

# **Data Subject Access Request Policy**

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## 1. Purpose and Scope

William College is committed to protecting the rights and privacy of individuals ("data subjects") in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Under these, individuals have the right to be informed about the personal data the College holds about them and, unless an exemption applies, to access that information through a Data Subject Access Request (DSAR).

Individuals (Data Subjects) have the right to obtain confirmation as to whether your personal information is being processed by the College and if so, you are entitled to access the following information:

- A copy of the Information (subject to any exemptions).
- The reasons why their data is being processed.
- The description of the personal data concerning them.
- Anyone who has received or will receive their personal data.
- Details of the origin of their data if it was not collected from them.
- An explanation as to how (if any) automated decisions taken about them have been made.

## 2. Roles and Responsibilities

A DSAR may be submitted to any member of staff at the College; however, it will be managed centrally by the Data Protection Officer (DPO) and with the support of relevant College staff and advisers as needed.

It is important that all members of staff can recognise that any written request made by a person for their own information is likely to be a valid subject access request. The request does not have to include the words 'subject access' or make any reference to the UK GDPR. A DSAR may be a valid request even if it refers to other legislation and should therefore be treated as a DSAR in the normal way.

## 3. Recognising a Data Subject Access Request

Any individual (data subject) has the right to request access to their personal data held by the College. The request does not need to include the term "data subject access request" or refer to Article 15 of the UK GDPR. While it is helpful for identification and processing, it is not required for the request to be valid.

DSARs can be made through various channels, including in person, by phone, email, or post. Written requests are encouraged, as they provide clear instructions and allow individuals to verify that the response is complete. To assist with this process, the College provides a DSAR form (see Appendix A), which helps clarify the request, though use of the form is not mandatory.

If a DSAR is made verbally, the College will provide a written summary of the understood request for confirmation. If the request is too vague, clarification will be requested.

Requests do not need to be addressed to a specific person or contact point. However, any DSAR received by a member of William College staff must be promptly forwarded to the Data Protection Officer (DPO) at [dpo@williamcollege.com](mailto:dpo@williamcollege.com).

A DSAR may be submitted directly by the data subject or by a third party acting on their behalf, provided appropriate authorisation is given. The third party must supply evidence demonstrating they are entitled to act for the individual, including a copy of written authority from you or with legal written authority such as Power of Attorney (if applicable) and proof of the Data Subject identity.

## 4. Submitting a Data Subject Access Request

When submitting a DSAR, the individual or data subject can use the provided form or should provide:

- A subject line or header that says: "Subject Access Request".
- The date of the request;
- A full name of the data subject (and any other names where relevant).
- An email address;
- A William College student number if relevant;
- Specific details of personal information being requested and where possible, words or names to search for. The data subject must be specific about the information being requested, as simply asking for all the information held by the College might mean that they get a lot of information back that is not needed, or it may take longer to share the information;
- Details or dates that will help to locate the information;
- The reason the information is needed (this does not have to be included but may help to find what is needed);
- How the data subject would prefer to receive the information if possible (e.g. electronically or printed and sent by post) and any accessibility requirements (e.g. large fonts);
- Proof of identity in the form of two forms of identification, such as a scan or clear photograph of a passport, driver's license or staff / student ID card, to verify identity.

For further advice or to submit a DSAR directly, individuals may contact the College's Data Protection Officer [dpo@williamcollege.com](mailto:dpo@williamcollege.com)

## 5. Verification

Before processing a DSAR, the College will verify the identity documents provided by the Data Subject. The response period begins once identity verification is complete.

To verify identity and protect personal data, individuals must provide proof of identity. Acceptable forms of identification include:

- A copy of photographic ID (e.g. passport, driving licence, student ID),
- A copy of a birth certificate, or
- Two recent utility bills or bank statements (no older than three months, with redacted transactions) showing the individual's full address

## 6. Processing a Data Subject Access Request

Following receipt of a Data Subject Access Request, and provided that there is sufficient information to process the request and verification completed, the DPO will consult relevant departments and staff to conduct a thorough search of all records, including but not limited to email folders, any applications within the Microsoft Office 365 suite used by staff and students, computer drives and hard-copy records. All relevant staff are provided with clear guidance on conducting a thorough search in response to a DSAR.

If the DSAR is broad or unclear, the College may seek clarification from the Data Subject. The response time may be paused until clarification is received.

In order to search for the information, the College may need to inform relevant departments and staff of the DSAR and the name of the data subject. If this information needs to remain confidential, this should be stated as part of the request when it is submitted.

Some personal data may be exempt from disclosure under the UK GDPR and DPA 2018, including but not limited to:

- Personal Data of Third Parties: Information identifying third parties will generally be redacted unless their consent is obtained, or it is reasonable to disclose without their consent;

- Confidential References: References given in confidence for education, training, or employment purposes may be exempt;
- Legal Professional Privilege: Communications protected by legal privilege are exempt;
- Examinations Data: Exam scripts and some examination-related information may be exempt, although exam results are generally disclosable.

Where an exemption applies, the College may refuse to provide all or some of the requested information, depending on the circumstances. If the College refuses to comply with a request, the individual must be informed of:

- The reasons why.
- Their right to make a complaint to the ICO or another supervisory authority; and
- Their ability to seek to enforce this right through the courts.

If a request includes information relating to other individuals, William College will assess whether the request can be fulfilled without revealing identifiable information about those individuals. Where this is not possible, the College is not required to comply with the request unless the other individual has given consent or it is reasonable to proceed without their consent.

While information about a deceased person remains confidential, it is not governed by the Data Protection Act but instead falls under the scope of the Freedom of Information Act. When considering requests involving a deceased individual, staff must take into account any duty of confidentiality owed to that person. In addition, staff should be mindful of the rights of the data subject under Article 8 of the Human Rights Act – the right to respect for private and family life.

## **6.1. DSAR Submissions: Applicable Fees and Refusal Criteria**

Under the GDPR, a request for personal information is free. If, however, the request is deemed to be 'manifestly unfounded or excessive' or for multiple requests, William College can charge a 'reasonable fee' to cover the processing costs, or the request may be refused.

In either case this will be communicated to the data subject in accordance with the law. The data subject will be informed without undue delay and within one month of receipt of their Data Subject Access Request.

## **7. Responding to a Subject Access Request**

The College must respond to all DSAR's as soon as practicable, and no later than a calendar month from receipt. If the request is complex or involves large amounts of data, the deadline may be extended by up to two further months in accordance with the ICO guidance. The requester will be informed of any extension within the initial one-month period by the College.

The College will acknowledge the request within five working days. The acknowledgement should include confirmation that the College holds the data and any requests for clarification or identity documentation.

The College will provide the information in an easily accessible format. Unless advised otherwise. Before disclosure any information that identifies third parties will be redacted, unless an exemption applies, or consent has been given. There may be reasonable justification for applying an exemption<sup>1</sup> when providing some or all of the requested data.

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<sup>1</sup> A list of acceptable exemptions can be found at the ICO website: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-dataprotection-regulation-gdpr/right-of-access/what-other-exemptions-are-there/>

Where necessary, explanations or context for the data disclosed, especially if the data might be complex or subject to interpretation will be provided.

When the information is ready for release it will be made available to the requester electronically (unless they state otherwise). This will normally be by way of a secure link to a drive or, if size allows, it can be sent as a password-protected email attachment to the email address specified by the requester.

## **8. Complaints**

The College is committed to handling personal data in accordance with the legislative framework. Concerns or complaints about the College's handling of personal data should be directed to the Data Protection Officer at: [dpo@williamcollege.com](mailto:dpo@williamcollege.com).

All Data Subjects have the right to make a complaint about our handling of personal data to the Information Commissioner's Office: <https://ico.org.uk/make-a-complaint/>.

## **9. Record Keeping and Review**

The College will maintain a log of all DSARs received, including dates, nature of the request, and actions taken. This record will be reviewed periodically to ensure compliance and identify areas for improvement.

## **10. Review of the Policy**

This policy is reviewed annually by the Senior Leadership Team and may be triggered by legislative changes. Any amendments require the approval of our Board of Governors.

## **11. Related Policies**

- Data Protection Policy
- Privacy Notice
- Access Control Policy
- CCTV Policy

*April 2024*

## Appendix A

### Data Subject Request Form

Data protection law<sup>2</sup> grants you certain rights in relation to your personal data held by William College. This includes the right to obtain confirmation that we process your personal data, receive certain information about the processing of your personal data, and obtain a copy of the personal data we process, the right to request correction or erasure of your personal data, and the right to restrict or object to certain types of data processing.

Should you wish to raise a request with William College to exercise your data protection rights, we recommend that you submit your request to the DPO, [dpo@williamcollege.com](mailto:dpo@williamcollege.com) in writing using this form.

In line with data protection law, we would usually expect to respond to your request within **one month** of receipt of a fully completed form and proof of identity, though complex requests may take longer.

#### 1. DATA SUBJECT DETAILS

Provide your contact information in the space provided below. If you are making this request on behalf of someone, you should provide your name and contact information in Section 2.

Please note, we will only use the information you provide on this form to identify you and the personal data your request relates to, to process and respond to your request, and in relation to any claims or other legal proceedings or correspondence with the relevant regulatory or supervisory authority in connection with your request.

<b>Date:</b>					
<b>Title:</b>	Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other: <input type="checkbox"/>
<b>Surname:</b>					
<b>Forename(s):</b>					
<b>Date of birth:</b>					
<b>Telephone number:</b>					
<b>Home</b>					
<b>Work</b>					
<b>Mobile</b>					
<b>Email address:</b>					
<b>Proof of ID enclosed/attached (ideally send a photocopy/scan of one form of photo ID)</b>					
<b>Nature of your connection with William College:</b>					
<b>Preferred response format (email or post):</b>					

#### Proof of Identity

<sup>2</sup> In particular, Article 15 of the EU General Data Protection Regulation (Regulation (EU) 2016/679) as it forms part of the law of England, Wales, Scotland and Northern Ireland by virtue of Section 3 of the European Union (Withdrawal) Act 2018 as amended by the Data Protection, Privacy and Electronic Communications (Amendments) etc (EU Exit) Regulations 2019 (as amended), in each case, as amended, re-enacted, consolidated, revised or replaced from time to time.

Unless we already hold it, we require proof of your identity before we can respond to your request. To help us establish your identity, you must provide identification that clearly shows your name and date of birth. We accept a photocopy or a scanned image of one of the following:

- Valid passport
- Photo identification such as a driver's licence or national identification number card

If you have changed your name, please provide the relevant documents evidencing the change, which must show the link between your old and new name. These documents could include marriage certificates, civil partnership certificates, gender recognition certificates, enrolled deed poll, change of name deed, unenrolled deed poll, adoption order or certificate, act of Parliament, statutory declarations, affidavits, birth certificate (when re-registering) and post-date form 2 (PD2).

Please note, we may request additional information from you to help confirm your identity and your rights in relation to the personal data we hold about you. We reserve the right to refuse to act on your request if we are unable to identify you.

If you do not have any of these forms of identification available, please contact William College's Data Protection Officer on [dpo@williamcollege.com](mailto:dpo@williamcollege.com) for advice on other acceptable forms of identification.

## 2. DETAILS OF PERSON REQUESTING INFORMATION (IF NOT THE DATA SUBJECT)

Are you acting on behalf of the data subject with their written or other legal authority?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If 'Yes' please state your relationship with the data subject (e.g. parent, legal guardian or solicitor)	

<b>Please enclose proof that you are legally authorised to obtain this information.</b>					
<b>Title:</b>	Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other: <input type="checkbox"/>
<b>Surname:</b>					
<b>First name(s):</b>					
<b>Current address:</b>					
<b>Date of birth:</b>					
<b>Telephone number:</b>					
<b>Home</b>					
<b>Work</b>					
<b>Mobile</b>					
<b>Email address:</b>					

As proof of your legal authority to act on the data subject's behalf, we will accept a copy of **one** of the following:

- A written consent signed by the data subject
- A certified copy of a Power of Attorney
- Evidence of parental responsibility or legal guardianship

### 3. DATA SUBJECT REQUEST

Please provide as much information as possible regarding the scope of your request.

#### Data Subject Request

- *what personal information you want (be specific about the information you're asking for, and where relevant say what information you don't need.*
- *details or dates that will help the organisation find the information you want.*
- *the reason you want the information (you don't have to include this, but it will help the College find what you need); and*
- *how you would like to receive the information (e.g. electronically or printed and sent by post) and if you have any accessibility requirements (e.g. large fonts).*

### 4. FEE

We reserve the right to charge a reasonable fee when a request is manifestly unfounded or excessive, particularly if it is repetitive. We may also charge a reasonable fee to comply with requests for further copies of the same information. The fee is based on the administrative cost of providing the information.

### 5. DECLARATION

I, ....., the undersigned and the person identified in (1) above, hereby request that William College provide me with the data about me identified above.

**Signature:**

**Date:**

DSAR form completed by (name):

**OR**

I, ....., the undersigned and the person identified in (2) above, hereby request that William College provides me with the data about the data subject identified in (1) above.

**Signature:**

**Date:**

DSAR form completed by (name):

**This form must be emailed to William College's Data Protection Officer at [dpo@williamcollege.com](mailto:dpo@williamcollege.com)**