St James' Church of England Infants and Nursery School
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Subject Access Request – process and protocol

As an organisation we collect and process data about individuals. We explain what information we collect, and why in our privacy notices.

Any individual, or person with parental responsibility, or young person with sufficient capacity to make a request is entitled to ask what information is held. Copies of the information shall also be made available on request. A form to complete is available.

To ensure that requests are dealt with in an effective and timely manner we may seek to clarify the terms of a request. The Data (Use and Access) Act (DUAA) 2025 outlines the organisation's requirement to carry out a proportionate and reasonable search. Further details of how the school will assess and communicate this with you can be found within appendix 1.

To collate and manage requests we have designated the School Business Manager to co-ordinate all requests. Please ensure that requests are made on the form to the School Business Manager.

Evidence of their identity, on the basis of the information set out and the signature on the identity must be cross-checked to that on the application form. Discretion about employees and persons known to the school may be applicable but if ID evidence is not required an explanation must be provided by school staff and signed and dated accordingly.

Exemptions to a SAR exist and may include:

- education, health, social work records
- examination marks and scripts
- safeguarding records
- special educational needs
- parental records and reports
- legal advice and proceedings
- adoption and court records and/or reports
- regulatory activity and official requests e.g. DfE statistical information
- national security, crime and taxation
- journalism, literature and art
- research history, and statistics
- confidential references

All data subjects have the right to know:

- What information is held?
- Who holds it?
- Why is it held?
- What are the retention periods?
- that each data subject has rights. Consent can be withdrawn at any time (to somethings)
- a right to request rectification, erasure or to limit or stop processing
- a right to complain

Much of this will be contained within the privacy notices on the website.

Information will typically be provided in electronic format within one calendar month of receiving a valid request. However, in certain circumstances such as during school holidays when staff availability and access to systems are limited, this timeframe may be extended by up to an additional calendar month. This extension reflects the complexity of processing requests during periods of closure.

Following delivery of the information the requester has the right to ask for a review or use the dedicated complaint process if they feel that information has not been provided.

Appendix 1 – managing proportionate and reasonable searches

The DUAA explicitly states that organisations are only required to conduct a "reasonable and proportionate" search for personal data. This formalises a principle that was previously guided by the Information Commissioner's Office (ICO) but lacked a clear statutory definition.

Whilst a legal definition is not provided, the school considers a "reasonable and proportionate" search to strike a balance between the data subject's right to access their personal data and the administrative burden placed on the organisation. The school will undertake a search with the utmost effort to locate and provide the personal data requested but an ‘every stone turned’ search will not be completed due to the excessive and undue burden this causes.

We will actively engage with the requester to clarify and narrow the scope to ensure the search falls under the remit of the proportionate and reasonable search. During this time where clarification is being sought, the one calendar month timeframe to respond is paused until confirmation of the scope is agreed.

When considering whether a search is proportionate and reasonable the school will assess:

- the nature and scope of the request
- context of the request
- volume of information held
- availability of data
- resources available
- impact on the data subject

We will seek support and advice from our external data protection officer and ensure all decisions relating to deeming a request unreasonable and disproportionate are accurately recorded.