



Inspire Education Trust

Together we achieve, individually we grow

Subject Access Request Policy

Policy Date: March 2023

Review Date: March 2025

Document History

Version	Status	Date	Author	Summary Changes
V1		Mar 21	Paul Hewitt	
V1.1		Mar 23	Martin Dorrington	Updated to reflect the Trust having an external DPO. Several sections wording changed to reference DPL and SLT instead of or in addition to DPO. Section 3.7 merged with 3.4 due to this change. Removed section 1.2 which refers to obsolete "Subject Access Request Guidance", used while Trust was with Coventry Schools DPO. Updated section 4.2 and 6.6 wording following DPO guidance.

Subject Access Request Policy

1 Policy Statement

- 1.1 All **Data Subjects** have rights of access to their **personal data**. This document sets out the procedure to be followed in relation to any requests made for the disclosure of **personal data processed** by Inspire Education Multi Academy Trust.

2 Definition of data protection terms

- 2.1 All defined terms in this policy are indicated in bold text, and a list of definitions is included in Annex 1 to this policy.

3 Recognising a subject access request

- 3.1 As Inspire Education Multi Academy Trust **processes personal data** concerning **data subjects**, those **data subjects** have the right to access that **personal data** under Data Protection law. A request to access this personal data is known as a subject access request or SAR.
- 3.2 A **data subject** is generally only entitled to access their own **personal data**, and not to information relating to other people.
- 3.3 Any request by a **data subject** for access to their **personal data** is a SAR unless the request falls into the normal course of school business. This includes requests received in writing, by email, and verbally.
- 3.4 If any member of our **Workforce** receives a request for information they should inform the Trust Data Protection Lead, or the Trust Data Protection Officer ("DPO"), at the earliest opportunity
- 3.5 In some circumstances and in order that Inspire Education Multi Academy Trust is properly able to understand the nature of any SAR and to verify the identity of the requester, any requester making a request verbally should be asked to put their request in writing and direct this to the Data Protection Lead, stating which school the request relates to (where appropriate).
- 3.6 A SAR will be considered and responded to in accordance with the Data Protection Law.

4 Verifying the identity of a Requester

- 4.1 Inspire Education Multi Academy Trust is entitled to request additional information from a requester in order to verify whether the requester is in fact who they say they are.
- 4.2 Where Inspire Education Multi Academy Trust has reasonable doubts as to the identity of the individual making the request, reasonable steps will be taken to establish the requester's identity. Evidence of identity may be requested by the Trust through the production of two or more of the following:

- 4.2.1 Current passport
 - 4.2.2 Current driving licence
 - 4.2.3 Recent utility bills with current address
 - 4.2.4 Birth/marriage certificate
 - 4.2.5 P45/P60
- 4.3 Where identity documentation is provided, this will not be retained for longer than is necessary. The staff member handling the request will make a note of receipt of the identification in the school's Subject Access Requests records and provide confirmation of receipt to the requester.
- 4.4 If Inspire Education Multi Academy Trust is not satisfied as to the identity of the requester then the request will not be complied with, so as to avoid the potential for an inadvertent disclosure of **personal data** resulting in a data breach.

5 Fee for Responding to Requests

- 5.1 Inspire Education Multi Academy Trust will usually deal with a SAR free of charge.
- 5.2 Where a request is considered to be manifestly unfounded or excessive a fee may be requested. Alternatively Inspire Education Multi Academy Trust may refuse to respond to the request. If a request is considered to be manifestly unfounded or unreasonable Inspire Education Multi Academy Trust will inform the requester why this is considered to be the case. The Trust DPO must always be consulted in determining whether a fee may be requested.
- 5.3 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.

6 Time Period for Responding to a SAR

- 6.1 Inspire Education Multi Academy Trust has one month to respond to a SAR. This will run from the later of a. the date of the request, b. the date when any additional identification (or other) information requested is received, or c. payment of any required fee.
- 6.2 In circumstances where Inspire Education Multi Academy Trust is in any reasonable doubt as to the identity of the requester, this period will not commence unless and until sufficient information has been provided by the requester as to their identity, and in the case of a third party requester the written authorisation of the **data subject** has been received (see below in relation to sharing information with third parties).
- 6.3 The period for response may be extended by a further two calendar months in relation to complex requests. What constitutes a complex request will depend on the particular nature of the request. The DPO must always be consulted in determining whether a request is sufficiently complex as to extend the response period.
- 6.4 Where a request is considered to be sufficiently complex as to require an extension of the

period for response, Inspire Education Multi Academy Trust will notify the requester within one calendar month of receiving the request, together with reasons as to why this is considered necessary.

- 6.5 A request may be received during or less than one month prior to a school holiday. Where a request is made prior to a holiday period Inspire Education Multi Academy Trust will seek to respond prior to that holiday commencing, however where this is not possible then Inspire Education Multi Academy Trust will inform the requester that this is the case.
- 6.6 The Trust acknowledges that there are no special rules allowing the Trust to extend an SAR request during school holidays. The Trust will make every effort to comply with the statutory time frame and where the school is unable to do so, the requester will be advised on the reasons for any delay and confirm a date in which Inspire Education Multi Academy Trust aims to provide a full response to them. Inspire Education Multi Academy Trust will in those circumstances send out an initial acknowledgement of the request as set out in Annex 2, followed by a further acknowledgment as soon as possible following commencement of the next term setting out details of when a full response will be provided (being not more than one month of commencement of that term). If any requested **personal data** can be provided during the school closure, the school will stagger their approach. Any remaining **personal data** to be disclosed will be provided to the **data subject** upon the school reopening.

7 Form of Response

- 7.1 A requester can request a response in a particular form. In particular where a request is made by electronic means then, unless the requester has stated otherwise, the information should be provided in a commonly readable format.

8 Sharing Information with Third Parties

- 8.1 **Data subjects** can ask that you share their **personal data** with another person such as an appointed representative (in such cases you should request written authorisation signed by the **data subject** confirming which of their **personal data** they would like you to share with the other person).
- 8.2 Equally if a request is made by a person seeking the **personal data** of a **data subject**, and which purports to be made on behalf of that **data subject**, then a response must not be provided unless and until written authorisation has been provided by the **data subject**. Inspire Education Multi Academy Trust should not approach the **data subject** directly but should inform the requester that it cannot respond without the written authorisation of the **data subject**.
- 8.3 If Inspire Education Multi Academy Trust 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.
- 8.4 **Personal data** belongs to the **data subject**, and in the case of the **personal data** of a child

regardless of their age the rights in relation to that **personal data** are theirs and not those of their parents. Parents, in most cases, do not have automatic rights to the **personal data** of their child.

- 8.5 However there are circumstances where a parent can request the **personal data** of their child without requiring the consent of the child. This will depend on the maturity of the child and whether Inspire Education Multi Academy Trust is confident that the child can understand their rights. Generally where a child is under 12 years of age they are deemed not to be sufficiently mature as to understand their rights of access and a parent can request access to their **personal data** on their behalf.
- 8.6 Generally, in relation to a child 12 years of age or older, then provided that Inspire Education Multi Academy Trust is confident that they understand their rights, and there is no reason to believe that the child does not have the competency to make a request on their own behalf, Inspire Education Multi Academy Trust will require the written authorisation of the child before responding to the requester, or provide the **personal data** directly to the child in accordance with the process above.
- 8.7 In all cases Inspire Education Multi Academy Trust should consider the particular circumstances of the case, and the above are guidelines only.

9 Withholding Information

- 9.1 There are circumstances where information can be withheld pursuant to a SAR. These are specific exemptions and requests should be considered on a case by case basis.
- 9.2 Where the information sought contains the **personal data** of third party **data subjects** then Inspire Education Multi Academy Trust will:
 - 9.2.1 Consider whether it is possible to redact information so that this does not identify those third parties, taking into account that it may be possible to identify third parties from remaining information;
 - 9.2.2 If this is not possible, consider whether the consent of those third parties can be obtained; and
 - 9.2.3 If consent has been refused, or it is not considered appropriate to seek that consent, then to consider whether it would be reasonable in the circumstances to disclose the information relating to those third parties. If it is not then the information may be withheld.
- 9.3 So far as possible Inspire Education Multi Academy Trust will inform the requester of the reasons why any information has been withheld.
- 9.4 Where providing a copy of the information requested would involve disproportionate effort Inspire Education Multi Academy Trust will inform the requester, advising whether it would be possible for them to view the documents at Inspire Education Multi Academy Trust or seeking further detail from the requester as to what they are seeking, for example

key word searches that could be conducted, to identify the information that is sought.

- 9.5 In certain circumstances information can be withheld from the requester, including a **data subject**, for example, on the basis that it would cause serious harm to the **data subject** or another individual. If there are any concerns in this regard then the Trust DPO should be consulted.

10 Process for dealing with a Subject Access Request

- 10.1 When a subject access request is received, Inspire Education Multi Academy Trust will:
- 10.1.1 notify the Trust Data Protection Lead who will be responsible for notifying the relevant department heads and ensuring there is a person responsible for managing the response.
 - 10.1.2 the Trust DPL will seek advice and guidance from the DPO as appropriate when managing and responding to a Subject Access Request;
 - 10.1.3 subject to para 6.6 above, acknowledge receipt of the request and provide an indication of the likely timescale for a response within 5 working days (see template at Annex 3);
 - 10.1.4 take all reasonable and proportionate steps to identify and disclose the personal data relating to the request;
 - 10.1.5 never delete information relating to a subject access request, unless it would have been deleted in the ordinary course of events – it is an offence to amend or delete data following receipt of a SAR that would not have otherwise been so amended or deleted;
 - 10.1.6 consider whether to seek consent from any third parties which might be identifiable from the data being disclosed;
 - 10.1.7 seek legal advice, where necessary, to determine whether Inspire Education Multi Academy Trust is required to comply with the request or supply the information sought;
 - 10.1.8 provide a written response, including an explanation of the types of data provided and whether and as far as possible for what reasons any data has been withheld (see template at Annex 4); and
 - 10.1.9 ensure that information disclosed is clear and technical terms are clarified and explained.

Responsibility

The Inspire Education Trust Board of Directors have a responsibility for the oversight of this and all policies within the Trust's academies and may delegate the implementation and review of this policy in accordance with our Scheme of Delegation.

ANNEX 1 – Definitions

Term	Definition
Data Subjects	for the purpose of this policy include all living individuals about whom we hold personal data. This includes pupils, our workforce, staff, and other individuals. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information
Personal Data	means any information relating to an identified or identifiable natural person (a data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person
Data Controllers	are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They are responsible for establishing practices and policies in line with Data Protection Law. We are the data controller of all personal data used in our business for our own commercial purposes
Processing	is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing also includes transferring personal data to third parties
Workforce	Includes, any individual employed by the Academy Trust such as staff and those who volunteer in any capacity including Governors, Trustees, Members and parent helpers

ANNEX 2 – SAR Acknowledgement
(for use over holidays when the School is closed for over a month)

[On headed notepaper of data controller]

[ADDRESSEE]
[ADDRESS LINE 1]
[ADDRESS LINE 2]
[POSTCODE]

Dear [NAME OF DATA SUBJECT]

[DATE]

Acknowledgement of your data subject access request dated [DATE OF REQUEST] and notification that the [School/ Academy] is currently closed.

We write further to your request for details of personal data which we received on [DATE OF REQUEST]. As advised in [INSERT HERE HOW AND WHEN THE DATA SUBJECT WAS ADVISED OF THE DATES THE SCHOOL WOULD BE CLOSED] the [School/Academy] is [closing / closed] from xx July 20xx until xx September 20xx. Accordingly, the information you have requested is not accessible, and we will unfortunately not be able to comply with your request within one month. [OR We are unfortunately only able to provide you with the enclosed information as the remainder of the information is not accessible].

The [School / Academy] will be reopening on xx September 20xx and you will be informed about the timeframe in which a full response to your request will be provided. We apologise for any inconvenience this may cause and will contact you again on xx September 20xx.

Yours sincerely,
[NAME OF SENDER]

For and on behalf of Inspire Education Multi Academy Trust

Annex 3 – SAR Acknowledgment Template

[On headed notepaper of data controller]

[ADDRESSEE]
[ADDRESS LINE 1]
[ADDRESS LINE 2]
[POSTCODE]

Dear [NAME OF DATA SUBJECT]

[DATE]

Acknowledgment of your data subject access request

Reference: [DATA SUBJECT ACCESS REQUEST REFERENCE NUMBER]

I write to acknowledge receipt of your request for personal information which we are responding to under data protection legislation.

[I also acknowledge receipt of your [IDENTIFICATION] as confirmation of your identity.]

Your request was received on [DATE] and, unless there are grounds for extending the statutory deadline of one calendar month, we expect to be able to give you a response by [DATE].

The reference for your request is [REFERENCE NUMBER], please quote this on all correspondence concerning this request.

Yours sincerely,

[NAME OF SENDER]

For and on behalf of Inspire Education Multi Academy Trust

Annex 4 – SAR Response Template

[On headed notepaper of data controller]

[ADDRESSEE]
[ADDRESS LINE 1]
[ADDRESS LINE 2]
[POSTCODE]

Dear [NAME OF DATA SUBJECT]

[DATE]

Response to your data subject access request dated [DATE OF REQUEST]

We write further to your request for details of personal data which we hold [and our acknowledgment of [DATE WHEN REQUEST FIRST ACKNOWLEDGED BY LETTER]].

Your request is as follows:

[insert request]

We enclose all of the data to which you are entitled under data protection legislation, in the following format:

[DETAILS OF FORMAT IN WHICH DATA IS PROVIDED, WITH REASONS FOR CHOOSING THE FORMAT: PAPER COPIES **OR** ELECTRONIC COPIES ON A CD OR MEMORY STICK **OR** A NEW DOCUMENT WHICH HAS BEEN CREATED AND SETS OUT THE INFORMATION THAT CONSTITUTES PERSONAL DATA. WHERE THE SAR WAS MADE BY ELECTRONIC MEANS THE RESPONSE SHOULD BE PROVIDED IN A COMMONLY USED ELECTRONIC FORM.]

We have contacted the following departments and individuals in order to locate personal data held which is within the scope of a data subject access request under data protection legislation.

[METHODOLOGY FOR IDENTIFYING PERSONAL DATA]

Please find enclosed a copy of our Privacy Notice which provides additional information as to the nature and purpose of processing by Inspire Education Trust.

[You will note that some of the information has been redacted. The reason for this is that the redacted information relates to [a] third part[y/ies] who have not consented to the sharing of their information with you].

If you are unhappy with this response, and believe Inspire Education Multi Academy Trust has

not complied with legislation, please ask for a review by [following our complaints process; details can be found on our website at [LINK]. Alternatively, you can request a review of the Trust's response by the Trust DPO.

If you still remain dissatisfied following an internal review, you can appeal to the Information Commissioner, who oversees compliance with data protection law. You should write to: Customer Contact, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

[NAME]

For and on behalf of Inspire Education Multi Academy Trust

Reviewed by: Warwickshire Schools DPO Team
& Martin Dorrington March 2023

Next Review Date: March 2025

Approved by Directors: 19 July 2023

Signed:



Lois Whitehouse
Headteacher



Sybil Hanson
Chair of Finance, Audit & Risk