



DIOCESE OF CHICHESTER
ACADEMY TRUST

SUBJECT ACCESS REQUEST POLICY

Date Agreed:	June 2021
Review Date:	June 2023
Type of Policy:	DCAT Non - Statutory Policy

Revision Number	Date Issued	Prepared by	Approved	Personalised by school	Comments
3	May 2021	DCAT	Trust Board		DPO/JUDICIUM
2	June 2020	CF	DC		JUDICIUM
1		SJP/DC	DCAT		DPO

Type of Policy	Tick ✓
DCAT Statutory Policy	
DCAT Non-statutory Policy	✓
DCAT Model Optional Policy	
Academy Policy	
Local Authority Policy	

The March CE Primary School



Contents

Introduction	3
1. Policy Aims	4
2. Requests.....	10
3. Information	11
4. Vexatious Requests.....	12
5. Fees	12
6. Time Limits.....	13
7. Third Party Data.....	13
8. Exemptions	14
9. Absolute Exemptions.....	14
10. Qualified Exemptions	15
11. Refusal.....	15
12. Complaints/Appeals.....	16
13. Related Policies	16



Introduction

Our **vision** for our Trust is we exist to:

Help every child achieve their God-given potential

Our **aims** are clear. We aim to be a Trust in which:

Developing the whole child means pupils achieve and maximise their potential

Continued development of staff is valued and improves education for young people

All schools are improving and perform above national expectations

The distinct Christian identity of each academy develops and is celebrated

Our work as a Trust is underpinned by shared **values**. They are taken from the Church of England's vision for Education and guide the work of Trust Centre team. They are:

Aspiration

I can do all things through Christ who strengthens me
(Philippians 4 vs 13).

Wisdom

Listen to advice and accept discipline, and at the end you will be counted among the wise
(Proverbs 19 vs 20)

Respect

So in everything do to others what you would have them do to you
(Matthew 7 vs 12)

Our vision of helping every child achieve their God-given potential is aligned with the Church of England's vision for education and is underpinned by the Bible verse from John: *I have come that they may have life, and have it to the full.*



1. Policy Aims

The Trust/School holds personal data (or information) about job applicants, employees, pupils and parents and other individuals for a variety of purposes.

Under Data Protection Law, individuals (known as 'data subjects') have a general right to find out whether the School hold or process personal data about them, to access that data, and to be given supplementary information.

This is known as the right of access, or the right to make a data subject access request (SAR). The purpose of the right is to enable the individual to be aware of, and verify, the lawfulness of the processing of personal data that the School are undertaking.

This policy provides guidance for staff members on how data subject access requests should be handled, and for all individuals on how to make a SAR.

Failure to comply with the right of access under the GDPR puts both staff and the School at potentially significant risk, and so the School takes compliance with this policy very seriously.

If you have any questions regarding this policy, please contact the School Business Manager or the School's DPO whose details are as follows:

Data Protection Officer: Judicium Consulting Limited
Address: 72 Cannon Street, London, EC4N 6AE
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Telephone: 0203 326 9174
Lead Contact: Craig Stilwell

2. Definitions

Data Subjects for the purpose of this policy include all living individuals about whom we hold personal data. This includes pupils, our workforce, and other individuals. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information

Personal Data means any information relating to an identified or identifiable natural person (a data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person

Processing is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing also includes transferring personal data to third parties

3. How to recognise a subject access request

A data subject access request is a request from an individual (or from someone acting with the authority of an individual, e.g. a solicitor or a parent making a request in relation to information relating to their child):

- for confirmation as to whether the School process personal data about him or her and, if so
- for access to that personal data
- and/or certain other supplementary information



A valid SAR can be both in writing (by letter, email, WhatsApp text) or verbally (e.g. during a telephone conversation). The request may refer to the GDPR and/or to 'data protection' and/or to 'personal data' but does not need to do so in order to be a valid request. For example, a letter which states 'please provide me with a copy of all the information that you have about me' will be a data subject access request and should be treated as such.

A data subject is generally only entitled to access their own personal data, and not to information relating to other people.

4. How to make a data subject access request

Whilst there is no requirement to do so, we encourage any individuals who wish to make such a request to use the Trust SAR Request Form. This allows the Trust/School to easily recognise that you wish to make a data subject access request.

5. What to do when you receive a data subject access request

All data subject access requests should be immediately directed to the GDPR Lead who will complete the Notification of a SAR form and forward this to the DPO so that the SAR can be logged.

There are limited timescales within which the Trust/School must respond to a request and any delay could result in failing to meet those timescales, which could lead to enforcement action by the Information Commissioner's Office (ICO) and/or legal action by the affected individual. So it is crucial to ensure that requests are passed to the relevant individual without delay and failure to do so may result in disciplinary action being taken.

6. Acknowledging the request

When receiving a SAR the Trust/School shall acknowledge the request as soon as possible and inform the requester about the statutory deadline to respond to the request. In addition to acknowledging the request, the Trust/School will ask for proof of ID if needed or clarification about the requested information. If it is not clear where the information shall be sent, the Trust/School must clarify what address/email address to use when sending the requested information.

7. Verifying the identity of a requester or requesting clarification of the request

Before responding to a SAR, the Trust/School will take reasonable steps to verify the identity of the person making the request. In the case of current employees, this will usually be straightforward. The Trust/School is entitled to request additional information from a requester in order to verify whether the requester is in fact who they say they are. Where the Trust/School has reasonable doubts as to the identity of the individual making the request, evidence of identity may be established by production of a passport, driving license, a recent utility bill with current address, birth/marriage certificate, credit card or a mortgage statement.

If an individual is requesting a large amount of data the School may ask the requester for more information for the purpose of clarifying the request, but the requester shall never be asked why the request has been made. The Trust/School shall let the requestor know as soon as possible that more information is needed before responding to the request.

In both cases, the period of responding begins when the additional information has been received. If the School do not receive this information, they will be unable to comply with the request.



8. Fee for responding to a SAR

The School will usually deal with a SAR free of charge. Where a request is considered to be manifestly unfounded or excessive a fee to cover administrative costs may be requested. If a request is considered to be manifestly unfounded or unreasonable the School will inform the requester, why this is considered to be the case and that the School will charge a fee for complying with the request.

A fee may also be requested in relation to repeat requests for copies of the same information. In these circumstances a reasonable fee will be charged taking into account the administrative costs of providing the information.

If a fee is requested, the period of responding begins when the fee has been received.

Time Period for Responding to a SAR

The School has one calendar month to respond to a SAR. This will run from either the day after the request has been received or from the day when any additional identification or other information requested is received, or payment of any required fee has been received.

In circumstances where the School is in any reasonable doubt as to the identity of the requester, this period will not commence unless and until sufficient information has been provided by the requester as to their identity, and in the case of a third party requester, the written authorisation of the data subject has been received.

The period for response may be extended by a further two calendar months in relation to complex requests. What constitutes a complex request will depend on the particular nature of the request. The DPO must always be consulted in determining whether a request is sufficiently complex as to extend the response period.

Where a request is considered to be sufficiently complex as to require an extension of the period for response, the School will need to notify the requester within one calendar month of receiving the request, together with reasons as to why this extension is considered necessary.

School closure periods

Requests received during or just before school closure periods will not be able to be responded to within the one calendar month response period. This is because the School will be closed and no one will be on site to comply with the request. As a result, it is unlikely that your request will be received during this time (and so the time period does not run until we receive the request). We may not be able to acknowledge your request during this time (i.e. until a time we receive the request) and the time period may not start until the School re-opens. The School will endeavour to comply with requests as soon as possible and will keep in communication with you as far as possible. If your request is urgent, please provide your request during term times and not during/close to closure periods.

Information to be provided in response to a request

The individual is entitled to receive access to the personal data we process about him or her and the following information:

- the purposes for which we process the data;
- the recipients or categories of recipient to whom the personal data has been or will be disclosed, in particular where those recipients are in third countries or international organisations;
- where possible, the period for which it is envisaged the personal data will be stored, or, if not possible, the criteria used to determine that period;

- the fact that the individual has the right:
 - to request that the Company rectifies, erases or restricts the processing of his personal data; or
 - to object to its processing;
 - to lodge a complaint with the ICO;
 - where the personal data has not been collected from the individual, any information available regarding the source of the data;
 - any automated decision we have taken about him or her (see paragraph 9 below), together with meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for him or her.



The information should be provided in a way that is concise, transparent, easy to understand and easy to access using clear and plain language, with any technical terms, abbreviations or codes explained. The response shall be given in writing if the SAR was made in writing in a commonly-used electronic format.

The information that the School are required to supply in response to a SAR must be supplied by reference to the data in question at the time the request was received. However, as the School have one month in which to respond the School is allowed to take into account any amendment or deletion made to the personal data between the time the request is received and the time the personal data is supplied if such amendment or deletion would have been made regardless of the receipt of the SAR.

The School is therefore, allowed to carry out regular housekeeping activities even if this means deleting or amending personal data after the receipt of a SAR. The School is not allowed to amend or delete data to avoid supplying the data.

How to locate information

The personal data the School need to provide in response to a data subject access request may be located in several of the electronic and manual filing systems. This is why it is important to identify at the outset the type of information requested so that the search can be focused.

Depending on the type of information requested, the School may need to search all or some of the following:

- electronic systems, e.g. databases, networked and non-networked computers, servers, customer records, human resources system, email data, back up data, CCTV;
- manual filing systems in which personal data is accessible according to specific criteria, e.g. chronologically ordered sets of manual records containing personal data;
- data systems held externally by our data processors e.g. external payroll service providers;
- occupational health records held by the Occupational Health Department;
- pensions data held by DCAT, Strictly Education and West Sussex County Council;
- insurance benefit information held by Teachers Pensions and Local Government Scheme
- data held by Ellis Whittam (legal services).
- third party software used by the school to support learning (details of these can be found in our Data Retention Policy)

The School should search these systems using the individual's name, employee number or other personal identifier as a search determinant.

Requests made by third parties

The school need to be satisfied that the third party making the request is entitled to act on behalf of the individual, but it is the third party's responsibility to provide evidence of this entitlement. This might be a written authority to make the request or it might be a more general power of attorney. The School may also require proof of identity in certain circumstances.

If the School is in any doubt or has any concerns as to providing the personal data of the data subject to the third party, then it should provide the information requested directly to the data subject. It is then a matter for the data subject to decide whether to share this information with any third party.

Requests made on behalf of children

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, to have access to the child's personal data. Before responding to a SAR for information held about a child, the School should consider whether the child is mature enough to understand their rights. If the school is confident that the child can understand their rights, then the School should usually respond directly to the child or seek their consent before releasing their information.

It shall be assessed if the child is able to understand (in broad terms) what it means to make a subject access request and how to interpret the information they receive as a result of doing so. When considering borderline cases, it should be taken into account, among other things:

- the child's level of maturity and their ability to make decisions like this;
- the nature of the personal data;
- any court orders relating to parental access or responsibility that may apply;
- any duty of confidence owed to the child or young person;
- any consequences of allowing those with parental responsibility access to the child's or young person's information. This is particularly important if there have been allegations of abuse or ill treatment;



- any detriment to the child or young person if individuals with parental responsibility cannot access this information; and
- any views the child or young person has on whether their parents should have access to information about them.

Generally, a person aged 12 years or over is presumed to be of sufficient age and maturity to be able to exercise their right of access, unless the contrary is shown. In relation to a child 12 years of age or older, then provided that the School is confident that they understand their rights, and there is no reason to believe that the child does not have the capacity to make a request on their own behalf, the School will require the written authorisation of the child before responding to the requester, or provide the personal data directly to the child. The School may also refuse to provide information to parents if there are consequences of allowing access to the child's information – for example if it is likely to cause detriment to the child.

Protection of third parties -exemptions to the right of subject access

There are circumstances where information can be withheld pursuant to a SAR. These specific exemptions and requests should be considered on a case by case basis.

The School will consider whether it is possible to redact information so that this does not identify those third parties. If their data cannot be redacted (for example, after redaction it is still obvious who the data relates to) then the School do not have to disclose personal data to the extent that doing so would involve disclosing information relating to another individual (including information identifying the other individual as the source of information) who can be identified from the information unless:

- the other individual has consented to the disclosure; or
- it is reasonable to comply with the request without that individual's consent.

In determining whether it is reasonable to disclose the information without the individuals consent, all of the relevant circumstances will be taken into account, including:

- the type of information that they would disclose;
- any duty of confidentiality they owe to the other individual;
- any steps taken to seek consent from the other individual;
- whether the other individual is capable of giving consent; and
- any express refusal of consent by the other individual.

It needs to be decided whether it is appropriate to disclose the information in each case. This decision will involve balancing the data subject's right of access against the other individual's rights. If the other person consents to the school disclosing the information about them, then it would be unreasonable not to do so. However, if there is no such consent, the school must decide whether to disclose the information anyway. If there are any concerns in this regard then the DPO should be consulted.

Other exemptions to the right of subject access

In certain circumstances the School may be exempt from providing some or all of the personal data requested. These exemptions are described below and should only be applied on a case-by-case basis after a careful consideration of all the facts.

Crime detection and prevention: The School do not have to disclose any personal data being processed for the purposes of preventing or detecting crime; apprehending or prosecuting offenders; or assessing or collecting any tax or duty.

Confidential references: The School do not have to disclose any confidential references given to third parties for the purpose of actual or prospective:

- education, training or employment of the individual;
- appointment of the individual to any office; or
- provision by the individual of any service

This exemption does not apply to confidential references that the School receive from third parties. However, in this situation, granting access to the reference may disclose the personal data of another individual (i.e. the person giving the reference), which means that the School must consider the rules regarding disclosure of third-party data set out above before disclosing the reference.

Legal professional privilege: The School do not have to disclose any personal data which are subject to legal professional privilege.

Management forecasting: The School do not have to disclose any personal data processed for the purposes of management forecasting or management planning to assist us in the conduct of any business or any other activity.



Negotiations: The School do not have to disclose any personal data consisting of records of intentions in relation to any negotiations with the individual where doing so would be likely to prejudice those negotiations.

Refusing to respond to a request

The school can refuse to comply with a request if the request is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature.

If a request is found to be manifestly unfounded or excessive the school can:

- request a "reasonable fee" to deal with the request; or
- refuse to deal with the request.

In either case the school need to justify the decision and inform the requestor about the decision.

The reasonable fee should be based on the administrative costs of complying with the request. If deciding to charge a fee the school should contact the individual promptly and inform them. The school do not need to comply with the request until the fee has been received.

Record keeping

A record of all subject access requests shall be kept by the School Business Manager. The record shall include the date the SAR was received, the name of the requester, what data the School sent to the requester and th



9. Requests

Requests under Freedom of Information should be made to either dpo@dcac.academy or the Bursar with the School. However, the request can be addressed to anyone in the Trust; so all staff need to be aware of the process for dealing with requests.

If the request relates to a single school or to multiple schools within the Trust, the responsibility for co-ordinating the request lies with the DPO. The Headteachers or the GDPR Lead within each school will be involved in the request and will also be required to provide information to the DPO.

To help us process your request please mark up any correspondence with **'FREEDOM OF INFORMATION REQUEST'**.

Requests for information that are not data protection or environmental information requests will be covered by the Freedom of Information Act: -

2.1 Data Protection enquiries (or subject access requests) are requests where the enquirer asks to see what personal information the Trust/School holds about the enquirer. If the enquiry is a Data Protection request, the Trust's Data Protection Policy should be followed.

2.2 Environmental Information Regulations enquiries are those which relate to air, water, land, natural sites, built environment, flora and fauna, and health, and any decisions and activities affecting any of these. These could therefore include enquiries about recycling, phone masts, School playing fields, car parking etc. If the enquiry is about environmental information, the Trust will follow the guidance on the Department for Environment, Food and Rural Affairs (DEFRA) website.

Freedom of Information requests to the Trust must be made in writing, (including email), and should include the enquirers name and correspondence address (email addresses are allowed), and state what information is required. There must be enough information in the request to enable the Trust to identify and locate the information. If this information is covered by one of the other pieces of legislation (as referred to above), it will be dealt with under the relevant policy/procedure related to that request.

If the request is ambiguous and/or the Trust require further information in order to deal with your request, the Trust will request this further information directly from the individual making the request.

We will do our utmost to reply to any request promptly. In any case, we will meet the legally prescribed limit of 20 school days or 60 working days if this is shorter. The response time starts from the time the request is received. Where we need to ask you for more information to enable us to answer, the 20 days' start time begins when this further information has been received.



If a qualified exemption applies and we need more time to consider the public interest test, we will reply within the 20 days stating that an exemption applies and include an estimate of the date by which a decision on the public interest test will be made. Where we have notified you that a charge is to be made, the time period stops until payment is received.

If making a request, there is no requirement to mention the Act, nor to give a reason as to why the information is requested. The Trust has a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply. There is a time limit of 20 working days excluding school holiday periods for responding to the request.

10. Information

Provided all requirements are met for a valid request to be made, the Trust will provide the information that it holds (unless an exemption applies).

“Holding” information means information relating to the business of the Trust:

- That the Trust or School has created, or;
- That the Trust or School has received from another body or person, or;
- Held by another body on the Trust or School’s behalf.

Information means both hard copy and digital information, including email.

If the information is held by another public authority, such as the Local Authority, the Trust will first check with them they hold it, then transfer the request to them. If this applies, the Trust will notify the enquirer that they do not hold the information and to whom they have transferred the request. The Trust will continue to answer any parts of the enquiry in respect of information it does hold.

When the Trust does not hold the information, it has no duty to create or acquire it; just to answer the enquiry, although a reasonable search will be made before confirming whether the information requested is held by the Trust.

If the information requested is already in the public domain, for instance through the Publication Scheme or on the Trust or School’s website, the Trust will direct the enquirer to the information and explain how to access it.

The requester has the right to be told if the information requested is held by the Trust (subject to any of the exemptions). This obligation is known as the Trust’s “duty to confirm or deny” that it holds the information. However, the Trust does not have to confirm or deny if: -

- The exemption is an absolute exemption; or
- In the case of qualified exemptions, confirming or denying would itself disclose exempted information.



11. Vexatious Requests

There is no obligation on the Trust to comply with vexatious requests. A vexatious request is one which is designed to cause inconvenience, harassment or expense rather than to obtain information, and would require a substantial diversion of resources or would otherwise undermine the work of the Trust or individual School.

In addition, the Trust do not have to comply with repeated identical or substantially similar requests from the same applicant unless a “reasonable” interval has elapsed between requests.

12. Fees

The Trust may charge the requester a fee for providing the requested information. This will be dependent on whether the staffing costs in complying with the request exceeds the “threshold.” The threshold is currently £450 with staff costs calculated at a fixed rate of £25 per hour (therefore 18 hours’ work is required before the threshold is reached).

If a request would cost less than the threshold, then the Trust will only charge for the cost of informing the applicant whether the information is held, and communicating the information to the applicant (e.g. photocopying, printing and postage costs).

When calculating costs/threshold, the Trust can take account of the staff costs/time in determining whether the information is held by the Trust or School, locating and retrieving the information, and extracting the information from other documents. The Trust will not take account of the costs involved with considering whether information is exempt under the Act.

If a request would cost more than the appropriate limit, (£450) the Trust may turn the request down, answer and charge a fee or answer and waive the fee.

If you make a request and the Trust intends to make a charge, you will receive a fees notice. The Trust will not comply with the request until the fee has been paid. More details on fees can be found on the ICO website.

If the Trust intends to turn down a request for cost reasons, or charge a high fee, it will contact the applicant in advance to discuss whether they would prefer the scope of the request to be modified so that, for example, it would cost less than the appropriate limit.

Where two or more requests are made to the Trust by different people who appear to be acting together or as part of a campaign, the estimated cost of complying with any of the requests may be taken to be the estimated total cost of complying with them all.



13. Time Limits

The Trust will ensure that compliance with a request will be prompt and within the time limit of 20 working days (excluding School holiday periods). The Trust recognises that a failure to comply could result in a complaint to the Information Commissioner. The response time starts from the time the request is received.

Where the Trust has asked the enquirer for more information to enable it to answer, the 20 working days' start time begins when this further information has been received.

If some information is exempt this will be detailed in the Trust's response.

If a qualified exemption applies and the Trust will need more time to consider the public interest test, the Trust will reply in 20 working days stating that an exemption applies, but include an estimate of the date by which a decision on the public interest test will be made. This will be within a "reasonable" time.

Where the Trust has notified the enquirer that a charge is to be made, the time period stops until payment is received.

14. Third Party Data

Consultation with third parties may be required if their interests could be affected by release of the information requested, and any such consultation may influence the decision.

Consultation will be necessary where:

- Disclosure of information may affect the legal rights of a third party, such as the right to have certain information treated in confidence or rights under Article 8 of the European Convention on Human Rights;
- The views of the third party may assist the Trust to determine if information is exempt from disclosure; or
- The views of the third party may assist the Trust to determine the public interest test.

Personal information requested by third parties is also exempt under this policy where release of that information would breach the Data Protection Act. If a request is made for a document (e.g. Local Governing Body minutes) which contains personal information whose release to a third party would breach the Data Protection Act, the document may be issued by redacting out the relevant personal information as set out in the redaction procedure.



15. Exemptions

The presumption of the Freedom of Information Act is that the Trust will disclose information unless the Act provides a specific reason to withhold it. The Act recognises the need to preserve confidentiality and protect sensitive material in certain circumstances.

The Trust may refuse all/part of a request, if one of the following applies: -

- 1) There is an exemption to disclosure within the act;
- 2) The information sought is not held;
- 3) The request is considered vexatious or repeated, or;
- 4) The cost of compliance exceeds the threshold.

A series of exemptions are set out in the Act which allow the withholding of information in relation to an enquiry. Some are very specialised in their application (such as national security) and would not usually be relevant to Academies.

There are two general categories of exemptions: -

- 1) **Absolute:** where there is no requirement to confirm or deny that the information is held, disclose the information or consider the public interest; and
- 2) **Qualified:** where, even if an exemption applies, there is a duty to consider the public interest in disclosing information.

16. Absolute Exemptions

There are eight absolute exemptions set out in the Act. However, the following are the only absolute exemptions which will apply to the Trust: -

- Information accessible to the enquirer by other means (for example by way of the Trust's Publication Scheme);
- National Security/Court Records;
- Personal information (i.e. information which would be covered by the Data Protection Act);
- Information provided in confidence.

If an absolute exemption exists, it means that disclosure is not required by the Act. However, a decision could be taken to ignore the exemption and release the information taking into account all the facts of the case if the Trust felt necessary to do so.



17. Qualified Exemptions

If one of the below exemptions apply (i.e. a qualified disclosure), The Trust has a duty to consider the public interest in confirming or denying that the information exists and in disclosing information.

The qualified exemptions under the Act which would be applicable to the Trust are: -

- Information requested is intended for future publication (and it is reasonable in all the circumstances for the requester to wait until such time that the information is actually published);
- Reasons of National Security;
- Government/International Relations;
- Release of the information is likely to prejudice any actual or potential legal action or formal investigation involving the Trust/School;
- Law enforcement (i.e. if disclosure would prejudice the prevention or detection of crime, the prosecution of offenders or the administration of justice);
- Release of the information would prejudice the ability of the Trust/School to carry out an effective audit of its accounts, resources and functions;
- For Health and Safety purposes;
- Information requested is Environmental information;
- Information requested is subject to Legal professional privilege; and
- For “Commercial Interest” reasons.

Where the potential exemption is a qualified exemption, the Trust will consider the public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it.

In all cases, before responding to the enquiry, the Trust may seek specialist or legal advice to ensure that it complies with the Act, that the case has been properly considered, and that the reasons for refusal, or public interest test refusal, are sound.

18. Refusal

If it is decided to refuse a request, the Trust will send a refusals notice, which must contain:-

- The fact that the responsible person cannot provide the information asked for;
- Which exemption(s) apply;
- Why the exemption(s) apply to this enquiry (if it is not self-evident);
- Reasons for refusal, and;
- The Trust’s complaints procedure.



For monitoring purposes and in case of an appeal against a decision not to release the information or an investigation by the Information Commissioner, the responsible person will keep a record of all enquiries where all or part of the requested information is withheld and exemptions are claimed. The record will include the reasons for the decision to withhold the information.

19. Complaints/Appeals

Any written (including email) expression of dissatisfaction should be handled through the Trust's existing complaints procedure. Wherever practicable the review should be handled by someone not involved in the original decision.

The Trust Board should set and publish a target time for determining complaints and information on the success rate in meeting the target. The Trust should maintain records of all complaints and their outcome.

If the outcome is that the Trust's original decision or action is upheld, then the applicant can appeal to the Information Commissioner. The appeal can be made via live chat or telephone call **0303 123 1113**, the ICO [website](#) or in writing to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113

13. Related Policies

Staff should refer to the following policies that are related to this Electronic Systems and Information Policy.

- Data Protection Policy
- Data Breach Policy
- Data Retention Policy
- CCTV Policy
- Information Security Policy
- Freedom of Information Policy
- Privacy Notices