

DCAT SUBJECT ACCESS REQUEST FORM

Introduction

DCAT Schools hold personal data (or information) about job applicants, employees, pupils and parents and other individuals for a variety of purposes.

Under Data Protection Law, individuals (known as 'data subjects') have a general right to find out whether St Catherine's College holds or processes personal data about them, to access that data, and to be given supplementary information. This is known as the right of access, or the right to make a data subject access request (SAR).

This document provides guidance for all individuals on how to make a SAR. If you have any questions regarding this procedure, please contact the Data Manager or the Trust's Data Protection Officer (DPO) whose details are as follows:

Data Protection Officer: Handsam
Email: info@handsam.co.uk
Telephone: 03332 070737

What is a subject access request (SAR) ?

A data subject access request is a request from an individual—or from someone acting with the authority of an individual, eg a solicitor or a parent making a request in relation to information relating to their child:

- for confirmation as to whether the college processes/processed personal data about him or her and, if so;
- for access to that personal data if applicable; and/or
- for certain other supplementary information.

A valid SAR can be in writing (by letter, email, WhatsApp, text) or verbally (eg during a telephone conversation). The request may refer to GDPR and/or to 'data protection' and/or to 'personal data' but does not need to do so in order to be a valid request. For example, a letter which states 'please provide me with a copy of all the information that you have about me' will be a data subject access request and should be treated as such.

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

How to make a data subject access request

We request that you use the Subject Access Request form at Appendix A of this document to allow the college to understand exactly what information you are seeking. However, a subject access request can be requested in any way, either verbally or by writing/email.

Acknowledging the request

When the college receive this form (or a subject access request through other means) we will acknowledge the request as soon as possible and inform the requester of the statutory deadline to respond to the request and any extensions that may be necessary. In addition to acknowledging the request, we may ask for:

- proof of ID (please see Appendix A for acceptable forms of documentation);

- further clarification about the requested information so that we can process the requests as quickly as possible; and
- permission to act on behalf of the data subject if that person is over the age of 13.

In each case, the period of responding begins when the additional information has been received. If we do not receive this information, we will be unable to comply with the request.

Fee for responding to a SAR

The college will usually deal with a SAR free of charge. Where a request is considered to be manifestly unfounded or excessive, a fee to cover administrative costs may be requested.

A fee may also be requested in relation to repeat 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.

If a fee is requested, the period of responding begins when the fee has been received.

Time Period for Responding to a SAR

The college has one calendar month to respond to a SAR, running from either the day after the request has been received or from the day when any requested additional identification, information, written authorisation or fee payment has been received.

The period for response may be extended by a further two calendar months in relation to complex requests, in which case the college will respond to explain the reasons why the extension is necessary.

College closure periods

Requests received during or just before college closure periods will not be able to be responded to within the one calendar month response period. This is because the college will be closed. We may not be able to acknowledge your request during this time (ie until a time we receive the request) and the time period will not start until the college re-opens. If your request is urgent, please aim to provide your request during term times and not during/close to closure periods.

Where we will locate information

The personal data the college needs to provide in response to a data subject access request may be located in several of the electronic and manual filing systems. This is why it is important to identify at the outset the type of information requested so that the search can be focused.

Requests made by third parties

The college needs to be satisfied that the third party making the request is entitled to act on behalf of the individual, but it is the third party's responsibility to provide evidence of this entitlement. This might be a written authority to make the request, or it might be a more general power of attorney. The college may also require proof of identity in certain circumstances.

If the college is in any doubt or has any concerns as to providing the personal data of the data subject to the third party, then it should provide the information requested directly to the data subject. It is then a matter for the data subject to decide whether to share this information with any third party.

Requests made on behalf of children

Generally, a person aged 13 years or over is presumed to be of sufficient age and maturity to be able to exercise their right of access and it is still the right of the child, rather than of anyone else, such as a parent or carer, to have access to the child's personal data. Before responding to a SAR for information held about a child, the college will consider whether the child is mature enough to understand their rights and, if so, the college will require the written

authorisation of the child before releasing their information to the requester, or provide the personal data directly to the child.

The college may also refuse to provide information to parents if there are consequences of allowing access to the child's information – for example if it is likely to cause detriment to the child.

When considering borderline cases, the following will be taken into account, among other things:

- the child's level of maturity and their ability to make decisions like this;
- the nature of the personal data;
- any court orders relating to parental access or responsibility that may apply;
- any duty of confidence owed to the child;
- any consequences of allowing those with parental responsibility access to the child's information. This is particularly important if there have been allegations of abuse or ill treatment;
- any detriment to the child if individuals with parental responsibility cannot access this information; and
- any views the child has on whether their parents/carers should have access to their information.

Protection of third parties - exemptions to the right of subject access

In order to protect the data rights of third parties, the college will redact certain information so that this does not identify third parties. If their data cannot be redacted (for example, after redaction it is still obvious who the data relates to) then the college does not have to disclose personal data to the extent that doing so would involve disclosing information relating to another individual unless:

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

Any decisions to disclose third party information without their consent will involve balancing the data subject's right of access against the other individual's rights and will be made in consultation with the DPO.

Other exemptions to the right of subject access

In certain circumstances, the college may be exempt from providing some or all of the personal data requested. These exemptions are described below and should only be applied on a case-by-case basis after a careful consideration of all the facts.

- Crime detection and prevention;
- The potential to cause harm;
- Confidential references;
- Legal professional privilege;
- Management forecasting;
- Negotiations

Refusing to respond to a request

The college can refuse to comply with a request if the request is manifestly unfounded or excessive (including repetitive) and can:

- request a "reasonable fee" to deal with the request; or
- refuse to deal with the request.

In either case the college needs to justify the decision and inform the requestor about the decision.

Subject Access Request Form

Please complete this form if you wish to make a request for data. Your request will normally be processed within one calendar month upon receipt of a fully completed form and proof of identity.

Proof of identity:

We require satisfactory proof of your identity before we are able to disclose any personal data. This documentation must confirm your full name, date of birth, and current address.

Acceptable forms of identification include:

- Birth certificate
- Valid passport
- Driving licence
- Official utility bill or bank statement dated within the last three months

Please note that we may request more than one document to verify your identity.

If your name has changed, you must also provide appropriate supporting documentation evidencing this change (e.g. marriage certificate or deed poll).

Please send your completed form and proof of identity by email to: info@handsam.co.uk

Section 1

Please fill in the details of the **data subject** (ie the person whose data you are requesting).

Title & Surname/Family Name	
First Name/Forename	
Date of Birth	
Address	
Post Code	
Phone Number	
Email address	

Personal Information

Please tell us if you know in which capacity the information is being held, such as student or staff records, together with any previous names or relevant dates you may have. If you do not know exact dates, please give the year(s) that you think may be relevant.

Details:

Employment records:

If you are, or have been, employed by the college and are seeking personal information in relation to your employment please provide details of your Staff number/Unit/Team/Dates of employment.

Details:**Section 2**

Please complete this section of the form with your details if you are acting on behalf of someone else (ie the data subject).

If you are **NOT** the data subject, but an agent appointed on their behalf, you will need to provide evidence of your identity as well as that of the data subject and proof of your right to act on their behalf.

Title & Surname/Family Name	
First Name/Forename	
Date of Birth	
Address	
Post Code	
Phone Number	
Email address	

What is your relationship to the data subject? (eg parent, carer, legal representative)

I am enclosing the following copy as proof of legal authorisation to act on behalf of the data subject:

	Letter of authority
	Lasting or Enduring Power of Attorney
	Evidence of parental responsibility
	Other (give details below):

Section 3

Please describe in as much detail as possible what data you request access to, such as the time periods; categories of data (for example communication or SEN records); information relating to a specific case; paper records; electronic records; emails (regarding subject, sent to and/or from) etc.

This level of detail will greatly increase the speed in which we can provide the data as we hold a significant amount of information within the college.

Normally, information is shared with the requester digitally via a secure and password protected online-link. If you require the information in another format, please contact info@handsam.co.uk

I am enclosing the following copies as proof of identity (please tick the relevant box):

☐	Birth Certificate
☐	Driving Licence
☐	Passport
☐	An official letter to my address