



# The Milford Academy

## General Data Protection Regulation (UK GDPR) Subject-Access-Request Policy

Ratified at Governors 16<sup>th</sup> May 2024

**M** - Motivated  
**I** - Independent  
**L** - Learning  
**F** - Forward Thinking  
**O** - Outstanding  
**R** - Respect  
**D** - Determined



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### **Rights of access by data subjects to their personal data**

Under the DPA, individuals have the right of access to their personal data held by The Milford Academy. Generally, in the case of pupils under the age of 12 years, the person with parental responsibility may exercise this right on their behalf. Pupils aged 12 years and over can exercise the right themselves or may authorise their parents/carers to act on their behalf. The pupil's/student's signature on the SAR form would be required in these circumstances. This is known as a Subject Access Request. A request in writing will be accepted as long as satisfactory identification is given and the information request is clear, not excessive. Where the pupil/student and parents are known to The Milford Academy further identification will not be required. In other cases, it is expected that picture ID, such as a passport or driving licence would be required.

The Data Protection Act allows processors to levy a reasonable charge to service Subject Access Requests.

### **Requests for access to records (Subject Access Requests)**

A Subject Access request (SAR) must be made in writing. A Subject Access Request Form must be sent to the applicant within two working days of when the request is received by The Milford Academy DPO.

All requests for access to records must be noted on the relevant pupil's/student's file, and the form returned to the DPO. On receipt of the complete request and payment the DPO will ensure that the SAR is completed as outlined in this policy.

### **Responding to requests for access to records (Subject Access Requests)**

The Milford Academy will send a written response to the applicant acknowledging receipt of the application form. This must be done within 5 days of the request being received at the school.

The DPO will manage the response to the applicant. The DPO will also maintain a SAR process sheet. The purpose of the process sheet is to identify and monitor deadlines and record contact with and information sent to the applicant. It will also record decisions taken with regard to the application.

The Head teacher must authorise the applicants request before any information is disclosed.

The school will consult with its HR services if there is any query over the information that has been requested.

If the applicant's request for access is granted, the DPO requires such access to be given within 1 month of the written request being received. The 1-month period does not begin until:

- a) A written application is received by the DPO;
- b) The Milford Academy DPO has received sufficient information to enable it to identify the individual who is seeking access;
- c) The Milford Academy DPO has received sufficient information to enable it to access the information requested; and

In order to meet the 1-month requirement the following schedule will be enforced:

- a) The Milford Academy DPO will collate the data requested and forward the SAR process sheet outlining the information collected and actions taken to the DPO for overview. This must be done within 15 days of the request being received by the Head Teacher.
- b) The Milford Academy DPO has 10 days from this point in which to liaise with the DP and agree the information to be sent (or withheld) to the applicant.
- c) The applicant should receive the data once the 25 days are complete or sooner if possible. This 25-day timescale allows for further discussion and clarification to take place if necessary within the 40-day deadline.
- d) The DPO's of The Milford Academy should agree a secure method of releasing the information to the applicant.

Where the conditions set out above are fulfilled, in responding to the request, the DPO of The Milford Academy must give a description of the personal data that is being processed, the purposes for which the personal data is being processed, and the persons to whom the personal data has been disclosed too.

Data subjects are not entitled to information where exemptions to the right of access apply. In these circumstances, the DPO of The Milford Academy must only give a notification to the data subject, that no information has been identified which is required to be supplied under the DPA regulations.