

SAR EXEMPTION EXAMPLES

Key Guidance for Schools & Trusts

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.

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.

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.

