**Subject Access Request (SARS) Procedure**

This document should be read in conjunction with the schools Privacy Notices.

**Policy Statement**

All Data Subjects have rights of access to their personal data. This document sets out the procedure to be followed in relation to any requests made for the disclosure of personal data processed by the school.

**Recognising a subject access request**

As Redmoor Academy processes personal data concerning data subjects, those data subjects have the right to access their personal data under UK GDPR. A request to access this personal data is known as a subject access request or SAR.

A data subject is generally only entitled to access their own personal data, and not to information relating to other people.

Any request by a data subject for access to their personal data is a SAR. This includes requests received in writing, by email, and verbally. We have a form on the website which we ask is completed and returned to Mrs S Brown UK GDPR Coordinator.

If any member of our staff receives a request for information they should inform the requestor of the form that needs to be completed and inform Mrs S Brown UK GDPR Coordinator as soon as possible.

In order that the school is properly able to understand the nature of any SAR and to verify the identity of the requester, any requester making a request verbally should be asked to put their request in writing using the form available from the school office or the school website.

A SAR will be considered and responded to in accordance with UK GDPR.

Any SAR must be notified to the UK GDPR Coordinator at the earliest opportunity.

**Verifying the identity of a Requester**

The school is entitled to request additional information from a requester in order to verify whether the requester is in fact who they say they are.

Where the school has reasonable doubts as to the identity of the individual making the request, evidence of identity may be established by the production of two or more of the following:

* Current passport
* Current driving licence
* Recent utility bills with current address
* Birth/marriage certificate
* P45/P60
* Recent credit card or mortgage statement

If the school is not satisfied as to the identity of the requester then the request will not be complied with, so as to avoid the potential for inadvertent disclosure of personal data resulting in a data breach. This decision will be made with the cooperation of our DPO.

**Fee for Responding to Requests**

The school will usually deal with a SAR free of charge.

Where a request is considered to be manifestly unfounded or excessive a fee may be requested. Alternatively, the school may refuse to respond to the request. If a request is considered to be manifestly unfounded or unreasonable the school will inform the requester why this is considered to be the case. This decision will be taken under the guidance of the school DPO.

A fee may also be requested in relation to repeated requests for copies of the same information. In these circumstances, a reasonable fee will be charged taking into account the administrative costs of providing the information.

**Time Period for Responding to a SAR**

The school has one calendar month to respond to a SAR. This will run from the later of

* The date of the request
* The date when any additional identification (or other) information requested is received
* Payment of any required fee

In circumstances where the school is in any reasonable doubt as to the identity of the requester, this period will not commence until sufficient information has been provided by the requester as to their identity, and in the case of a third party requester, the written authorisation of the data subject has been received (see below in relation to sharing information with third parties).

The period for response may be extended by a further one calendar month in relation to complex requests. What constitutes a complex request will depend on the particular nature of the request. The DPO must always be consulted in determining whether a request is sufficiently complex as to extend the response period.

A request may be received during or less than one month prior to a school holiday. Where a request is made prior to a holiday period the school will seek to respond prior to that holiday commencing, however where this is not possible then the school will inform the requester that this is the case.

Requests received during extended holiday periods may not be able to be responded to within the one month response period. The school will in those circumstances send out an initial acknowledgement of the request followed by a further update as soon as possible following commencement of the next term.

**Sharing Information with Third Parties**

Data subjects can ask that you share their personal data with another person such as an appointed representative, for example, a solicitor (in such cases you should request written

authorisation signed by the data subject confirming which of their personal data they would like you to share with the other person).

Equally if a request is made by a third party seeking the personal data of a data subject, then a response must not be provided unless and until written authorisation has been provided by the data subject. If the school is in any doubt or has any concerns as to provide Personal data belonging to the data subject, and in the case of the personal data of a child regardless of their age the rights in relation to that personal data is theirs and not those of their parents. Parents, in most cases, do not have automatic rights to the personal data of their child. However there are circumstances where a parent can request the personal data of their child without requiring the consent of the child. This will depend on the maturity of the child and whether the school is confident that the child can understand their rights. Generally, where a child is under 13 years of age they are deemed not to be sufficiently mature as to understand their rights of access and a parent can request access to their personal data on their behalf.

In relation to a child 13 years of age or older, then provided that the school is confident that they understand their rights, and there is no reason to believe that the child does not have the capacity to make a request on their own behalf, the school will require the written authorisation of the child before responding to the requester.

In all cases, the school should consider the particular circumstances of the case, and the above are guidelines only.

**Withholding Information**

There are circumstances where information can be withheld from the requester during the SAR’s process. These are specific exemptions and requests should be considered on a case by case basis.

Where the information sought contains the personal data of third party data subjects then the school will:

* Consider whether it is possible to redact information so that this does not identify those third parties, taking into account that it may be possible to identify third parties from remaining information;
* If this is not possible, consider whether the consent of those third parties can be obtained; and
* If consent has been refused, or it is not considered appropriate to seek that consent, then to consider whether it would be reasonable in the circumstances to disclose the information relating to those third parties. If it is not then the information may be withheld.
* So far as possible, the school will inform the requester of the reasons why any information has been withheld.

In certain circumstances, information can be withheld from the requester, including a data subject, on the basis that it would cause serious harm to the data subject or another individual. If there are any concerns in this regard then the DPO will be consulted.

**Process for dealing with a Subject Access Request**

When a subject access request is received, the school will:

* Notify the UK GDPR Coordinator who will be responsible for managing the response.
* Acknowledge receipt of the request and provide an indication of the likely timescale for a response.
* Take all reasonable and proportionate steps to identify and disclose the data relating to the request.
* Never delete information relating to a subject access request, unless it would have been deleted in the ordinary course of events – it is an offence to amend or delete data following receipt of a SAR that would not have otherwise been so amended or deleted.
* Consider whether to seek consent from any third parties which might be identifiable from the data being disclosed.
* Seek legal advice, where necessary, to determine whether the school is required to comply with the request or supply the information sought.
* Provide a written response, including an explanation of the types of data provided and whether and as far as possible for what reasons any data has been withheld.