Hope School and College

Individual Information Rights Policy

Ratified On :

Review Date: September 2026

1. Overview

1.1 Hope School and Colleges reputation and future growth are dependent on the way the school manages and protects Personal Data. All individuals have rights over their Personal Data and the school recognises the importance of having an effective policy in place to allow individuals to exercise those rights clearly and easily for them. The school has therefore implemented this Individual Information Rights Policy to ensure all school personnel, visitors, contractors and pupils are aware of what rights individuals have over their personal data and how the school makes sure those rights can be exercised.

1.2 This policy is made available to all school personnel, visitors, contractors and pupils via the school website. This policy does not form part of any school personnel's contract of employment and the school reserves the right to change this policy at any time. All school personnel are obliged to comply with this Policy at all times.

2. About this policy

2.1 The school's data protection policy and privacy notices set out the types of personal data that the school may be required to handle, as well as the school's legal purposes for doing so, and it sets out how the school complies with its obligations under data protection laws.

2.2 This policy explains how the school complies with its legal obligations to allow individuals to exercise their rights over their personal data.

3. Scope

3.1 This Policy applies to all school personnel who collect and/or use personal data relating to individuals. It applies to all personal data stored electronically, in paper form, or otherwise.

4. Definitions

4.1. **School** – Hope School and College

4.2. **School personnel** – Any School employee or contractor who has been authorised to access any of our Personal Data and will include employees, consultants, contractors, and temporary personnel hired to work on behalf of the school.

4.3. **Data protection laws** – The General Data Protection Regulation (Regulation (EU) 2016/679) (now called UK GDPR under the Data Protection Act 2018) and all applicable laws relating to the collection and use of Personal Data and privacy and any applicable codes of practice issued by a regulator including in the UK.

4.4. **Data protection officer** – The Data Protection Officer (DPO) is Matthew Keeffe, and can be contacted at: **01942 824 150** or via enquiries@admin.hope.wigan.sch.uk.

4.5. **ICO** – the Information Commissioner's Office, the UK's data protection regulator.

4.6. **Personal data** – Any information about an individual which identifies them or allows them to be identified in conjunction with other information that is held. Personal data is defined very broadly and covers both ordinary personal data from personal contact details and business contact details to special categories of personal data such as trade union membership, genetic data, and religious beliefs. It also covers information that allows an individual to be identified indirectly for example an identification number, location data or an online identifier.

4.7. **Processing** – Any collection, use of storage of personal data whether on the school's information security systems or in paper form.

4.8. **Special Categories of Personal Data -** Personal data that reveals a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data (i.e. information about their inherited or acquired genetic characteristics), biometric data (i.e. information about their physical, physiological or behavioural characteristics such as facial images and fingerprints), physical or mental health, sexual life or sexual orientation and criminal record.

5. School Personnel's Obligations

5.1. This policy sets out the rights that individuals have over their personal data under data protection laws. If a member of the school personnel receives a request from an individual to exercise any of the rights set out in this policy, that member of the school personnel must:

5.1.1. inform the DPO as soon as possible and, in any event, within 24 hours of receiving the request;

5.1.2. tell the DPO what the request consists of, who has sent the request and provide the Data Protection Officer with a copy of the request;

5.1.3. not make any attempt to deal with, or respond to, the request without authorisation from the DPO.

6. What rights do individuals have over their personal data?

6.1. **Right of access (subject access requests)**

6.1.1. Individuals have the right to ask the school to confirm the personal data about them that the school is holding, and to have copies of that personal data (commonly known as a **Subject Access Request** or **SAR**) along with the following information:

6.1.1.1. the purposes that the school has their personal data for;

6.1.1.2. the categories of personal data about them that the school has;

6.1.1.3. the recipients or categories of recipients that their personal data has been or will be disclosed to;

6.1.1.4. how long the school will keep their personal data;

6.1.1.5. that they have the right to request that the school corrects any inaccuracies in their personal data or deletes their personal data (in certain circumstances, please see below for further information); or restrict the uses the school is making of their personal data (in certain circumstances, please see below for further information); or to object to the uses the school is making of their personal data (in certain circumstances, please see below for further information);

6.1.1.6. that they have the right to complain to the ICO if they are unhappy about how the school has dealt with this request or in general about the way the school is handling their personal data;

6.1.1.7. where the personal data was not collected from them, where the school got it from; and

6.1.1.8. the existence of automated decision-making, including profiling (if applicable).

6.1.2. The school is not entitled to charge individuals for complying with this request. However, if the individual would like a further copy of the information requested, the school can charge a reasonable fee based on its administrative costs of making the further copy.

6.1.3. There are no formality requirements to making a SAR and it does not have to refer to data protection law or use the words subject access request or SAR. The school will monitor its incoming communications, including post, email, its website and social media pages to ensure that the school can recognise a SAR when it receives it.

6.1.4. The school is required to respond to a SAR within one month from the date the school receives it. If the SAR is complex or there are multiple requests at once, the school may extend this period by two further months provided that the school tells the individual who has made the SAR about the delay and the school's reasons for the delay within the first month. The school may ask you to be specific in your request if this is the case then the month period in which we have to provide your information will stop until you respond to our request for specificity.

6.1.5. The DPO will reach a decision as to the complexity of the SAR and whether the school is entitled to extend the deadline for responding.

6.2. **Right to rectification**

6.2.1. Individuals have the right to ask the school to correct any personal data about them that the school is holding that is incorrect. The school is then obliged to correct that personal data within one month (or two months if the request is complex).

6.2.2. Where the individual tells the school their personal data is incomplete, the school is obliged to complete it if the individual asks the school to do so. This may mean adding a supplementary statement to their personal file for example.

6.2.3. If the school has disclosed the individual's inaccurate personal data to any third parties, the school is required to tell the individual who those third parties are and to inform the third parties of the correction where the school can.

6.2.4. When an individual asks the school to correct their personal data, the school is required to do so and to confirm this in writing to the individual within one month of them making the request.

6.3. **Right to erasure (right to be forgotten)**

6.3.1. Individuals have the right to ask the school to delete the personal data the school has about them in certain circumstances, but this right is limited in scope and does not apply to every individual. The right to be forgotten applies when:

6.3.1.1. the personal data is no longer necessary for the purpose the school collected it for;

6.3.1.2. the individual withdraws consent, and the school has no other legal basis to use their personal data;

6.3.1.3. the individual objects to the school's processing and there is no overriding legitimate interest for continuing the processing;

6.3.1.4. the personal data was unlawfully processed; and/or

6.3.1.5. the personal data has to be erased to comply with a legal obligation.

6.3.2. If the school has disclosed the individual's deleted personal data to any third parties, the school is required to tell the individual who those third parties are and to inform the third parties to delete the personal data where the school can.

6.3.3. When an individual asks the school to delete their personal data, the school is required to do so and to inform the individual in writing within one month of them making the request that this has been done.

6.4. **Right to restrict processing**

6.4.1. Individuals have the right to "block" or "suppress" the school's processing of their personal data when:

6.4.1.1. they contest the accuracy of the personal data, for a period enabling the school to verify the accuracy of the personal data;

6.4.1.2. the processing is unlawful and the individual opposes the deletion of the personal data and requests restriction instead;

6.4.1.3. the school no longer needs the personal data for the purposes the school collected it for, but the school is required by the individual to keep the personal data for the establishment, exercise or defence of legal claims;

6.4.1.4. the individual has objected to the school's legitimate interests, for a period enabling the school to verify whether its legitimate interests override their interests.

6.4.2. If the school has disclosed the individual's restricted personal data to any third parties, the school is required to tell the individual who those third parties are and to inform the third parties about the restriction where the school can.

6.4.3. When an individual asks the school to restrict its processing of their personal data, the school is required to do so and to confirm to the individual in writing within one month of them making the request that this has been done.

6.5. **Right to data portability**

6.5.1. Individuals have the right to obtain from the school a copy of their own personal data in a structured, commonly used and machine-readable format (such as CSV files). The aim of this right is to facilitate the ability of individuals to move, copy or transmit their personal data easily from one IT environment to another.

6.5.2. The right to data portability only applies when:

6.5.2.1. the individual provided the school with the personal data;

6.5.2.2. the processing the school is carrying out is based on the individual's consent or is necessary for the performance of a contract; and

6.5.2.3. the processing is carried out by automated means.

6.5.3. This means that the right to data portability does not apply to personal data the school is processing on another legal basis, such as its legitimate interests.

6.5.4. The school is obliged to provide this information free of charge within one month of the individual making the request (or two months where the request is complex provided that the school explains to the individual why it needs more time).

6.5.5. The individual also has the right to ask the school to transmit the personal data directly to another organisation if this is technically possible.

6.6. **Right to object**

6.6.1. Individuals have the right to object to the school's processing of their personal data where:

6.6.1.1. the school's processing is based on its legitimate interests or the performance of a task in the public interest and the individual has grounds relating to his or her particular situation on which to object;

6.6.1.2. the school is carrying out direct marketing to the individual; and/or

6.6.1.3. the school's processing is for the purpose of scientific/historical research and statistics and the individual has grounds relating to his or her particular situation on which to object.

6.6.2. If an individual has grounds to object to the school's legitimate interests, the school must stop processing their personal data unless the school has compelling legitimate grounds

for the processing which override the interests of the individual, or where the processing is for the establishment, exercise or defence of legal claims.

6.6.3. If an individual objects to direct marketing, the school must stop processing their personal data for these purposes as soon as the school receives the request. The school cannot refuse their request for any reason and cannot charge them for complying with it.

6.6.4. Before the end of one month from the date the school gets the request, the school must notify the individual in writing that the school has complied or intends to comply with their objections or that the school is not complying and the reasons why.

6.7. **Rights in relation to automated decision making**

6.7.1 The school does not currently use any automated decision-making processes.

7. **Exercising rights in this policy**

- 7.1 If a pupil, member of staff, contractor or visitor wants to exercise any of the above rights. They must submit their request in writing to enquiries@admin.hope.wigan.sch.uk**.** The requester must be clear on the right they are trying to exercise under the sections above. The request will be responded to by school within 1 month of the request. Should the request be complex school may advise of a delay in supplying or responding to such requests.