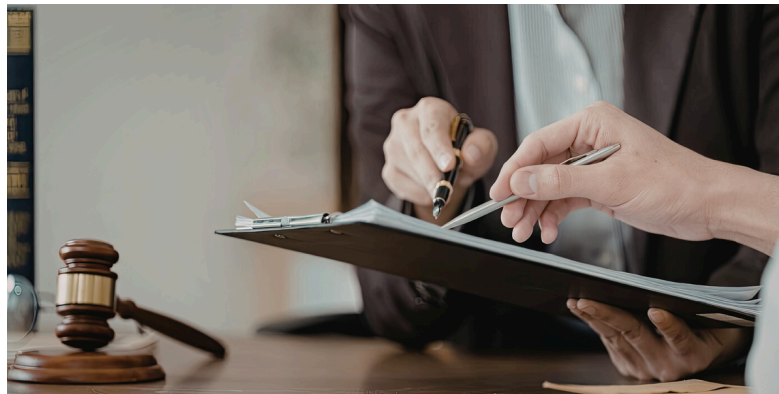


HUB

INTRODUCTION TO SUBJECT ACCESS REQUEST (SAR) EXEMPTION EXAMPLES - OVERVIEW

This document outlines the key exemptions that schools and academies can rely upon when processing Subject Access Requests (SARs) under the UK GDPR and Data Protection Act 2018. It is designed to support compliance while ensuring sensitive or exempt information is appropriately withheld.



Third-Party Personal Data (UK GDPR Art. 15(4) / DPA 2018 Sch. 2, Pt. 3)

Do not disclose information about another identifiable individual unless reasonable to do so.

Action

Redact third-party details or seek consent before release.

Child Protection / Safeguarding Information (DPA 2018 Sch. 2, Pt. 1(18) / Safeguarding Guidance)

May be withheld if disclosure could cause harm or prejudice safeguarding investigations.

Action

Consult safeguarding lead or DPO before disclosure.

Education (Pupil Information) Exemption (Education (Pupil Information) Regulations 2005)

Disclosure may be refused if it could cause serious harm to the pupil's or another's wellbeing.

Action

Apply only where serious harm to health or wellbeing is likely.

Exam Marks and Scripts (DPA 2018 Sch. 2, Pt. 4(25–26))

Marks must be shared within 5 months, but exam scripts themselves are exempt.

Action

Provide marks only; do not disclose scripts.

Confidential References (DPA 2018 Sch. 2, Pt. 4(24))

References given or received in confidence for education, training, or employment are exempt.

Action

Do not share confidential references under any circumstances.

SUBJECT ACCESS REQUESTS (SAR) EXEMPTION EXAMPLES

Management Forecasts / Negotiations (DPA 2018 Sch. 2, Pt. 3(22))

Information about management planning may be withheld if disclosure prejudices those processes.

Action

Review with HR or leadership before release.

Crime and Law Enforcement (DPA 2018 Sch. 2, Pt. 1(2))

Withhold data if disclosure would prejudice crime prevention, detection, or prosecution.

Action

Consult police or legal adviser if active case involved.

Legal Professional Privilege (DPA 2018 Sch. 2, Pt. 4(19))

Legal advice and communications with solicitors are exempt under legal professional privilege.

Action

Seek legal confirmation before applying this exemption.

Health, Social Work, or Counselling Records (DPA 2018 Sch. 3, Pt. 2)

Health or counselling data may be withheld if release could cause serious mental or physical harm.

Action

Obtain professional input before disclosing health-related data.

Special Educational Needs (SEN) or EHCP Data (SEND Code of Practice / DPA 2018)

Information can be withheld if disclosure breaches another's confidentiality or harms welfare.

Action

Check with SENCO or DPO; redact other pupils or family names.



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