

Greenshaw Learning Trust Subject Access Request Procedure

May 2018

This Greenshaw Learning Trust Procedure applies to the Greenshaw Learning Trust as a whole and to all the schools and service units in the Trust, in accordance with and pursuant to the Data Protection Policy of the Greenshaw Learning Trust. The Greenshaw Learning Trust, including all the schools and services within the Trust, their Trustees, governors and staff, must abide by this Procedure.

This Procedure must be read in conjunction with the GLT Data Protection Policy; all the terms of the GLT Data Protection Policy apply to the interpretation and implementation of this Procedure; if there is any ambiguity or conflict the GLT Data Protection Policy must be followed.

This Procedure is subject to the Scheme of Delegation approved for the school or service. If there is any ambiguity or conflict then the Scheme of Delegation and any specific Scheme or alteration or restriction to the Scheme approved by the Board of Trustees takes precedence.

If there is any question or doubt about the interpretation or implementation of this Procedure, the GLT Data Protection Officer or GLT CEO should be consulted.

Approval and review:

This Procedure is the responsibility of the GLT CEO.

This Procedure was approved by the Board of Trustees on: 23 May 2018. The procedure was updated by the GLT CEO to reflect changes to the Trust titles and terminology and the appointment of 'Judicium' as DPO from 1 January 2021.

This Procedure is due for review by: May 2021.

Greenshaw Learning Trust

Subject Access Request Procedure

1.1 Responsibilities, approval and review

It is the responsibility of the Governing Body and Headteacher of each school, and the Board of Trustees and GLT CEO for Trust Shared Service, to ensure that their school/service and its staff adhere to this Procedure; in implementing this Procedure the Governing Body, Headteacher and Trust staff must take account of any advice given to them by the GLT Data Protection Officer, GLT CEO and/or Board of Trustees.

For the purposes of data protection legislation the Greenshaw Learning Trust is the Data Controller, and can be contacted by writing to Greenshaw Learning Trust, Grennell Road, Sutton, SM1 3DY.

The GLT Data Protection Officer is: Judicium Consulting Limited.

Email: dataservices@judicium.com

Telephone: 0203 326 9174

Lead Contact: Craig Stilwell

Each school and the Trust Shared Service will appoint a lead to be the point of contact for data protection matters for staff, students and parents, and to liaise with the GLT Data Protection Officer. The name and contact details must be provided to the Data Protection Officer.

This Procedure was approved by the Board of Trustees on: 23 May 2018.

This Procedure is due for review by: May 2021.

1.2 Terminology

The Trust means the Greenshaw Learning Trust (GLT).

- School means a school within the Greenshaw Learning Trust.
- Headteacher means the headteacher or principal of the school.
- CEO means the chief executive officer of the Greenshaw Learning Trust.
- Governing body (GB) means the committee of the Board of Trustees to which Trustees have delegated appropriate powers and functions relating to the governance of the school.

In this Procedure references to the Greenshaw Learning Trust will be read as including the Greenshaw Learning Trust Shared Service and all schools in the Greenshaw Learning Trust.

1.3 Application

This Procedure applies to the Greenshaw Learning Trust as a whole and to all the schools and service units in the Trust, in accordance with and pursuant to the Data Protection Policy of the Greenshaw Learning Trust. The Greenshaw Learning Trust, including all the schools and services within the Trust, their Trustees, governors and staff, must abide by this GLT Subject Access Request Procedure.

In implementing this Procedure and associated school policies and procedures the Governing Body, Headteacher and school staff must take account of any advice or instruction given to

them by the GLT Data Protection Officer, the GLT CEO or Board of Trustees.

If there is any question about the interpretation or implementation of this Procedure, the GLT Data Protection Officer or GLT CEO should be consulted.

2 INTRODUCTION

The Greenshaw Learning Trust collects and uses certain types of personal information about staff, pupils, parents and other individuals in order to provide education and associated functions. The Greenshaw Learning Trust may be required by law to collect and use certain types of information to comply with statutory obligations related to employment, education and safeguarding.

Individuals have the right to access the personal data and supplementary information held about them. This allows them to be aware of, and verify the lawfulness of, you processing this data. This right applies to everyone whose personal data is held, including staff, governors, volunteers, parents and pupils.

Anybody who makes a request to see any personal information held about them by the Greenshaw Learning Trust is making a 'subject access request'. All information relating to the individual, including that held in electronic or manual files should be considered for disclosure, provided that they constitute a 'filing system' as defined in the GLT Data Protection Policy.

Personal data includes, but is not limited to:

- Name
- Address
- Email address
- CCTV image
- Pupil file
- Pupil photos
- Pupil number
- Staff member HR file

3. HOW TO DEAL WITH A SUBJECT ACCESS REQUEST

A subject access request must be made in writing, which can be by email. Applicants must be asked to complete a subject access request form (Annex A).

If a request is submitted to a school, the data protection lead must ask the applicant to complete a subject access request form (Annex A).

The applicant must be asked to provide at least two forms of identification, such as a photocopy of a birth certificate, passport, driving licence, bank statement, gas or electricity supplier.

Where a child or young person does not have sufficient understanding to make his or her own request (usually those under the age of 12, or over 12 but with a special educational need which makes understanding their information rights more difficult), a person with parental responsibility can make a request on their behalf. The GLT Data Protection Officer must, however, be satisfied that:

- the child or young person lacks sufficient understanding; and

- the request made on behalf of the child or young person is in their interests.

All completed forms must be sent to the GLT Data Protection Officer by email to dataservices@judicium.com who will provide advice and guidance on how to deal with the request.

As soon as permission to proceed has been given by the Data Protection Officer, the request must be acknowledged and dealt with in full without delay and at the latest within one month of receipt.

The one month deadline includes school holidays, so schools must ensure that they have procedures in place to monitor and respond to incoming requests in the holidays.

If the request is complex or numerous the deadline for fulfilling it may be extended to three months but the applicant must be informed of the extended deadline and told why it is necessary.

The Data Protection Officer must be consulted if the deadline is to be extended.

There shall be no charge for dealing with a subject access request except in very limited circumstances.

Where a request is “unfounded or excessive” i.e. the request is repetitive or asks for more copies of the same information, the following action may be taken:

- The applicant may be charged a reasonable fee, based on the administrative cost of providing the information.
- The request may be refused.
- The deadline may be extended to three months.

Access to records will be refused in instances where an exemption applies, for example, where information sharing may place the individual at risk of significant harm or jeopardise police investigations into any alleged offence(s).

If refusing a request, for whatever reason, the applicant must be told within one month of making the request why it is being refused, and that they may complain to the Information Commissioner at <https://ico.org.uk/concerns/getting/>

The Data Protection Officer must be consulted if an exemption is to be applied.

Whilst routine updates and amendments may be made to documents following a request, there must be no changes to the records, for example removing information that could be inaccurate or cause embarrassment.

An individual only has the automatic right to access information about themselves, and care needs to be taken not to disclose the personal data of third parties where consent has not been given, or where seeking consent would not be reasonable, and it would not be appropriate to release the information. Particular care must be taken in the case of any complaint or dispute to ensure confidentiality is protected.

Where all the data in a document cannot be disclosed a permanent copy should be made and the data redacted or retyped this is more sensible. A copy of the full document and the altered document should be retained, with the reason why the document was altered.

The information should be provided in a commonly used electronic format if the request was made electronically, unless the applicant suggests otherwise.

If the request is complex or sensitive, files must be reviewed by the GLT Data Protection Officer before any disclosure takes place. Access will not be granted before this review has taken place.

As soon as the request has been dealt with and the information provided, confirmation must be sent to the GLT Data Protection Officer by email to dataservices@judicium.com.

Annex A

Subject Access Request form

To ask for information which Greenshaw Learning Trust holds about you, please complete this form. Please note that:

- We do not charge a fee for supplying the information.
- You must supply at least two documents to prove your identity, such as a photocopy of your birth certificate, passport, driving licence, bank statement, or gas or electricity supplier. Please contact us if you have difficulty in providing this.
- If you are asking for information on behalf of someone else, such as your child, an adult relative or a friend, you must also send us proof of their identity. If they are aged 12 or over they must also sign this form to give us their permission to send you the information.

1 Your personal details

We will send the information to you using these details. Please note that it is an offence to pretend to be someone else and ask for information about them

Your full name:

If we hold information about you under a previous name, what was that name?

Your address and postcode:

If we hold information about you under a previous address, what was that address and postcode?

Your date of birth:

Your daytime telephone number:

Your email address (if you would like the information by email):

2 If you are asking for information about someone else

What is their name and address?

What is their date of birth?

3 If you are asking for information about a child

What is the child's date of birth?		Are you their parent or carer? <i>State 'Yes' or 'No'</i>	
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The information you require

Use this space to tell us what information you want us to send to you. Please include as many details as possible.

Please continue on a separate sheet if you need to, and attach it.

5 Declaration

I confirm that I have listed above all the personal data I want to access.

Your signature Date

If you have requested information on behalf of a child aged 12 or over, or on behalf of someone else, that person must sign this declaration:

I give my permission for a copy of my personal information, as described above, to be sent to the person whose name appears in section 1 above.

Your signature Date

Please return this form when signed, together with your proof of identity to:

Name of school, contact details

Please submit this form by email to the Data Protection Officer at dataservices@judicium.com