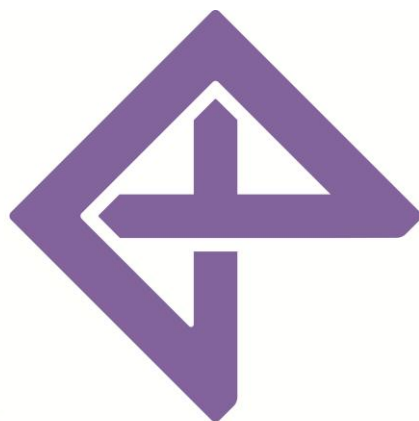


Subject access request policy

Elements Diocesan Learning Trust



Elements
Diocesan Learning Trust

Flourishing together, in the love of God.

Version:	1
Approved by:	Date: 19.12.2024
Last reviewed on:	01.12.2024
Next review due by:	01.12.2027

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

Contents

1. Vision and Values	2
2. Purpose.....	3
3. How to make a data subject access request	3
4. How we process data subject access requests	3
5. Timeframe for complying with a request	5
6. Fees	5
7. Withholding information.....	5
8. The right to lodge a complaint.....	5
9. Further information	6
Appendix 1	6

1. Vision and Values

Our vision has been developed to enable the coming together of like-minded Primary Schools in Dudley – schools that are separate, discrete **elements** that choose to coalesce as a cohesive whole to speak with one shared voice in education within the Borough of Dudley. Each person in these school communities, children, and adults alike, are also **elements** in bringing to fruition an education that enables their own flourishing and that of others. They are unique individuals, each with their own agency and characteristics, but who have an exponential effect when working together with a shared vision and purpose.

This is the vision in which the headteachers, governors and wider stakeholders have placed their trust and it is essential that it is upheld at every stage.

Each school, despite sharing some similarities, has its own unique context, community, culture, ethos, vision, and values. These will be honoured at all times as part of Elements Diocesan Learning Trust.

The vision is deeply rooted in, and is an outworking of, the Church of England's Vision for Education. Elements Diocesan Learning Trust is committed in being 'Deeply Christian: Serving the Common Good', inspired by the particular scripture in John 10:10 where Jesus declares ***'I have come that they may have life, and have it to the full'***. These words, combined with the vision's four main guiding **elements** - educating for Wisdom, Knowledge & Skills; Hope & Aspiration; Community & Living Well Together; and Dignity & Respect form the core vision for Elements Diocesan Learning Trust. At times, it is expected that interpretation of what the vision means in practice will vary between individuals and that there will be differences of opinion. At such times, discussion around decisions and actions will be respectful, honouring the four strands of the vision itself and remembering the original reasons for this collaboration.

These core **elements** of the Church of England's Vision for Education have supported the formation of our founding core values.

- **Wisdom** – The decisions we take are wise and are based on informed discussions and evidence and aimed at ensuring we achieve the best outcomes for all without forsaking our values
- **Hope** – we have hope for a positive future and always finding positive outcomes
- **Honesty** – we are honest with all inside and outside our organisation, whilst being sensitive to how we deliver these messages
- **Community and Helpfulness** – we work in co-operation and partnership with all staff and wider stakeholders

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

- **Dignity and Compassion** – we treat all those within and outside our organisation with dignity, irrespective of the circumstances, and we show everyone compassion for the difficulties that they are experiencing
- **Respect** – we are respectful to all, dedicated to ensuring inclusivity and diversity with those that we work with and for others that meet, and our actions may affect.
- **Integrity** – we have strong principles rooted in our Christian mission that lead our actions and decisions

2. Purpose

Elements Diocesan Learning Trust ('The Trust'), comprising the member schools and the central team, is the data controller for the purposes of Data Protection Law.

This document sets out the Trust's policy for responding to data subject access requests (DSAR or SAR) under Article 15 of the UK General Data Protection Regulation (UK GDPR). It also explains our policy for responding to requests for educational record information under the Education (Pupil Information) Regulations (England) 2005. These requests will be treated as a Data Subject Access Request under the Data Protection Act 2018. This is because our schools are part of a multi academy trust and there is no corresponding legislation to manage these types of requests.

We welcome the rights of access to information that are set out in the UK GDPR and Data Protection Act 2018. We are committed to operating openly and to meeting all reasonable requests for information that are not subject to specific exemption in the above legislation.

3. How to make a data subject access request

A data subject access request is a request made by an individual verbally or in writing, including on social media, for personal information (also known as personal data) held about them by the Trust. Generally, an individual has the right to see what personal information the Trust holds about them, its source, the purpose(s) for which it is used and with whom it is shared. However, this right is subject to certain exemptions that are set out in Schedule 2 of the Data Protection Act 2018 (see section 6 below).

A request is valid if it is clear that the individual is asking for their own personal data. They do not have to use specific wording, refer to legislation or direct the request to a specific contact within the Trust. They do not have to explain their reason for making the request or what they intend to do with the information, but it may help us to find the relevant information if they do explain the purpose of the request.

Requests may be made by a third party (e.g. relative, friend or solicitor) on behalf of an individual. The Trust may also receive a DSAR made on behalf of an individual through an online portal. However, in such cases the Trust will need to be satisfied that the third party making the request is entitled to act on behalf of the individual.

4. How we process data subject access requests

4.1 Checking of identity

When we receive a DSAR, we will first check that we have enough information to be sure of the requestor's identity (or the identity of the person on whose behalf the request is being made). In case of uncertainty, we will ask for information we reasonably need to verify an individual's identity. The

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

timescale for responding to a DSAR does not begin until we have received the requested information. However, we will request ID documents promptly to avoid unnecessary delay. Where we receive a request from a legal entity such as the Police or solicitors, we may need to establish a lawful basis for the disclosure of the information.

We will send a letter of acknowledgement when we receive a DSAR. This will outline the information we understand to have been requested and the timescales for providing it.

4.2 DSARs relating to children's personal information and/or requests for educational records

Before responding to a DSAR for information held about a child, we will consider whether the child is mature enough to understand their rights. If the request is from a child and we are confident that they can understand their rights (that they are 'competent'), we will usually respond directly to the child.

We may allow the parent or guardian to exercise the child's rights on their behalf if the child authorises this, or if it is evident that this is in the best interests of the child.

If a child is competent, they may authorise someone other than a parent or guardian to make a DSAR on their behalf. We will need to be satisfied that, where consent is obtained from the child, it is freely given. This may involve speaking to the child concerned.

We will confirm parental responsibility before releasing any information.

4.3 Collation of information

We will check that we have enough information to find the records requested. If we process a large amount of information about the individual, we may ask them to specify the information or processing activity their request relates to, if it is not clear. In such cases, the time limit for responding to the request will be paused until we receive clarification.

We will make reasonable efforts to find and retrieve requested information that falls within the scope of a DSAR.

If an individual makes a request electronically, we will endeavour to provide the information in a commonly used electronic format, unless the individual requests otherwise.

Where possible, we will seek to establish the individual's preferred format before fulfilling their request.

The Data Protection Act 2018 requires us to provide a copy of an individual's personal data. This does not mean that they necessarily have the right of access to the documentation itself. In some cases it may be necessary to extract the individual's personal information or to redact information that is not relevant (i.e. information identifying a third party which we are unable to disclose or information to which an exemption under the DPA 2018 applies) (see section 6 below).

4.4 Issuing our response

Once the requested information has been collated and any queries resolved, copies of the information will be sent to the requestor securely by email or recorded delivery post or will be made available for collection. If the requestor chooses to collect the information in person, they will be asked to sign to confirm receipt.

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

Copies of educational record information may either be sent to/collected by the requestor or viewed on site (see section 5 below).

We will explain any complex terms, codes or abbreviations contained within the information released. The response will include a link to the relevant privacy notice.

5. Timeframe for complying with a request

We will comply with all requests (whether a DSAR or requests for pupils' education records) without undue delay and at the latest within one month of receiving the request. We may extend the time to reply by a further two months if the request is particularly complex or if we have received a number of requests from the same individual. If an extension to the time limit is required, we will inform the requestor within one month at the latest.

If the request is received during the school holiday, we will treat this as receipt of the request on the first day back at school and will respond within the timescales outlined above.

6. Fees

In most cases we will not charge a fee to comply with a DSAR. However, we may charge a 'reasonable fee' for the administrative costs of complying with a request if it is manifestly unfounded or excessive, or if an individual requests further copies of their data. We will inform requestors if we intend to charge a fee before complying with the request.

A fee will be charged for copies of information forming part of a pupil's educational record (see Appendix 1). The fee will be charged according to the number of pages provided. Alternatively, the educational record can be viewed, free of charge, in school. We will ask requestors to confirm whether they wish to pay the fee or to view the information in school before we comply with the request.

7. Withholding information

The DPA 2018 contains a number of exemptions with regard to our duty to disclose personal data in response to an SAR or a request for educational record information. In our response we may simply state that you are not entitled to information, if an exemption is being applied. By highlighting the exemption, we may inadvertently disclose the reasoning for the application of the exemption which may not be in the interests of the data subject or third parties.

8. The right to lodge a complaint

We would ask that any concerns or complaints about the way we collect or use personal data, or about our policy for responding to SARs, are raised with us in the first instance through our complaints procedure so that we may try to resolve them. However, if no resolution is found, individuals have the right to seek recourse through the Information Commissioner's Officer or the courts.

The Information Commissioner's Officer can be contacted at:

Information Commissioner's Office

Wycliffe House Water Lane

Wilmslow Cheshire

SK9 5AF

Tel: 0303 123 1113

www.ico.org.uk

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.

Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

9. Further information

For further information, please contact our Data Protection Officer:

YourIG Data Protection Officer Service

Dudley MBC

The Council House Dudley

DY1 1HF

Tel: 01384 815607

Email: YourIGDPOService@dudley.gov.uk

Appendix 1

Fees for accessing personal information relating to the educational record

Number of Pages	Maximum Fee
1-19	£1.00
20-29	£2.00
30-39	£3.00
40-49	£4.00
50-59	£5.00
60-69	£6.00
70-79	£7.00
80-89	£8.00
90-99	£9.00
100-149	£10.00
150-199	£15.00
200-249	£20.00
250-299	£25.00
300-349	£30.00
350-399	£35.00
400-449	£40.00

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.

Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

450-499	£45.00
500 +	£50.00

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.