



Nexus Education Schools Trust

Subject Access Request Procedures

Date: September 2018

Review Date: September 2019

Subject Access Request Procedures

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1. Scope

All personal data processed by Nexus Education Schools Trust (NEST) is within the scope of this procedure.

Data subjects are entitled to obtain:

- Confirmation as to whether Nexus Education Schools Trust (NEST) is processing any personal data about that individual;
- Access to their personal data;
- Any related information;

2. Responsibilities

- 2.1 The Data Protection Officer (Chorus) is responsible for the application and effective working of this procedure, and for reporting the information on Subject Access Requests (SARs) to the Trust.
- 2.2 The Data Protection Officer and designated employees at each school are responsible for handling all SARs.

3. Procedure

- 3.1 Subject Access Requests are made using the Subject Access Request form via email or post. Parents/Carers have the right to request information about their child.
- 3.2 The data subject provides NEST Schools with evidence of their identity in the form of a current passport/driving license, and the signature on the identity must be cross-checked to that on the application form.
- 3.3 The data subject specifies to the NEST School, a specific set of data held by the school on their subject access request (SAR). The data subject can request all data held on them.

- 3.4 Nexus Education Schools Trust (NEST) records the date that the identification checks were conducted and the specification of the data sought. This information needs to be sent to lbromley@nestschools.org Please refer to the flowchart at Appendix 5 for School and NEST responsibilities.
- 3.5 The NEST School provides the requested information to the data subject within one month from this recorded date.

Collection entails:

- 3.5.1 Collecting the data specified by the data subject, and
 - 3.5.2 Searching all databases and all relevant filing systems (manual files) in the NEST School, including all back up and archived files (computerised or manual) and all email folders and archives. Each school maintains a data landscape that identifies where all data is stored.
- 3.6 The Headteacher should review all documents that have been provided to identify whether any third parties are present in it, and either removes the identifying third party information from the documentation or obtains written consent from the third party for their identity to be revealed.
- 3.7 Some of the data being processed may be exempt from being included in a Subject Access Request under the data Protection Act 2018 and this would need to be checked by the Headteacher before being included.
- 3.8 In the event that a data subject requests the NEST School to provide them with the personal data stored by the controller/processor, then the school will provide the data subject with the requested information in electronic format, unless otherwise specified. All of the items provided to the data subject are listed in a schedule that shows the data subject's name and the date on which the information is delivered to the data subject (Appendix 3).
- 3.9 In the event that a data subject requests what personal data is being processed then the NEST School will provide the data subject with the following information:
- 3.9.1 Purpose of the processing
 - 3.9.2 Categories of personal data
 - 3.9.3 Recipient(s) of the information, including recipients in third countries or international organisations
 - 3.9.4 How long the personal data will be stored
 - 3.9.5 The data subject's right to request rectification or erasure, restriction or objection, relative to their personal data being processed.
 - 3.9.5.1 The NEST School removes personal data from systems and processing operations as soon as a request for erasure has been submitted by the data subject.
 - 3.9.5.2 The NEST School contacts and communicates with other organisations, where the personal data of the data subject is being processed, to cease processing information at the request of the data subject.
 - 3.9.5.3 The NEST School takes appropriate measures without undue delay in the event that the data subject has: withdrawn consent; objects to the processing of their personal data in whole or part; no longer under legal obligation and/or has been unlawfully processed.
 - 3.9.6 Inform the data subject of their right to lodge a complaint using the School's Complaints procedure or refer to the supervisory authority (ICO).
 - 3.9.7 Information on the source of the personal data if it hasn't been collected from the data subject.
 - 3.9.8 If and where personal data has been transferred and information on any safeguards in place.

4. Document Owner and Approval

NEST and the Data Protection Officer are the owners of this document and are responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR and DPA 2018.

A current version of this document is available to members of staff.

Appendix 1: Form for submitting Subject Access Requests



[Insert date]

Re: Subject Access Request

Dear **SCHOOL NAME**

Please provide me with the information about me that I am entitled to under the General Data Protection Regulation. This is so I can be aware of the information you are processing about me, and verify the lawfulness of the processing.

Here is the necessary information:

Name	
Name of School	
Relationship with the school	<p>Please select:</p> <p>Pupil / parent / employee / local committee / volunteer</p> <p>Other (please specify):</p>
Correspondence address	
Contact number	
Email address	
Details of the information requested	<p>Please provide me with:</p> <p><i>Insert details of the information you want that will help us to locate the specific information. Please be as precise as possible, for example:</i></p> <ul style="list-style-type: none"> • <i>Your personnel file</i> • <i>Your child's records</i> • <i>Your child's behavior record, held by [insert class teacher]</i> • <i>Emails between 'A' and 'B' between [date]</i>

If you need any more information from me, please let me know as soon as possible.

Please bear in mind that under the GDPR you cannot charge a fee to provide this information, and in most cases, must supply me with the information within 1 month.

I understand that I will be required to provide 2 forms of identification on request.

If you need any advice on dealing with this request, you can contact the Information Commissioner's Office on 0303 123 1113 or at www.ico.org.uk

Yours faithfully,

Your Name

Appendix 2: Letter to respond to or extend Subject Access Requests

Insert your school's name and address

Dear [name],

Re: your subject access request

I can confirm that [school name] received your request on [date] to see the following data that we hold about you:

- [Summarise the data requested]

If you expect to respond within 1 month, insert:

We will respond to your request within 1 month, as required under the General Data Protection Regulation (GDPR).

We don't think we will need to extend the response time, which we're able to do when requests are complex. However, if it becomes clear that we do need to extend the response period by up to 2 months, we will let you know by [date – this will be 1 month from when you received the request].

If you think the request is too complex to respond within 1 month, insert:

In most cases, we will respond to subject access requests within 1 month, as required under the General Data Protection Regulation (GDPR). However, under article 12 (3), we are able to extend this period by up to 2 months for complex requests.

We anticipate that your request will be too complex for us to fulfil within 1 month.

In particular, [insert more details to explain why you have judged that this request is too complex].

We will respond to your request by [date – which will be 3 months from the date the request was received] at the latest.

If you disagree with this decision, you can contact the Information Commissioner's Office by calling 0303 123 1113, or going to the following webpage: <https://ico.org.uk/global/contact-us/>

We are sorry for any inconvenience this may cause you,

Yours sincerely,

[Name]

For requests during School holidays, please refer to the letter at Appendix 4

Appendix 3: Form for supplying data in response to a Subject Access Request

Insert your school's name and address

Re: subject access request

Dear *insert the name of the individual who submitted the subject access request*

Please find enclosed the information that you requested under the General Data Protection Regulation (GDPR).

Your name	
Your relationship with the school	Please select: Pupil / parent / employee / local committee / volunteer Other (please specify):
Details of the information you requested/enclosed	<i>Insert details of the specific information requested, such as:</i> <ul style="list-style-type: none"> • <i>Your personnel file</i> • <i>Your child's medical records</i> • <i>Your child's behavior record, held by [insert class teacher]</i> • <i>Emails between 'A' and 'B' between [date]</i>
Date you requested the information	
Date we supplied the information	<i>This must be within one month of the above date</i>
Format we supplied the information	<i>For example, encrypted USB stick accompanying this letter</i>

If you need any further advice relating to your subject access request, you can contact:

NEST Data Protection Officer, Chorus Advisers at dpo@chorusadvisers.co.uk

Yours sincerely,

Name

Appendix 4: Letter to respond to a Subject Access Request over the Summer holidays

Dear [name],

Re: your subject access request

I can confirm that [school name] received your request on [date] to see the following data that we hold about you:

- [Summarise the data requested]

If you expect to respond within 1 month, insert:

We will respond to your request within 1 month, as required under the General Data Protection Regulation (GDPR).

We don't think we will need to extend the response time, which we're able to do when requests are complex. However, if it becomes clear that we do need to extend the response period by up to 2 months, we will let you know by [date – this will be 1 month from when you received the request].

If you think the request is too complex to respond within 1 month, insert:

In most cases, we will respond to subject access requests within 1 month, as required under the General Data Protection Regulation (GDPR). However, under article 12 (3), we are able to extend this period by up to 2 months for complex requests.

We anticipate that your request will be too complex for us to fulfil within 1 month during the summer holidays, due to the nature of your request and the lack of available staff in school at this time.

In particular, [insert more details to explain why you have judged that this request is too complex e.g. there is data stored on teachers' laptops that you cannot access centrally, data will need to be extracted from a part of the IT system that will need input from members of the IT team who do not work over summer].

We will respond to your request by [date – which will be 3 months from the date the request was received] at the latest.

If you disagree with this decision, you can contact the Information Commissioner's Office by calling 0303 123 1113, or going to the following webpage: <https://ico.org.uk/global/contact-us/>

We are sorry for any inconvenience this may cause you,

Yours sincerely,

[Name]

Appendix 5: Subject Access Request Procedure flowchart

