

Dallington CE Primary School

Individual Rights Policy and Request Form

The school processes the personal data of individuals who have rights under the UK General Data Protection Regulation, The Data Protection Act 2018 and the Data Use and Access Act 2025. This document sets out the rights of individuals, how the school will support those rights and how an individual can exercise those rights. Further details in respect to the management of personal data are detailed in the school's Data Protection and Privacy Notices. These can be found on our school website [Policies – Dallington Church of England Primary School](#).

The individual rights of data subjects are summarised below:

Right of access – Individuals have the right to access their personal data.

Right to rectification – Individuals have the right to have inaccurate personal data amended.

Rights to erasure – Individuals can request that their personal data is deleted where there is no justification for its continued use.

Right to restrict processing – In the following circumstances an individual can request a temporary restriction of processing activities:

- whilst the school is establishing the accuracy of data an individual has contested
- whilst the school is following up any objection raised by an individual
- when data has been processed unlawfully, but the individual wants the school to restrict the processing of it, rather than erase it
- when the individual needs it in connection with a legal claim

Right to object – Individuals have the right to object to their information being processed in the following circumstances:

- If the school has decided processing is necessary either to perform a task in the public interest, as part of its authority, or as a legitimate interest, and the individual feels this is not applicable
- If an individual believes there are insufficient grounds for the school to retain information in defence, or potential defence, of a legal claim
- If their data is being used for direct marketing purposes
- If their data is being used for research purposes that do not outweigh the individual's right to privacy

These only apply in certain circumstances, where the school will seek advice from the school DPO.

Subject Access Requests

The most common request received by schools is for access to personal data. This is called a Subject Access Request. This includes:

- Confirmation that personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for
- The source of the data
- Whether any automated decision-making is being applied to their data

If staff receive a subject access request, they must immediately forward it to the school office.

Children and subject access requests

Mature pupils aged 13 and over can make a SAR for themselves. If a pupil is under 13 though, a request must come from their parent or legal guardian.

We expect mature pupils, aged 13 or over, may make their own requests. However, a parent or legal guardian may make a request on behalf of their child aged 13 or over if their child is unable to act on their own behalf or gives their consent for the information to be released to the parent.

When responding to requests, the school:

- Will ensure the individual has provided appropriate identification
- Will respond within 1 month of receipt of the request, or 3 months if the request is complex
- Will provide the information free of charge

The school will not disclose information if it:

- Includes the personal data of other data subjects
- Might cause harm to the physical or mental health of the pupil or another individual
- Has been shared in the expectation of confidentiality
- Is contained in court proceedings concerning the child
- Is unreasonable, disproportionate, manifestly unfounded or manifestly excessive

Repetitive requests or those asking for further copies of the same information are likely to be considered unreasonable or excessive. The school may refuse to act on the whole request or charge a reasonable fee, which takes into account administrative costs. When the school refuses a request (or part of a request), it will tell the individual why and tell them they have the right to complain to the school DPO or complain to the Information Commissioner's Office.

The Data Use and Access Act 2025 clarifies that a request must be reasonable and proportionate. It also clarifies that the school does not have to re-provide information that has already been seen by the data subject. This includes copies of correspondence between the data subject and the school, reports already shared and information the data subject can already access.

Appendix A - Individual Rights request Form

(To be completed by the data subject)

Where a request for information is potentially large or complex, the data subject should complete this form if they want to exercise an individual right afforded under the Data Protection Act 2018, including a Subject Access Request.

The **School Assessment of a SAR (Appendix B)** will be completed by the school. It is important the data subject understands how their request will be assessed and processed.

*Please fill out the following sections as guided.

1) Data subject's details (the person that the data relates to)

Full name:	
Date of birth:	
Address:	
Phone number:	
Email address:	
Pupil Year group OR staff job role:	

2) Are you the data subject?

YES: I am the data subject and I enclose proof of my identity. (Please go to section 4)

NO: I am acting on behalf of the data subject. I will enclose the data subject's written authority and proof of the data subject's identity and my own identity. (Please go to section 3)

3) Requestor details

Full name:	
Address:	
Phone number:	
Email address:	
Relationship to the data subject:	

4) Individual Right being requested

Please note you can only select one individual right per form. This request refers to my right:

- to access (I want to access information about me)
- to rectification (I want to correct information about me)
- to erasure (I want to delete data about me)
- to restrict processing (I want some information to be restricted in some way)
- to object (I want the school to stop processing part of my information)

5) Details of the request

The ICO provides guidance for data subjects on its website. Data subjects are actively encouraged to be specific about what information they really need. If the scope of your requested search is too large, the school will ask you to focus your search. This may help focus on the incident or circumstances that has triggered the request, or information between two dates. If you are unable to focus the search to a reasonable volume of data, the school will consider what has triggered the request and will gather the information that it feels will give you what you really need.

Are you enquiring about a particular incident, query or concern? If so, what is it?	
Are you asking for information between certain dates. If so, what are they?	
Are you asking for Education Records?	
Are you asking for SEN records?	
Are you asking for safeguarding / pastoral records?	
Are you asking for something else?	

Time scale. In some cases, we may consider your request complex if it:

- involves the retrieval of information from multiple sources or the retrieval of large volumes of information, which are difficult to separate from information relating to other data subjects
- is one in a series of requests from the same individual

If we consider your request complex, we can take up to an additional two months to respond. If this is the case, we will let you know within the one-month deadline, and as soon as possible.

In some cases, the law allows us to decline your request if it:

- is manifestly excessive or manifestly unfounded
- is unreasonable or disproportionate

The school is committed to compliance with the UK GDPR, but in some instances the volume of data becomes unmanageable by the school. Where the size or complexity of a request is unreasonable, the school will work with the person making the request to focus the search on what they really need. As a very last resort, the school may decline a SAR, signposting the person making the request to the Information Commissioner’s Office, where they may gain further advice or make a complaint.

The DPO will assess potentially large or complex SARs, in line with the **Assessment of a Complex SAR (Appendix C)** and using the **DPO Assessment of a Complex SAR (Appendix D)**.

6) Proof of Identification (required as proof of identity or entitlement to another person’s data)

Please note the ID you are providing:	
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7) Declaration

The completed application form and supporting proof of identity/ entitlement should be emailed or sent to: admin@dallington.e-sussex.sch.uk

Signature of requestor:		Date:	
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Appendix B – School Assessment of a SAR

(To be completed by the school)

Data Subject Name: _____

Date SAR received: _____

Assessed by: _____

Assessment date: _____

Validity of the request

Check	Yes	No	Notes
Is the request for information about other people other than the data subject or their child?	Decline – a SAR can only be for the data subject's data (or that of their child).	Continue with assessment.	
Is the request for information other than the pupil's education record?	Continue with assessment	Treat as an Educational Record request. Respond within 15 working days.	
Is the request for publishable information?	Treat as a FOI. Respond within 20 working days.	Continue with assessment.	
Is the data subject over 12yrs old who has provided their consent?	Continue with assessment	Request pupil consent if more than the Education Record is requested.	
Identity of data subject known?	Continue with assessment	Ask for photo ID before starting to process.	

Circumstances of the request

Check	Yes	No	Notes
Do we know what has triggered the request	Continue with assessment.	Ask the data subject why they are making the request	
Do we know what the data subject is trying to find out?	Continue with assessment.	Ask the data subject what they are hoping to find out.	
Is this part of (or subsequent to) an ongoing complaint or grievance against the school?	DPO to assess if potentially malevolent.	Continue with assessment.	

Scope of the request – volume / time assessment

Check	Yes	Record volume here	Notes
Dates of the information required	From date: To date:		

SEN record	Search the SEN files	(pages)	
Safeguarding / pastoral records	Search the CPOMS / MyConcern records	(pages)	
Emails	IT to identify number of emails meeting the search criteria	(emails)	
Time assessment (3 minutes / document or email / 60 minutes)	Total docs = Total emails = Total docs / emails =	Total hours =	

Data that must not be shared by the school

	Notes
The personal information of other data subjects, such as other pupils and parents. This may include former partners, who do not want their data shared with an ex-partner.	
Information shared in confidence with the school by another data subject.	
Information that may lead to the harm of an individual if shared by the school.	
CCTV footage, that includes the images of other data subjects. It may be possible for selected screenshots to be shown to the data subject, where other data subjects are manually redacted.	
The above must be removed or redacted from the data before it is shared with the data subject.	

Data that does not have to be provided by the school

	Notes
Correspondence (including emails) that have been sent to the school by the data subject, or that have already been sent to the data subject.	
Reports and information that has already been sent to the data subject by the school or 3 rd party organisations.	
Information that is provided in other parts of the response from the school.	
Information that can be already accessed by the data subject (i.e. school website)	
The above should not be gathered as part of the data search.	

Appendix C – Assessment of a Complex SAR

Purpose – to reduce the time and resource burden of overly broad SARs on schools and to support parents to get what information they need as quickly as possible.

Reality – the volume of SARs appears steady, but there is a marked increase in the size of requests made to schools since September 2025. The “I want everything, including all emails” request, has generated potential searches of hundreds of documents and thousands of emails. The volume of data is unreasonable.

The Data Use and Access Act 2025, clarifies SARs must be reasonable and proportionate. This allows schools to say no to a large request and to help reduce the scope of the data required.

Data provision options – The ICO expects schools to demonstrate how they have helped the data subject to get what they really need.

Providing all the data and emails requested, puts an unreasonable and unmanageable drain on school time and resources. The ICO have suggested that reasonable should relate to the size of the school and the availability of staff time.

Asking the data subject to focus their request, or being specific about what they need, is part of the ICO guidance. Asking the data subject to focus the search by date, incident or subject area is expected by the ICO. If the data subject is unable or unwilling to focus the search to a reasonable level, then the school is able to focus the search on what it believes the data subject is really interested in. (The playground incident, the exclusion, the EHCP, the safeguarding record etc).

Solutions – Schools can already exclude information that has already been shared with the data subject. This includes reports, records and correspondence between the school and data subject.

Gathering the education record, SEN record and safeguarding record should capture all important data held about the child or parent. The important information shared in emails, particularly with 3rd party organisations, will have been captured in these core files, removing the need to provide the emails as part of a reasonable request.

Should a data subject request a small number of emails after receipt of their SAR data, the school could gather these if it felt the request reasonable.

Other considerations

Manifestly unfounded and manifestly excessive – the school is able to decline repeat requests over a short period of time and those that are intended to disrupt rather than gather data. To be assessed on a case-by-case basis by the DPO and used as a very last resort.

Estimated processing time – 3 minutes per document (or email) provides a broad estimate of how long a request may take to process. Using the FOI request limit of 18hrs as a guide for ‘reasonable’, might cap a SAR at up to 16hrs, plus 2 hrs checking time. This would equate to the maximum provision of about 320 documents / emails.

Evidence of assessment and support - the ICO expects to see evidence of the school having supported a SAR and giving the data subject every opportunity to focus the search to a manageable level. The **DPO Assessment of a Complex SAR (Appendix C)** will be used to evidence the assessment of the request.

Appendix D – DPO Assessment of Complex SAR

(Completed by the DPO)

	Notes
Validity of the request confirmed	
ID / consent gathered where required	
Request does not appear to be manifestly excessive or manifestly unfounded	
Scope of the data groups agreed	
Time parameters for data agreed	
Time assessment reasonable and proportionate (320 docs / emails = 16hrs of school processing time +2hrs checking). This is the working cap on a reasonable and proportional SAR. An inability to focus the search within this cap will make the request unreasonable.	
Request to the data subject to reduce the scope required	
Reduced scope agreed by the data subject and the school	
Extension of response to 3 months likely to be required. [Note: if a SAR is received towards the end of a term, the amount of information may not be able to be collected before staff are on leave and the data inaccessible. In this case the data subject should be advised the extension of time will be required.]	
Recommendation to reduce to core documents only, provide data in full or decline the request.	
Further Notes and suggested DPO response to the data subject:	
DPO recommendation:	
School agreement:	
Date:	