

INTRODUCTION TO SUBJECT ACCESS REQUESTS (SAR) KEY FACTS - OVERVIEW

WHAT IS SAR?

- A request by a data subject to access their personal data held by an organization.
- Can be made **verbally or in writing**.
- Organizations must respond **within 1 month** (can extend up to 3 months in complex cases).



PARENTS ACCESSING PUPIL DATA

EDUCATION RECORDS:

- Governed by Education (Pupil Information) (England) Regulations 2005.
- Applies to maintained and special schools only.
- Must respond within **15 school days**.
- Limited to the pupil's education record.

UNDER GDPR:

- Parents can make SARs if the child is under 12 or lacks understanding of their rights.
- Covers **all personal data**, including emails and CCTV.

DISCLOSURE & REDACTION

Consider:

- Type of information.
- Duty of confidentiality to others.
- Consent from other individuals.
- Whether disclosure could cause harm.

Redact data about other individuals unless disclosure is justified.

EXEMPTIONS

- Manifestly Unfounded:
 - ⚠ Malicious intent, disruption campaigns, personal grudges.
- Manifestly Excessive:
 - ⚠ Clearly unreasonable or disproportionate requests.
 - Legal Exemptions (Schedules 2–4 of Data Protection Act):
 - ⚠ Crime & taxation, legal privilege, public protection, regulatory functions.
 - ⚠ Health, education, social work data.
 - ⚠ Child abuse data (only if disclosure is not in child's best interest).
 - ⚠ Exam scripts (answers not provided; marks are).

PRACTICAL STEPS FOR HANDLING SARs

1. **Verify identity** of requester.
2. **Check validity** (e.g., parental rights, child consent if over 12).
3. **Set reminders** for deadlines.
4. **Clarify scope** of request.
5. **Search for data** across drives, paper files, MIS, safeguarding records, emails.
6. **Redact third-party data**.
7. **Consider disclosure of related data** (e.g., teacher names usually disclosed).
8. **Prepare reply** in requested format.
9. **Send response** and include privacy notice.

BEST PRACTICES

- Stick to retention schedules.
- Document decisions and justifications.
- Keep a SAR log.
- Train staff and update policies.
- Use ICO resources for guidance.

