Blaenavon Heritage Voluntary Controlled Primary School



REQUESTS FOR INFORMATION POLICY

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Written: January 2019

Review: January 2020

Ratified: 10 April 2019

CoG:

DOCUMENT CONTROL

Title:	**Requests for Information Policy**		
Document Owner:			
Document Author:			
Reference:	**SCHOOL-IG004**	**Retention Period:**	**Until next review**
Document Classification:	Official	**Location:**	
Version / Status:	Draft	**Approved by:**	
Current Issue Date:		**Next Review Date:**	

REVISION HISTORY

Issue Date	Version / Status	Reason for Change	Changed By:

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1. PURPOSE

Our School is committed to full compliance with the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) which now supersedes the previous Data Protection Act 2018. To achieve this commitment, employees other clients and contacts must respond to requests for information from citizens or other organisations. This policy will need to be read in conjunction with the Requests for Information Procedures.

2. SCOPE

This policy applies to all personal information held by the School or held on behalf of the School. This includes information on paper and in electronic formats, inclusive of CCTV and voice recordings. This document will guide staff on how they should action requests for information, inclusive of subject access requests. In turn this will promote trust and transparency.

This policy applies to:

- Governors, employees, whether office based or working via remote access, including contractors, volunteers, agencies and partner organisations operating on behalf of the School.

3. PRINCIPLES

We receive requests for personal information from individuals and organisations on a regular basis. Here are the types of requests for information that we receive:

Subject Access Requests (SARs)

A parent or guardian of a child or employee at our School has the right to request a copy of their 'personal data'. It is important to identify when someone is requesting SAR. It might be described as their 'file' or 'all of my information' or they may use other such terminology. When dealing with a SAR firstly consider what is personal data by referring to the 'Requests for Information Procedure'. We must acknowledge the request within 5 working days. Under the GDPR if proof of ID has been received, we must be in a position to supply the data requested within one calendar month. We can no longer charge a fee except in limited circumstances.

Health records (Access to Health Records Act 1990)

The School might receive a request from a relative of a deceased person requesting access to health records. They have rights to do so, under the Access to Health Records Act 1990. Supporting evidence will be required from the requestor including proof of power of attorney for medical decisions for the deceased. Requests will be dealt with by our Occupational Health Team.

Requests for CCTV images

Individuals can make a request for CCTV footage where they have been captured on cameras within the School. It is important to note that individuals

are only entitled to their personal data under these provisions, data relating to third parties would not be disclosed.

Section 29 & 35 requests

In ordinary circumstances the School cannot release information to a third party without an individual's prior consent. There are exemptions under the GDPR and they are currently referred to as 'Section' 29 and 'Section 35' requests.

A section 29 request is a request to release data for any of the following purposes, a) The prevention or detection of crime, b) The apprehension or prosecution of offenders, or c) The assessment or collection of any tax or duty or of any imposition of a similar nature.

A Section 35 request defines a situation, when a disclosure is required by or under an enactment, by any rule of law or by the order of a court, or in connection with, any legal proceedings or defending legal rights.

Section 115 request

The School could receive a request to share information with regard to allegations of crime and anti-social behaviour. If this is the case, a 'Section 115' Crime and Disorder Act 1998 referral form will be completed for partner organisations to share information e.g., Gwent Police, Bron Afon etc. These types of request are dealt with by the Community Safety team based within PSSU.

Section 10 requests:

A section 10 request is a notice to request the School cease processing a person's personal data. A person who requests the School to cease processing, would need to demonstrate that the processing of their data causes substantial and unwanted distress. The School must respond to these requests within 21 days. If we do not comply with the notice to cease processing, then we must outline in writing our reasons. If a person were to obtain a court order compelling the School to cease processing the School will adhere to the terms of the court order. The School will seek legal advice if applicable.

Rectification, Blocking, Erasure & Destruction

The School could receive a request to rectify, block, erase or destroy a natural person's personal data. If we receive and uphold such a request the council will need to notify all third parties and processors of these amendments. This will also apply to any court orders received.

Education Record Request

Parents or guardians may make a request to view all education records held by the school on their child. The educational record is defined as any record of information which is processed by, or on behalf of, the governing body or a teacher. It will also include information that relates to a pupil (including former

pupils). If a parent makes a written request for a copy of the record, the Pupil Information Regulations requires a school's governing body to ensure that the pupil's educational record is made available for their parent to see, free of charge, within 15 school days of receipt of the parent's written request. If a parent makes a written request for a copy of the record this too must be provided and within 15 school days.

4. OBJECTIVES

- This policy will increase the effectiveness and efficiency of dealing with requests for information and ensure the School adheres to legislation
- More specifically it will meet GDPR and ICO compliance with regard to appropriate actioning of subject access requests.
- To educate and raise awareness of requests for information procedures.
- To promote transparency and provide confidence in the Authority's processes.

5. RESPONSIBILITIES

Governing Body, Head teacher

It will be the responsibility of the governing body and Head teacher to ensure compliance with the policy and for communicating the policy and procedures around requests for information.

Head teacher

This is the person who has ultimate responsibility for Information Governance and Data Protection throughout the school and will have overall responsibility for compliance with requests for information.

Head teacher

This person has overall responsibility for:

- The provision of data protection training for staff within the School
- Development of best practice guidelines
- Undertaking compliance checks to ensure adherence, throughout the school with the General Data Protection Regulation (GDPR).
- This person should have oversight of request for information within the scope of the GDPR.

All Staff

All staff are responsible for ensuring that they assist with requests for information within their school.

All staff are responsible for ensuring that they understand the processes with regard to handling personal information internally and externally.

All staff are responsible for ensuring that processes outlined within the School's Requests for Information Procedures are followed at all times.

Contractors, Consultants and Other Parties

All contractors, consultants, partners or agents of the School who receive requests for personal information must advise the Head teacher. They must comply with this policy and the accompanying procedural document.

6. LEGISLATION & KEY REFERENCE DOCUMENTS

(Please note this list is not exhaustive)

The School will abide by all relevant UK and EU legislation and the following policies and procedures:

POLICIES

- Data Protection Policy

PROCEDURES

- Data Protection Procedures

7. MONITORING AND REVIEW

The Governing Body and Head teacher will monitor the implementation of this policy.

This policy will be subject to review when any of the following conditions are met:

- Content errors or admissions are highlighted.
- Where another standard/guidance issued conflicts with the information in this policy.
- There will be an initial 1 year review from policy implementation.
- Thereafter reviews will be scheduled on a 3 year basis from the date of approval of the current version.

8. COMPLIANCE

Failure to comply with the Information Request Policy could result in disciplinary action resulting in termination of employment and in serious cases individuals being prosecuted under the General Data Protection Regulation.