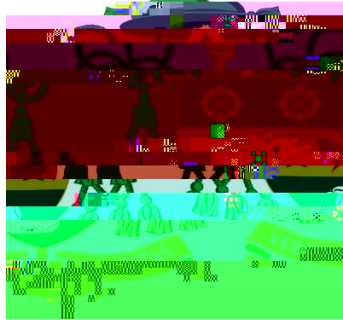


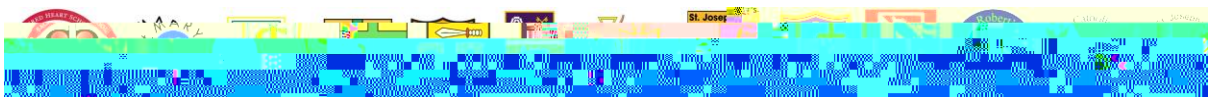
# The Bishop Wheeler Catholic Academy Trust



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In this Subject Access Request policy, unless the context otherwise requires, the following expressions shall have the following meanings:

	The Bishop Wheeler Catholic Academy Trust.
	Covers all of the schools within The Bishop Wheeler Catholic Academy Trust and The Bishop Wheeler Catholic Academy Trust Central Team.
	The Directors of the Trust Board.
	Governors elected or appointed to individual Academy Councils.
	The Chief Executive Officer for the Trust.
	Data Protection Officer – The Head of Governance is the DPO for BWCAT
	Designated Safeguarding Lead
	Information Commissioner’s Office
	General Data Protection Regulation

Any information relating to an identifiable person who can be directly or indirectly identified, in particular by reference to an identifier.

This definition provides for a wide range of personal identifiers to constitute personal data, including:

- name
- identification number
- location data
- online identifier

It may also include factors specific to the individual’s physical, physiological,















processing activities the request relates to before responding. Clarification will not be required in usual circumstances, and will be limited to requests where it is genuinely required in order to respond and where the Trust processes a large amount of information about the individual.

The timescale for responding to the request will be paused until clarification is received, and the requester will be made aware of this. Once the requester responds, the timescale will resume with an extension by the number of days taken for a response. Where the school receives a request that is genuinely unclear whether an individual is making a SAR, the time limit to respond will apply from the date that clarification is received.

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The Trust may, decide to charge a reasonable fee for administrative costs where:

- A request is manifestly excessive.

- An individual requests further copies of their data following a request.

In determining a reasonable fee, the administrative costs will be considered for:

- Assessing whether the Trust processes the information.

- Locating, retrieving and extracting the information.

- Providing a copy of the information, e.g., photocopying, printing and postage costs.

- Communicating the response to the individual, including contacting the individual to inform them that the academy holds the requested information.

- Staff time in performing all of the above.

The costs of staff time will be based on the estimated time it will take staff to comply with the specific request, charged at a reasonable hourly rate, not more than their hourly cost, including pay and on-costs.

Requests for a fee will be sent as soon as possible, and within one calendar month of receiving the SAR. When requesting a fee, the costs will be explained to the individual, including a copy of the criteria used to determine it. The individual will be notified if the Trust intends to charge, even if the information is not being provided.

Where a charge is determined, the SAR will not be complied with until it is paid. Where no response is received within one month, the Head of Governance will decide on a case-by-case basis if it is appropriate to close the request.

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BWCAT will make reasonable efforts to find and retrieve the information requested. Searches will not be conducted where the request is unreasonable or disproportionate to

the importance of providing access to the information. To determine this, the following will be considered:

The circumstances of the request

Prior to sending any personal data, information will be thoroughly checked to see if anything should be redacted, e.g., references to other individuals. The destination, e.g., email or postal address, will be checked to ensure it is correct. The Head of Governance will ensure information is sent securely, with consideration given to the nature and sensitivity of the data.

Where a SAR is mad

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BWCAT will refuse to comply with a SAR wholly or partly where it is determined to be manifestly unfounded. This will apply where an individual has no clear intention to exercise their right of access, e.g., they offer to withdraw the SAR in return for some form of benefit, or the request is malicious in intent and is being used to harass the academy or Trust to cause disruption. Examples of malicious requests include, but are not limited to, where an individual:

Explicitly states in the request or other communications their intent to cause disruption.

Makes unsubstantiated accusations against the academy, Trust or specific employees.

Targets a particular employee, governor, parent or pupil against whom they have a personal grudge.

Systematically sends different requests to the academy, e.g. daily or weekly, as part of a campaign.

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BWCAT will refuse to comply with a SAR wholly or partly where it is determined to be manifestly excessive, i.e. it is clearly or obviously unreasonable. The Head of Governance will consider whether the request is proportionate when balanced with the burden or costs to public funds involved in dealing with it, and consider the following circumstances:

The nature of the requested information

The context of the request, and the relationship between the academy and the individual

Whether a refusal to provide the information, or even acknowledge if the academy holds it, may cause substantive damage to the data subject or any individual linked to the information.

The academy's available resources

Whether the request largely repeats previous requests and a reasonable interval has not elapsed

Whether it overlaps with other requests

The Head of Governance will determine on a case-by-case basis whether it is reasonable to comply without the other individual's consent. Considerations will include:

Information the person making the request may have, or may get hold of, that could enable them to identify another individual referred to.

Whether names can be redacted, or documents edited, so that information on another individual is not included, while still complying with the request.

The type of information that would be disclosed, e.g. if it is of a sensitive nature, if it is already known or generally available to the public.

Any duty of confidentiality owed to the other individual.

Any steps taken to try to get the other individual's consent.

Whether the other individual is capable of giving consent.

Any stated refusal of consent by the other individual.

All staff will be made aware that, under the Data Protection Act 2018, if an individual requests information that is also the personal data of a staff member, i.e. a teacher's name, it is reasonable for the Trust to disclose information about them without their consent, provided the staff member is an employee of the Bishop Wheeler Catholic Academy Trust.

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Education data is personal data which consists of information that forms parts of a pupil's educational record and is not data concerning health. Most of the personal information held by an academy about a particular pupil will typically be considered to form part of the pupil's educational record, including a statement of SEN. Information that teaching staff keep solely for their own professional use will not form part of a pupil's educational record.

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Child abuse data is personal dat-4(a)9(t)-4(a )-4(is702016F(is )7(p)-(ish)-31† 9I0†1†6F0003>4011A>4010290





The 13 schools in our Trust:

St. Mary's Menston, a Catholic Voluntary Academy

St. Joseph's Catholic Primary School Otley, a Voluntary Academy

Ss Peter and Paul Catholic Primary School, a Voluntary Academy

Sacred Heart Catholic Primary School Ilkley, a Voluntary Academy