



ACT Academy Trust

Data Subject Access Request (DSAR) Procedure 2023

Data Subject Access Request (DSAR) Procedure

1. Introduction

- 1.1. A Data Subject Access Request (DSAR) is where an individual, using their rights under GDPR requests a copy of the personal data an organisation holds on them, or details of what data is held and its source. A Data Subject Access Request does not have to reference GDPR, the term 'Data Subject Access Request' or reference any legislative rights – it does, however, have to be a written request in order to be valid (however, reasonable adjustments may be made at the Data Protection Officer's discretion where dealing with accessibility issues).
- 1.2. This procedure should be read and applied in conjunction with ACT Academy Trust's Staffing Policy Statement where appropriate.

2. The General Data Protection Regulation (GDPR)

- 2.1. The General Data Protection Regulation (GDPR) was brought into EU law in May 2016 has been retained in domestic law as the UK GDPR and sits alongside the amended version of the Data Protection Act 2018.
- 2.2. UK GDPR entitles individuals to request access to any personal data that ACT Academy Trust is holding about them. This is known as a 'Data Subject Access Request.' This document is intended to give employees a guide to making a Data Subject Access Request (DSAR) and to what happens in processing DSAR's.

3. The Process

- 3.1. All DSAR's must be made in writing to ACT Academy Trust's Data Protection Officer at the address below. Where a request is received from elsewhere in the business, the Data Protection Officer should be immediately informed so they can deal with the request with no undue delay.
- 3.2. Once the request is received the Data Protection Officer will confirm the identity of the subject and assess the scope of the request. Once the identity of the data subject (or the right/authority to request the data where the data subject is not the requester) the Data Protection Officer will begin the process of contacting the appropriate departments to collect and collate the information. In order to locate the correct information within ACT Academy Trust, the Data Protection Officer may ask the subject to confirm exactly what information they are requesting, or where they believe the information may be stored. Where the request is deemed to be 'manifestly unfounded or excessive', ACT Academy Trust may charge a reasonable fee or refuse to respond to the request. This will be confirmed to the data subject in writing.
- 3.3. The information provided in reply to a request must be that which ACT Academy Trust holds (subject to any exemptions) at the time the request is received. However, the Act allows routine updating and maintenance of the data to continue between the date on which the request is received and the date when the reply is dispatched. This means that the information provided to the individual may differ from that which was held at the time when your request was received, but only because of normal processing. Data cannot be deleted.

- 3.4. The Data Protection Officer will contact any third parties (e.g. authors of e-mails/letters contained within the file) in order to obtain consent to disclose the information to the subject. Where consent cannot be obtained or is denied, the Data Protection Officer will consider the reasons and ACT Academy Trust's duty of care to both parties to decide whether to disclose the information. Where the information contains a reference to third parties, the Data Protection Officer will redact (blank out) the third parties. Where this is impossible and consent from the third party has not been received the information will not be disclosed.
- 3.5. All requests will be dealt with within 30 calendar days of receipt (minus any time spent verifying identity or authorisation to act on the subject's behalf). The information will be dispatched to the subject as soon as the above process is complete.

4. Contacts and Complaints

- 4.1. Any enquiries regarding this procedure or ACT Academy Trust's Data Protection Policies should be directed to:

Amy Tandon

Buckden Primary Academy, School Lane, Buckden, St Neots, PE19 5TT

atandon@act-academytrust.org

If you require more information about the UK General Data Protection Regulation, the Data Protection Act 2018, or are unhappy with the way ACT Academy Trust has dealt with your request please contact:

The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

www.ico.org.uk