

SUBJECT ACCESS REQUESTS

Key Guidance for Schools & Trusts

WHAT IS A SUBJECT ACCESS REQUEST (SAR)?

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



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.

DISCLOSURE & REDACTION

Consider:

- ✓ The type and sensitivity of the information requested.
- ✓ Whether there is a duty of confidentiality to another individual.
- ✓ Whether consent from other individuals has been obtained or is appropriate.
- ✓ Whether disclosure could cause harm or prejudice the rights and freedoms of others.
- ✓ Whether any exemptions under the Data Protection Act 2018 apply.

Redact personal data relating to other individuals unless there is a lawful basis or compelling reason to disclose it. Always record the reasons for any redactions made.

COMMON GDPR EXEMPTIONS

MANIFESTLY UNFOUNDED

Requests made with malicious intent, designed to harass, disrupt or abuse the organisation rather than exercise data protection rights..

Record your reasoning.

MANIFESTLY EXCESSIVE

Requests that are clearly unreasonable, repetitive or disproportionate when balanced against the burden of responding.

Be fair and proportionate.

LEGAL EXEMPTIONS

Certain exemptions may include:

- Crime and taxation
- Legal professional privilege
- Regulatory functions
- Public protection

Never assume an exemption.

BEST PRACTICE

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



Protect others' privacy while meeting your disclosure obligations.

HEALTH EDUCATION & SOCIAL WORK

Consider requests carefully alongside safeguarding, legal, financial and retention obligations. Record the decision.

Consider each case carefully..

CHILD ABUSE DATA

Information relating to child abuse may be withheld where disclosure would not be in the child's best interests or could place an individual at risk.

Protect children first.

EXAMINATION SCRIPTS

Candidates are not entitled to copies of examination scripts, although they are normally entitled to receive their examination marks and results.

Apply the rules consistently.

