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Marlborough St Mary's CE Primary School



MARLBOROUGH
ST MARY'S
PRIMARY SCHOOL

Subject Access Request Policy

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Subject Access Requests (SARs)

A subject access request (SAR) is a type of information rights request. A SAR lets people access a copy of the personal data a school holds about them or someone they have parental responsibility for.

Any individual whose personal data is held by an education setting can make a SAR. [Personal data](#) is information that relates to an identified or identifiable individual.

Individuals can ask for a SAR from anyone who works at an organisation. In a school this could include:

- teachers
- support staff
- school volunteers

Individuals can make a SAR in any format. They could make a verbal request, or a written request via a letter, text, or email.

Encouraging requesters to self-serve

If the requester already has access to the information they want to see, they can be directed to this. For example, the requester may already have access to personal data stored on the school's website.

Ways someone can submit a SAR

A requester can submit a SAR:

- in writing, such as an email, letter, or via social media
- verbally, such as over the phone or face-to-face

Timeframes for responding to a SAR

A full SAR response must be sent to the requester within one calendar month of the request.

The SAR deadline may be extended if you have to provide identification, authority and any clarification requested. For example, if it takes 3 days for you to provide identification, the deadline can be extended by 3 days.

If the request is complex, the response time can be extended by up to a further 2 calendar months, making the response deadline 3 months in total. The ICO advise that the SAR should be responded to as soon as possible within the extended period.

For complex requests, the requester is informed of the new deadline and the reason the SAR is being treated as complex. This must be done in writing, within one calendar month of the original request date.

In most cases, having to retrieve or redact a lot of information does not make a SAR complex. It is up to individual schools to assess whether a SAR is complex.

Charging for a SAR

You cannot be charged a fee to obtain a SAR.

In some cases, you may be charged for administration costs associated with the completion of a SAR.

For example, if the requester insists on having multiple copies of information, they could be charged for the cost of printing.

Read more about [charging a fee on the ICO's website](#).

Information included in a SAR response

Individuals have a right to know how their personal data is being used. A school's privacy policy will usually include this information. A link to the school's privacy policy should be included in the SAR response.

Education settings must make reasonable efforts to search through all records, including:

- emails (including those in deleted or trash folders)
- documents
- spreadsheets
- databases
- record systems
- CCTV
- USB sticks or CDs
- paper records in filing systems
- instant messages

Redacting information

Depending on what the requester asks for, some information may need to be removed. This process is known as redacting.

Personal information that identifies anyone other than the person the SAR is about should be redacted. This is known as removing third party information.

In some cases, third party information may need to be released. This decision must be made on a case-by-case basis.

SAR response formats

Usually, a SAR response will be made in the same format as the request was received.

A written response is preferable, but if you submit a verbal request, you can be [provided a verbal response](#).

Making sure a SAR response is accessible

Education settings should make it simple for individuals who need additional support to make a SAR. Your response should be in an accessible format that meets your needs.

Refusal to comply with a SAR

Schools can refuse to comply with a SAR if:

- a [data protection exemption](#) can be applied to all the personal information in scope of the request
- the request is [manifestly unfounded](#) or [manifestly excessive](#)

Examples of exemptions that may apply to education settings include:

- releasing the information would cause serious harm to a child
- releasing information would not be in the best interests of a child
- information relating to third parties
- legal advice sought and received from a lawyer
- information that may prejudice an investigation

Find out more about [exemptions on the ICO website](#).

Being notified of a refused SAR

You will be notified that a SAR has been refused within one calendar month from the day the SAR was submitted. You will be informed of the reason for the refusal. You should be given details about how to complain to the ICO or seek a judicial review.

Complaints about a SAR response

A SAR response letter must include the following information:

- organisation contact regarding the response, usually the data protection officer
- details on how to complain to the ICO
- acknowledgement of your right to seek judicial remedy
- acknowledgement of your [other data protection rights](#) such as the right to have your information deleted or changed

If you are unhappy with the SAR response, the school should offer you the chance for your case to be reviewed.

If you remain unhappy with the school's response, you can complain to the ICO. The ICO will consider the complaint and contact the school for further information or to provide advice as appropriate.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Administration Officer admin@marlboroughstmarys.wilts.sch.uk

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Further information

If you would like to discuss anything in this privacy notice, please contact the Administration Officer admin@marlboroughstmarys.wilts.sch.uk