

Subject Access Request

Rights of access to pupil information

There are two distinct rights of access to information held by schools about pupils.

1. Under the General Data Protection Regulations 2018 a pupil has a right to request access to their own personal information. In certain circumstances requests may be made by a parent on behalf of their child (see below)
2. The right of parents to have access to curricular and educational records relating to their child as defined within the Education (Pupil Information) (England) Regulations 2005.

These procedures relate to the above mentioned rights.

Dealing with a request

1. For any request of personal information, then you must go to the following link: GDPR@lsec.ac.uk
2. The identity of the requestor will then be established before the disclosure of any personal information, and checks should also be carried out regarding proof of relationship to the child.

Evidence of identity can be established by requesting production of:

- passport
- driving licence
- utility bills with the current address
- Birth / Marriage certificate
- P45/P60
- Credit Card or Mortgage statement

This list is not exhaustive

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand. As a general rule, a child of 12 or older is expected to be mature enough to understand the request they are making. If the child cannot understand the nature of the request, someone with parental responsibility can ask for the information on the child's behalf. We may discuss the request with the child and take their views into account when making a decision
4. The school may make a charge for the provision of information, dependent upon the following:
 - Should the information requested contain the educational record then the amount charged will be dependent upon the number of pages provided.
 - Should the information requested be personal information that does not include any information contained within educational records, schools cannot charge to provide it. However we can charge a reasonable administrative fee where the request is considered manifestly unfounded or excessive and for additional copies of a request.
5. The response time for subject access requests, once officially received, is 1 month (irrespective of school holiday periods, weekends etc.). However, the time to respond does not have to start until we have verified your identity.

Requests for information from pupils or parents for access to information classed as being part of the education record must be responded to within 15 school days.

6. There are some exemptions to the right to subject access that apply in certain circumstances or to certain types of personal information. Therefore all information must be reviewed prior to disclosure.
7. Responding to a request may involve providing information relating to another individual (a third party). Third party information is that which identifies another pupil/parent or has been provided by another agency, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to above statutory timescale.
8. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another individual involved should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.
9. If there are concerns over the disclosure of information then additional advice should be sought from the DPO and the School's Safeguarding team.
10. Where redaction (information edited/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.
11. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.
12. Information can be viewed at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If the applicant has asked for the information to be posted then special next day delivery or recorded delivery postal service must be used.

Complaints

Complaints about the above procedures should be made to the [Data Protection Officer](#). Complaints which are not appropriate to be dealt with through the school's complaint procedure can be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.