



Policy for receiving and responding to Subject Access Requests

Review Date: March 2026

Reviewed By: Data Protection Officer

Academy Context

The Core Values of the Academy, which relate specifically to this policy, state that we are working together to form relationships based on

- **Truth** - everyone is required to be honest and to communicate in a positive manner
- **Responsibility** - everyone is expected to understand the consequences of their actions
- **Justice** - everyone is entitled to be treated fairly and to promote the self-esteem of others

Such values contribute to our common purpose of “Striving for high quality education with a strong Christian ethos” and underpin the recording and data practices within the Academy.

1. Policy Statement

- 1.1. All **Data Subjects** have a right of access their **personal data**. This document sets out the procedures to be followed in relation to any requests made for the disclosure of **personal data** held by the Academy.

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 (“SAR”)

- 3.1. As the Academy **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 (SAR).
- 3.2. A **data subject** is only entitled to access their own **personal data**.
- 3.3. Any request by a **data subject** for access to their **personal data** is a SAR. This includes requests received in writing, by email, text, via the Academy’s official social media channels and verbally by phone or face to face.
- 3.4. If any member of our **Workforce** receives a request for personal data, they should inform the Data Protection Lead (“DPL”) as soon as possible. The DPL will then liaise with the external Data Protection Officer (DPO)
- 3.5. In order that the Academy is properly able to understand the nature of any SAR and to verify the identity of the requester, any verbal request should be written down and the requester should be asked to confirm the written request is an accurate reflection of the data they wish to access.

- 3.6. A SAR will be considered and responded to in line with Data Protection Law.

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4. All requests for personal information should be considered a SAR until proved otherwise. All request must be notified to the internal DPL at the earliest opportunity. Verifying the identity of a Requester
- 4.1. The Academy is entitled to request additional information from a requester to verify their identity and entitlement to the data requested.
- 4.2. Where the Academy has reasonable doubts as to the identity of the individual making the request, evidence of identity may be established by production of one item from each of the following:
- 4.2.1. Photographic evidence
- Current passport
 - Current driving licence
- 4.2.2. Proof of name and current address
- Recent utility or Council Tax bill
 - Recent bank or mortgage statement
 - Any other official document containing the requester's name and address
- 4.3. If the Academy is not satisfied with the identity of the requester, rather than risk a potential data breach the request will not be complied with.

5. Fee for Responding to Requests

- 5.1. The Academy 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, the Academy may refuse to respond to the request. If a request is considered to be manifestly unfounded or unreasonable, the Academy will inform the requester why this is considered to be the case.
- 5.3. A fee may also be requested for repeat requests or copies of information previously provided. 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. The Academy has one calendar month to respond to SAR. The time limit for fulfilment begins on receipt of:
- 6.1.1. a valid request, or:
- any additional identification information where there is doubt about the identity of the requester and their entitlement to the data
 - clarification on the data requested, where the request is not clear.
 - receipt of the **data subject's** authority if the request has been made by a third party
 - payment of any fee if a fee notice has been issued.
- 6.2. The period for response may be extended by a further two calendar months if a request is considered complex or multiple requests are received. 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 to extend the response period.
- 6.3. Where a request is considered to be sufficiently complex to require an extension of the period for response, the Academy will notify the requester within one calendar month of receiving the request, together with reasons as to why the extension is considered necessary .A request may be received during or less than one month before the start of an Academy holiday. The legislation makes no additional provision for extensions during periods of

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Academy closure. The DPO should be consulted on how to proceed under these circumstances

7. Form of Response

- 7.1. 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.
- 7.2. Where a request has been made verbally or in hard copy, the Academy should determine the format in which the requester would prefer the response.

8. Sharing Information with Third Parties

- 8.1. **Data subjects** may ask the Academy to share their **personal data** with another person, such as an appointed representative, solicitor, etc. In such cases, the Academy should obtain written authorisation signed by the **data subject** and confirming which of their **personal data** should be shared, and with whom.
- 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 the **data subject**. A response must not be provided unless and until written authorisation from the **data subject** has been provided by the requester. The Academy 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 the Academy is in any doubt or has any concerns about providing the **personal data** of the **data subject** to the third party, it should provide the information requested directly to the **data subject**. The **data subject** may then decide whether to share this information with the third party, or not.
- 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 relating 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. For clarity, the parental right to the educational record **does not** apply to Academies and other free schools
- 8.5. There are circumstances where a parent may 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 the Academy is confident that the child can understand their rights. Generally, if a child is under 12 years old, they are not considered sufficiently mature to fully understand their right of access. A parent may then request access to their **personal data** on their behalf.
- 8.6. In relation to a child 12 years of age or older, then provided that the Academy is confident that they understand their rights, and there is no reason to believe that the child does not have the capacity to make a request on their own behalf, the Academy will require the written authorisation of the child before responding to the requester, or it will provide the **personal data** directly to the child in line with the process above.
- 8.7. In all events, the Academy should consider the particular circumstances on a case-by-case basis; the above are guidelines only.

9. Withholding Information

- 9.1. There are circumstances where information may be withheld under a SAR. These are specific exemptions as set out in Schedules 2–4 of the Data Protection Act 2018. The

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application of exemptions should be considered on a case-by-case basis.

9.2. Where the information sought contains the **personal data** of others, the Academy 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. Where it is possible without breaching the rights of others, or placing others at risk, the Academy will inform the requester if and why any information has been withheld.

9.4. In certain circumstances, information can be withheld from the requester, including a **data subject**, 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 Safeguarding Lead and DPO should be consulted.

10. Process for dealing with a Subject Access Request

10.1. When a subject access request is received, the Academy will:

- 10.1.1. notify the relevant department heads, and the DPO who will be responsible for managing the response;
- 10.1.2. subject to para 6.6 above, acknowledge receipt of the request and provide a timescale for a response, as soon as practicable;
- 10.1.3. take all reasonable and proportionate steps to identify and disclose the data relating to the request;
- 10.1.4. never delete or amend data relating to a subject access request, unless it would have been deleted in the ordinary course of events. It is an offence to amend, delete, obscure or otherwise prevent the disclosure of data following receipt of a SAR that would not have otherwise been so amended or deleted;
- 10.1.5. consider whether to seek consent from any third parties which might be identifiable from the data being disclosed;
- 10.1.6. seek legal advice, where necessary, to determine whether the Academy is required to comply with the request or supply the information sought;
- 10.1.7. 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; and
- 10.1.8. ensure that information disclosed is clear and technical terms are clarified and explained.

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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, parent, staff, volunteers, and other stakeholders. A data subject need not be a UK national or resident. All data subjects whose personal data is processed within the UK have legal rights in relation to that 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	<p>means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. The data controller for the Academy is the Trust Board.</p> <p>The controller is responsible for complying with the UK GDPR. It must be able to demonstrate compliance with the data protection principles and take appropriate technical and organisational measures to ensure processing is carried out in line with the UK GDPR.</p>
Processing	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	Any individual employed by Academy such as staff, and those who volunteer in any capacity including Governors and/or Trustees / Members/ parent helpers.

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