



## **MICKLEOVER PRIMARY SCHOOL**

**Name of Policy:** Subject Access Request

**Date of Policy:** May 2018

**Member of Staff responsible:** L Gerver

**Review date:** May 2020

**Signature:** \_\_\_\_\_ **Chair of Governors**

**Date Approved:** \_\_\_\_\_

### **At Mickleover Primary School**

**We are:**

**Motivated to learn**

**Proud of our achievements**

**Successful and skilled for life**



## Subject Access Request – Process and Protocol

As an organisation we collect and process data about individuals. We explain what information we collect, and why in our Privacy Notices.

Any individual, or person with parental responsibility, or young person with sufficient capacity to make a request is entitled to ask what information is held. Copies of the information shall also be made available on request. A form to complete is available.

To ensure that requests are dealt with in an effective and timely manner we may seek to clarify the terms of a request.

To collate and manage requests we have designated Mrs L Powell to co-ordinate all requests. Please ensure that requests are made on the form to Mrs L Powell

Evidence of their identity, on the basis of the information set out and the signature on the identity must be cross-checked to that on the application form. Discretion about employees and persons known to the school may be applicable but if ID evidence is not required an explanation must be provided by school staff and signed and dated accordingly

Exemptions to a SAR exist and may include

- Education, Health, Social Work records
- Examination marks and scripts
- Safeguarding records
- Special educational needs
- Parental records and reports
- Legal advice and proceedings
- Adoption and Court records and/or reports
- Regulatory activity and official requests e.g. DfE statistical information
- National security, Crime and taxation
- Journalism, literature and art
- Research history, and statistics
- Confidential references

All data subjects have the right to know:-

- What information is held?
- Who holds it?
- Why is it held?
- What is the retention periods?
- That each data subject has rights. Consent can be withdrawn at any time (to some things).
- A right to request rectification, erasure or to limit or stop processing
- A right to complain

Many of these questions will be within the Privacy Notices on the website.



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The information will be provided in an electronic format, usually within one calendar month of the request. However in some circumstances, for example the school is closed for holidays, this may be extended by up to another calendar month.



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## Appendix 1

### Information Access Request Record

Pupil / Individual Name	
DoB	
Date info requested	
Who was the requester?	
How were they positively identified?	
What information was requested?	
Basis for the request?	
Was information disclosed? Yes No	
Reason for decision	
What was disclosed?	
If CP or Criminal concern is this whole record confidential? Give reasons and make clear on system	
Authorisation by	
Date	
Staff member(s)	



**Appendix 2**

**Staff Request Form for Subject Access**

To: Headteacher, Governors of.....School.

Please provide me with access to or supply me with a copy of personal data held on me by the school and Derbyshire County Council. I have read and understood the instructions and conditions overleaf. Please forward this request to the relevant Chief Officers.

Signed (Employee) Date

<b>Surname and Initials</b>	<b>Employee No.</b>
<b>Base Address/Room No</b>	<b>Home Address</b>
<b>Telephone Extension</b>	
<b>E-Mail Address</b>	
<b>Description of the Information Required (please also complete the tick boxes overleaf)</b>	
<b>Any Additional Details (such as relevant dates, contact names, references etc.)</b>	

The above member of staff has requested Subject Access rights to personal data held in Derby City Council files under the Data Protection Act 1998. Please search your data files and forward to me details of the personal data requested on this employee, as defined within the Act.

Signed: Date:

(Headteacher or Chair of Governors)



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Please tick the personal data you wish to have access to:

Type of Personal Data	Please tick ✓
Employment details -	
Specify -	
Personal details	
Health and medical records	
Financial records	
Pay records	
Pension records	
Car allowance/loan	
Telephone allowance	
Training/development records	
Disciplinary records	
Trade union membership records	
Other (please specify)	



Appendix 3

**Parent Request Form for Subject Access to School Files**

**Request for Access to Personal Data**

Under the Data Protection Act 1998, you have the right to enquire of any organization whether they hold your personal data and to see a copy of that data. Individuals are called 'data subjects' in the Act.

If you require copies of data we may hold, please complete all sections below and return this form together with the necessary verification details. The information on the form will only be used to process your request and find information which relates to you. It will be kept on file to respond to any subsequent correspondence, and will not be used for any other purpose. A response will be provided within 40 days of receipt of the completed form and proof of identity.

**1. Details of Person Requesting Information**

**Full Name:**

**Date of Birth:**

**Address:**

**Tel. No.**

**Fax No.**

**E-Mail**

**Other Address Details (if less than 3 years at above address)**

**4. Are You the Data Subject?**

**YES:** If you are the Data Subject please supply evidence of your identity – passport, driving licence or birth certificate (**originals only**) sent by special delivery unless you are able to bring them in person. Documents will be returned by special delivery. (Please go to question 7.)

**NO:** Are you acting on behalf of the Data Subject with their written authority? If so, that authority must be enclosed. (Please complete questions 5 and 6)

**5. Details of the Data Subject (if different to 1.)**

**Full name**

**Date of Birth**

**Address**



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<b>Tel. No.</b>		
<b>Fax No.</b>		<b>E-Mail</b>
<b>6. Please describe your relationship with the Data Subject that leads you to make this request for information on their behalf.</b>		
<b>7. Please describe the information you require:</b>		
<b>8. Please add any additional details (such as relevant dates, contact names, references etc.)</b>		
<b>9. Does the information requested include information relating to another person (a 3<sup>rd</sup> party)? YES/NO</b>		
<b>10. Do you wish to view the information in person? YES/NO (information will otherwise be supplied in hard copy to the address supplied above)</b>		
<b>Signed</b>		<b>Date</b>

Please note that it may be necessary to seek further information or proof of identity (of data subject or agent) before the request can be processed. If this is the case, then the statutory 40-day limit on response will start from the date that the Council receives all necessary information and proof. Every effort will be made to provide you with access or send you your details (along with an explanation of any codes or technical terms used) as soon as possible after receipt of your application.

If there is any part of this form you do not understand, or if you need further guidance, please contact the School.

Please return the completed form to the School. The following documents must accompany this application:

- evidence of your identity;
- evidence of the data subject's identity (if different from above) and their authority