



SUBJECT ACCESS REQUEST PROCEDURE & FORM

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Reviewer	Paula Knowles
Review Date	September 2024
Next Review Date	September 2025

Purpose

This procedure defines the process to be followed when a request for access to personal data is received. A failure to comply with the provisions of the Data Protection Act 2018 and UK General Data Protection Regulation (GDPR) in responding to requests may render ELKOLET Humanitarian Developers liable to prosecution as well as giving rise to civil liabilities.

Scope

This procedure applies to Subject Access Request (SAR) where ELKOLET holds personal information in line with the Data Protection Policy.

Roles and Responsibilities

Role	Responsibility
Data Protection Officer (DPO)	Responsible for ensuring that statutory and regulatory obligations with respect to the GDPR are adhered to.
Information Manager	Responsible for handling subject access requests.
Employees	Responsible for incorporating this procedure and its associated policy into their own working practices.

Definitions

Term	Meaning
Data Subject	The identified or identifiable living individual to whom personal data relates.
Personal Data	Personal data only includes information relating to natural persons who can be identified or who are identifiable, directly from the information in question, or who can be indirectly identified from that information in combination with other information.
Subject Access Request (SAR)	A formal inquiry made to a company by a data subject inquiring what of the data subject's personal information has been collected, stored, and used (processed).

Procedure

Logging a Subject Access Request

Once a subject access request has been received the Information Manager will log the request on the student/employee file.

Valid Subject Access Request

A valid subject access request can be received in any format including but not limited to, in writing, verbally or via the website contact form. An individual does not need to use any specific wording to define their request, however ELKOLET will offer a Subject Access Request form (see appendix a) to assist in ensuring we have all relevant information to process the request. A Subject Access Request can only be fulfilled when we have validated the identity of the individual making the request and have all of the information required to provide the information requested.

Where the Subject Access Request is not valid as documented in the above paragraph, the Information Manager will contact the person making the request, to seek further information.

Once the Information Manager has received all the information they need and sufficient information to verify the data subject's identity, ELKOLET has one month to provide the information requested.

Correctly identifying the data subject

Before disclosing any personal information, the Information Manager must verify the identity of the data subject.

Whilst it is important that ELKOLET does not send copies of personal information to people who are not the data subject, we must not appear obstructive. The Data Protection Act requires ELKOLET to take "reasonable measures" to verify the identity of a data subject. The Information Manager shall keep a record of what measures they have taken to verify the identity of the person making the request.

Locating personal information for the Subject Access Request

The Information Manager will work with relevant employees within ELKOLET to identify systems where personal data of the data subject is being held, as well as identifying the means by which the personal data can be extracted.

When the systems have been identified, the team will carry out searches to identify personal data held on the data subject and export to a common area so that personal data can be combined before the data can be screened prior to disclosure to the data subject.

Reviewing Personal Information and what cannot be disclosed as a result of a Subject Access Request

Once information has been collated on what ELKOLET hold about a data subject this information will be examined by the Data Protection Officer to establish if it should be disclosed. This must be done on a case-by-case basis for each individual piece of information. In some cases, we might disclose only

parts of particular documents. This shall include checking that the record is actually about the person concerned and not about someone else with the same name, screening out any duplicate records.

There are instances where personal information does not require to be disclosed. The Information Manager will determine if any of the exemptions apply before releasing personal information.

Where a document contains personal data about a number of individuals, including the data subject, they we will not disclose the information about the third parties to the data subject. If the record is primarily about the data subject, with incidental information about others, then third-party information will be redacted. If the record is primarily about third parties, then the document will be withheld if redacting is not possible.

Where possible third parties will be contacted to obtain consent to disclose the document if possible.

Sending Personal Data to Data Subject

Once the Data Protection Officer has identified all of the information that can be sent in response to a SAR, one final review will be undertaken of this information as a collection of data.

The personal data of the data subject will be sent to the data subject as provided on the Data Subject Access Request form.



Subject Access Request

Please read the Subject Access Request Guidance Notes before completing this form.
 A separate form should be completed for each individual.
NOTE: THIS IS NOT A MANDATORY FORM – SUBJECT ACCESS REQUESTS MADE IN OTHER FORMATS WILL ALSO BE ACCEPTED BUT THIS FORM IS DESIGNED TO SPEED THE PROCESS UP

Section 1 – Applicant Details

Title (please tick one)	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state).....		
First Name/s			
Surname			
Previous Surname			
Other name/s known by			
Date of Birth (dd/mm/yyyy)/...../.....	Sex	Male <input type="checkbox"/> Female <input type="checkbox"/>

Section 2 – Applicant Contact Details

Current Address			
Daytime Tel No.		Email	
Previous Address			

Section 3 – Representative Details (if applicable)

Name of Representative			
Company (if applicable)			
Representative's Address			
Daytime Tel No.		Fax No.	
Email			

Section 4 – Authority to Release Information to a Representative

A representative needs to obtain authority from the applicant before personal data can be released. The representative should obtain the applicant’s signature below, or provide a separate note of authority. This must be an original signature, not a copy.

If the applicant is signing as the guardian of a child under 12, proof of legal guardianship must also be provided.

I hereby give my authority for the representative named in Section 3 of this form to make a Subject Access Request on my behalf under the Data Protection Act 1998.

Signature of Applicant: _____ Date: _____

Section 5 – Proof of the applicant’s identity

In order to prove the applicant’s identity, we need to see copies of two pieces of identification, one from list A and one from list B below. Please indicate which ones you are supplying.

Please do not send originals.

List A (one from below)

- Passport/Travel Document
- Photo driving license
- National Identity Card
- ARC Card

List B (plus one from below)

- Council tax bill showing current home address
- Utility bill showing current home address
- Bank statement or Building Society Book
- Benefits statement

Section 6 – Details of the data required

Please tick the box next to the data type that you require. You may tick more than one box.

Specific data/records only. Please explain in the Further Details box _____

Specific dates only. Please state _____

Types of records required (you may tick more than one box):

Personal identifiers	<input type="checkbox"/>
Characteristics	<input type="checkbox"/>
Emergency contacts	<input type="checkbox"/>
Safeguarding information	<input type="checkbox"/>
Medical information	<input type="checkbox"/>
All records held by ELKOLET	<input type="checkbox"/>

Assessment and attainment records	<input type="checkbox"/>
Behavioural Information	<input type="checkbox"/>
Images	<input type="checkbox"/>
Attendance	<input type="checkbox"/>
Information about the use of IT and other systems	<input type="checkbox"/>

Please tick box if you do not want documents that have already been sent to the applicant (or a representative acting on the applicant’s behalf), or which the applicant (or a representative) has sent to ELKOLET.

Further Details

Please use this space to give us any further details about the information you are requesting, for example by stating specific documents you require (use extra sheets if necessary):

Section 7 – Declaration

The information which I have supplied in this application is correct, and I am the person to whom it relates or a representative acting on his/her behalf. I understand that the ELKOLET may need to obtain further information from me/my representative in order to comply with this request.

Signature of Applicant/Representative: _____ Date: _____

Timescale

If you have specific reasons for requiring data by a specific date please give details below:

- (a) Date required
- (b) Reason (please state and supply supporting evidence).....
-

Voluntary information

It would be helpful for us to know the reasons for your request, as this information will help us to improve our service (this is voluntary so you don't have to provide any reason and it will have no bearing on the processing of your subject access request):

Subject Access Request Guidance

Please read before filling in the Subject Access Request Form

Which sections should I complete?

Sections 1, 2, 5, 6 and 7 should be completed for all applications.

Sections 3 and 4 (Representative Details and Authority to Release Information to a Representative) should only be completed if the application is being made by a representative (i.e. someone other than the subject themselves).

Section 5 (Proof of the applicant's identity) - If you do not have any of the forms of identity listed, we may in exceptional circumstances accept a photograph signed by yourself and your representative which we will check against our files.

This form is designed to assist the process of making a subject access and as a consequence may speed the process up – but it is not mandatory, all subject access requests made in other formats will also be processed.

What information does ELKOLET?

ELKOLET holds the following lists of information. For a more detailed overview please see the relevant privacy notices on our website

We hold the following types of data on workers:

- a) personal details such as name, address, phone numbers
- b) information gathered via the recruitment process such as that entered into a CV or included in a CV cover letter, references from former employers, details on your education and employment history etc
- c) details relating to pay administration such as National Insurance numbers, bank account details and tax codes
- d) medical or health information
- e) information relating to your employment with us, including:
 - i) job title and job descriptions
 - ii) your salary
 - iii) your wider terms and conditions of employment
 - iv) details of formal and informal proceedings involving you such as letters of concern, disciplinary and grievance proceedings, your annual leave records, appraisal and performance information
 - v) internal and external training modules undertaken

We hold the following types of data on students:

- a) sensitive demographic information
 - i) race, religious beliefs etc
- b) personal information
 - i) address, SEND assessments etc
- c) academic performance
 - i) includes test scores and grades
- d) behavioural records
 - i) attendance
 - ii) discipline incidents
- e) engagement indicators
 - i) participation in activities

How long will it take to get my data?

Once we are satisfied that you meet the criteria for disclosure of data under the Data Protection Act, and have provided sufficient information, you should receive a response within 30 days from the date that we accept your application for processing.

Record may be held in several different locations and in paper and electronic formats. If you only require specific information and you clearly state what that is – for example a specific document or IT-only data – then you are likely to get a quicker disclosure.

The form includes a section for giving details if you need a disclosure by a certain date. No guarantee can be given that a disclosure will be completed by that date but we will endeavour to comply with reasonable requests for expedited action.

General Notes

1. We will acknowledge your application in writing.
2. When we process information requests for children aged 12 or over and spouses, we require their signature of authority before disclosing data. A separate application form should be completed for each individual. Sections 4 and 5 should be completed by a parent/guardian for a child under 12.
3. The documents that you receive may have data blacked-out or contain rough notes that may lack clarity. This is because we aim to supply copies of the original records whenever possible. However, as ELKOLET records also include information that we cannot release to you under the Data Protection Act, e.g. another person's data, this is removed.

Checklist

- Have you completed all relevant sections of the form?
- If you are a representative, has your client signed the authority in Section 4 or provided a separate signed note of authority?
- If you are submitting the form yourself, have you signed the form at Section 7?
- If you are signing as a guardian of a child under 12, have you provided proof of your legal guardianship?
- Have you enclosed **copies** of two pieces of identification from the lists in Section 5 (one from each of A and B)?
- Have you provided as much information as possible to enable us to find the data you require?

Please send your completed form and identification to:

ELKOLET
The ELKOLET Centre,
Mill Lane,
Alton, Hampshire
GU34 2QG

Email: jmathers@elkolet.com