

Ellesmere Port Catholic High School

Subject Access Request Policy

Introduction

Ellesmere Port Catholic High School collects and uses personal information about staff, students, parents and other individuals who come into contact with the school. This information is gathered by the school in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that school complies with its statutory obligations.

Schools have a duty to be registered as Data Controllers with the Information Commissioners Office (ICO) detailing the information held and its use. These details are then published on the ICO's website. Schools also have a duty to issue a Privacy Notice to all staff, students and parents; this summarises the information held by the school, why it is held and what third parties, if any, it will be shared with.

Making a Subject Access Request (SAR)

Under the General Data Protection Regulations you have the right to request access to information we hold about you. Under this right you can request;

- Confirmation that we hold personal information about you and why we do so
- A copy of any information we may hold about you.

An individual is entitled to make a request for the information we hold about them, but in certain circumstances they may be able to make a request for information we hold on someone else. If you have parental responsibility for a child at this school, you may wish to make a request to identify what personal data we hold on your child, as well as request a copy of that information.

The applicant must effectively communicate their request to the school. While there is no requirement for this to be made in writing, Ellesmere Port Catholic High School have made available a SAR request form. These are available from the Main Office.

Proof of Identification

If we have any cause doubt your identity we will ask you to provide any evidence we reasonably need to confirm your identity. This may be done by requesting a recognised form of identification. Items requested may be:

- Proof of identity - passport, photo driving license, national identity cards or birth certificate.
- Proof of address - utility bill, bank statement, credit card statement (no more than 3 months old), TV license, council tax bill, HMRC tax documentation (no more than 12 months old)

Where requesting details of information we hold about a pupil, we will confirm your rights to this information. In order to do this we may request a copy of the child's birth certificate or other official documentation confirming parental/guardianship responsibilities or rights. Where requesting information on behalf of another individual, we will request a copy of the written authority of the individual confirming both their and your identity and clearly stating you are acting on their behalf and with their full knowledge.

How we process Subject Access Requests

The school will clarify the nature of the request and determine whether the request relates to information belonging to a child or whether the request has been made in relation to information belonging to the requester. In the event that a large quantity of information is being processed about an individual, the school may ask the individual to specify the information the request is in relation to.

If we identify information relates to third parties we will take all reasonable steps to establish whether this information can be disclosed. We are not required to disclose information relating to third parties, unless they have provided their consent or it is reasonable to do so without their consent. If the third party objects to the information being disclosed we may seek legal advice on what action should take.

Before sharing any information that relates to third parties, we will where possible anonymise information that identifies individuals not already known to the applicant. We will also edit information that may affect another person's privacy, and if necessary summarise the information provided (rather than provide a full copy of the document).

Once we have confirmed identification, resolved any queries around the applicants' request, and gathered the relevant information, we will issue our response electronically and securely, or if requested, via a hard copy. Hard copy responses will be sent by Royal mail recorded delivery in an envelope or package marked 'Private and Confidential' and 'Addressee Only'.

Where requests relate to information in the form of video images captured by our CCTV security cameras, we may ask whether the requester would be satisfied with viewing these images at our premises.

Right to Information

Parents accessing their child's personal data under the GDPR are exercising the child's right of subject access on the child's behalf. A parent or guardian does not have an automatic

right to information held about their child. The right belongs to the child and the parent(s) acts on their behalf, where they have parental responsibility for the child.

In England the age at which a child reaches sufficient maturity to exercise their own right to access information is normally 12, but this may vary among individuals. Once a child reaches sufficient maturity, the parent may only act with their child's consent. Where a child is over 12 and a request is made on their behalf, the school may contact them separately to seek their signed consent for someone to access their records on their behalf. When deciding whether information about a child can be released, consideration will be given to the best interests of the child.

The school will not serve a Subject Access request for information held on a child, having been deemed capable of understanding the nature of the request and the consequences of their actions, refuses to consent to this information being disclosed.

Grounds for not complying with Subject Access Requests

Where a request is manifestly unfounded or excessive, the school holds the right to refuse to respond to the request. The individual will be informed of this decision and the reasoning behind it, as well as their right to complain to the supervisory authority and to a judicial remedy, within one month of refusal.

If you have made a previous subject access we must respond only if a reasonable interval has elapsed since this previous request was made. We will define a reasonable interval by reviewing the elapsed time, nature of information, and changes that have occurred since the last request was made.

What to do if you identify inaccurate information in our records

If you identify an error in the information we hold please notify us as soon as possible. If we agree that the information is inaccurate we will take all reasonable steps to correct the information or if relevant and practically possible, remove the inaccurate information by deletion or destruction.

If we believe the information is accurate, or we are unable to make a decision as to the accuracy of the information, we will keep a note of the alleged error on the file.

What to do if you want us to stop processing the data

You have the right to ask us to delete or completely stop processing some or all of your data, or stop processing this data in relation to a particular purpose or in a particular way. The right to restrict processing applies in certain limited circumstances.

We will respond to an objection within 20 days of receipt, and in writing, advising that we have either complied with your request, intend to comply with it, or state the extent to which we will comply with it and why.

Where we will not or cannot comply with a request to delete or stop processing data we will clearly communicate those reasons with you.

Complaints Procedure

An individual having any complaint in connection with our actions has the right to present a complaint in writing to the Schools' Data Protection Officer

School Data Protection Officer – Ellesmere Port Catholic High School
Cheshire West and Chester Council
HQ, 58 Nicholas Street
Chester
CH1 2NP

Email: schoolDPO@cheshirewestandchester.gov.uk

If you remain dissatisfied, you have the right to report your concern to the Information Commissioner's Office (ICO)

The Information Commissioner's Officer
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0845 306 060 or 01625 545 745
<https://ico.org.uk>

Signed on behalf of Governing Body



Mr J Coucill, Chair of Governors

Date: June 2018

Lead of Review: Data Protection Officer

Governor Committee: Leadership & Management

Date for Review: July 2019

