

# Data Subject Access Request (DSAR) Procedure

Hampton Academies Trust



*Date Ratified: 9 March 2021*

*This Policy will be reviewed annually*

## **The General Data Protection Regulation**

The General Data Protection Regulation (GDPR) was brought into EU law in May 2016 and becomes enforceable on 25th May 2018. The GDPR is a European regulation which means it automatically becomes applicable to all Member States. Despite Brexit, the UK supported this by introducing the Data Protection Act 2018 which incorporates the GDPR into UK data protection law meaning that in practice there is little change to the core data protection principles, rights and obligations found in the GDPR.

GDPR entitles individuals to request access to any personal data that Hampton Academies 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.

A Data Subject Access Request (a 'DSAR') is where an individual, using their rights under GDPR makes a request for a copy of the personal data an organization 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).

### **The Process**

All DSAR's must be made in writing to the 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 are able to deal with the request with no undue delay.

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, 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', the Data Protection Officer may charge a reasonable fee or refuse to respond to the request. This will be confirmed to the data subject in writing.

The information provided in reply to a request must be that which the Data Protection Officer 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 as a result of normal processing. Data cannot be deleted.

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 the duty of care to both parties to decide whether to disclose the information. Where the information contains 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.

All requests will be dealt with within one month 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.

### **Contacts & Complaints**

Any enquiries regarding this procedure or Hampton Academies Trust's Data Protection Policies should be directed to:

*Mr Al Kingsley - Data Protection Officer  
Hampton Academies Trust  
Eagle Way  
Hampton Vale  
Peterborough  
PE7 8BF*

*Email - [DPO@hamptonacademiestrust.org.uk](mailto:DPO@hamptonacademiestrust.org.uk)*

If you require more information about the General Data Protection Regulation, the Data Protection Bill, or are unhappy with the way the Data Protection Officer has dealt with your request please contact:

The Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
[www.ico.org.uk](http://www.ico.org.uk)