



Data Subject Access Request (DSAR) Policy

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What is this policy about?

This policy explains how BMAT and its schools respond to Data Subject Access Requests (DSARs). In all circumstances, these DSAR responses will follow the requirements and obligations set out within the General Data Protection Regulation, 2018 (GDPR).

For details of how BMAT handles personal data under the GDPR, please refer to the relevant data protection policy and privacy notices on the BMAT website.

For more information about the GDPR, please see the website of the Information Commissioner's Office, or contact them using the details provided in Appendix A of this policy.

What is Personal Data?

This is any information that can be used to identify you. For example, your name, address, physical description, image and ID numbers.

Do we need your consent to legally hold or use your personal data?

Not always. Consent is only one of the many legal reasons why we might hold your personal data. There are other legal reasons we use that mean we don't need your consent. These are written into the privacy notices on the BMAT website (see Appendix A for the address).

Besides consent, the most frequent legal reasons we use are:

- We are required to do so by law ("Legal obligation")
- We are a public body and processing is in the public interest ("Public Task")

Submitting a Data Subject Access Request to BMAT

To make a subject access request to BMAT, or a school within BMAT, please use the contact address given in Appendix A

A subject access request is a request for a copy of a specific type, or all types, of personal data we hold about you.

You have the right to see this data, be told what we use it for and where it came from, as well as be told how long we will keep it before we delete or destroy it.

When you make a request, please use the request form we have provided.

We will ask you to prove your identity. This is to protect your information and make sure that you are legally allowed to receive the information you have requested

How we respond to your request

Our central 'Data Help' team will confirm your request to you in writing, asking for further information if we need it. We will also advise you of any reasons why we cannot comply with your request (see below).

Where information might need to be collected from third parties, we will write to them to ask for it and to check whether there is any reason why we cannot provide it to you. Any information that contains Personal Data relating to other people will be redacted. Where we are unable to redact the information without incurring

significant additional costs to the organisation, we will seek legal advice in order to provide you with as much of that information as possible.

Where necessary, we might summarise information, rather than provide a copy of the whole document. We will seek advice where this might be the case.

Once we have collected all the information you have requested, we will write to ask you how you would like to receive it.

We will aim to provide the information in the form that you prefer (usually hard copy, or electronic files), but if it is impossible, or where it would involve undue effort, we will seek advice and might invite you to view the information on screen in BMAT, or in one of its schools.

How long should we take when responding to your request?

Under the GDPR, we have 30 calendar days in which to respond to your request. This period begins from the time at which we received the request.

Do we charge a fee for providing the Personal Data you have requested?

Under the GDPR, we will only charge for the information where:

- your request is excessive or manifestly unfounded (as discussed below)
- **AND**
- we decide to provide the information anyway.

We will notify you if any charges will be associated with your request.

Do we have to give you all the Personal Data you have requested?

We will always follow the GDPR when providing the data you have requested. However, in some instances we might be unable to provide some or all the data you would like.

These instances are as follows:

Exemptions

In some circumstances, the GDPR prevents us from showing or giving you certain data. These are called 'exemptions'. We may seek advice if we consider that they might apply.

Some examples exemptions are where:

- providing the information would violate the rights of other people under GDPR
- the information is covered by legal professional privilege,
- the information is used for research, historical and statistical purposes
- the information is contained in a confidential reference given or received by BMAT or its schools.

For more information on exemptions under the GDPR, please see:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/exemptions/#ib2>

Excessive requests

Under GDPR, we will consider your request excessive, if it:

- repeats the substance of your previous requests and a reasonable interval has not passed since the last one
- overlaps with other requests you have made

If the request is large, we will make all **reasonable** searches for the information. We are continually improving our record-keeping to help with fulfilling large requests.

For more information on excessive requests under GPDR, please see:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-law-enforcement-processing/individual-rights/manifestly-unfounded-and-excessive-requests/#mu3>

“Manifestly Unfounded” requests

We will consider your request to be “manifestly unfounded” if we believe it meets the guidance set out in the GDPR, but in particular where we think it is malicious or designed to cause disruption. Before reaching this conclusion, we will consider the context of your request, including any previous requests you have made.

For more information on what “Manifestly Unfounded” means under GPDR, please see:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-law-enforcement-processing/individual-rights/manifestly-unfounded-and-excessive-requests/#mu2>

What to do if you're unhappy with our response

We hope that you will be satisfied with the response to your request. However, should you feel that we have not fulfilled our obligations under the GDPR, please see the contact details in Appendix A and take the following individual steps:

1. Contact our Data Help email address
2. Contact BMAT's Data Protection Officer
3. Contact the Information Commissioner's Office (ICO)

Appendix A – Important Contacts

Address for Access Requests

Submit by email: datahelp@bmatrust.org.uk

Submit by post:

BMAT Education
BMAT STEM Academy
Velizy Avenue
Harlow
Essex
CM20 3EZ

BMAT Data Protection Officer

GDPR in Schools Ltd
11 Kingsley Lodge
13 New Cavendish Street
London
W1G 9UG
dpois@gdpr.school
0203 961 0110

Other Useful Contacts

Website address for BMAT data protection information: www.bmat-trust.org

Website for the Information Commissioner's Office (ICO): www.ico.org.uk

Correspondence address for the ICO:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113
Fax: 01625 524510