



Sandwell Academy

**Subject Access Request
(SAR)
and Retention
Policy**

Policy Title:	Subject Access Request (SAR)
Policy Reference:	SA / Staff / Parents / Subjects
Description:	This document offers guidelines to the processes and protocols to enable subjects to access any data held about themselves
Status:	Statutory
Category:	Academy
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Other relevant SA policies:	Data protection policy, Privacy Notices
Adopted by the Governing Board on:	
Date for Review:	July 2019

Change Record		
V	Date	Description
1.1	Sept 2018	Initiated (combined with old access and retention policies)

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Statement of Policy

Introduction

The Academy needs to create and maintain accurate records in order for it to function effectively and efficiently. The policy for managing records at Sandwell Academy conforms with all Data Protection and other legislation and regulations affecting schools.

- A paper record file is created for each student on entry to the Academy. This contains the following:
- Primary School Records
- Key Stage 2-Key Stage 3 Transition Information Form
- Admissions Application Form
- Admissions Acceptance / Agreement Form with proof of address attached
- Charter Agreement Form
- Visits Consent Form
- Parental Responsibility Form
- Biometric Permission Form
- Individual letters/documents regarding the student in date order, most recent on top, e.g. Letters, reports, statements etc relating to incidents in which the student is involved, Letters of Commendation from Head

Personal Information about each student is also stored on the ICT system. Information provided by parents on the Personal Data Form is transferred onto the Administration Database. Other information stored includes:

- Personal Information
- Home Contact Information
- Medical
- Home ICT Use
- Ethnicity, Home Language,
- Travel to School (including Thandi coach service)
- Attendance
- Teaching Groups
- Assessment Results and Reports
- Examinations
- SEN Information
- Behaviour Log (positive and negative)

This information is stored securely in an office with restricted access via pass key and will be shared with other organisations and agencies in line with the Fair Processing Notice issued to parents annually.

We also use a Data Storage Company to keep electronic archives of unsuccessful admissions applicants and past student records in line with legislation. The paper records they receive are securely shredded and a certificate of proof provided.

Student records will be kept until the student reaches the age of 25 at which time the records will be securely and confidentially destroyed. Records of results in public

examinations will be held indefinitely. Records will be assessed in July of each year and appropriate action taken.

Annex 1 gives a detailed list of recommended retention periods for all school records.

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 about them and copies of this information shall be made available on request. To ensure that requests are dealt with in an effective and timely manner we may seek to clarify the terms of a request.

Please ensure that requests are marked for the attention of the Headteacher's PA on the appropriate form (per appendix one below). Please email info@sandwellacademy.com

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 in most cases clear ID evidence will be required.

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 is the retention period
- * That each data subject has rights. Consent can be withdrawn at any time (to some things).
- * A right to request rectification, erasure or to limit or stop processing
- * A right to complain

Many of these questions will be within the Privacy Notices on our website.

The information will be provided in an electronic format, usually within **one calendar month of the request**. However in some circumstances, for example the school is closed for holidays, this may be extended by up to another calendar month.

Appendix One

Subject Access Request form

Data Subject (person who information is about)

Title	
Name	
Date of Birth	
Year group (if child or young person)	

Person making the request

Name	
Date of Birth	
Address	
Email Address	
Contact phone no	
Identification Evidence Provided (if required) Passport Driving licence Or two forms of Utility bill within last 3 months Bank statement of last three months Council Tax bill Rent book	

Status of person making request

Parent or person with Parental Responsibility	
Are you acting on their written authority (please provide a copy of the consent)	
If not the parent or with PR, what is your role?	

Details of Data Requested

Declaration, hereby request that Sandwell Academy provide the data requested about me.

Signature: _____ Dated: _____

I,, hereby request that Sandwell Academy provide the data requested about

.....(insert child's name) on the basis of the authority that I have provided.

Signature: _____ Dated: _____

Record of Documents

Retention Schedule

	Basic file description	Data Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
4.1	Admission Information	Yes		Date of last entry in the book (or file) + 6 years	Retain in the school for 6 years from the date of the last entry.	Transfer to the Archives
4.2	Attendance registers	Yes		Date of register + 3 years	SHRED [If these records are retained electronically any back up copies should be destroyed at the same time]	Attendance Office to identify and action
4.3	Student files	Yes	Limitation Act 1980	DOB of the Student + 25 years ¹	SHRED	Head's PA to identify and action
4.5	Special Educational Needs files, reviews and Individual Education Plans	Yes		DOB of the Student + 25 years the review NOTE: This retention period is the minimum period that any Student file should be kept. Some authorities choose to keep SEN files for a longer period of time to defend themselves in a "failure to provide a sufficient education" case. There is an element of business risk analysis	SHRED	DHM Responsible to identify and action

				involved in any decision to keep the records longer than the minimum retention period.		
4.6	Letters authorising absence	No		Date of absence + 2 years	SHRED	Attendance Office to identify and action
4.7	Absence books			Current year + 6 years	SHRED	Attendance Office to identify and action
4.8	Examination results	Yes				
4.8a	Public	No		Year of examinations + 6 years	SHRED	Any certificates left unclaimed should be returned to the appropriate Examination Board
4.8b	Internal Exam Results	Yes		Current year + 5 years ²	SHRED	Exam Officer to identify and action
4.9	Any other records created in the course of contact with Students	Yes/No		Current year + 3 years	Review at the end of 3 years and either allocate a further retention period or SHRED	Head's PA to identify and action

¹ As above

² If these records are retained on the Student file or in their National Record of Achievement they need only be kept for as long as operationally necessary.

4.10	Statement maintained under The Education Act 1996 - Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SHRED unless legal action is pending	DHM Responsible to identify and action
4.11	Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SHRED unless legal action is pending	DHM Responsible to identify and action
4.12	Advice and information to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Closure + 12 years	SHRED unless legal action is pending	DHM Responsible to identify and action
4.13	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Closure + 12 years	SHRED unless legal action is pending	DHM Responsible to identify and action
4.14	Children's SEN Files	Yes		DOB of Student + 25 years then review – it may be appropriate to add an additional retention period in certain cases	SHRED unless legal action is pending	DHM Responsible to identify and action

4.15	Parental permission slips for school trips – where there has been no major incident	Yes		Conclusion of the trip	SHRED	Individual Visit organisers to identify and action
4.16	Parental permission slips for school trips – where there has been a major incident	Yes	Limitation Act 1980	DOB of the Student involved in the incident + 25 years The permission slips for all Students on the trip need to be retained to show that the rules had been followed for all Students	SHRED	Head's PA to identify and action
4.17	Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Secondary Schools	N	3 part supplement to the Health & Safety of Students on Educational Visits (HASPEV) (1998).	Date of visit + 10 years	N	SHRED or delete securely Head's PA to identify and action