may be withheld include information that:

- 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 disclosure of that information would not be in the child's best interests
- is contained in adoption and parental order records; and

- is legally privileged, including certain information given to a court in proceedings concerning a child
- records the intentions of the school in negotiations with the individual making the SAR;
- consists of confidential references either given or received by the school
- consists of exam or test answers or exam results before the allotted publication time
- is held for purposes of management planning (e.g. redundancy planning)
- would prejudice the prevention and detection of crime if disclosed (e.g. in live investigations)
- might cause serious harm or distress in limited social work contexts

What can you do if you are unhappy with the response to your request?

You may first contact the school to clarify any queries about the information you have received or to point out any omissions in the data that you expected to receive – although if you are looking for anything particular, it is best to stipulate this in your original request. We will look again at the information held within the school to see if any new information can be sourced with the extra detail provided by you.

If you remain dissatisfied with the response to your request, you may submit a complaint to the Information Commissioner's Office (ICO). More advice on how to do this is available by contacting the ICO on its helpline number of 0303 123 1113.