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01	This is a new document created to set out the steps and responsibilities for submitting and responding to a Subject Access Request (SAR)	TBC

Key search words for this document

Subject Access Request, SAR, Data Protection, ICO, Information Commission, Personal Data, Response Timeframe, Refusing a Request, Charging, Excessive Requests, Repetitive Requests, Exemptions, Complaints

Linked Documents

Data Protection Policy

This front page is for monitoring and dissemination purposes only.
It does not form part of this Policy document.

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1. Introduction

1.1. At Gateshead College, we are committed to safeguarding the personal data of our students, staff, and partners. This procedure outlines how we respond to subject access requests (SARs) responsibly, and in accordance with data protection law.

2. Scope

2.1. This policy applies to all personal data held by the college, in any format, relating to students, staff, alumni, and other individuals.

3. What is a Subject Access Request?

3.1. A subject access request is a request made by an individual (data subject) to access personal data the college holds about them. This includes:

- Confirmation that their data is being processed
- Access to their personal data
- Supplementary information (e.g. purposes of processing, data retention)

4. How to Make a Request

4.1. Subject access requests can be made:

- In writing (email or letter)
- Verbally (in person or by phone)

Requests should ideally be directed to:

Data Protection Lead – dplead@gateshead.ac.uk

4.2. For any College staff receiving a subject access request, please forward this to dplead@gateshead.ac.uk as soon as received.

5. Requests on Behalf of Others

5.1. Subject access requests made on behalf of another individual (e.g. a parent requesting data about a child) will be assessed carefully to ensure the requester has appropriate authority or parental responsibility.

5.2. Where a request has been made on behalf of a learner, the College may need to seek consent from the learner directly to action this request.

6. Verification of Identity

6.1. The college may request proof of identity before processing a SAR to ensure data is not disclosed to the wrong person.

7. Response Timeframe

7.1. The college will respond within one month of receiving the request.

- 7.2. The college may “pause the clock” if clarification is needed from the requester.
- 7.3. The response period may be extended by up to two additional months for complex or multiple requests.

8. Refusing a Request

- 8.1. The College may refuse to comply with a subject access request if it is manifestly unfounded or manifestly excessive.
- 8.2. A request may be considered manifestly unfounded if:
 - The requester clearly has no intention of exercising their rights (e.g. making the request to cause disruption).
 - The request is malicious in intent or used to harass the College or its staff.
- 8.3. A request may be considered manifestly excessive if:
 - It overlaps with previous requests without a reasonable interval or justification.
 - 1.1 It would require a disproportionate effort to respond, considering the volume and complexity of the data involved and the available resources of the College.
- 8.4. Each request will be assessed on a case-by-case basis, taking into account the context and the nature of the request.
- 8.5. Where a request is refused, the College will:
 - Inform the requester of the decision and the reasons for it.
 - Advise them of their right to complain to the Information Commission.
- 8.6. Alternatively, the College may choose to comply with the request but charge a reasonable fee to cover administrative costs, where permitted by law (please see section 9 below).

9. Charging for Excessive or Repetitive Requests

- 9.1. Whilst most SARs will be provided free of charge, in some circumstances a reasonable fee may be charged for:
 - Repetitive requests
 - Requests for additional copies
 - Requests that are manifestly unfounded or excessive

10. Reasonable and Proportionate Effort

- 10.1. The College will conduct searches that are reasonable and proportionate. This means focusing on systems and records where relevant personal data is likely to be found, while considering the time, effort, and cost involved in the search.

10.2. Email Searches

- 10.2.1. When a subject access request includes a request for emails containing the requester's name or other identifiers, the College will assess the scope and volume of potentially relevant emails.
- 10.2.2. Searches will be conducted where it is reasonable to expect that personal data is present and relevant to the requester's relationship with the College. This may include:
 - Emails sent to or from the requester
 - Emails where the requester is the subject of discussion
 - Emails held by staff members who have had direct contact with the requester
- 10.2.3. The College will not normally retrieve or review every email that simply includes the requester's name, especially where:
 - The volume is excessive
 - The emails are unlikely to contain meaningful personal data
 - The burden of review would be disproportionate to the benefit of disclosure
- 10.2.4. Each subject access request will be considered on a case-by-case basis. Where the volume of potentially relevant emails is high, the College may seek clarification from the requester to narrow the scope of the search.

11. Exemptions

- 11.1. Certain data may be withheld if exemptions apply, such as:
 - Legal privilege
 - Confidential references
 - Data relating to other individuals
- 11.2. For further information on exemptions, please visit the Information Commission website - <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/right-of-access/what-other-exemptions-are-there/>

12. Format of Response

- 12.1. Responses will be provided in a commonly used electronic format unless otherwise requested.

13. Record Keeping

- 13.1. A log of all SARs will be maintained, including:

- Date received
- Identity verification

- Clarifications requested
- Date of response
- Summary of data provided

14. Complaints

14.1. If you're unhappy with how your request has been handled, we encourage you to contact the College first by emailing the Data Protection Lead at dplead@gateshead.ac.uk.

14.2. If you remain dissatisfied, you can raise your concerns with the Information Commission at <https://ico.org.uk/for-the-public/how-to-make-a-data-protection-complaint/>