

S3 ACCESS TO STUDENT RECORDS

Last Reviewed:

March 2017

Next Review:

March 2019

Responsible:

The Principal

1. Parents' rights

Under the Education (Student Information) (England) Regulations, parents have the right to access their child's educational records by sending a written request to the Principal.

Students' educational records will be disclosed within 15 school days of the request being made. Only those records that form part of the child's official education record will be disclosed. If the academy is asked to supply copies of the records, then the academy will charge a fee to cover this cost and the 15 days will not begin until the fee has been received. This fee is set by the governing body.

2. Students' rights

The Data Protection Act gives students, regardless of age, the right to access their student records. Requests to see records under the Data Protection Act are called Subject Access Requests. Requests to see or receive copies of records should be made in writing to the Principal.

Students are entitled to be given a copy of their educational record, a description of the personal data that makes up their record as well as the purposes for which the data is being used, the sources of the data (if this is known) and the people or organisations with which the data may be shared. The annual Privacy Notice (formerly known as a Fair Processing Notice) describes which organisations have access to student data.

A period of up to 15 school days is allowed in which to respond to a Subject Access Request. If the academy is asked to provide you with copies of your records, rather than just viewing them, a fee will be charged and the 15 days will not begin until the fee has been received. This fee is set by the governing body. When making a request the student's identity must be confirmed. Ex-students may be asked to confirm their identity and provide any information to assist the academy in locating the data.

Although students, in principle, have a right of access to the whole of their educational records, in exceptional cases information may be withheld. This would only normally be done where the information may cause harm to the student's physical or mental health or that of a third party (for example, a fellow student). Information that forms part of some court reports may not be provided. Information may also be withheld if in that particular case it would hinder the prevention and detection of crime or the prosecution or apprehension of offenders.

3. Students' and parents' rights under the Data Protection Act

If a student is not able to understand or exercise their own rights under the Data Protection Act (for example they are too young: as a general guide a child of 12 or over is judged old enough to make a request in their own right) parents can make a Subject Access Request on their behalf.

4. Charges for supply of information

If a student or parent acting on their behalf makes a subject access request for personal information containing, in whole or part, the "educational record", the amount charged depends on the number of pages provided. The fees work on a scale basis as shown below.

Number of pages	Copying 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
450 – 499	£45.00
500 +	£50.00

5 Academy procedure for dealing with requests for copies of student files

- Letter of request received by Vice Principal: Business Operations
- Vice Principal: Business Operations requests Director of Student Services to locate file
- Director of Student Services checks file, ensures that any relevant blanking out of names has taken place and makes an assessment of cost for copies
- Director of Student Services sends file and cost of copying to Vice Principal: Business Operations.
- Vice Principal: Business Operations contacts person making the request and establishes whether files are required to be viewed or copied, explains costs and makes arrangements for the file to be collected or posted (payment plus postage, if relevant, in advance).

- If copies are required, Vice Principal: Business Operations requests Head of House to arrange for photocopying, posting if appropriate or sending to Reception to be collected.
- Director of Student Services to inform Vice Principal: Business Operations when the file has been sent or collected.
- Vice Principal: Business Operations is responsible for setting up supervised viewing of the file if required.

6. Retention policy and schedule for student records

Academy records will be retained in accordance with current legislation and guidelines issued by the Records Management Society of Great Britain, and in accordance with the academy policy on Records Management.

Where records are identified for destruction, they will be disposed of in an appropriate way, usually by shredding and/or disposal to a confidential waste paper disposal merchant.