



Dealing with requests for Personal Information

Based on a template from Information Governance (IG) Services (Dudley).

[Requests for Personal Information held at school.](#)

Schools will often receive requests from pupils, parents or staff asking for all personal information that is held by the school.

Parent, Guardian or teacher/staff information held at the school can be accessed as follows:

- Non pupils can request their own personal information by submitting a Data Subject Access Request (DSAR) in line with Data Protection Law. Data Subjects are only entitled to their own personal data and not anyone else's.

Pupil information held at school can be accessed as follows:

- Pupils can request their own personal information by submitting a Data Subject Access Request (DSAR) in line with Data Protection Law. Parents or someone with parental responsibility are only entitled to personal information that the school holds about their child if the pupil has provided their consent or if the child is unable to act upon their own behalf. This is normally where the child is under 12 years of age.
- A parent has the right to access the child's educational record in accordance with The Education (Pupil Information)(England) Regulations 2005. This includes a formal record of the pupil's academic achievements, other skills, talents and educational progress (defined in Schedule 3, Part 4 of the Data Protection Act 2018).
- Although there are no equivalent rights of access to **educational records** for academy schools, access to this information would need to be via a DSAR or as detailed in the agreement which is in place between parents and the school.

Parental Responsibility must be confirmed before the release of any information.

Below are some examples of the information that would fall within each category

<u>Educational Record</u>	<u>Personal Information</u>
Assessment information and academic achievements including school reports	Information provided by another parent or by other pupils in the school
Attendance information	Accident Report
Pupil contact information	CCTV Footage – Please see additional note below.
Personal Education Plan	
Individual Learning Plan	
Education and Health Care Plan*	
Behaviour and incident monitoring reports including staff statements, fact finding information	

* The SEND Team will be required to process the request under Regulation 17 of the Special Educational Needs and Disability Regulations 2014 (S.I. 2014/1530) and not under Data Protection rules.

Charging

Data Subject Access Request

Any requests for personal information, other than the educational record, should be dealt with in line with the Data Protection Act. A fee can **only** be charged where the request is manifestly unfounded or excessive. You can also charge a fee if an individual requests further copies of their information following a request. If a fee is going to be charged, the requestor will need to be informed of this at the outset. You do not need to comply with the request until you have received the fee.

Educational Records

Educational information is charged on the number of pages that are provided, however, the parents can come and view the information free of charge at the school. The charges for educational records are set out below.

Charges 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

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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

Response times

Requests received under the Data Protection Act need to be responded to within **one month** upon the day of receipt of the request (for example, a SAR received on 3 September should be responded to by 3 October). Requests can be made verbally or in writing. The time limit can be extended by up to a further 2 months where a request is complex. If an extension to the time limit is required the requestor will need to be informed within one month at the latest.

Requests received for Educational Records need to be responded to within 15 school days upon receipt of the written request.

If a request is received that involves both personal information and educational records the information must be provided within 15 school days.

CCTV Footage

Images captured by CCTV cameras are personal information and therefore individuals have a right to be provided with this information if requested. Please see CCTV policy for more details on the procedure for accessing CCTV images and our process for removing images of other individuals that may be captured.

Withholding Information

There are instances where information requested through either rights of access may be withheld. Examples are shown below.

Schools may refuse information contained within the Educational record where:

- the school could not lawfully disclose the information to the pupil themselves under the Data Protection Act: or
- the pupil would have no rights of access under the Data Protection Act e.g. examination marks before publication.

The school may withhold information in response to a Subject Access request where:

- the information might cause serious harm to the physical or mental health of the pupil or another individual;
- the information would reveal that the child is at risk of abuse, where disclosure of that information would not be in the child's best interests;
- the information is contained in adoption and parental order records; and
- certain information has been given to a court in proceedings concerning the child.

Retention

We will keep a copy of the information that we have sent out in response to a request as the requestor may ask for a review to take place if they are not happy with the response. A copy of the response needs to be kept for 3 years and then it can be securely destroyed.