

# CHELLINGTON CHURCH OF ENGLAND FEDERATION



## Happiness Through Wisdom

*"Gold there is, and rubies in abundance, but lips that speak knowledge  
are a rare jewel."*

**Proverbs 20:15**

**St. Lawrence VA Primary School /  
Christopher Reeves VA Primary School**

# **Subject Access Request (SAR)**

**December 2023**

**Review Date: Autumn Term 2025**

**Responsibility Full Governing Board**

## **Introduction and purpose**

The Chellington Federation Church of England Federation is a Christian learning environment at the heart of its communities. We promote care and respect, and expect high standards in all aspects of Federation life.

As a Church of England Federation, the schools promote a friendly, caring, family ethos where everyone works as a team to support each other across all areas of school life thus encouraging 'Happiness through Wisdom'

"There is gold and a multitude of rubies; but the lips of knowledge are a precious jewel."  
Proverbs 20:15

In each school, we aim to build communities clearly based on Christian values. At Christopher Reeves, the whole community is encouraged to 'Live our Values' being strong and courageous to follow God's love and stand steadfast.

"Be strong and courageous, do not be afraid, do not be discouraged, for the Lord, your God, will be with you wherever you go." Joshua 1:9

At St Lawrence we encourage all children to 'Let Their Light Shine' through the core values of hope (Letting our light shine gives us hope for the future.), courage (We have courage to Let our Light Shine.) and perseverance (When we persevere our light can shine).

"Let your light shine before others, that they may see your good deeds and glorify your Father in heaven." Matthew 5: 14-16

This policy, and its associated procedures and protocols, is based on these key principles.

The Data Protection Act 2018 (the Act) gives individuals rights of access to their personal records held by Chellington Church of England Federation [St Lawrence VA Primary School and Christopher Reeves VA Primary School (Schools)]. Subject access is a fundamental right for individuals. But it is also an opportunity for the schools to provide excellent customer service by responding to Subject Access Requests (SARs) efficiently and transparently and by maximising the quality of the personal information you hold. This Policy explains how the school will fulfil its obligations under the Act.

## **Policy Statement**

The school regards the Act as an important mechanism in achieving an honest, safe and open relationship with its students and employees.

Subject access is most often used by individuals who want to see a copy of the information the school holds about them. However, subject access goes further than this and an individual is entitled to be:

- Told whether any personal data is being processed;
- Given a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people;
- Given a copy of the personal data; and
- Given details of the source of the data (where this is available).

An individual can also request information about the reasoning behind any automated decisions taken about him or her, such as a computer-generated decision for benefit or a grant entitlement, or an assessment of performance at work.

The aim of this policy is to ensure that the school complies with its legal obligations under the Data Protection Act 2018 and can evidence that you have done so. It also aims to ensure that you:

- Have robust processes in place for dealing with SARs, saving time and effort;
- Increase levels of trust and confidence by being open with individuals about the personal information you hold;
- Improve the transparency of your activities in line with public policy requirements.

### Scope of the Policy

This document outlines how an applicant can make a request for their personal information under the Act and how it will be processed.

This is not a legal document. It does not confer rights nor override any legal or statutory provisions which either require or prevent disclosure of personal information.

This document takes into account the key features of the Act and outlines how the school will take steps to ensure compliance in relation to requests for personal information.

Requests for access to the records of people who are deceased are not within scope of this Policy as the Act only applies to the data of living individuals. Such requests will be treated as requests for access to information under the Freedom of Information Act or as miscellaneous requests, depending on the nature of the data and the reason the data is being requested.

### Key Definitions

<b>Subject Access Request or SAR</b>	A request for access to data by a living person under the Act is known as a Subject Access Request or SAR. All records that contain the personal data of the subject will be made available, subject to certain exemptions.
<b>Freedom of Information Request or FOI.</b>	A request for access to data held is dealt with under the Freedom of Information Act 2000 and is known as a Freedom of Information Request or FOI. Requests for the data of deceased people may be processed under this legislation.
<b>Personal Data</b>	Personal data means data which relates to a living individual who can be identified directly or indirectly from the data, particularly by reference to an identifier.  Personal data can be factual (such as a name, address or date of birth) or it can be an opinion (such as a performance appraisal).
<b>Special Category Data</b>	Certain personal data, special category data, is given special protections under the Act because misuse could create more significant risks to a person's fundamental rights and freedoms. For example, by putting them at risk of unlawful discrimination. Special category data

	<p>includes:</p> <ul style="list-style-type: none"> <li>• a person's racial or ethnic origin;</li> <li>• political opinions;</li> <li>• religious or similar beliefs;</li> <li>• trade union membership;</li> <li>• physical or mental health or condition or sexual life;</li> <li>• biometric or genetic data.</li> </ul>
<b>Data Controller</b>	<p>The organisation which determines the purposes and the manner in which, any personal data is processed is known as the data controller. The school is the data controller of all personal data used and held within each part of the school</p>
<b>Data Processors</b>	<p>Organisations or individuals who process personal data on behalf of a data controller are known as data processors. Employees of data controllers are excluded from this definition but it could include suppliers which handle personal data on our behalf.</p>
<b>Data Subject</b>	<p>A living individual who is the subject of personal data is known as the data subject. This need not be a UK national or resident. Provided that the data controller is subject to the Act, rights with regards to personal data are available to every data subject, wherever his nationality or residence.</p>
<b>Third Party</b>	<p>An individual who is not the subject of the data but may be connected to or affected by it is known as a third party.</p>
<b>Relevant Professional</b>	<p>The practitioners who supply information held on Social Services records, and various other medical and educational records. A relevant professional will consider where disclosure is likely to cause serious physical or mental harm to the applicant or any third party.</p>

### **Duties of the Information Commissioners Office**

The Information Commissioner's Office is the UK's independent public body set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals, ruling on complaints and taking appropriate action when the law is broken.

The Information Commissioners Office is responsible for ensuring compliance with the Act and Data Protection in practice for all organisations in England, Scotland, Northern Ireland and Wales.

There are a number of tools available to the Information Commissioners Office for taking action to change the behaviour of organisations that collect, use and keep personal information. They include criminal prosecution, non-criminal enforcement and audits. The Information Commissioner also has the power to serve a monetary penalty notice on a data controller for breaches of the Act.

If organisations are found to be in breach of the Act the Information Commissioners Office may issue undertakings committing an organisation to a particular course of action in order to improve its compliance.

The Information Commissioners Office can serve enforcement notices and 'stop now' orders where there has been a breach, requiring organisations to take (or refrain from taking) specified steps in order to ensure they comply with the law.

The Information Commissioners Office conduct consensual assessments (audits) to check organisations are complying. In cases of serious breaches the Information Commissioners Office may issue a monetary penalty notice, requiring organisations to pay a fine of up to €20 million.

The Information Commissioners Office can prosecute those who commit criminal offences under the Act. This includes organisations and individuals.

## **Roles and Responsibilities**

Adhering to the Data Protection Act 2018 is the responsibility of every member of staff acting for or on behalf of the school. Subject Access requests fall within the data protection statutory framework and the ability to identify and appropriately handle a request for information is considered to be part of every employee's role.

Your primary responsibility is to ensure that Subject Access Requests are in the first instance directed to the Schools' Data protection Officer (DPO). The request will be logged and acknowledged and dealt with in a timely manner. It is important that requests are processed as soon as they are received to assist in meeting the statutory deadline.

Specific roles and responsibilities:

<p><b>Executive Head Teacher</b></p>	<p>Mrs Sarah Bush holds overall responsibility for compliance with the Act.</p>
<p><b>Senior Data protection Officer (DPO)</b></p>	<p>Mrs Pauline Johnson (Business Manager) has responsibility for the management of Subject Access Requests; this includes assisting your Data Protection Officer in dealing with complaints from the Information Commissioners Office, general compliance issues and data subject queries and concerns.</p> <p>Ensures that SARs are responded to in a timely manner and that only data that the data subject is entitled to access are sent out. Also responsible for completing a double check of all SAR's before they are securely dispatched.</p>

<b>Data protection Officer(s) (DPO)</b>	Mrs Shelley Blackburn (St Lawrence) and Mrs Trish Mustoe (Christopher Reeves) deal with complaints from the Information Commissioners Office, general compliance issues and data subject queries and concerns.
<b>Employees</b>	All employees, including temporary staff, must understand their duty of care to ensure the confidentiality of all personal data. In addition they must have an understanding of this policy and where to direct individuals enquiring about subject access requests.

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### What is personal data?

For information to be personal data, it must relate to a living individual and allow that individual to be identified from that information (either on its own or in conjunction with other information held alongside it). The individual to whom the personal data relates to is the 'Data Subject'.

A Subject Access request (SAR) can be made by

- any parent/carer acting on behalf of their child(ren) as the Data Subject or
- any parent/carer acting in their own individual right as the Data Subject or
- any member of staff as the Data Subject

to find out what personal information is held about them.

### How to make a Subject Access Request (SAR)

A request can be submitted to the school via the **Subject Access Request (SAR) Form** which can be found at the back of this document.

The SAR Form must be submitted directly to the School Senior Data Protection Officer (SDPO) to avoid delay in dealing with the request. Our School SDPO is specifically responsible for responding to a SAR.

If our schools receive a request for information in writing by letter or email, we will ask the requester to complete our SAR form so that our School SDPO can process your request quickly and easily.

We aim to deal with SARs efficiently and transparently and our School SDPO will consult with the requester about how best we can provide the information requested. We will ask the requester about their preferred method of receiving the information. However, in cases where supplying a copy of the requested information in a hard copy would result in disproportionate effort, we would evaluate the particular circumstances of each request and reach agreement with the requester as to an alternative way of satisfying the request. We will ascertain the most appropriate and secure way to provide you with the information.

### Charges for SARs

A Subject Access Request is **free of charge**. However, the school has the right to charge a reasonable administrative-cost fee should the request be excessive (i.e. involves complex data retrieval) or repetitive (i.e. involves additional copies of information already provided)

which imposes a disproportionate administration burden on the school. We will provide evidence of how we make this decision about a request being excessive where appropriate.

### **Confirming the requester's identity**

We will ask the requester for some form of ID to ensure that the person making the request is the individual to whom the personal data relates (or a person authorised to make a SAR on their behalf). We will also check that we have the requester's correct postal address. When dealing with SARs for personal data relating to a pupil at our school, we will clarify whether the requester has parental responsibility for the child or has the authorization to act on their behalf.

### **Making a SAR on behalf of someone else**

If the requester is making a SAR on behalf of someone else (the 'Data Subject'), we need to be satisfied that the 'third party' requester making the request is entitled to act on behalf of the Data Subject. It is the responsibility of the third party requester to provide evidence of this entitlement to the school.

The school has discretion in deciding whether information in response to a SAR is disclosed to a third party who has made the SAR on behalf of the Data Subject or disclosed directly to the Data Subject. If disclosed directly to the Data Subject, then the Data Subject can choose to share the information with the third party if they wish.

### **Clarifying a SAR**

Before we respond to a SAR, we may ask for additional information from the requester to enable us to find the personal data covered by the request.

Each SAR received will be acknowledged and once the necessary ID checks have been satisfied and clarification sought regarding the context of the personal data being requested, we will inform the requester of the date by which the response must be provided (within one month).

### **How long will information resulting from a SAR be available?**

In accordance with the GDPR regulations, the school will provide the required information within one month from the date the school is satisfied with the confirmation of the identity of the requester and agreed the nature and requirements of the information being requested. The school has the right to extend this period for particularly complex requests which may require more time to process.

Whilst we aim to respond to requests within the required time period of one month, we may not be able to honour this time period if we receive requests just before or during school holidays. If the nature of the request is complex and/or the request falls within a holiday period, we will aim to reach a mutually agreed alternative time period.

If there is a delay in dealing with the request for any reason, we will contact the requester to explain the reason and the expected date for the response.

### **Information that is exempt from SARs**

Certain types of personal data are exempt from SARs because of its nature or effect its disclosure may have (e.g. safeguarding or legal issues) or where disclosure would involve

information about another individual. In these cases, we will explain to the requester the reasons why information requested cannot be disclosed.

### **How information is provided**

Our responses to a SAR will include an explanation of the searches that have been made to deal with the request and the information revealed by those searches so that the requester is able to understand whether they have received all the information they are entitled to.

### **Monitoring our compliance with responding to SARs**

We retain a log of SARs received which includes the details of requests received which we update to monitor progress as the SAR is processed. The log contains copies of the information supplied in response to the SAR together with copies of any material withheld and an explanation why.

We also monitor the time period for responding to SARs as well as deal with requests that have not been dealt with within the one month timeframe.

Compliance with dealing and responding to SARs is monitored and discussed at senior leadership level and with our Board of Governors.

### **Complaints about our Subject Access request procedure**

If the requester believes that a request for information has not been dealt with properly, the requester should make a complaint to the school through our normal complaints procedure. If following the conclusion of the complaints procedure within the school, the requester is still dissatisfied or the original decision is not reviewed, the requester can complain directly to the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns> .

Christopher Reeves V.A. Primary School  
 Diocese of St Albans  
 Hinwick Road  
 Podington  
 Nr. Wellingborough  
 Northants  
 NN29 7HU



St Lawrence C of E VA Primary School  
 Diocese of St Albans  
 Manor Lane  
 Wymington  
 Nr Wellingborough  
 Northants  
 NN10 9LL

### Subject Access Request (SAR) Form

You can use this form to request access to your personal information held by our school. Our school's **Privacy Notices** details the personal information held, how we use this information and the reasons why we share this information.

You should describe the information you need as clearly as possible: it is not sufficient to ask for "everything about me". If your request is too broad or unclear, we may need to ask you to be more specific.

In addition, you must also enclose **proof of your identity** such as a your copy of your passport, driving licence, or birth certificate.

This Subject Access Request form and proof of identity should be sent to our School SPDO at either of the addresses at the top of the page.

#### Section 1 – Details of person requesting information (requester)

<b>Title :</b>	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Title (please state):
<b>Forename(s):</b>	
<b>Surname:</b>	
<b>Daytime Telephone No:</b>	
<b>Email Address:</b>	
<b>Current Address:</b>	
<b>Postcode</b>	

## Section 2 - Are you the Data Subject?

- Yes - I am the Data Subject** (the person the information is about) (go to Section 4 ):  
*As the Data Subject, you will need to provide evidence of your identity so that we can check we are releasing the data to the correct person*
- No - I am acting on behalf of the Data Subject** (go to Section 3)  
*If you are acting on behalf of another adult, you must provide written authorisation from the Data Subject to obtain their personal data before this request can be processed. We will still require confirmation of the identity of the Data Subject.  
 If you are acting on behalf of a child, you must provide evidence of parental responsibility*

## Section 3 – Details of Data Subject (if different from Section 1)

<b>Title (please tick one):</b>	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Title (please state):
<b>Forename(s):</b>	
<b>Surname:</b>	
<b>Current Address:</b>	
<b>Postcode</b>	
<b>My relationship to the data subject is:</b>	(e.g. parent; carer; legal representative)
<b>If the Data Subject is an adult, I have provided evidence of authorisation from the Data Subject to act on their behalf</b> <i>(e.g. letter of authority; Power of Attorney)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>If the Data Subject is a child, I have provided evidence of parental responsibility for the Data Subject</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No



*\* We will ensure that the information is addressed correctly. However, we cannot be held liable if the information is lost in the post or incorrectly delivered or opened by someone else in your household.*

*\*\* If you are making the request on behalf of another adult, we will in the first instance contact the Data Subject for authorisation regarding who we send the information to*

## **Section 6 – Declaration**

Verification of identity is required before your request can be processed.

**I enclose as verification of identity a photocopy of my:**

Driving  
Licence

Passport

Birth  
Certificate

Other

### **Data Subject Declaration**

**I certify that, to the best of my knowledge, the information I have provided in this form is correct.**

**I understand that the school is obliged to confirm proof of identity/authority and it may be necessary to obtain further information in order to comply with this subject access request.**

**Print Name:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

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

**OR**

### **Authorised person Declaration**

**I confirm that I am legally authorised to act on behalf of the Data Subject.**

**I understand that the school is obliged to confirm proof of identity/authority and it may be necessary to obtain further information in order to comply with this subject access request.**

**Print Name:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

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

*The information you have provided in this form will be kept confidential and kept for as long as necessary in accordance with our data retention schedule and will be disposed of in a safe and secure manner.*

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Office Use		SAR Reference No	
Actioned By		Date Form Received	
ID Checked Date		Agreed Response date	
Information requested confirmed Date		Date Responded	
Notes	Added to SAR Log Y / N		