

Appendix 1; Extending the timescale for Subject Access Requests and Freedom of Information Requests and ‘Stopping The Clock’.

What are the key differences in timescales for Subject Access Requests (SARs) and Freedom of Information Requests (FOIs)?

For Subject Access Requests, the statutory deadline to respond to the request is **one calendar month**. This date begins on the exact date of receipt and there is no official, statutory guidance for extending the deadline due to school closures (please see below). However, situations may arise at Greenfields Community School where an extension is deemed proportionate and/or necessary.

For Freedom of Information Requests, the statutory deadline to respond is **20 school days (or 60 days whichever is shorter)**. Therefore, there is a statutory requirement that considers closure periods in which schools will take that additional time to fulfil the request.

Under what circumstances will Greenfields Community School apply an extension to a SAR?

1. Complex Requests

Greenfields Community School may decide an extension can be applied under the ‘complex request’ exemption.

The Information Commissioner’s Office (ICO) tells us that Greenfields Community School can extend the time to respond by a further two months if the request is:

1. complex; or
2. you have received a number of requests from the individual – this can include other types of requests relating to individuals’ rights. For example, if an individual has made a SAR, a request for erasure and a request for data portability simultaneously.

Greenfields Community School will calculate the extension as three months from the original start date, i.e., the day Greenfields Community Primary School receives the request, fee or other requested information. If Greenfields Community School decides that it is necessary to extend the time limit by two months, we will let the individual know within one month of receiving their request and explain why.

2. School closure

This will only apply if Greenfields Community School is closed and there are no qualified staff on site to handle the SAR within the one calendar month.

Greenfields Community School will always be transparent with the requester and set reasonable expectations in terms of when they will be able to provide them with the full response. We will provide the reasons why we cannot deal with the request, the length of the delay, when we expect the response to be ready by and whether any information can be provided sooner e.g. if some of our staff do have remote access and are able to provide some information, we will always endeavour to take steps to action within the initial statutory timeframe.

‘Stopping the clock’ and clarifying a request?

If we are processing a large amount of information about an individual, we may ask the requester to specify the information or processing activities their request relates to before responding to the request. The time limit for responding to the request is paused until we receive clarification. This is referred to as ‘stopping the clock’.

This means that we will not provide the requester with a copy of the information, or any of the supplementary information that we cannot reasonably provide, unless we have obtained clarification.

We will not seek clarification on a blanket basis. We will only seek it if:

- it is genuinely required in order to respond to a SAR; and
- we process a large amount of information about the individual.

Greenfields Community School will decide whether to request clarification of a request in cases where we are satisfied that we hold a large amount of information, and it is not clear what information the individual is requesting. The ICO does not require that we do this and we may choose to perform a reasonable search instead.

In terms of [‘What efforts should we make to find information?’](#) we align with advice given by the ICO.