

## FAQ's - Subject Access Request

### What is a subject access request?

Under data protection legislation, individuals (data subjects) have the right to request that a data controller provides them with the following:

- Confirmation that their personal data is being processed
- Access to their personal data
- Other supplementary information about the processing of their personal data.

You can make a request to see any personal information that's held about you by BMet.

### How do I make a subject access request?

Please complete the form online [Subject Access Request Form](#) or download a copy of the [Subject Access Request Form \(Word Doc\)](#) and send it to [dpo@bmet.ac.uk](mailto:dpo@bmet.ac.uk)

All Subject Access Requests are free of charge, however, BMet College will charge a 'reasonable fee' if a request is manifestly unfounded or excessive, particularly if it's repetitive. The fee will be based on the administrative cost of providing the information.

Proof of identification must also be provided, comprising a copy of an official document containing photographic identification, e.g. passport or driving licence.

### What if I am unable to submit a request online or by email?

If you are unable to submit a request online or by email, download a copy of the [Subject Access Request Form \(Word Doc\)](#) and address it to:

Data Protection Officer  
Subject Access Request  
Birmingham Metropolitan College  
Jennens Road  
Birmingham  
B4 7PS

Alternatively, telephone the College's Contact Centre (Birmingham [0121 446 4545](tel:01214464545)) and we will make arrangements to help you submit a request.

We may need to provide the response in an accessible format and will work with you to establish what is appropriate.

### What happens once I have submitted a request?

The College will send you an acknowledgement of the request. If we need any clarification, or if proof of ID is missing, we will contact you as soon as possible. Once we are in receipt of a clear request, proof of ID we will begin to locate and collate the relevant personal data.

### What information will I receive?

The subject access right allows individuals the right to access personal data of which they are the subject. It does not provide the right to access entire documents if the documents do not fully comprise the personal data of the individual. Therefore, in response to a subject access request, an individual may receive partial or redacted documents.

## Can I access the personal data of other individuals?

An individual only has the right to access personal data of which they are the subject and there is no right of access to the personal data of friends or family. However, there are some instances in which a request made on behalf of another individual or for a specific purpose (such as the detection or prevention of crime) will be considered. Please refer to [this section](#) for further information.

## When will I receive a response to my request?

Under data protection legislation, the College must respond within 30 calendar days of receiving a request and proof of ID. However, under certain circumstances the College will be able to extend this period if the request is complex. If this happens the College will inform you within one month of the receipt of the request and we will explain why the extension is necessary. If you need any further advice, please email the Data Protection Officer [dpo@bmet.ac.uk](mailto:dpo@bmet.ac.uk)

## How will I receive copies of personal data in response to my request?

Copies of personal data will normally be sent either electronically (by email attachment, using password protection and encryption) or in hard copy (by the Royal Mail's 'Signed For' service). If you prefer, you can request that we provide personal data to you orally, but we will only do so if we are able to verify your identity first.

## What if I am dissatisfied with the College's response to my request?

If you are dissatisfied with the way in which your subject access request has been processed or dissatisfied with the response that you have been given, please write to the Data Protection Officer in the first instance [dpo@bmet.ac.uk](mailto:dpo@bmet.ac.uk) so that the College is provided with the opportunity to review the matter and respond to your concerns.

You can also ask the Information Commissioner's Office (ICO) to carry out an assessment to see whether it is likely or unlikely that the College has responded properly. The ICO can be contacted via following methods:

**ICO helpline** (Monday-Friday 09:00-17:00) Telephone: 0303 123 1113

You can [chat online with an advisor](#).

You can visit their website for information on [how to make a data protection complaint](#).

### **You can also write to the ICO at:**

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

## Making a third party request for personal data

There are some circumstances under which the College will consider a request for access to personal data on behalf of another individual, or a request for access to personal data of another individual without their consent. These are:

- The requestor is the parent of a child under the age of 12
- The requestor has the written permission to make a request on behalf of another individual
- The requestor has Power of Attorney or an order from the Court of Protection to act on behalf of another individual

- The College believes that it is in the best interests of an individual who does not have the capacity to make a request themselves
- The College deems that release can be justified under crime and taxation provisions.

In these circumstances the College may seek further information from the requestor in order to help determine whether we are willing to release any personal data.

### **A request for access to personal made on behalf of a child**

Children aged 12 and above are generally deemed mature enough to make decisions about the processing of their personal data and would normally be expected to submit a subject access request themselves. Where a parent of a child over the age of 12 submits a subject access request on the child's behalf, the College may contact the child to request their consent to the release of the personal data, or require the parent to provide written consent from the child.

A parent has the right to request access to their child's personal data, where the child is under 12 years old. The College will decide whether it is in the best interests of the child to make the disclosure. Please follow the subject access request process above, submitting a copy of a form of ID for yourself and your child.

### **A request for access to personal data made on behalf of an adult**

A request for access to personal data made on behalf of an adult will need to be accompanied by a signed letter from the data subject which contains consent to the release of all or specific personal data to the requestor. Such requests are typically made by solicitors acting on behalf of a client.

A request for access to personal data made on behalf of an adult who does not have the capacity to make a request themselves will need to be accompanied by proof that the requestor has the authority to act on behalf of the data subject, such as through Power of Attorney or an order from the Court of Protection. Where authority is not provided, the College will consider on a case by case basis whether release of the personal data requested is in the best interests of the data subject. Please follow the subject access request process above, submitting a copy of a form of ID for yourself and the data subject and proof of your authority to act on behalf of the data subject.