

# Sutton Veny CofE Primary School

## Subject Access Request (SAR) Policy and Procedure

**Together**, through **friendship**, in **peace** and with **courage**, we reach for the stars.  
Colossians 3:12: ‘**clothe yourselves with compassion, kindness, humility, gentleness and patience.**’

### 1 Introduction and Purpose

- 1.1 The Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UK-GDPR) give individuals the right to access their personal data held by [Insert Name and Address of School].
- 1.2 Subject access is a fundamental right for individuals. It also presents an opportunity for Sutton Veny CofE School,[the school] to deliver excellent customer service by responding to Subject Access Requests (SARs) efficiently, and transparently, and by ensuring the accuracy and completeness of the personal data held. This policy explains how the School will fulfil its legal obligations under the DPA and UK-GDPR.
- 1.3 Personal data refers to information that relates to a living individual who can be identified from that data, either alone or in combination with other data likely to come into the organisation’s possession.
- 1.4 [Insert Name of School] (the school) is the Data Controller, determining the purposes and means by which personal data is processed.
- 1.5 The UK-GDPR provides individuals with various rights, including the right to access personal data held about them (Article 15). This right is commonly referred to as a Subject Access Request (SAR).

### 2 Policy Statement

- 2.1 The school recognises the importance of the DPA and UK-GDPR in promoting a transparent, open, and safe relationship with its pupils, parents, staff, and wider community.
- 2.2 Individuals also have the right to request information about any automated decisions made about them, including performance assessments or benefit entitlements.
- 2.3 This policy ensures the school complies with its legal obligations and demonstrates its commitment to:
  - Establishing robust procedures for handling SARs to save time and ensure compliance
  - Enhancing trust and confidence by being transparent about the personal data held
  - Improving transparency in line with public policy and data protection standards

### **3 Scope of the Policy**

- 3.1 This policy outlines the procedures for requesting personal information under the DPA and UK-GDPR, and how those requests will be processed by the school.
- 3.2 This is a guidance document and does not confer rights beyond those provided by the DPA, UK-GDPR, or any other legal provisions.
- 3.3 The policy outlines key features of the law and explains how the school will comply with requests for personal data.
- 3.4 Requests concerning the records of deceased individuals are not within the scope of this policy as the DPA only applies to living individuals. Such requests may be handled under the Freedom of Information Act or other applicable laws.
- 3.5 Requests for access to a child's educational record may fall under the Education (Pupil Information) (England) Regulations 2005, and applicants should be informed of this where relevant.

### **4 What is a Subject Access Request?**

- 4.1 A Subject Access Request (SAR) is a request made by or on behalf of an individual for access to their personal data as provided under Articles 12 and 15 of the UK-GDPR.
- 4.2 A SAR does not have to mention 'subject access' or reference the UK-GDPR to be valid. Any written request, such as by email or letter, can be a SAR if it is clear the individual is asking for their personal data.
- 4.3 SARs entitle individuals to:
  - Confirmation of whether personal data is being processed.
  - A description of the data, why it is being processed, and any recipients of the data.
  - Details of the data's source (if known).
- 4.4 SARs may provide access to the personal data itself or copies of the records that contain it. If the request is made electronically, the school will respond in a commonly used electronic format unless otherwise requested.

### **5 Formal Requirements**

- 5.1 A SAR can be made verbally or in writing (e.g., via email, letter, or other written formats). While the school encourages written requests for clarity and ease of processing, a verbal request is also valid under UK GDPR.
- 5.2 A form is provided for convenience, but individuals are not required to use it.
- 5.3 The school may request further information to verify the identity of the applicant to prevent unauthorised access to personal data.
- 5.4 SARs are free of charge. The statutory response time is one month from the date the request is received and validated.

### **6 Subject Access Procedures**

- 6.1 The school's DPO must be notified immediately upon receipt of a SAR.
- 6.2 In some cases, staff may attempt to resolve the request informally (e.g., by providing previously supplied documents), but formal requests must follow the statutory process.
- 6.3 If clarification is needed to locate the requested data, the school may seek additional information from the applicant, but this should not delay the process.
- 6.4 All responses to SARs should be provided promptly, and within the statutory one-month deadline.

## **7 Requests Made on Behalf of Others**

- 7.1 An individual can submit a SAR via a third party, such as a solicitor, as long as the third party provides proof of their authority to act on behalf of the data subject.
- 7.2 Where legal matters are involved, such requests must be reviewed by the DPO and headteacher before processing.
- 7.3 Requests from third parties must include a signed consent form from the data subject.

## **8 Requests for Information About Children**

- 8.1 Pupils have their own right of access to personal data. Where appropriate, parents with parental responsibility may access their child's data if the child is unable or gives consent.
- 8.2 Requests may also fall under the parent's right of access to their child's educational record under the Education (Pupil Information) (England) Regulations 2005.
- 8.3 Generally, children aged 12 or older are deemed mature enough to make their own SAR.

## **9 Redacting Information (Exemptions)**

- 9.1 Some personal data is exempt from SARs, either due to its nature or because disclosing it would infringe on the rights of others.
- 9.2 Where data includes third-party information, the school will seek to balance the interests of the applicant and third parties.
- 9.3 Legal advice may be sought where necessary, and redactions must be minimised to retain the context of the information.

## **10 Visits to the School Office**

- 10.1 Applicants may be invited to visit the school to view the requested data in person, subject to approval by the headteacher and DPO.
- 10.2 All visits must be documented and occur within the statutory timeframe.

## **11 Roles and Responsibilities**

- 11.1 All staff are responsible for ensuring compliance with data protection laws, including identifying and handling SARs appropriately.

## **12 Refusing a Request**

- 12.1 Requests may be refused if they are manifestly unfounded or excessive.
- 12.2 If refused, the data subject must be informed of the reason and their right to complain to the ICO within one month.

## **13 Complaints**

- 13.1 Individuals who are dissatisfied with the school's response to a SAR can follow the school's complaint procedure or escalate the matter to the Information Commissioner's Office (ICO).
- 13.2 Complaints must be submitted without undue delay, and within three months of the SAR closure.

## **14 Contacts**

- 14.1 If you have any questions about this Policy or your rights, in the first instance please contact our office either by telephone at 01985 840428 or by email [admin@suttonveny.wilts.sch.uk](mailto:admin@suttonveny.wilts.sch.uk). You may also contact our data protection officer Mr Jeremy Shatford, Email Address: [dpo@jeremyshatford.co.uk](mailto:dpo@jeremyshatford.co.uk).