Logo, company name

Description automatically generatedEPM Model Data Subject Access Request (DSAR) Procedure

[School/Academy Name]

[Please note prior to adopting this policy you should:

* Ensure you have adapted it where necessary to fit the requirements of your School/Trust
* Follow your usual governance process to be approved by Governors/Trustees
* Follow your usual process to consult on new or amended HR policies with trade unions

If you are part of a multi-academy trust, please check with your Trust prior to adopting any new or amended policies.]

**Policy Version Control**

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| --- | --- | --- | --- |
| **Date** | **Version** | **Changes** | **Reviewer/s** |
| June 2023 | 1.2 | ‘UK’ reference added to General Data Protection Regulation  Introduction wording refined | KB |
| June 2022 | 1.1 |  |  |
| July 2021 | 1.0 |  |  |
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EPM Model Data Subject Access Request (DSAR) Procedure

The UK General Data Protection Regulation

The General Data Protection Regulation (GDPR), which was brought into EU law in May 2016, has been retained in domestic law as the UK GDPR and sits alongside the amended version of the Data Protection Act 2018. It incorporates the GDPR into UK data protection law meaning that in practice there is little change to the core data protection principles, rights and obligations found in the GDPR.

UK GDPR entitles individuals to request access to any personal data that [name] is holding about them. This is known as a ‘Data Subject Access Request.’ This document is intended to give employees a guide to making a Data Subject Access Request (DSAR) and to what happens in processing DSARs.

A Data Subject Access Request (a ‘DSAR’) is where an individual, using their rights under UK GDPR makes a request for a copy of the personal data an organization holds on them, or details of what data is held and its source. A Data Subject Access Request does not have to reference UK GDPR, the term “Data Subject Access Request” or reference any legislative rights.

The Process

All DSAR’s must be made in writing to [name’s] Data Protection Officer at the address below. Where a request is received from elsewhere in the business, the Data Protection Officer should be immediately informed so they are able to deal with the request with no undue delay.

Once the request is received the Data Protection Officer will confirm the identity of the subject and assess the scope of the request. Once the identity of the data subject (or the right/authority to request the data where the data subject is not the requester) the Data Protection Officer will begin the process of contacting the appropriate departments to collect and collate the information. To locate the correct information within [name], the Data Protection Officer may ask the subject to confirm exactly what information they are requesting, or where they believe the information may be stored. Where the request is deemed to be ‘manifestly unfounded or excessive’, [name] may charge a reasonable fee or refuse to respond to the request. This will be confirmed to the data subject in writing.

The information provided in reply to a request must be that which [name] holds (subject to any exemptions) at the time the request is received. However, the Act allows routine updating and maintenance of the data to continue between the date on which the request is received and the date when the reply is dispatched. This means that the information provided to the individual may differ from that which was held at the time when your request was received, but only because of normal processing. Data cannot be deleted.

The Data Protection Officer will contact any third parties (e.g. authors of e-mails/letters contained within the file) in order to obtain consent to disclose the information to the subject. Where consent cannot be obtained or is denied the Data Protection Officer will consider the reasons and [name’s] duty of care to both parties to decide whether to disclose the information. Where the information contains reference to third parties the Data Protection Officer will redact (blank out) the third parties. Where this is impossible and consent from the third party has not been received the information will not be disclosed.

All requests will be dealt with within one month of receipt (minus any time spent verifying identity or authorisation to act on the subject’s behalf). The information will be dispatched to the subject as soon as the above process is complete.

Contacts & Complaints

Any enquiries regarding this procedure or [names] Data Protection Policies should be directed to:

[Insert contact details]

If you require more information about the UK General Data Protection Regulation, the Data Protection Act 2018, or are unhappy with the way [name] has dealt with your request please contact:

The Information Commissioner

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

[www.ico.org.uk](http://www.ico.org.uk/)