



## Alfriston Primary School

Agreed with FGB January 2024

### Individual Rights Policy and Request Form

The school processes the personal data of individuals who have rights under the General Data Protection Regulation 2018. This document sets out the rights of individuals, how the school will support those rights and how an individual can exercise those rights. Further details in respect to the management of personal data are detailed in the school's Data Protection and Privacy Notices. These can be found on our school website [www.alfriston.e-sussex.sch.uk](http://www.alfriston.e-sussex.sch.uk) under Policies.

**The individual rights of data subjects are summarised below:**

**Right of access** – Individuals have the right to access their personal data.

**Right to rectification** – Individuals have the right to have inaccurate personal data amended.

**Rights to erasure** – Individuals can request that their personal data is deleted where there is no justification for its continued use.

**Right to restrict processing** – In the following circumstances an individual can request a temporary restriction of processing activities:

- whilst the school is establishing the accuracy of data an individual has contested
- whilst the school is following up any objection raised by an individual
- when data has been processed unlawfully but the individual wants the school to restrict the processing of it, rather than erase it
- when the individual needs it in connection with a legal claim

**Right to object** – Individuals have the right to object to their information being processed in the following circumstances:

- If the school has decided processing is necessary either to perform a task in the public interest, as part of its authority, or, as a legitimate interest, and the individual feels this is not applicable
- If an individual believes there are insufficient grounds for the school to retain information in defence or potential defence of a legal claim
- If their data is being used for direct marketing purposes
- If their data is being used for research purposes that do not outweigh the individual's right to privacy

These only apply in certain circumstances and we will seek advice from our Data Protection Officer – Roger Simmons.

### **Subject Access Requests**

The most common request received by schools is for access to personal data. This is called a Subject Access Request. This includes:

- Confirmation that personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for
- The source of the data
- Whether any automated decision-making is being applied to their data

**If staff receive a subject access request they must immediately forward it to the school office.**

### **Children and subject access requests**

Mature pupils aged 13 and over can make a SAR for themselves. If a pupil is under 13 though, a request must come from their parent or legal guardian.

We expect mature pupils aged 13 or over may make their own requests however a parent or legal guardian may make a request on behalf of their child aged 13 or over if their child is unable to act on their own behalf or gives their consent for the information to be released to the parent.

When responding to requests, the school:

- Will ensure the individual has provided appropriate identification
- Will respond within 1 month of receipt of the request, or 3 months if the request is complex
- Will provide the information free of charge

The school will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Is contained in adoption or parental order records
- Is contained in court in proceedings concerning the child
- Is manifestly unfounded or excessive

Repetitive requests or those asking for further copies of the same information may be considered unfounded or excessive. The school may refuse to act on the request or charge a reasonable fee which takes into account administrative costs.

When the school refuses a request, it will tell the individual why, and tell them they have the right to complain to the Information Commissioners Office.

## Individual Rights request form

You should complete this form if you want to exercise an individual right afforded under the Data Protection Act 2018, including a Subject Access Request.

\*Please fill out the following sections as instructed.

### 1) Data subject's details (the person that the data relates to)

Full name:	
Date of birth:	
Address:	
Phone number:	
Email address:	
Pupil Year group OR staff job role:	

### 2) Are you the data subject?

**YES:** I am the data subject and I enclose proof of my identity. (Please go to section 4)

**NO:** I am acting on behalf of the data subject. I will enclose the data subject's written authority and proof of the data subject's identity and my own identity. (Please go to section 3)

### 3) Requestor details

Full name:	
Address:	
Phone number:	
Email address:	
Relationship to the data subject:	

### 4) Individual Right

Please note you can only select one individual right per form. This request refers to my right:

- to access (I want to access information about me)
- to rectification (I want to correct information about me)
- to erasure (I want to delete data about me)
- to restrict processing

to object

**5) Details of request**

(Please give as much information as you can to help with our search such as any relevant dates or names. Being as specific as possible will help us locate your information as quickly as possible.)

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In some cases we may consider your request complex if it:

- involves retrieval and appraisal of information from multiple sources
- involves the retrieval of large volumes of information for one data subject which are difficult to separate from information relating to other data subjects
- is one in a series of requests from the same individual
- involves the release of 3rd party data where consent has been refused or cannot be obtained

If we consider your request complex, we can take up to an additional two months to respond. If this is the case, we will let you know within the one month deadline, and as soon as possible.

**6) Proof of Identification** (documents supplied as proof of identity or entitlement to request another person's personal data)

Please list the proof of identification(s) you are providing:	
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**7) Declaration**

The completed application form and supporting proof of identity/ entitlement should be emailed or sent to: [www.alfriston.e-sussex.sch.uk](http://www.alfriston.e-sussex.sch.uk) or Alfriston Primary School, North Road, Alfriston, East Sussex, BN26 5XB.

Signature of requestor:		Date:	
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