

## **SUBJECT ACCESS REQUESTS POLICY AND PROCEDURE**

### **Introduction**

All individuals have a right under the UK General Data Protection Regulation ('GDPR') to access personal data being processed about them by the Education Training Foundation ('ETF', 'we', 'us') unless exemptions apply (see section X). This is known as a Subject Access Request, or SAR.

Our obligations as a data controller are:

- We will acknowledge receipt of a SAR
- We will ensure the identity and authority of the requester (see Step 1)
- We normally correspond to SARs by email; however, we will consider equality laws when processing a SAR (including the methods with which we correspond with the requester)
- We will not normally charge a fee to process a SAR
  - We may, however charge a fee if the request is manifestly unfounded or excessive<sup>1</sup>, or if an individual requests further copies of their data.

A SAR can be made by whatever means the requester chooses, but we maintain the following procedures to ensure compliance with GDPR in terms of your, and our rights and obligations.

### **Step 1: Identifying the SAR**

1.1 We ask anyone who is making or has made a SAR to complete the form so we may confirm your identity. This is necessary to ensure that your personal data is only made available to you, or someone you have given authority to. It also allows you, as the requester to ensure you only receive what you need in terms of the scope of the data we might hold about you (e.g. data pertaining to a specific issue, or within a specific time period).

1.2 Completion of this form is not mandatory, and will not affect the timescale for us to respond; the process for collating and providing your data starts at the point of your initial request (see 3.3).

1.3 You may make a SAR about someone else's personal data but you must have authority to do so. Similarly, you may make a request for your own personal data via a third party (e.g. a solicitor acting on your behalf). It is the responsibility of the party *requesting* to provide evidence of identity and authority to request and receive the

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<sup>1</sup> For further information, please refer to: [When can we refuse to comply with a request? | ICO](#)

personal data. We will raise any concerns with the party whose data is being requested (see Exemptions for further information).

## **Step 2: Processing the SAR**

2.1 We will carry out appropriate searches for all requested personal data (unless specified in the scope identified at step 1) in the following locations:

- Electronic records
- Mobile devices
- Archived records
- Manual files (where the filing is structured)

## **Step 3: Providing the information**

3.1 We will endeavour to be as helpful as possible in responding to SARs by engaging with you from the outset, and we will provide the requested information in ways which are:

- Concise
- Transparent
- Intelligible
- Easily accessible
- In clear and plain language.

3.2 In retrieving your personal data for a SAR, we will consider providing any other individuals' data who may also feature, by way of a balancing test:

- Do we have the other person's consent to provide you with their data?
- If consent is not possible, is the other person's data relatable to your SAR?
- On balance, is it reasonable to divulge their data.

We will therefore only divulge another person's personal data as part of your SAR if we can satisfy ourselves of consent, or relatability and reasonableness.

3.3 The ETF will process all SARs as quickly as is practicable, but we will ensure that the information is provided within one month of the initial request, as required by GDPR. However, we may need to extend this one month deadline when considering complex requests. Where this is necessary, we will always tell you about the delay and the reasons.

3.4. Information will be provided securely, either in a password protected file or via a secure email, unless another format is requested.

## Exemptions

- i. Although we will always try our best to prove the identity of the requester, we will not process a SAR where this is not possible
- ii. We will not process any requests which are manifestly unfounded or excessive (i.e. because of their repetitive character)
- iii. We will not provide any personal data that are exempt through additional GDPR Articles (including, but not limited to public security and the prevention or prosecution of criminal offences)
- iv. We will not comply with any instruction to send information by way of an automated process (e.g. an online portal) where the process raises data privacy or security concerns
- v. Under GDPR, we can only process a SAR for individuals aged 12 and over; parents may request a SAR on their child's behalf but it is still the child, not the parent who has the right of access
- vi. A request for information from, and about a public authority is a Freedom of Information request (FOI). It is not a SAR, as the information is not relating to the individual. The ETF is exempt from providing FOIs.

## Contacting us

The following addresses can be used to contact us:

Queries about Subject Access Requests and all other ETF data processing  
[dataprotection@etfoundation.co.uk](mailto:dataprotection@etfoundation.co.uk)

Complaints: [complaints@etfoundation.co.uk](mailto:complaints@etfoundation.co.uk). For further information, please read our [Complaints Policy](#).

For both queries and complaints, we can also be contacted by writing or 'phoning at:

Education Training Foundation

157-197 Buckingham Palace Road

London SW1W 9SP

020 3740 8280.

(You may also complain directly to the Information commissioner's Office at: [Data protection and personal information complaints tool | ICO](#)).

**Appendix A: Subject Access Request Form**  
**Application for access to your personal data held by the**  
**Education Training Foundation (ETF)**

**Your Subject Access Rights**

Subject to certain exceptions, you have a right to have access to any personal information that ETF holds about you (your 'personal data').

In making a Subject Access Request, please complete this form and follow the instructions regarding the proof of identity and details of how to return the form to [dataprotection@etfoundation.co.uk](mailto:dataprotection@etfoundation.co.uk) or **Data Protection Officer, Education Training Foundation, 157-197 Buckingham Palace Road, London SW1W 9SP.**

The purpose of this form is to ensure that all necessary information to complete your Subject Access Request is provided to ETF. You are not obliged to use this form but if you do not, please ensure that all necessary information on this form is provided to the ETF by other means.

The term 'data subject' refers to the person about whom the information is being requested.

**Section 1 – Details of the data subject**

Tick (Please tick one)	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr  <input type="checkbox"/> Other (please state).....
First Name	
Surname	
Date of Birth (dd/mm/yyyy)	
Current Address (must NOT be a PO Box address)	
Any other address we may have for you	
Telephone number	

Email address	
Any other email we may have for you	
Membership number (if applicable)	
Organisation Name (if applicable)	

**Section 2 – Are you the data subject?**

<input type="checkbox"/> Yes If you are the data subject, please go to Section 4.	<input type="checkbox"/> No If you are acting on behalf of the data subject, please go to Section 3.
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**Section 3a Details of the person requesting the information (if different to Section 1)**

Tick (Please tick one)	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr  <input type="checkbox"/> Other (please state).....
First Name	
Surname	
Date of Birth (dd/mm/yyyy)	
Current Address (must NOT be a PO box address)	
Telephone number	
Email address	
Organisation Name (if applicable)	

**Section 3b – Relationship to the data subject**

Please describe your relationship to the data subject that leads you to make this request on their behalf:

**Section 3c – Authority to release information**

<p>A representative must obtain authority from the data subject before personal data can be released. The representative should obtain the data subject’s signature below, or provide a separate note of authority. This must be an original signature, <u>not a copy</u> (tip: using blue ink often helps verification).</p> <p>If the data subject lacks capacity to give authority in this way, the representative should provide evidence of the authority that it has, such as proof of legal guardianship for children under 12 or a of attorney.</p> <p>I hereby give my authority for the representative named in Section 3 of this form to make a Subject Access Request on my behalf under GDPR.</p>	
<b>Signed</b>	<b>Dated</b>

**Section 4 – Scope of request**

If you are not requesting all personal data we hold about you, please specify any specific area / purpose (e.g. ‘only recruitment information’, ‘only membership information’, etc.)	
If you are not requesting personal data we hold about you from the time you first engaged with us, please specify the time period for the data you wish to receive (e.g. ‘between x dates’ or from x date to present’, etc.	
Please indicate your preferred method of receiving the data (please tick)	<input type="checkbox"/> Email <input type="checkbox"/> Post

	Other (please state. We will attempt to accommodate any feasible requests)
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**Section 5 – Declaration**

<p>If you are happy to proceed, please sign the following declaration with an original signature. Please use blue ink as this often helps verification.</p> <p>I wish to gain access to the personal data that ETF holds about me as an individual. The information which I have supplied in this application is correct, and I am the person to whom it relates or a representative acting on his / her / their behalf.</p> <p>I hereby submit a Subject Access Request to ETF.</p>	
<b>Signed</b>	<b>Dated</b>