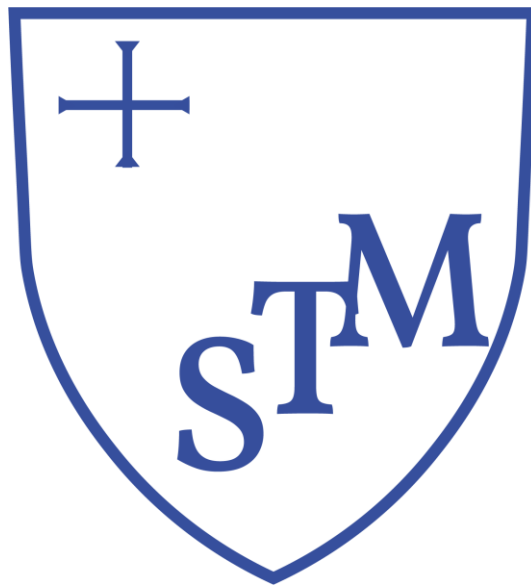


Subject Access Request Procedure

St Martins C of E Primary
School



Date of this review:	June 2026
Date of next review:	June 2027

Responding to a Subject Access Request

Introduction

What is a subject access request, and who can make one?

A subject access request is a request made by or on behalf of an individual either verbally or in writing, for information held on them by an organisation. Within schools this may include requests from: current or former pupils, parents/guardians, current or former staff or solicitors on behalf of an individual.

The purpose of the 'right of access' under GDPR is to allow individuals to:

- Confirm you are processing their personal data.
- Obtain a copy of their personal data; and
- other supplementary information.

Data Controllers and responsibility

It is important to understand who the Data Controller for the personal information in question is. A Data Controller is an organisation, which decides on the scope of the data, and the purpose for which it is to be collected. The school will normally therefore be acting as the Data Controller for the information held e.g. when it relates to members of school staff, pupils, parents and guardians within the school.

A Data Processor is an organisation, which processes data on behalf of the controller for a specific purpose(s). While it is perfectly feasible that a School may act as a data processor, on a day-to-day basis it is unlikely that this will be the case on a regular basis. As such, the School will normally be the Controller for the information held in school.

Where the school is the Data Controller, the lawfulness for processing will be mapped out through the schools' own data audit (Data Mapping document). If the school is acting as the Processor of the data, the lawfulness will be established by the Controller for that data set.

Procedure

Initial response – who to notify and when.

A subject access request can be made in any format, i.e., verbally, email, letter, social media etc. If a verbal request is received, the requester should be asked and encouraged to use the 'Subject Access Request Form' (Appendix 1) to record the details of their request, in order that the speediest and fullest response can be made. A requester can refuse to do this and therefore, the school will need to note down the requirements instead. Personal information must not be disclosed over the phone.

Once received, the subject access request should be referred to the schools' Data Protection Lead, who will confirm whether the school is the data controller for the data set in question. The DPL for ****SCHOOL NAME**** is *****NAME*****

In the absence of the Data Protection Lead, enquiries should be forwarded to the ****Head Teacher****.

The DPL will then ascertain the nature of the request. If the request is a Subject Access Request, then a calendar month timeframe (including weekends and bank holidays) for making the response is now triggered (if the response date falls on a weekend or bank holiday the date will be the following Monday/Tuesday).

As calendar months differ in the number of days, the timeframe will be between 28 – 30 days depending on the month the request is received in. However, the overall response time is no more than 30 days.

If, however, the request is for a Childs Educational Record, then the timeframe for making the response is 15 days.

If it should be identified that the school is the Data Processor rather than the Controller in this instance, contact will need to be made with the Controller for the data set, in order for them to lead on the response to the individual in question. The school will take all reasonable measures to help identify any

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personal information held on behalf of the processor, in order that the processor can make a full and timely response to the SAR.

Initiating the response

The identity of the requestor must be verified in order to process the request, and then a log of the request should be commenced, using the Subject Access Request Form (appendix 2).

The request should be acknowledged, by populating template letter A and sending to the responder. The letter should confirm the timescales for the response in line with the calendar month time limit. Schools may wish to use the 28 days' timeframe to ensure the response is provided within the appropriate timeframe.

In *exceptional circumstances*, the response time can be increased by up to a further two calendar months. However, this extension to the timescale must not be used without the prior knowledge and permission of the DPO.

The school must ensure that the DPO is made aware of the request at the earliest opportunity; either by phone call or email. The DPL may also wish to forward a copy of the SAR request form to GDPR@sips.co.uk

The DPL will oversee the response process, in close communication with the Data Protection Officer (DPO). They will need the support of the staff within departments where the data is held in order to make the response to the requestor. The schools' data mapping document will be the first point of reference to identify the likely data sets held on the individual, location, and who to approach for copies of the information.

Once it is determined that all personal information has been identified, located and copies obtained, the DPO must be involved further.

The DPO will now lead on the review of the data collected, to ensure that there is no personal information held in those documents relating to other individuals that cannot be released. Third party data must not be disclosed in a SAR as this will result in a data breach. All data must be reviewed as soon as possible to ensure adequate time for a proper review of the information.

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The DPO will also advise on any exemptions that may apply to the data that can be released to the requestor, e.g. such as safeguarding information.

How do we release the SAR to the individual?

If the school is the Data Controller, a response will be made directly to the requester, via the DPL.

The DPL will draft the response letter, using template letter B and share with the DPO for ultimate sign-off before it is shared with the requestor of the data.

When the school is releasing the response directly to the individual, the normal course of action will be for the requester to attend school in person, with proof of their identification. This will be checked, and a record kept of the identification seen (note, a copy of the ID itself will NOT be kept).

Template letter B provides space at the footer of the letter for recording these details when the requester attends school to collect the data. As such, two copies of the letter will need to be printed; one to give to the requester as part of the data pack, the other (signed) copy to be retained by the school.

In the rare occurrence that the school is acting as Processor for the data, the response will need to be sent through the relevant Controller in order for them to make the response directly to the individual. This should be the usual process unless advised in writing by the Controller that the response should be made directly to the requestor. If the latter, the DPO must be consulted before releasing the information to the individual.

Record keeping, monitoring and review:

Details of the actions taken through the response process, including a summary log of information released, timescales of the response, identification seen etc. will be recorded on the 'Subject Access Request Record' form (appendix 2).

The DPL will maintain the master copies of the Subject Access Request Record forms and will use these to periodically review the effectiveness of this procedure.

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Summary information on subject access requests, including the number and nature of requests received, and the timescales to which all were responded to, should be shared with the Senior Leadership Team and with the members of the Governing Body.

Where can I get further support?

Your Data Protection Officer is available for advice and support during this process. If consultancy hours are not included within your contract, it is available on a 'Pay As You Go' basis as well.

SIPS also run termly training sessions either virtually or in person. These training sessions will go through the SARs procedure in detail as well as provide you with a chance to apply these procedures to examples inspired by real-life situations.

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Appendix 1

Subject Access Request Form

Name	
Contact Address	
Contact Telephone Number	
Name of pupil, data is required for	
Pupils Date of Birth	

To ensure a timely response, please provide as much detail as possible about the data you require.

Identification requirements – In order for data to be provided and to satisfy all parties that data is being shared with appropriate persons, St Martins C of E Primary School will require identification of the requester, including proof of address.

If you are a third-party requesting data of an individual, written authorisation from the parent/pupil will be required. Where a power of attorney is in place, evidence of this will be requested prior to the release of data.

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Response times – Upon receipt of the completed Subject Access Request and all information required to fulfil the request, St Martins C of E Primary school will provide a response to you within one calendar month in line with GDPR. Should a request be deemed complex, the school will advise you of this and provide a response period, which can be up to 3 calendar months.

Please return the request to St Martins C of E Primary School, Data Protection Lead Lisa Cox, office@st-martins.sandwell.sch.uk. Or contact on 0121 557 1543.

Signed: _____ Date:

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Appendix 2

Subject Access Request – School Record Log

Name of Requester	
Name of Individuals data requested	
Pupils Date of Birth	

Date SAR received	
Date SAR Response required (one calendar month from the above date)	
Is the time limit going to be exceeded?	Yes / No
If yes reasons required.	
Identification of requester verified by	
Form of identification seen	
Address of Requester verified by	
Third Party Authorisation obtained on (if applicable)	
Power of Attorney Documentation verified by (if applicable)	
Check if this is an Education Record Request as set out in the Education (pupil information) (England) Regulations 2005 – Response time for this is 15 school days	
Date initial response made	
Person(s) Investigating	
Data Protection Officer Informed	

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Searches Carried out.

Data searched for	Date and who carried out the searched	Location of Data	Documents found	Redactions required? Y/N

Personal Data provided to the Requester:

Personal Data	Location (Paper files, where? or Electronic)	Lead Contact

Personal Data omitted from the response (i.e. redacted or withheld information):

Personal Data	File source	Reason for omission

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Actions taken after SAR provided relating to Data Subjects data, eg, Data cleansing in line with the retention schedule (if required)

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Actions taken after SAR provided relating to school policies and procedures, lessons learnt etc (if required)

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Template Letter A

Letter of acknowledgment of a SAR

Dear

Subject Access Request – Re:

Thank you for the Subject Access Request regarding XXX, which was received in school on XXX.

We believe you require:

List all requirements as per the request here.

If this is incorrect, please contact me as soon as possible so that we can ensure your request is appropriately responded to.

We are working with our DPO to identify such data as requested and in compliance with the General Data Protection Regulation's we will reply to you on or before XXX.

Once all information has been collated in line with your request, we will contact you again, to arrange release of the data to you.

Please note that proof of identification will be required prior to data being released.

Yours sincerely

Data Protection Lead for the school.

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Template Letter A

Letter of acknowledgment of a SAR

Dear

Subject Access Request – Re:

Thank you for the Subject Access Request regarding XXX, which was received in school on DATE OF REQUEST. You requested copies of XXX.

As a result of our searches via [insert the systems that were searched, e.g. Emails/ Excel / Word / SIMS / CPOMS/ Paper based records / archived records etc.], the following log outlines the information that is included in this pack:

List all documents included in the pack e.g. Emails, NHS letters, attendance etc.

This document comprises of XXX pages in total.

Where data (listed above) has been previously provided to you i.e. first aid slips, school reports, minutes of meetings etc, we are not required to provide these again to you as part of this pack. However, the data is held in school.

Throughout the enclosed documentation, you will come across the terminology (Redacted/Confidential) or words blanked out with a black marker pen. This has been used to replace those pieces of personal data relating to other identifiable individuals, to avoid disclosing their information, in accordance with the requirements of the General Data Protection Regulation. This has been done only to replace information relating to other individuals, and not of your child.

In some instances, you will find names of other individuals remain in some of the emails and accompanying documents you have been provided with in this pack. This will be on occasions where we have been able to identify that individuals were known to you i.e. in attendance at meetings etc, and so this information is already known to you.

All emails and accompanying documents found as part of this search, which include your child's personal data, are enclosed in this pack.

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However, there are a total of **XXX** documents, which have been excluded from this pack as they are exempt from this request and do not fit under the scope of the General Data Protection Regulation.

Personal data that we process in relation to your child and your family, is firstly gathered and subsequently used as part of our 'Public Task' as a school, i.e. in order to support your child's education during their time with us. For further information on how we gather and use personal data, please see a copy of the schools' privacy notice which can be found at **SCHOOL WEBSITE**.

If you are dissatisfied with the way in which we have handled your request, then we would ask in the first instance for you to contact our Data Protection Officer at gdpr@sips.co.uk

If you remain dissatisfied, you have the right to appeal to the Information Commissioners Officer (ICO) via 0303 123 1113 or see their website at <https://ico.org.uk/make-a-complaint/>.

Yours sincerely

Data Protection Lead for the school.

For completion by School:

Form of Identification Seen:

ID verified by:

Data Received by (Name of Requester):

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Signed (Requester):

Date:

