



# Joseph Swan Academy



## Data Protection Act 1998 Subject Access Request Form (SAR)

### Strictly Private & Confidential

This proforma is to be used to make a Subject Request under Section 7 of the Data Protection Act 1998 whereby Data Subjects have the right of access to any personal data held by a Data Controller.

Please see the attached guidance notes to help you in completing this form.

In order to comply with your request, Joseph Swan Academy must be satisfied with the identity of the enquirer. Therefore, would you please complete the following information below in black ink and return your completed form to The Head Teacher, Joseph Swan Academy, for processing. Please mark the envelope "Strictly Private & Confidential".

1. Details of Person Requesting the Information			
Title (Mr, Mrs, Miss, Dr, etc)		Date of Birth	
Surname/Family Name		Sex (Male/Female)	
First Names			
Maiden/Former Surnames			
Telephone Number (Day)		Telephone Number (Evening)	
E-mail address (please indicate whether this is work or home e-mail address)			
Home Address			
Post Code			
Are you the Data Subject?			
Please indicate	YES	If you are the Data Subject please enclose proof of identity as detailed below	
	NO	If not please attach a copy of your authority to act on the Data Subject's behalf and your relationship to the Data Subject	
	Relationship to the Data Subject:		(please state)



#### 4. Declaration

Declaration (to be signed by the applicant)

The information that I have supplied in this application is correct and I am the person to whom it relates.

Signature

Date

**Warning – attempting to obtain personal data to which you are not entitled may be an offence under the Data Protection Act.**

#### 5. Your Checklist

Is your contact information correct?

Have you completed all the sections?

Have you enclosed acceptable identification?

Have you provided accurate detail to enable us to find the information?

Have you signed the form?

As you will be aware, the Information Commission ruling states that a Subject Access Request must be complied with within 30 calendar days. The 30 days will commence on receipt of all confirmation of identity and correct documentation to enable your application to be fully processed.

*SAR Checklist – for Joseph Swan Academy use only*

Date application received

Information found

Date

Identification (a) details

Application signed

Yes / No

Identification (b) details

Application complete

Yes / No

Original documents returned

Date

Identify information provided

Yes / No

Identification checked

Further information requested

Date

Approved

Yes / No

Information sent by post

Date



# Joseph Swan Academy

## Subject Access Request

### 1. Introduction

These notes are intended only as a guide to completing the Subject Access Request form, not as a guide to the Data Protection Act. The Data Protection law is set out in the Data Protection Act 1998. Further information and advice is also available from the website of the Data Protection Regulator – the Information Commissioner – see [www.ico.org.uk](http://www.ico.org.uk).

### 2. Your Rights

Under the Act you have (subject to certain exemptions) the right to be told whether Joseph Swan Academy, as a Data Controller, is holding or processing any information about you; and if so, to be provided with a copy of that information upon specific request. The records covered by the Act include all computer records and limited categories of manual records. Under the Act a student, or someone acting on their behalf, has the right to access their personal information held by Joseph Swan Academy. The Act does not specify an age at which a child can make their own request. The information from the Information Commissioner's website will give you further advice.

### 3. The Academy's Rights

Where an exemption is available under the Act, the Academy may not provide you with the information covered by the exemption. The main exemptions that may be applied are where the information held relates to:

- The prevention or detection of crime; or
- The apprehension or prosecution of offenders.
- Child Protection and Safeguarding- various Acts and Statutory Guidance
- Children Act 1989 – Section 47
- Children Act 2004 – Section 10 & 11
- Education Act 2002 – Section 175

Where the disclosure of the information would be likely to prejudice any of these purposes the School is not required to tell you whether any exemptions have been applied to any information that the school may provide, or whether any information has been withheld or the reason for the withholding of any information. A further exemption exists when information may be withheld in relation to the provision of examination marks before they are officially announced and copies of examination scripts.

#### **4. Processing by the Academy**

Applications will be processed promptly, but in any event a response will be made within 30 calendar days, as permitted under the Data Protection Act, from the date that the Academy accepts the properly completed application form along with your proof of identity and any supporting documentation the Academy has requested from you. Further guidance on Access to pupils' information held by schools in England can be obtained from the Information Commissioner's Office [www.ico.org.uk](http://www.ico.org.uk)

#### **5. About Yourself – Section 1 (The Data Subject)**

The information about yourself will assist the Academy in finding the information you require. You should complete this section fully and carefully as the information will be used as the basis for our internal searches.

For your protection, any correspondence that the Academy sends you (including any information that the Academy sends to you in response to your request) will be sent only to the home address that you give in section 1.

Where you have submitted the request via any legal representative you are still required to complete the form in full and provide proof of identity. The Academy's response will be sent to your legal representative's registered offices.

#### **6. Proof of identity**

The Academy has a duty to ensure that the information it processes is secure; the Academy will only provide the information relating to you if satisfied regarding your identity, i.e. that you are entitled to the information. The Academy therefore requires you to provide reasonable proof of your identity. Examples of the types of identity documents that will be accepted are listed in the form. Applications that do not include acceptable identity will not be processed, but the Academy will contact you should this be the case.

The Academy does not have to give you any information that might identify any other individual unless that person agrees. If you believe that any information the Academy holds about you may identify another person, you may wish to obtain that person's written consent (to you being given his/her information). That should be submitted to the Academy with this application, along with their proof of identity (to the same standard as is required for yourself).

#### **7. Helping the Academy to find the information**

In order to assist with the data information search, please give as much detail as possible. The guidance from the Office of the Information Commissioner states:-

“Data subjects frequently make open ended requests for access (‘Give me a copy of all the data you hold on me’). However, the Act [Section 7(3)] specifies that a data controller is not obliged to comply with a request . . . unless he is supplied with such information as he may reasonably require in order to locate the information which that person seeks. In most cases an open ended request will not satisfy this provision”.

## **8. Declaration**

The Academy is unable to accept applications that have not been signed by the person whose details are supplied in Section 1. The Academy will not process any application unless it has been signed and dated.

## **9. Your Checklist**

This is a brief checklist to ensure that you have completed the form properly.

## **10. Submission**

When you have completed the form, please send it together with your proof of identity to Joseph Swan Academy, Saltwell Road South, Gateshead, NE9 6LE.