

'They will soar on wings like eagles.' Isaiah 40:31

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Multi Academy Trust Policy

Common Trust Policy, Use as Published

Subject Access Request Policy

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1.1	09/07/2024	T Howard	Subject Access Request Form added
1.2	10/07/2024	T Howard	4.4 Holiday request paragraph added
1.3	05/06/2026	T Howard	Updated UK GDPR references, SAR guidance, digital systems search, child access rights wording and SAR process improvements
1.4	06/07/2026	T Howard	Added secure electronic delivery of Subject Access Request responses using Signable and updated disclosure arrangements.

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Policy Statement

The Data Protection Legislation is an important mechanism in achieving trust and confidence between the Academy, the Trust, their Data Processors and Data Subjects. It gives individuals rights of access to their personal records held by the Academy and the Trust. This policy explains how the Trust and each Academy aims to fulfil its obligations under the Act.

The Trust and each Academy will deal with each subject access request it receives in accordance with the provisions of this policy.

Definitions

- “The Trust” means Aquila, The Diocese of Canterbury Academies Trust
 - “The Academy” means the school within the Trust
- “Data” means Personal Data and Special Category Personal Data.
- “Data Controller” is the person who or the organisation which determine the purposes for which, and the manner in which, any personal data is processed. They are responsible for establishing practices and policies in line with Data Protection Legislation.
- “Data Subject” means all living individuals about whom the Academy holds Data. A Data Subject need not be a UK national or resident. All Data Subjects have legal rights in respect of their Data and the information that the Academy holds about them.
- “Data Processor” means any person who or organisation which processes Data on behalf of the Data Controller including contractors, and suppliers and any third party whose work involves accessing or otherwise using Data held by the Academy. Data Processors have a duty to protect the information they process for and on behalf of the Academy by following this and other Academy information governance policies at all times.
- “Data Protection Legislation” means the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and any associated legislation or guidance.
- “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
- “Processing” means 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.
- “Special Category Personal Data” means information about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health or condition or sexual life, or genetic or biometric data.
- “Social Media” means websites and applications that enable users to create and share content or to participate in social networking including Facebook, LinkedIn, Twitter, Google+, and all other social networking sites, internet postings and blogs. It applies to use of social media for Academy purposes as well as personal use that may affect the Academy in any way.
- “Subject Access Request” (“SAR”) means a request by an individual to the Trust or the Academy pursuant to Article 15 of the UK GDPR and the Data Protection Act 2018.

Legal Framework

Article 15 of the UK GDPR and the Data Protection Act 2018 provides an individual with a right to be informed on request whether or not Personal Data concerning them is being processed and if so to access to the Personal Data and the following information:

the purposes of the Processing;

the categories of Personal Data concerned;

the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;

where possible, the envisaged period for which the personal data will be stored, or if not possible, the criteria used to determine that period;

- the existence of the right to request from the Data Controller rectification or erasure of Personal Data or restriction of Processing of Personal Data concerning the Data Subject or to object to such Processing;
- the right to lodge a complaint with the Information Commissioner's Office;
- where the Personal Data are not collected from the Data Subject, any available information as to the source; and
- the existence of any automated decision making, together with additional information about such Processing where this is taking place.
- Data may be withheld pursuant to a SAR where disclosure may cause serious harm to the Data Subject or any other person. This exemption relates only to health, social care, and education Data.

The Trust or the Academy, as appropriate, is also exempt from disclosing third party Personal Data unless the third party has consented to their Personal Data being disclosed or it is reasonable in all the circumstances for the third party's Personal Data to be disclosed without their consent.

Making a SAR to the Trust and the Academy

The Trust and the Academy request that Subject Access Requests are made in writing. A Subject Access Request Form is available on the Trust website and from each Academy, although individuals are not required to use the form to exercise their rights. This will enable the Trust and/or the Academy to properly understand the nature and extent of a SAR and to provide an appropriate and sufficient response. The Trust and the Academy consider 'in writing' to include communications by post, fax, and email and on Social Media sites to which the Trust and the Academy subscribe. Subject Access Requests may be submitted to any Academy within the Trust or directly to the Trust Data Protection Officer.

SARs made via social media will be responded to in the same way unless the requester indicates that they would prefer to receive the response by email.

Please note if you want to make a request within holiday periods when the academy is closed, please contact the DPO directly DPO@aquilatrust.co.uk as access to the data you are requesting may be limited and an extension may have to be put in place. The statutory timescale continues to apply during school closure periods, although additional clarification or identification checks may affect the response timeline as permitted under UK GDPR.

Confirming the identity of the Requester

In order to minimise the risk of accidentally sending the Personal Data of an individual to a third party and to avoid data breaches, where the Trust or the Academy receives a SAR and it is not satisfied as to the identity of the Requester, it will take the steps set out at 5.2 below to satisfy itself as to the identity of the Requester.

When responding to requests we may ask the individual to provide 2 forms of identification and we may contact the individual via telephone to confirm the request was made.

If the Trust or the Academy, as appropriate, is not satisfied as to the identity of the Requester then the SAR will not be complied with, so as to avoid the potential for an inadvertent disclosure of Personal Data resulting in a data breach.

Sharing Information with Third Parties

Data subjects can ask that you share their personal data with another person such as an appointed representative (in such cases you should request written authorisation signed by the data subject confirming which of their personal data they would like you to share with the other person).

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 that data subject, then a response must not be provided unless and until written authorisation has been provided by the data subject. The Trust should not approach the data subject directly but should inform the requester that it cannot respond without the written authorisation of the data subject.

If the Trust is in any doubt or has any concerns as to providing the personal data of the data subject to the third party, then it should provide the information requested directly to the data subject. It is then a matter for the data subject to decide whether to share this information with any third party.

Personal data belongs to the data subject, and in the case of the personal data of a child regardless of their age the rights in relation 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. However, there are circumstances where a parent can 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 Trust is confident that the child can understand their rights. The Trust will assess the competence and understanding of the child on a case-by-case basis and will not rely solely on age when determining whether a child can exercise their own information rights. In all cases the Trust will consider the particular circumstances of the case, and the above are guidelines only.

SARs made by third parties

Data subjects can ask that the Trust share their personal data with another person such as an appointed representative (in such cases the Trust will request written authorisation signed by the data subject confirming which of their personal data they would like the Trust to share with the other person).

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 that data subject, then a response will not be provided unless and until written authorisation has been provided by the data subject. The Trust will not approach the data subject directly but will inform the requester that it cannot respond without the written authorisation of the data subject.

If the Trust is in any doubt or has any concerns as to providing the personal data of the data subject to the third party, then it will provide the information requested directly to the data subject. It is then a matter for the data subject to decide whether to share this information with any third party. In all cases the Trust will consider the particular circumstances of the case, and the above are guidelines only.

Clarification of the Request

Where it is unclear what Data is being sought by way of the SAR, the Academy will contact the Requester to provide further clarification as to the information being requested.

In clarifying the request, the Trust or the Academy, as appropriate, will contact the Requester by telephone, writing or email and ask for additional information to assist in determining whether any Data is being held and, if so, locating where that Data is being held.

Fees

The Trust or the Academy, as appropriate, will usually deal with a SAR free of charge.

Where the request is considered to be manifestly unfounded or excessive a fee may be requested. Alternatively, the Trust or the Academy, as appropriate, may refuse to respond to the request. If a request is considered to be manifestly unfounded or unreasonable the Trust or the Academy, as appropriate, will inform the requester why this is considered to be the case.

Time Limits

The Trust or the Academy, as appropriate, will respond to a SAR promptly and in any event no later than one calendar month from the date of the request, or receipt of appropriate identification or clarification of a request where appropriate.

Where it is not possible to respond within one calendar month, the Trust or the Academy will contact the Requester in writing to advise that it will not be possible to respond fully within the one calendar month time scale and provide a new timescale for responding to the SAR. Where an extension is permitted under Article 12(3) UK GDPR due to the complexity or number of requests, the Trust will notify the requester within one calendar month...

In relation to complex requests the response period may be extended by two calendar months. What constitutes a complex request will depend on the particular nature of the request. Where a request is considered to be sufficiently complex as to require an extension of the period for response, the Requester will be notified within one calendar month of receiving the request, together with reasons as to why this is considered necessary.

Responding to a SAR

In responding to a Subject Access Request, the Trust or Academy will undertake reasonable and proportionate searches of all locations where personal data relating to the data subject may be held. Searches may include manual and paper records, electronic records, email accounts (including inboxes, sent items, archives and deleted items), cloud-based storage systems, Microsoft 365 applications, Teams chats and channels, SharePoint sites, OneDrive accounts, safeguarding systems, Management Information Systems (MIS) such as Bromcom, HR and payroll systems, and any other approved Trust or Academy platforms used to process or store personal data.

The Trust or Academy will maintain a record of the searches undertaken, including the systems searched, the staff involved and the dates searches were completed, in order to demonstrate compliance with UK GDPR and accountability requirements.

The Trust or the Academy, as appropriate, will consider whether any of the Data held is subject to any of the exemptions set out in the Data Protection Legislation or whether the Data requested should otherwise be withheld.

In so far as the Trust or the Academy, as appropriate, is able to disclose then the Requester will be provided with the information set out at paragraph 3.1 above.

Where a requester has asked to receive their information electronically, or where the Trust considers electronic delivery to be the most secure and efficient method, the Trust or Academy may use a secure electronic document delivery platform, such as Signable, to provide the requested information.

The requester will receive an email containing a secure link to access the documents. Where appropriate, additional identity verification may be required before access is granted. The Trust will ensure that any electronic transfer of personal data is carried out using appropriate technical and organisational security measures in accordance with the UK GDPR and the Data Protection Act 2018. If the Trust or the Academy, as appropriate, does not hold any Data of the Requester, it will respond to the SAR to this effect.

In responding to a SAR, the Trust or the Academy, as appropriate, will only provide third party Personal Data in accordance with paragraph 14 of this policy.

Where any of the exemptions in the Data Protection Legislation apply in relation to Data held by the Trust or the Academy, as appropriate, it will not disclose that Data to the Requester.

If Personal Data is withheld pursuant to an exemption, then where appropriate the Requester will be informed in writing that Data has been withheld due to the application of an exemption, set out the nature of the exemption and give reasons as to why the Academy considers that that exemption applies.

Where the Trust or the Academy, as appropriate, receives a SAR and some Data is exempt from disclosure and others not, where practicable the Trust or Academy, as appropriate, will redact the information which is exempt from disclosure and provide the remainder to the Requester. Redactions will be reviewed and approved by the Data Protection Officer or delegated appropriately trained officer prior to disclosure.

If it is not possible for the exempt information to be redacted then, where possible, the unredacted information will be extracted and forwarded to the Requester.

Where the Trust or the Academy, as appropriate, cannot provide the Data requested in a permanent format, necessary arrangements will be made for the Requester to inspect the Data being processed.

The Trust may withhold information where an exemption under the Data Protection Act 2018 applies, including where disclosure:

Might cause serious harm to the physical or mental health of the pupil or another individual

Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests

Is contained in adoption or parental order records
Is given to a court in proceedings concerning the child

Audit Trail

The Trust will maintain an audit trail for every Subject Access Request. This will normally include acknowledgement of the request, identity verification (where applicable), clarification requests, search records, exemptions considered, redaction decisions, correspondence, approval of the disclosure and the final response. This supports the Trust's accountability obligations under Article 5(2) UK GDPR.

The Trust uses the records maintained during the Subject Access Request process to demonstrate compliance with the accountability principle contained within Article 5(2) UK GDPR.

Third Party Information

Where the Trust or the Academy, as appropriate, receives a SAR and the Data of the Requester contains the Personal Data of a third party, the Trust or the Academy, as appropriate, will not disclose the third party's Personal Data unless the third party consents to the disclosure or it is reasonable in all the circumstances to disclose the Personal Data of third party without their consent.

In determining whether it is reasonable in all the circumstances to disclose third party Personal Data in responding to a SAR, the Trust or the Academy, as appropriate, will consider the following:
Any duty of confidentiality owed by the Trust or the Academy, as appropriate, to the third party.

The steps taken in trying to obtain the consent of the third party.

Whether the third party is capable of providing consent for their Personal Data to be released.

Any express refusal of the third party to not disclose their Personal Data.

Whether any of the third-party Personal Data is already known by the Requester.

The circumstances which gave rise to the request.

Repeated Requests

The Trust or the Academy, as appropriate, cannot limit the number of SARs which can be made by an individual, however where there has been no reasonable interval between a previous request and the new request the Trust or the Academy, as appropriate, may refuse to respond to the Requester.

In determining whether a request has been made at a reasonable interval, the Trust or the Academy, as appropriate, will consider the following:

Whether any new Data about the Data Subject has been Processed by the Trust or the Academy and how often any Data being Processed is altered.

The nature of the Data being requested, including the Data's sensitivity.

Whether any processing is likely to cause harm to the Requester in Processing the Data.

If the Trust or the Academy, as appropriate, does not intend to deal with the request on grounds that a reasonable interval has not passed since the previous request, it will inform the Requester of this in writing within the time limit set out in paragraph 11 above.

Where additional copies are requested of information then the Trust or the Academy, as appropriate, may charge a reasonable fee based on administrative costs.

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account administrative costs. A request will be deemed to be unfounded or excessive if it is repetitive, or asks for further copies of the same information. When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

Complaints

If a requester is dissatisfied with the way the Trust has handled their request, they should first contact the Trust Data Protection Officer so that the matter can be reviewed before escalating it to the Information Commissioner's Office.

If on a review the Requester is still unhappy with the way their SAR has been dealt with, they can contact the Information Commissioner by telephone on 0303 123 1113 or by writing to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

[ICO Website](#)

Monitoring and Review

This policy will be reviewed annually, or earlier where required due to changes in legislation, ICO guidance or Trust procedures.

Other data protection rights of the individual

In addition to the right to make a subject access request and to receive information when we are collecting their data about how we use and process it, individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside the United Kingdom where appropriate safeguards are required
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)
- Individuals should submit any request to exercise these rights to the DPO. If staff receive such a request, they must immediately report it to the DPO.

Subject Access Request Form

This form is available for individuals to use if you wish to submit a subject access request, as per your rights under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Adapt the text highlighted in yellow as appropriate for the school you are requesting the information from.

Please hand your completed form in to the school office, so it can be passed to our data protection officer (DPO) or to email it directly to the DPO (DPO@aquilatrust.co.uk)

Please note that you do not have to use this form, and we can accept requests in other formats. In most cases, your information will be provided securely either by collection from the school or electronically using our secure document delivery platform (currently Signable). The method of delivery will depend on the nature and sensitivity of the information being disclosed.

[Insert school name & address]

[Insert date]

RE: Subject Access Request

Dear *[you can add the school's name, headteacher or DPO]*

Please provide me with the information about me that I am entitled to under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. 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:	
Relationship with the school	<i>Please select:</i> <i>Pupil / parent / carer / employee / governor / volunteer</i> <i>Other (please specify):</i>
Correspondence address	
Contact number	
Email address	
Details of the information requested	Please provide me with: <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> • <i>My personnel file</i> • <i>My child's medical records</i> • <i>My child's behaviour record, held by [insert class teacher]</i>

- | | |
|--|---|
| | <ul style="list-style-type: none">• <i>Emails between 'person A' and 'person B' between [dates]</i> |
|--|---|

If you need any more information from me, please let me know as soon as possible. Please bear in mind that, in most cases, you must supply me with the information within one calendar month of receiving the request and free of charge.

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 sincerely,

[Signature]

Declaration of Data Subject by signing above, you indicate that you are the individual named. We may need to contact you for further identifying information before responding to your request.