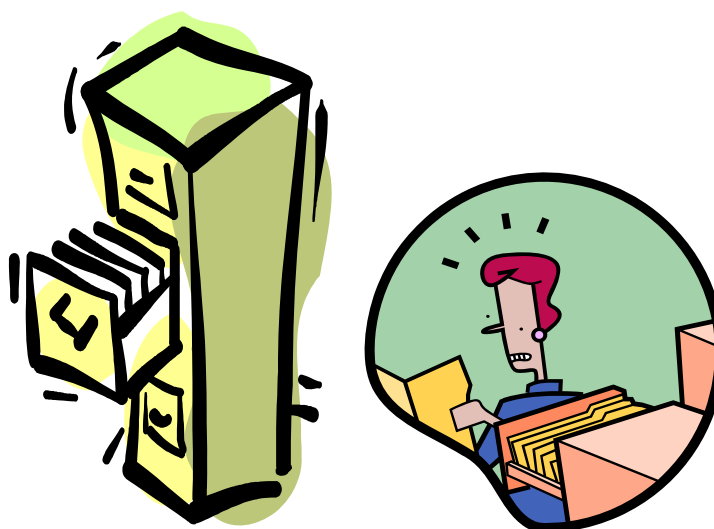




## **SOUTH EASTERN EDUCATION AND LIBRARY BOARD**

### **Data Protection Act**

### **Procedures for Dealing With Subject Access Requests**



## Version Control

<b>Version</b>	<b>Date</b>	<b>Notes</b>
1.0	July 2005	
2.0	1 July 2009	Approved by I.T. Executive Committee

# Data Protection Act 1998 Subject Access Request Procedure

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### Template Letters:

DPTU	Information not held – not transferable
DPFT	Transfer request to another authority (Full)
DPPT	Transfer request to another authority (Partial)
DPC	Clarification required
DPCA	3 <sup>rd</sup> Party consultation notification to applicant
DPCC	3 <sup>rd</sup> Party consultation Notification to consultee
DPAR1	Acknowledge request
DPAR2	Acknowledge - exemption being claimed initially
DPAR3	Acknowledge request and request fee
DPRI	Release information
DPRD	Acknowledge Request to review a decision (Appeal)

## **PURPOSE**

This procedure manual supports the legislative framework for responding to subject access requests for information under the statutory access regime established by the Data Protection Act 1998 (DP) and the Freedom of Information Act 2005.

## **AIMS**

The aims of the procedures are:-

- To provide a framework that ensures that the Board complies with the requirements of the various statutory access regime
- To promote transparency of decision making by the Board
- To improve and enhance the democratic process
- To build public trust and confidence.

These aims will be balanced by:-

- The requirement to maintain high standards of care in ensuring the privacy of personal information;
- The requirement to preserve confidentiality where disclosure could breach personal privacy or the confidences of a third party;
- The requirement to prohibit the disclosure of information as may be necessary by law.

## **SCOPE**

The procedures set out the general principles that will be adopted by the Board in response to any requests for information under any statutory access regimes, with particular reference to:-

- responses to subject access requests for information
- the provision of advice and assistance
- the application of exemptions
- consultation with third parties
- refusal or part refusal of requests
- complaints about responses to requests for information
- recording & monitoring requests for information.

## **Roles and Responsibilities**

### **Chief Executive**

As the head of the organisation, the Chief Executive has ultimate responsibility for ensuring compliance with the current applicable legal framework

### **All Staff**

All staff have a duty to provide advice and assistance to anyone requesting information. **All subject access requests must be logged with FOI Unit.**

### **Managers (Decision Makers)**

Managers will be responsible for ensuring operational compliance with the Board's corporate standards in relation to the management of and access to information in all its forms and for ensuring the legislation and Board procedures on disclosure of Information in response to a subject access request are applied. Key tasks are:

- Ensuring the legislation and Board procedures on disclosure of information in response to a subject access request are applied
- Providing advice to staff on receiving subject access requests for personal information
- Making arrangements for the search, retrieval and copying of requested information
- Contacting and consulting 3<sup>rd</sup> Parties (where the information requested relates directly to their area of work) regarding disclosure of information
- Assessment of possible exemptions that may be applied when information is requested.
- Arranging for copying of requested information before redactions (exempt information removed from 3<sup>rd</sup> party viewing) are marked;
- Redacting and sign-off before release.

### **Unit Contacts**

Each Unit must have an identified officer who the FOI Unit will contact, in the absence of the Manager, to assist with search, retrieval and copying of information as requested in line with procedures.

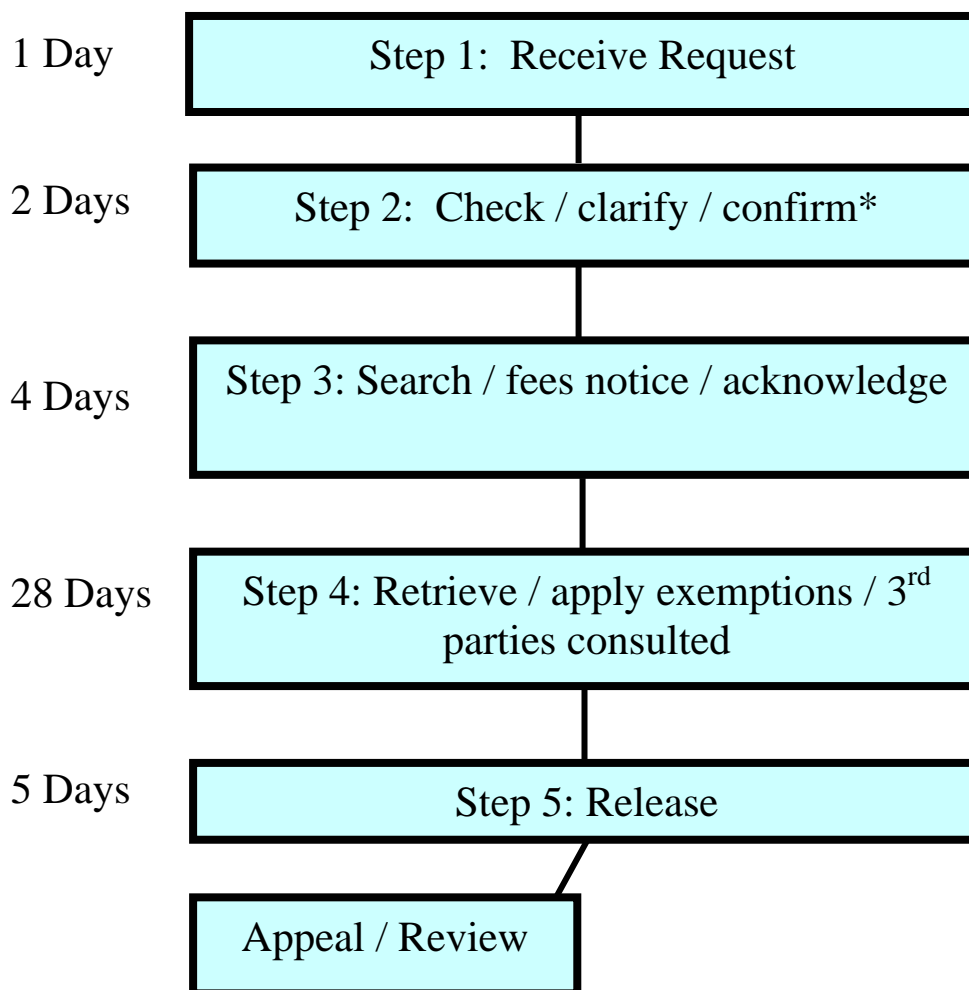
### **FOI Unit**

The FOI Unit will provide advice and guidance in respect of compliance with the access to information regimes under the DPA & FOIA. This includes:

- Overseeing requests for access to information throughout the Board
- Monitoring and tracking requests to ensure that deadlines are met
- Providing advice and support to Managers and staff regarding application of the exemptions
- Co-ordinating the responses to requests for information that will involve 2 or more Units
- Ensuring that information is released in accordance with the procedures and legislation
- Administering appeals
- Final check on information before release.

## Subject Access Request Handling Procedure Summary

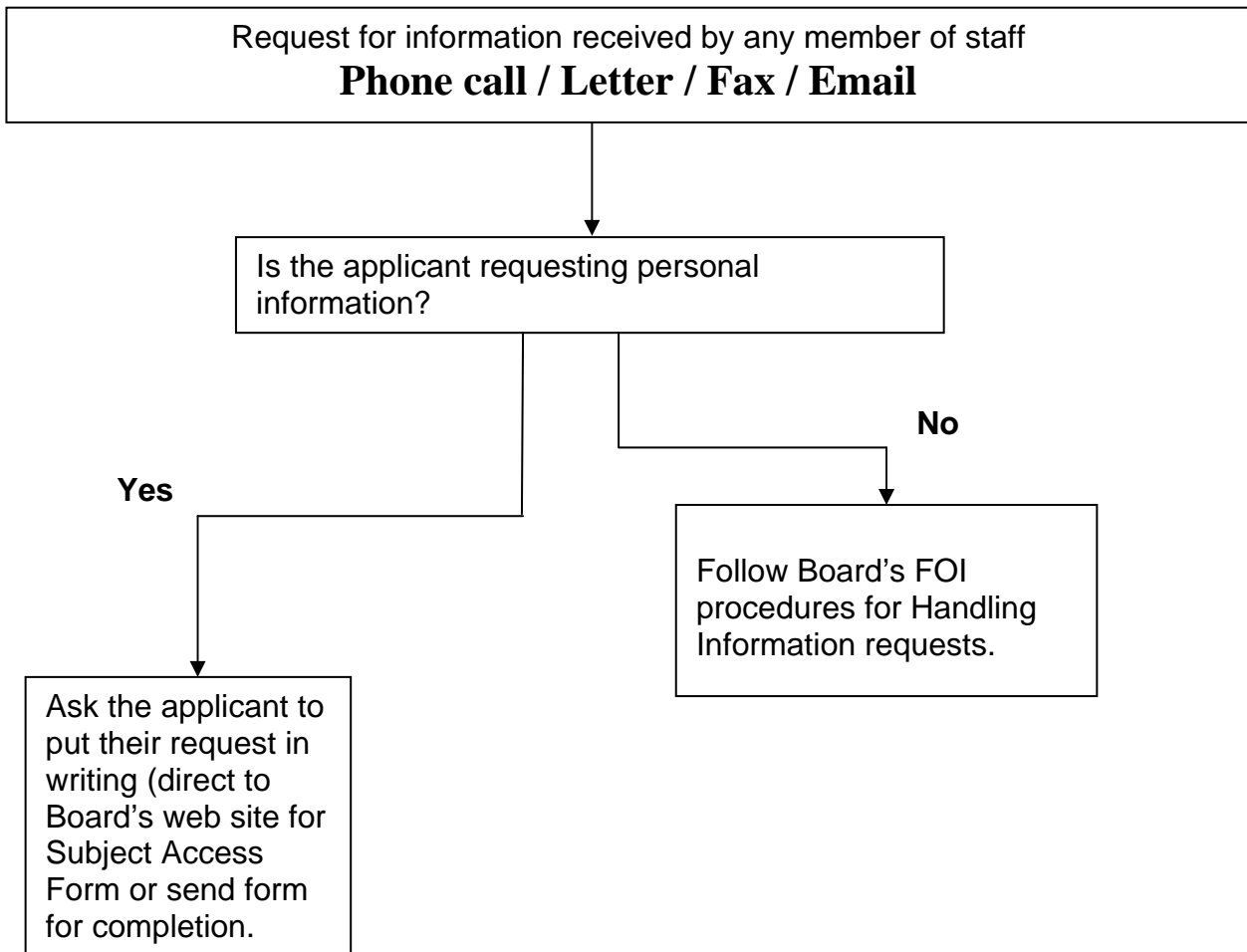
Compiled with reference to the Data Protection Principle No 6 Subject Access Rights under the Data Protection Act 1998



*NB. The time scales above are the upper limits for all requests, however simpler requests will pass through a number of stages much quicker.*

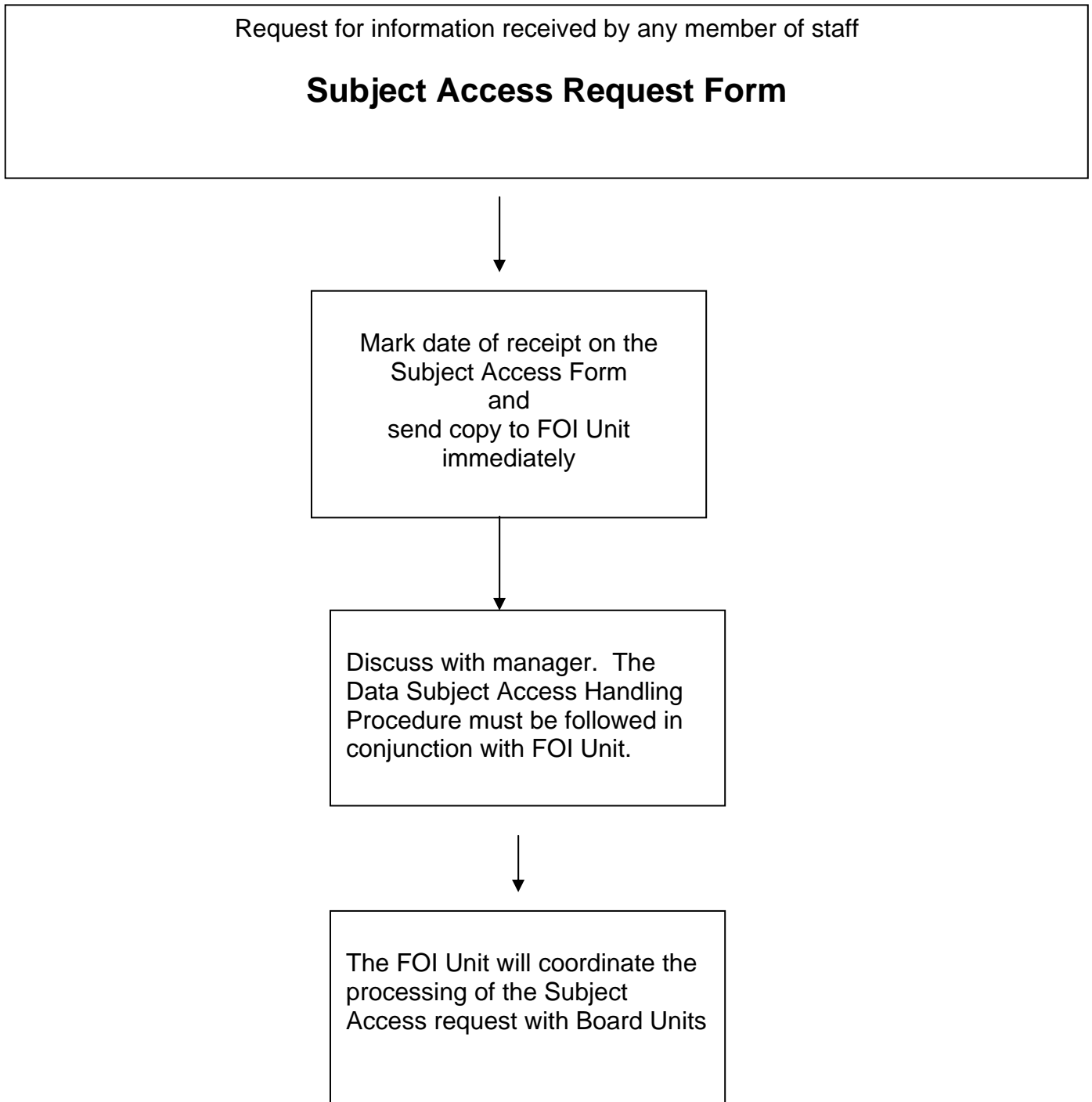
\* Relates to confirming/clarifying request details and which Board unit(s) are involved in processing the subject access request and informing the appropriate Board Managers.

## Step 1 - Receiving Requests for personal information



*Where a caller has phoned the wrong dept. they should be transferred to the correct dept. as usual. FOI/DP should not be seen as a way to bureaucratise the provision of information.*

## Step 1 - Receiving Subject Access Request Form (1 day)



***All Data Protection Subject Access requests must be logged with FOI Unit. Board units should bear in mind that requests for personal information must be processed within 40 calendar days unless an exemption applies.***

## Steps 2- 5 Data Subject Access Handling Procedure

### Step 2- Check and clarify the request for information - 2 Days

<i>ref</i>	<i>Action</i>	<i>Who</i>
2.1	Log request on tracking system	FOI Unit.
2.2	Check/Quick search to confirm relevant Board unit(s)	FOI Unit
2.3	Check if request should be dealt with by another authority	FOI Unit/Board Manager (s)
2.4	Check request/form is complete: verify data subject and age, agent, fee received, as appropriate.	FOI Unit
2.5	Check previous requests	FOI Unit/Board Manager(s)
2.6	Check Solicitors for ongoing legal issues	FOI Unit/Board Manager(s)

### Step 3- Search for information/calculate fees and acknowledge – 4 Days

3.1	Initiate search by notifying Board Manager(s) in writing of the request.	FOI Unit
3.2	Initial consideration of exemptions	Board Manager(s)/FOI Unit
3.3	Send acknowledgement to applicant	FOI Unit
3.4	Commence search	Board Manager(s)

### Step 4- Retrieve information/apply exemptions/consult third parties– 28 Days

4.1	Receive/lodge fee with Cashiers	FOI Unit
4.2	Retrieve and copy information	Board Manager(s)
4.3	Make decision on disclosure	Board Manager(s) in conjunction with FOI Unit
4.4	Contact 3 <sup>rd</sup> Parties if required	Board Manager(s) in conjunction with FOI Unit
4.5	Detailed review of disclosure decision – make redactions on photocopied set	Board Manager(s)

### Step 5- Release information – 5 Days

5.1	Confirm Information Release Authorisation	Board Manager(s)
5.2	Forward copies + Release Authorisation form to FOI Unit	Board Manager(s)
5.3	Final review before release	FOI Unit
5.4	Release information to applicant	FOI Unit
5.5	Record delivery	FOI Unit
5.6	Complete documentation and file copies	FOI Unit retain copy for 3 years

## SEELB Data Subject Access Request Handling Procedure

### Step 2: Check & Clarify the Subject Access Request

#### 2.1 **Log Request**

The FOI Unit will log the Subject Access request on the FOI/DP tracking system. A manual file for this request will be opened and a Tracking Control Form printed/used to monitor and check request through the various stages.

#### 2.2 **Confirm Board Unit**

The FOI Unit will initiate a search to ascertain the relevant Board Unit Manager(s).

Where a request includes non-personal information then this element should be processed as a request under the Freedom of Information Act

See template letter DPTU Information not held – not transferable

#### 2.3 **Should the request be dealt with by another authority?**

If the initial search reveals that the Board does not hold the information requested then the applicant should be informed. In these circumstances the Board Manager/FOI unit will check if the information is held by the other authority, if possible, and notify the applicant in writing.

NB where the Board holds some of the Information requested this partial request should be dealt with in the normal way and the applicant notified.

See template letter DPTU Information not held – not transferable

See template letter DPFT Transfer Request – full

See template letter DPPT Transfer Request – partial

#### 2.4 **Check Request is complete**

The FOI Unit checks that all the necessary information has been provided to enable the request to be dealt with. If not, the FOI Unit should seek to obtain further information from the applicant in conjunction with the appropriate Board Manager(s). If necessary the applicant will be contacted in writing and advised that s/he needs to complete a Subject Access Request Form (if not already done so). For processing Subject Access Requests the following must be confirmed before processing the request.

- Land address
- Proof of identity
- Authorisation from data subject if person acting on his/her behalf
- Consideration of age 12+ (in requests for information on children)
- Fee received

The applicant should be informed that the 40 day response time is now suspended until the relevant Information is received and that the request will lapse if no response within 3 months.

See template letter DPC – Clarification required

**2.5 *Check previous requests***

The FOI Unit in discussion with the Manager will check if the request has been answered before – if yes skip to Step 5 (page 13)

**2.6 *Check Legal***

The Manager or FOI Unit will check with the Board Solicitors if the applicant is involved in a related legal issue elsewhere in the organisation? If yes, this may inform whether further contact with the applicant or further legal advice is required before proceeding.

See template Letter FOILP – Legal proceedings

**2.7 *Tracking Control Form***

Update the Tracking Control Form.

### **Step 3: Search / fees notice / acknowledge**

#### **3.1 *Initiate search***

The FOI Unit will initiate a search by confirming the details of the subject access request to the appropriate Board Manager(s) in writing with an indication as to the timescale for responding and the responsibilities of the Board.

#### **3.2 *Initial Consideration of Exemptions***

The Manager(s), with guidance from the FOI Unit, will consider if the request is likely to be subject to any exemptions on grounds of third party information, confidentiality or other reason.

Where a full exemption applies the FOI Unit writes to the applicant with an explanation and returning the fee.

See template letter DPAR1 - exemption and fee

#### **3.3 *Acknowledgement***

The FOI Unit will issue an acknowledgement to the applicant.

See template letter DPAR2 - acknowledge request

See template letter DPAR3 - acknowledge request and fee

#### **3.4 *Commence Search***

Manager(s) and relevant staff within the unit will initiate the search and commence collating and copying the relevant information.

#### **3.5 *Tracking Control Form***

Update the Tracking Control Form.

## **Step 4: Retrieve information / apply exemptions / third parties**

### **4.1 Receive/Lodge fee with Cashiers**

If the request is not subject to a full exemption and will be processed the FOI unit will lodge the fee with the Cashier's Unit, ensuring a receipt is issued. The receipt should then be attached to the Subject Access Request.

### **4.2 Retrieve and copy information– Unit Manager(s)/Contacts**

The Manager(s)/Contact will now retrieve the information and make a paper copy available. **All** information is collated by the manager.

### **4.3 Decision on disclosure/application of exemptions**

The Board Manager should identify any information which should not be disclosed stating the relevant exemption being applied. Exemptions to be applied should be noted on the Information Release Authorisation Form

### **4.4 Contact 3rd Parties – (FOI Unit/Unit Contact/Unit Manager/ELB Solicitors)**

Where the requested information includes references to 3<sup>rd</sup> Parties (i.e. individuals) the Board Manager, with assistance from the FOI Unit if required, must decide whether the release of that information could constitute an actionable breach of confidence and whether the Board should consult with the 3<sup>rd</sup> parties where the views of the 3<sup>rd</sup> party would assist in deciding whether an exemption applies.

See template letter DPCA - 3<sup>rd</sup> Party consultation notification to applicant  
See template letter DPCC - 3<sup>rd</sup> Party consultation Notification to consultee

**Note:** the clock does not stop ticking while consultation is underway.

**Note:** In all cases it is for the Board, not the 3<sup>rd</sup> party, to determine whether information should be disclosed – even where consent is withheld.

### **4.5 Review of Information for release**

The Board Manager undertakes a detailed review and identifies potential areas for full or partial redaction based on the exemptions. Reasons for partial redactions should be noted on the photocopied papers and the information hidden (tippex/black marker), then photocopied again to completely obliterate.

NB: An unredacted copy of all papers should be retained in case a review is required.

NB: a record of exemptions to be applied and reasons must be maintained on file in case an appeal is required.

### **4.6 Tracking Control Form**

Update the Tracking Control Form.

## **Step 5: Release information**

### **5.1 Confirm release authorisation**

When the information is ready to be forwarded to the FOI Unit the Board Manager(s) will complete the Information Release Authorisation Form noting any exemptions or particular issues.

### **5.2 Forward copies to FOI Unit**

Two copies of the information (including redaction if applicable) should be given to the FOI Unit along with the completed Information Release Authorisation Form.

### **5.3 Final review**

On receipt of the Information Release Authorisation Form and copies the FOI Unit will carry out a final review of the information to be released against the exemptions to be applied. Care should be taken to ensure sensitive and personal information relating to third parties has been redacted where appropriate.

### **5.4 Release of information to applicant**

The FOI Unit will write to the applicant with the information requested. This letter should also clearly explain the reason for any information non-disclosure or redaction, detailing the exemption applied and its interpretation. The letter will also provide the applicant with details of the Boards review / appeals process.

Information should be contained within two addressed envelopes (one inside the other) with the Board's address on back of both envelopes. The inner envelope should clearly state 'Confidential'. All Subject Access requests should be posted using a traceable and trackable delivery service such as Royal Mail Special Delivery service.

See template letter DPRI – Release Information

### **5.5 Record delivery**

Complete Information Release Authorisation Form with date on which information was delivered and signed for by applicant. (if traceable on Internet then print off and attached to Form).

### **5.6 File papers**

The FOI Unit will retain all information and papers relating to the request for at least 1 year after the last action– (the time limit for completion of the appeals process)

### **5.7 Tracking Control Form**

Update the Tracking Control Form.

## **Step 6: Review / Appeals procedure**

Applicants who consider that their request has not been properly handled, or who are otherwise dissatisfied with the outcome, may request to have the decision reviewed/appealed. This review will be carried in line with the Board's Comments and Complaints Policy.

Applicants wishing to have their request reviewed should be informed of the authorities review/appeals procedure.

The Tracking Control Form should be used to progress the review/appeal through the process.

### **6.1 Log the request for review and open a file**

Contact the FOI Unit immediately to log the review request.

### **6.2 Acknowledge the request**

The FOI Unit will acknowledge the request for review in writing to the applicant and coordinate the appeal process.

See template letter DPRD – Request appeal of decision

### **6.3 Pass the complaint file and original request file to the reviewing Officer**

The FOI Unit will pass the complaint file to the reviewing officer. The reviewing officer should be an appropriate level within the Board and not been involved in the initial decision.

### **6.4 Review undertaken**

The reviewing officer should review the original decision, taking into account the comments of the applicant, within 20 days.

If it becomes apparent that the review will take longer than 20 days then the applicant should be notified and given an estimated completion date (should not exceed 40 days).

The reviewing officer must keep a log of all action taken.

### **6.5 Notification of Review Decision**

Once the review is complete, the applicant should be notified of the review decision and provided with details of his/her rights of appeal to the Information Commissioner.

### **6.6 Tracking Control Form**

Update the Tracking Control Form.



**SOUTH EASTERN EDUCATION  
AND LIBRARY BOARD**

**DATA PROTECTION ACT 1998**

**SUBJECT ACCESS REQUEST FORM**

**IF YOUR PERSONAL INFORMATION IS HELD BY A SCHOOL, YOU WILL NEED TO APPLY TO THAT SCHOOL DIRECTLY.**

The Data Protection Act 1998 provides you, the data subject, with a right to receive a copy of the information we hold about you. Please complete this form if you wish to access records held by the Board. You will need to provide evidence of identity and a payment of **£10** to enable the processing to start. Your request will be processed within 40 days of receipt of a fully completed form. If the information contains details of another person we may need to seek their consent before we can provide that information to you.

<b>Your Details (the Data Subject)</b>									
<b>Title (please tick)</b>	<b>Mr</b>		<b>Mrs</b>		<b>Miss</b>		<b>Ms</b>		<b>Other</b>
<b>Surname/Family Name</b>									
<b>First Names</b>									
<b>Former/Maiden Names</b>									
<b>Date of Birth</b>									
<b>Address</b>									
<b>Post Code</b>									
<b>Previous Addresses</b>									
(you need to only include ones that are relevant to the Board)									
<b>Daytime Telephone Number</b>									

**Proof of Identity**

We require proof of your identity before we can disclose personal data. Please provide a copy of recent documentation giving your name and address. We will **also** require evidence of identity of each parent/agent who has signed this form. (refer to Notes for further information)

**Personal Information**

Using the box below, state in your own words the personal information that you require. If possible, please indicate any names or dates you may have. The Information Commissioner has stated that as much information as possible should be provided to assist with tracing your records. **Please note that copies of statutory assessments or reports that have already been sent to you will not be disclosed under this Subject Access Request, because they are exempt under the Act.**

**Details**

--

**Declaration**

This form must be signed by both you (the data subject,) and your parent(s)/agent if applicable.

I confirm that the information I have supplied is correct and that I am the person to whom it relates.

**Data Subject's Signature (if aged 12 or above)**

**Date**

--	--

I confirm that I am authorised to act on behalf of the data subject and that their personal information will be disclosed to them through me. **Please note that information can only be disclosed for those parents/agents who have signed the form. Therefore, both parents should sign the form if this is a joint application.**

**Parent/Agent's Signature**

**Date**


Please ensure you have enclosed -

**£10 fee (cheques or postal orders made payable to *South Eastern Education and Library Board*  Evidence of Identity  Signed Form**

**Please return to *FOI Unit, SEELB, Grahamsbridge Road, Dundonald, Belfast BT16 2HS***

## **NOTES**

**Please read these notes carefully before completing the details on the form**

- 1. Who may apply for information?** Only the individual who the personal information is about (*the Data Subject*). This means that you can only apply for your own personal information (*referred to as Subject Access Request*). You cannot apply for information about anyone else; neither can anyone else apply for information about you. You may wish to nominate someone to be your authorised representative and the information can then be release to them with your consent. Please see paragraph 6 below for access to your child's personal information.
- 2. What does it cost?** The Board charges a fee of £10 for processing requests for access to personal data, which we are entitled to under the Data Protection Act 1998. Please include a cheque/postal order, payable to the South Eastern Education and Library Board, with your application form.
- 3. How soon do I get an answer?** Within 40 calendar days of the Board receiving your written request, the fee and proof of identity. Please bear in mind that the Board is a large local authority therefore it is important to be as specific as possible when requesting your personal information. If we do not have enough information to begin our search, we will write to you and ask you for more details. In these circumstances the 40 days response time will begin from the day we receive sufficient information from you to proceed.
- 4. Identification.** We must not knowingly give personal information to the wrong person and we must do our best to ensure that the personal information we have been asked for is given only to the person to whom this information refers, or their authorised representative. Therefore, we will be asking you for proof of both your identity and address.
- 5. Children.** Children have the same rights of access to their own personal information as adults, and the same rights of privacy. There is no minimum age but current guidance from the Information Commissioner's Office identifies that as a general guide, a child of 12 or older is expected to be mature enough to understand the request they are making. When a subject access request is received from a child, we will assess whether the child has the capacity to understand the implication of their request and of the information provided as a result of that request. If the child does understand, then their request will be dealt with in the same way as that of an adult. If a parent or legal guardian makes a request on behalf of a child, the request will only be complied with when we have received assurances that the child has authorised the request and that their consent was not obtained under duress or on the basis of misleading information. If the child does not understand, then a request from a parent or legal guardian for the child's information will only be complied with when assurances are received that they are acting in the best interests of the child.
  - Requests to see or receive copies of educational records should be made in writing to head teachers.
- 6.** Please complete and return this form to the address below, together with the £10 fee, proof of identity (e.g. copy of passport or photo driving licence), proof of address (e.g. copy of utility bill or address section of bank statement) and if you are applying on someone's behalf, proof that they have given consent.

Send to: FOI Unit, South Eastern Education and Library Board,  
Grahamsbridge Road, Dundonald, Belfast. BT16 2HS

## Request For Information

### Tracking Control Form

*This control form is to be used by both Board Managers and FOI Unit to support the tracking of requests for information in accordance with the Board's procedures.*

**Request Type\*:**    FOI       Data Protection       Environmental  

*Managers should note that there are different timescales for meeting requests: FOI & Environmental are 20 working days, Data Protection Subject Access requests are 40 calendar days.*

#### Stage 1:    Receive request

*(Stage 1 should be completed within 1 working day of request received date)*

FOI/Environmental information requests which take longer than 5 working days to respond must be logged with FOI Unit. ALL Data Protection Subject Access requests must be logged with FOI Unit.

<b>Request Received:</b>	<b>Date/Time</b>	<b>Officer's Name</b>
<b>Required Respond Date:</b>		<b>FOI:</b> 20 working days <b>Data Protection:</b> 40 calendar days <b>Environmental:</b> 20 working days

#### Stage 2:    Check/Clarify/Confirm

<b><u>Conduct Checks:</u></b>						
Quick search done:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
Transfer to another authority:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
Publication scheme:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
Previous request:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
Ongoing legal issues:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
Age assessment required:*	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
Proof of identity confirmed:*	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
Clarification required:*	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
Fees Applicable (see below):*	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
<b>Checks OK:</b>	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	n/a
<i>For checks marked * - If 'Yes' suspend clock and record below.</i>						
<b>Age Assessment:</b>	<b>Date/Time</b>		<b>Reason</b>			
Suspend Clock						
Restart Clock						
<b>Proof of Identity:</b>	<b>Date/Time</b>		<b>Reason</b>			
Suspend Clock						
Restart Clock						

**Stage 2: Check/Clarify/Confirm (cont'd)**

<b>Clarification Required:</b>	<b>Date/Time</b>	<b>Reason</b>
Suspend Clock		
Restart Clock		
<b>Fees Applicable:</b>	<b>Date/Time</b>	<b>Reason</b>
Suspend Clock		
Restart Clock		
<b>Checks completed by:</b>	<b>Name:</b>	<b>Date:</b>
	<b>Signature</b>	

**Stages 3 Search/Fees /Acknowledge/Exemptions etc**

<b>Search Initiated:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Fees Calculated:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> n/a
	<b>Record Amount:</b>		
<b>Exemptions apply:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<i>State which exemptions are being considered:</i>			
<b>Acknowledgement:</b>	<b>Date Sent:</b>		

**Stage 4 Retrieve information/Apply exemptions/Consult 3<sup>rd</sup> parties**

<b>Fee Received*</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> n/a
<b>Information Retrieved</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Exemptions apply</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<i>State which exemptions are being considered:</i>			
<b>Contact 3<sup>rd</sup> Parties</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> n/a
<b>Detailed Review of information completed</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Redaction Undertaken</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

*\*Fees received should be lodged with Cashiers and receipt attached to this control form.*

## Stage 5 Release Information

<b>Information Release Authorisation Form completed</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Preferred Format:*</b>	<input type="checkbox"/> Hardcopy <input type="checkbox"/> Electronic <input type="checkbox"/> Other <i>If other please state:*</i>
<b>Photocopies made</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Final Review (FOI Unit)</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Information Released</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Method of Delivery</b>	<i>Please state delivery method used:</i>  <input type="checkbox"/> Email <input type="checkbox"/> Post:** <input type="checkbox"/> Ordinary post <input type="checkbox"/> Recorded Delivery <input type="checkbox"/> Special delivery/courier  <input type="checkbox"/> Hand delivered <input type="checkbox"/> Other ( <i>please specify</i> )
<b>Papers filed</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Publication Scheme</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No

\*Format: Personal data must not be released electronically unless it is encrypted.

\*\*Post: for personal data Special Delivery Post must be used.

<b>Additional Notes:</b>
--------------------------

### Request Completed

<b>Name</b>	
<b>Signature</b>	
<b>Date</b>	

## Stage 6 Review / Appeals

**ONLY TO BE USED IN THE EVENT OF A REQUEST FOR AN INTERNAL REVIEW**

### Stage 6: Internal Review

(The time limit for requestors to ask for an internal Review is 2 calendar months from the date of the Board's response)

**For use by FOI Unit:**

Date review requested:	
Review logged:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Request acknowledged:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has 2 calendar months passed since Board response? *	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name of reviewer:	
Date information passed to reviewer:	
Review conducted:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Date review conducted:	
Outcome of review:	<i>(please record review outcome)</i>
Review decision notified to applicant:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Date notification issued:	
Checked by:	Name: Signature: Date:

\* If two calendar months have elapsed since the response, template letter FOIRD2 should be used to inform the requestor that the time limit for requesting an Internal Review has expired. **Only in extenuating circumstances (e.g. incapacitation of the requestor), can discretion be used when enforcing this time limit.**

**SOUTH EASTERN EDUCATION AND LIBRARY BOARD**

**Information Release Authorisation Form**

**Request Type:**    FOI       Data Protection\*       Environmental  

**Part 1:        (To be completed by appropriate Board Service Unit Manager)**

All relevant information extracted:  

Information has been checked for release of information provided by third parties:

Information has been redacted, where appropriate:

Two copies provided:                   

Exemptions to be applied in relation to this request are:

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I can confirm that the information provided is in compliance with the FOI Act 2000/Data Protection Act 1998. The information is complete and any necessary third party information has been checked for release and where appropriate personal details redacted. I can confirm the copies provided to the FOI Unit are ready for release.

Printed Name (Board Service Manager): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Part 2:        (To be completed by FOI Unit)**

Information copies received:               Assurances received:                   

Check on copy sets completed:      

Date Information Released: \_\_\_\_\_

Date Information delivered: \_\_\_\_\_

Printed Name (FOI Officer): \_\_\_\_\_

Signature: \_\_\_\_\_

*Data Protection Subject Access Form should be completed if possible*

## FOI Request / Data Subject Access Requests

### Manager's Checklist for Review of Information

*(Guide to checking information before authorising release)*

Description	Tick
FOI Request/Data Protection Subject Access Request available <i>(in the case of a subject access request – form should have been completed)</i>	
Check timescale for responding to FOI/Subject Access Request is within legal timeframe	
Identity has been verified (subject access request only)	
Third party consent received (if required)	
All relevant information has been identified and copied for review (including electronic & hardcopy)	
<p><u>Information should be checked for the following:</u></p> <ul style="list-style-type: none"> <li>• Reference to third parties (<b>redaction</b> may be required);</li> <li>• Information supplied by third parties (<b>consent</b> maybe be required);</li> <li>• Information which could potentially identify another individual;</li> <li>• Exemptions to be applied (if unsure then consult FOI Unit) &amp; reasons for non-disclosure;</li> </ul>	

Template letters

**DPTU - Information not held – not transferable**

Dear

Re Request ref....

Thank you for your information request dated [date]

The Board does not hold the information that you have requested and is not aware of any organisation that could respond to your request.

If you could provide further information we would be pleased to review our decision. Please use the Board's Data Protection Subject Access form for this purpose.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

## **DPFT - Transfer request to another authority (Full)**

Dear

Re Request ref....

Having reviewed your subject access request we have identified that the Board does not hold this information and your request would be more appropriately responded to by [Name of organisation]. You therefore need to apply directly to this organisation for your request to be processed.

Yours sincerely

[Signatory]

Enc : Subject Access Request

**DPPT - Transfer request to another authority (Partial)**

Dear

Re Request ref....

Having reviewed your request for information we have identified that this would be more appropriately responded to by [ ] and you need to apply directly to them.

We will, however, be able to respond to the other areas of your request in relation

to:

.....  
.....  
.....

Yours sincerely

[Signatory]

Enc: Information Request

## **DPC – Clarification required**

Dear

Re Request ref....

Thank you for your information request dated [date]

In order to locate the relevant information further clarification is required. I have enclosed the Board's Subject Access Request Form for you to complete and return.

If you could provide further information the Board will then process your request in accordance with the Data Protection Act 1998.

Yours sincerely

[Signatory]

## **DPCA – 3<sup>rd</sup> Party Consultation Notification to Applicant**

Dear

Re: Request Ref....

Thank you for your information request dated (date).  
The information you want is subject to an exemption for information supplied in confidence and I need time to consult third parties before I can consider releasing it.

I will write to you again before (date). In the meantime do not hesitate to contact me on [ph number & email address] if you would like an update on the progress of your request.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

## DPCC – 3<sup>rd</sup> Party Consultation Notification to Consultee

Dear

Re: Request Ref....

We have received a request for information under the Data Protection Act from (name/details).

Information that we believe to be relevant to the request and which we need to consider for release to the applicant includes documentation that you have previously provided to us.

This information may be subject to third party duty of confidentiality and we would be grateful for your views on the potential disclosure of it to the applicant. You will be aware that the Board is under a legal obligation to respond to requests for information within 40 days and in view of this if I do not hear from you within 14 days I will assume that you have no objections to the disclosure of the information.

The Board will take any views that you express into consideration, but will not automatically withhold information unless there are clear legal grounds to do so.

\*\* In order to assist you in responding to this letter the information that you provided is attached

OR

\*\* In order to assist you in responding to this letter a brief summary of the information that you provided is detailed below.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

## **DPAR2 - Acknowledge request**

Dear

Re Request ref....

Thank you for your recent information request, which is currently receiving attention.

We are currently considering your request in more detail and will forward the information you have requested as soon as possible but not later than [date of 40 calendar day expiry]

If for any reason this situation changes, we will notify you as soon as possible.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

**DPAR1 – Acknowledge - Exemption being claimed initially**

Dear

Re Request ref....

Having initially reviewed your request for information we have identified that an exemption may exist prohibiting the release of the requested information. Please find below details of the exemption and how this may be applied.

.....  
.....  
.....

We will be in contact again when the request and all related information has been fully assessed, to advise you of the Board's decision

Please contact me on [phone and email] if you require any further assistance on this matter and I will do my best to provide relevant help and advice.

Yours sincerely

[Signatory]

## DPAR3 - Acknowledge request and request fee

Dear

Re Request ref....

Thank you for your recent subject access request, which is currently receiving attention.

We wish to advise you that we do hold information relating to your subject access request, however there is a £10 fee for providing the information to you.

This subject access request is now suspended until payment is received and the 40 day response time scale will recommence once payment is received. Please provide payment, by cheque made payable to the **South Eastern Education and Library Board** at the address below or contact me to arrange an alternative payment method.

If we do not receive payment within 3 months of the date of this letter I assume that you no longer wish to have this information.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

## DPRI – Release information

Dear

Re Request ref....

Thank for your recent request for information. Please find enclosed the following documents;

1. Copy of your initial request
2. Contents sheet listing all the information relating to your request identified and held by the SEELB. Details of any exemptions, which have been applied together with an explanation of their application
3. Released information

Please note that the Board's Data Protection Subject Access Request Handling Procedures are available on the Board's website on [www.seelb.org.uk](http://www.seelb.org.uk)

I hope you find the information useful. Please do not hesitate to contact me on [phone and email address] if I can be of any further assistance

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

## **DPRD – Acknowledge Request to review a decision (Appeal)**

Dear

Re Request ref....

Thank for your request for the Board to review the decision initially made regarding release of information you requested. The Board is now undertaking a formal review of this decision in line with its Comments and Complaints Policy. I enclose for your information a copy of the SEELB Comments and Complaints Policy.

The Board will take 10 working days to carry out this review and you will be notified in writing of the result of this review. Where it is likely to take longer than 10 working days, I will write to you to give an indication of the timescale involved.

Please do not hesitate to contact me on [phone and email address] if I can be of any further assistance

Yours sincerely

[Signatory]

Enc : SEELB Comments and Complaints Policy