



Whitecross Nursery School

Data Subject Access Request Policy

Reviewed by	Kate Parker, School Business Manager
Date of last review	July 2022
Date of next review	July 2023
Ratified by the Governing Body	6 July 2022

This policy will be reviewed sooner if there is a change to legislation or guidance which may affect it. Any changes will be communicated to all stakeholders.

The General Data Protection Regulation

The General Data Protection Regulation (GDPR) was brought into EU law in May 2016 and becomes enforceable on 25 May 2018. The GDPR is a European regulation which means it automatically becomes applicable to all Member States. The UK is supporting this by introducing the Data Protection Bill.

GDPR entitles individuals to request access to any personal data that Whitecross Nursery School is holding about them. This is known as a 'Data Subject Access Request'. This document is intended to give staff a guide to making a Data Subject Access Request (DSAR) and to what happens in processing DSAR's.

A DSAR is where an individual, using their rights under GDPR makes a request for a copy of the personal data an organisation holds on them, or details of what data is held and its source. A DSAR does not have to reference GDPR, the term "Data Subject Access Request" or reference any legislative rights – it does however have to be a written request in order to be valid (however reasonable adjustments may be made at the Data Protection Officer's discretion where dealing with accessibility issues).

The Process and Protocol

As an organisation we collect and process data about individuals. We explain what information we collect, and why in our Privacy Notices.

Any individual, or person with parental responsibility, or young person with sufficient capacity to make a request is entitled to ask what information is held. Copies of the information shall also be made available on request. A form to complete is available.

To ensure that requests are dealt with in an effective and timely manner we may seek to clarify the terms of a request to be sent to our school office at admin@whitecross.derby.sch.uk

Evidence of their identity, on the basis of the information set out and the signature on the identity must be cross-checked to that on the application form. Discretion about employees and persons known to the school may be applicable but if ID evidence is not required an explanation must be provided by school staff and signed and dated accordingly

Exemptions to a SAR exist and may include

- Education, Health, Social Work records
- Examination marks and scripts
- Safeguarding records
- Special educational needs
- Parental records and reports
- Legal advice and proceedings
- Adoption and Court records and/or reports
- Regulatory activity and official requests e.g. DfE statistical information
- National security, Crime and taxation
- Journalism, literature and art
- Research history, and statistics
- Confidential references

All data subjects have the right to know:-

- What information is held?
- Who holds it?
- Why is it held?
- What is the retention periods?
- That each data subject has rights. Consent can be withdrawn at any time (to some things).
- A right to request rectification, erasure or to limit or stop processing
- A right to complain

Much of this will be contained within the Privacy Notices on the website.

The information will be provided in an electronic format, usually within one calendar month of the request. However in some circumstances, for example the school is closed for holidays, this may be extended by up to another calendar month.

Following delivery of the information the requester has the right to ask for a review or use the complaint process if they feel that information has not been provided.