

MAIDEN ERLEGH TRUST

Subject Access Request Procedure

Under the GDPR legislation and DPA 2018 (to be ratified) any person over the age of 13 years old has the right to make a Subject Access Request (SAR) from the Maiden Erlegh Trust (MET) and the Trust recognised their responsibilities under the current Data Protection legislation to generate the appropriate report.

The requestor of the SAR will need to make it clear what data the report should contain. Where the request relates to a student that disclosure will be limited to the students educational record.

The trust does however recognise its responsibilities with regard to Safeguarding of a student within its care and may consider that a full disclosure is not in the best interests of that student.

At the report hand over meeting the appropriate parties will be made aware if not all the information on a student is to be handed over and summary details of the information being withheld will be outlined.

If however the subject of the request is insistent that a full hand over is made then this will have to happen at another meeting, as materials may have to be copied and the recipients of such material will need to sign that they are fully aware of the consequences of receiving such material. If this material is extensive the Trust may give access to the files for the applicant of the SAR to read so they can decide what need to be copied.

The Trust recognised the rights of an individual to make a SAR using a variety of communication methods but the Trust takes the safety of its students and staff as paramount and so will only activate a SAR following the submission of the appropriate form, which has been completed with all the relevant details.

The Trust will do all within its power to comply to a SAR within a reasonable timeframe however if a SAR is received close to the end of a half term or main school closure it may not be possible to produce all the data output until all the appropriate staff return from that closure.

It is considered unreasonable that staff should be requested to return into school especially to comply with a SAR. In this case the readily available data will be put into the report and the recipient made aware that a further data report may follow.

Guidance from the DFE and ICO on this matter is that “Common sense must be allowed to prevail in all these matters”

For a student under the age of 13 the SAR will need to be made by the appropriate parent or guardian and the request for a SAR will need to be made using a form obtainable from the Trust and the form will need to be signed by the parent/guardian.

For a student between the ages for 13 – 16 years the request for a SAR will need to be made using a form obtainable from the Trust and the form will need to be signed by both the student and their legal parents/guardians. The Trust reserve the right to check on the signatures on the form where there might be any doubt.

For students who are between 16 and 18 years the school reserves the right to inform the responsible parent/guardian that a SAR has been received and the parent/guardian will be informed of the date and time of the meeting to hand over the report.

The completed SAR form needs to be handed to the appropriate school reception in an envelope marked for the attention of the DPO stating it is for a SAR

The SAR printout will be handed over at a pre-arranged meeting with both the DPO and the Assistant head of the school responsible for that Key Stage or an appropriate member of staff and the all parties will need to sign a receipt for the report, and that they understand the consequences of reading the information contained in the report.

In the case of a student who is over 16 they will also need to sign that their parents/guardians have been informed of the SAR report has been handed over.



The request may be denied if the Trust believes that access to such information may place the student at risk of harm or if they have determined that the student does not have sufficient mental capacity and maturity to fully understand the implications of accessing the data.

Where the SAR is made by a member of staff again the above principles will apply and the member of staff will need to complete the correct SAR form which needs to be handed to the appropriate school reception in an envelope marked for the attention of the DPO and then the report will be prepared and handed over by the DPO and another senior member of staff. The member of staff will need to sign for the report at an appropriate meeting.



Maiden Erlegh Trust Subject Access Request Form 1

This form is to be used for Students Under 13 years old

Please complete in **BLOCK** capitals

Surname (student)		Forename	
Date of Birth		Current Age Yrs/Mths	
Class/Tutor Group			
Surname (parent)		Forename	
Contact Telephone No			
Contact email			

I wish to receive data from the following areas:-

I am making the subject access request for the student named above and I agree to the terms under which the Trust will supply me with the report at the appropriate meeting at a date to be arranged.

Signed

Date



Maiden Erlegh Trust Subject Access Request Form 2

This form is to be used for Students between 13 and 16 years old

Please complete in **BLOCK** capitals

Surname (student)		Forename	
Date of Birth		Current Age Yrs/Mths	
Tutor Group			
Surname (parent)		Forename	
Contact Telephone No			
Contact email			

I wish to receive data from the following areas:-

I am making the subject access request as the student named above and I agree to the terms under which the Trust will supply me with the report at the appropriate meeting and at a date to be arranged.

Signed (student)

Date

I am approve of the subject access request for the student named above and I agree to the terms under which the Trust will supply him/her with the report at the appropriate meeting and at a date to be arranged.

Signed

Date



Maiden Erlegh Trust Subject Access Request Form 3

This form is to be used for Students over 16 years old

Please complete in **BLOCK** capitals

Surname (student)		Forename	
Date of Birth		Current Age Yrs/Mths	
Tutor Group			
Surname (parent)		Forename	
Contact Telephone No			
Contact email			

I wish to receive data from the following areas:-

I am making the subject access request as the student named above, I am aware that the Trust may contact my parents/guardians and I agree to the terms under which the Trust will supply me with the report at the appropriate meeting and at a date to be arranged.

Signed (student)

Date



Maiden Erlegh Trust Subject Access Request Form 4

This form is to be used for members of staff

Please complete in **BLOCK** capitals

Surname		Forename	
Date of Birth			
Employment	Start Date		End Date
Contact Telephone No			
Contact email			

I wish to receive data from the following areas:-

I am making the subject access request as the member of staff named above, and I agree to the terms under which the Trust will supply me with the report at the appropriate meeting and at a date to be arranged.

Signed (member of staff)

Date

