



DISCOVERY
EDUCATIONAL TRUST

Parent/Carer Guide to Subject Access Requests

Subject Access

A Parent/Carer Guide - Your/Your Child's Rights

You have the right to ask DET/its Schools if they are using or storing your personal information. You can also ask them for copies of your personal information. This is called the right of access, commonly known as making a Subject Access Request or SAR.

Children have the same rights as adults over their personal data, which they can exercise if they are able to understand what this means and any implications the disclosure may bring. Where a child is not able to understand, an adult, with parental responsibility, may usually request the child's personal data on their behalf.

Even if a child is too young to understand the implications of subject access rights, it is still the right of the child rather than of anyone else such as a parent or guardian; even though in the case of young children, these rights are likely to be exercised by those with parental responsibility for them.

If DET/its Schools are confident that the child can understand their rights, they discuss with the child how they would like DET/its Schools to process the request. For example, if they are happy for the information to be provided to a parent/carers, and if there is any information that they do not want shared with a parent/carers. Generally, however, DET/its Schools allow you to exercise your child's rights on their behalf if your child authorises this, or if it is evident that this is in their best interests.

DET/its Schools usually consider a child of 12 years to be of sufficient age and maturity to be able to exercise their right of access. If your child is over the age of 12 and able to understand their rights, DET/its Schools either;

- a) Respond to the SAR directly with your child, or
- b) Ask the child if they are happy for their information to be provided to you, or
- c) Ask you to provide written consent from your child giving you the right to access their information.

Generally, if your child is under the age of 12 and DET/its Schools are satisfied that you hold parental responsibility for them, they respond directly to you.

How to Make a Request

You can make a SAR either verbally, or in writing, but DET/its Schools recommend that you put it in writing, if possible, because this gives you a record of your request.

DET/its Schools need the following:

- The name of you and your child;
- Your up-to-date contact details;
- A description of the information you are requesting;
- How you would like to receive the information (email, or printed out).

Sometimes, DET/its Schools may also need to ask for proof of identification, although this is unnecessary if they know who you are. Once DET/its Schools have these details, plus the written consent of your child (if appropriate), they comply with your request within one calendar month. However, if your request is complex due to the volume and sensitivity of the

data, they may need to extend the time for a further two months. DET/its Schools inform you within the first month if this is the case.

There is no charge for a SAR, although, in rare circumstances, DET/its Schools can charge a fee if your request is considered to be manifestly unfounded or excessive, or alternatively refuse to provide your request. If this is the case, DET/its Schools tell you whether they charge for or refuse your request, and, where applicable, the one-month time limit starts after DET/its Schools have received your payment.

If you are not satisfied with DET/its Schools' response, please advise the relevant School. If you are still not happy once DET/its Schools have tried to resolve your complaint, you can make a complaint to the Information Commissioners Office (ICO).