HANDLING SUBJECT ACCESS REQUESTS UNDER THE DATA PROTECTION ACT

Request for personal information received from a data subject

Is the request in writing or if individual cannot write, is the request formal and been recorded?
— NO → Get request in writing or other if the individual is unable to write record the request formally

If satisfactory request received

YES

Are you sure the enquirer is the data subject, or acting on their behalf?
— NO → Request enough information to completely satisfy yourself that they are the data subject, or acting on the data subject's behalf before proceeding

If evidence has been supplied

YES

Is the request detailed enough for school to be able to identify what information is needed?
— NO → Ask the data subject to clarify the request enough for you to be able to proceed

If request is clear enough

YES

Is there a reason for refusing the request, eg legal professional privilege or other exemption?
— NO → Is a fee being charged (see fee guidance)?
— YES → Write to data subject requesting appropriate fee. Do not proceed until fee has been paid

Once fee received

NO

YES

Write to data subject and explain the reason why the request cannot be fulfilled

Keep a **copy** of **everything** you have done whilst processing the request

Collect/Collate the information being requested

Consents or withholding may be required – see third party advice on cyps.info. If still not sure contact Veritau.

YES

Does it contain third party information? *i.e. someone not employed by either the school or NYCC*
— NO →

Are there any other exemptions which might apply to the information eg legal professional privilege?
— YES → Withholding may be required – see exemptions advice on cyps.info. If still not sure contact Veritau.
— NO →

Does it contain internal references which an individual outside the Council would not understand?
— YES → Provide enough explanation for the information to be understood eg of, abbreviations, acronyms, etc
— NO →

When codes etc have been explained

Despatch information and keep a **copy** of **everything** you have sent and done whilst processing the request