



## Subject Access Requests Policy 2026 - 2027

**Equality Impact Assessment:** Askham Bryan College recognises the importance of the Equality Act 2010 and its duties under the Act. This document has been assessed to ensure that it does not adversely affect staff, students or stakeholders on the grounds of any protected characteristics.

### 1. WHAT IS A SUBJECT ACCESS REQUEST?

- 1.1 Under the UK data protection legislation, principally, the UK GDPR and Data Protection Act 2018, individuals (“Data Subjects”) have a number of rights, including a “right of access”. The right of access obliges Controllers<sup>1</sup> to provide individuals with access to their personal data and with additional prescribed information regarding the processing of that data (which largely corresponds with the information that should be provided in a privacy notice or privacy statement). It helps individuals to understand how and why an organisation is using their personal data and allows them to check that the organisation is doing so lawfully. When exercising that right, an individual is making a Subject Access Request.

#### What is Personal Data?

- 1.2 Personal data is any information that relates to an identified or identifiable individual. For instance:
- a name and or surname;
  - an address or an email address such as name.surname@yahoo.co.uk;
  - an identification card number;
  - an online identifier like an Internet Protocol (IP) address;
  - a person’s signature (if they can be identified from their signature);
  - a photograph of a person/their image

are all examples of personal data.

#### Statutory time limit to respond to a Subject Access Request

- 1.3 Subject Access Requests must be responded to without undue delay and at the latest within one month of receiving the request, unless an extension is necessary.

---

<sup>1</sup> A “Controller” is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. This is in contrast to a “Processor” which is a natural or legal person, public authority, agency or other body which *processes* personal data on behalf of the Controller and under their authority/express instructions.

## SUBJECT ACCESS REQUESTS POLICY 2026 - 2027

### Extending the deadline to respond

- 1.4 Organisations can extend the time to respond to a Subject Access Request by a further two months if the request is complex or where they have received a number of requests from the same individual, e.g. other types of requests relating to individuals' rights. For further details, see <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/individual-rights/>

See also the College's Data Subject Rights Policy available at <https://www.askham-bryan.ac.uk/publication-scheme-data-protection/>

### Narrowing the scope of your request

- 1.5 If your request is for a large amount of information, for instance, all the information the College holds on an individual, the College may ask you to narrow the scope of your request, so that the College can focus its searches on locating the information that is likely to be most relevant to you.
- 1.6 For instance, where the Subject Access Request is for "all emails sent to me by the College", the request could be reformulated so that it instead the request is for all emails sent to you by the College between certain specified dates, or by a particular member(s) of staff during a certain period or around a particular issue. This is because the College, as a Controller, is only obliged to carry out a reasonable search for any relevant data in response to a Subject Access Request (see para 1.8 below for further details). The right of access is also only a right to understand how your personal data is being used, not necessarily a right to copy documents e.g. emails, that your personal data has been used in. By narrowing the scope of your request, it helps the College to locate the specific information you are after.

Please note: The College is not required to seek clarification, and may choose to perform a reasonable search for the information instead.

### Pausing the time limit in which to respond

- 1.7 Where the College asks you to narrow the scope of your request, or asks for clarification, the time limit for responding to the request is paused until the College receives that clarification.

### Reasonable search for information

- 1.8 Organisations are only under an obligation to carry out a "reasonable search" for any relevant information, in response to a Subject Access Request. The College is not required to conduct searches that would be unreasonable or disproportionate to the importance of providing access to the information.
- 1.9 For example, an individual makes a Subject Access Request for "all of the information the College holds about me". During the search for their personal data, the College finds 2000 emails which the individual is copied into as a recipient. Other than their name and email address, the content of the emails does not relate to the individual or contain the individual's personal data.

## SUBJECT ACCESS REQUESTS POLICY 2026 - 2027

- 1.10 The College therefore does not have to provide the individual with a copy of each and every email (with the personal information of third parties redacted). Since the only personal data which relates to the individual is their name and email address, the College response to the individual's Subject Access Request can simply be that it has identified their name and email address in 2000 emails and disclose to the person making the request the name contained on those emails, e.g. John Smith, and the email address contained in those emails, e.g. JohnSmith@yahoo.co.uk.
- 1.11 Alternatively, the College could provide some of those emails in response to the request with other details redacted as a sample of the 2000 emails the College holds to enable the individual understand how their personal data has been used.

## 2. HOW DO YOU MAKE A SUBJECT ACCESS REQUEST?

- 2.1 **Subject Access Requests can be made verbally or in writing (which can also include via email and social media).**
- 2.2 **However, the College encourages individuals to either submit a Subject Access Request in writing using the form shown at Appendix A or by contacting [enquiries@askham-bryan.ac.uk](mailto:enquiries@askham-bryan.ac.uk) or [DataProtection@askham-bryan.ac.uk](mailto:DataProtection@askham-bryan.ac.uk) via email,** confirming your name, address, email address and what the nature and scope of your Subject Access Request is. This is to assist us to properly understand your request, so that the request is not misunderstood, which can sometimes happen where the request is made over the phone, and to assist in confirming to us your contact details including details of how and where you want copies of any personal data relating to you sending to you.

### Helping you formulate your request

- 2.3 If you require assistance in formulating your request, please contact [enquiries@askham-bryan.ac.uk](mailto:enquiries@askham-bryan.ac.uk) or [DataProtection@askham-bryan.ac.uk](mailto:DataProtection@askham-bryan.ac.uk) .

### Can the College ask for ID?

- 2.4 Yes. The College needs to be satisfied that the person requesting the information is who they say they are (or if someone else is requesting that information, such as a solicitor, that they have your authority to do so). Where the College asks you to confirm your identity, the timescale for responding to a Subject Access Request does not begin until the College has received the requested.

### Can the College charge a fee?

- 2.5 In most cases the College will not charge a fee to comply with a Subject Access Request. However, the College can charge a 'reasonable fee' for the administrative costs of complying with a request if it is manifestly unfounded or excessive, or if an individual requests further copies of their data. Please see <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/right-of-access/what-should-we-consider-when-responding-to-a-request/#CanWeChargeAFeeResponse> for further details.

### 3. WHAT INFORMATION IS A DATA SUBJECT ALLOWED ACCESS TO?

3.1 Under the right of access, individuals have the right to obtain:

- confirmation from the College as to the **purpose** of the processing, i.e. why is the College using their personal data;
- details as to the **categories** of personal data that the College is processing about them and be provided with a copy of that personal data (although see 1.6, above);
- **recipients** or categories of recipient the College has or will be disclosing the personal data to, including recipients or categories of recipients in third countries or international organisations. A “third country” is any country not in the EEA. (The EEA consists of the EU Members States, Iceland, Liechtenstein and Norway);
- where possible, the period for which any personal data will be stored (known as the “retention period”), and if not possible, the criteria used to determine the **retention period**;
- details as to how they can **exercise their other rights under UK data protection legislation**;
- information about the **source of the data**, if the College does not obtain this directly from you, as the individual;
- the existence of and reasoning behind any profiling or **automated decision making** involving the use of their personal data,
- details of the **safeguards** where personal data has or will be transferred to a third country or international organisation, and
- details as to how to lodge a complaint with the Information Commissioner’s Office (ICO) if they are not satisfied with the response to their Subject Access Request.

3.2 Typically, this is the information that should be provided in a privacy notice. This is so individuals can verify the lawfulness of any processing.

3.3 The College has a number of different privacy notices, for different types of processing, of different types of individuals’ personal data, e.g. staff, students, parents and guardians, visitors, etc. These privacy notices are all published on the College’s website (see <https://www.askham-bryan.ac.uk/publication-scheme-data-protection/>); but are also available on request. Please contact [enquiries@askham-bryan.ac.uk](mailto:enquiries@askham-bryan.ac.uk) or email your request for a copy of the relevant privacy notice to [DataProtection@askham-bryan.ac.uk](mailto:DataProtection@askham-bryan.ac.uk)

3.4 Any information, however, relating to individuals other than the person making the request, i.e. details of 3<sup>rd</sup> parties must be redacted before any relevant information can be disclosed to the person making the request.

3.5 Similarly, any information provided in confidence must also be redacted, unless the person who provided that information originally consents to the disclosure.

## SUBJECT ACCESS REQUESTS POLICY 2026 - 2027

### Information on Personal Devices

- 3.6 The College is only obliged to provide access to personal data in response to a Subject Access Request if it is a “Controller” for that data. Information held on College systems or on College-owned devices would fall to be disclosed, subject to the usual exemptions or restrictions (see <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/right-of-access/what-exemptions-are-relevant-for-sars/>); but data on personal devices is not usually disclosable.
- 3.7 The College therefore does not have to instruct staff to search their private emails, personal devices or private instant messaging applications in response to a Subject Access Request, unless there is a good reason to believe they are holding relevant personal data.

### WhatsApp and other mobile messaging apps

- 3.8 Mobile messaging apps, such as WhatsApp, can be a useful tool for supporting the delivery of business, particularly in an acute context, e.g. business continuity or staff welfare.
- 3.9 However, whilst the College does not prohibit the use of instant messaging apps, such as WhatsApp, WhatsApp and other instant messaging apps are not recognised as an official means of communication within the College (the exceptions being as set out at para 3.8, above) and as such, the use of instant messaging apps is not routinely monitored by the College and that data is not stored on College servers or otherwise backed up.
- 3.10 WhatsApp and messages generated by other instant messaging apps will therefore not routinely form part of a reasonable search for requested information or likely to be disclosed in response to a Subject Access Request as the College is not a Controller of that data.

## 4. REFUSING A REQUEST

- 4.1 In some circumstances, the College is entitled to refuse to respond to a Subject Access Request:
- where the Subject Access Request is deemed to be “manifestly unfounded or excessive”, for instance, where the person making the request is doing so to harass the College, with no real purpose other than to cause disruption, or if the request is malicious in intent;
  - where the request is ultimately deemed not to be a Subject Access Request at all; but a request for information instead, i.e. “how much do I owe the College?”, “when does my course start?”, etc;
  - where the request is in fact a request under the Freedom of Information Act 2000 instead (a request to a public body for information about how that public body operates, as opposed to a request for personal information) (for further details, see the College’s Freedom of Information Policy) available at <https://www.askham-bryan.ac.uk/publication-scheme-freedom-of-information/>);

## SUBJECT ACCESS REQUESTS POLICY 2026 - 2027

- where no personal data is held by the College on that individual;
- where the personal data in fact relates to a third party and not the individual making the request;
- where the individual making the request is in negotiations with the College and asks for information relating to the College's negotiating position;
- where individual making the request is involved in legal proceedings with the College and asks for information to be disclosed that relates to those proceedings (you cannot use a Subject Access Request to request information that may be subject to what is called 'legal professional privilege'); and/or
- where to respond to the Subject Access Request would involve disproportionate cost.

4.2 If the College refuses to comply with a Subject Access Request, the College must inform you of:

- the reasons why;
- your right to make a complaint to the ICO.

## 5. RIGHT TO COMPLAIN

- 5.1 If having made a Subject Access Request, you are not satisfied with the College's response, you have the right to make a complaint to the College about its handling of your request.
- 5.2 Please submit full details of your complaint to [enquiries@askham.bryan.ac.uk](mailto:enquiries@askham.bryan.ac.uk), as per the College's Complaints Policy which is available at <https://www.askham-bryan.ac.uk/publication-scheme-customer-services/> Please use the Stage 2 Compliant form which is also available at <https://www.askham-bryan.ac.uk/publication-scheme-customer-services/>
- 5.3 In accordance with the College's Complaints Policy, all complaints will be acknowledged within 2 working days, and the College will endeavour to provide a response within 10 working days. If more time is needed to investigate your complaint and provide a response, we will let you know. If you are not satisfied with the College's response to your complaint, you have the right to appeal, and ultimately, the right to complain to the ICO.

Please note: although you may complain to the ICO at any time, the ICO is likely to ask you to exhaust the College's complaints process first, before it processes your complaint. Please see the ICO's website [www.ico.org.uk](http://www.ico.org.uk) for further details.

- 5.4 The College is registered with the Information Commissioner's Office ("ICO"). The Registration Number is Z6170811. Renewal of the registration takes place annually on 22 January.

## **6. RESPONSIBILITIES**

- 6.1 The College Senior Leadership Team has overall responsibility for ensuring compliance with data protection legislation and the College's associated policies and procedures and has appointed a Data Protection Officer, who is the Deputy Chief Executive Officer, to ensure oversight of these arrangements.
- 6.2 The College's Legal and Compliance Adviser has day-to-day responsibility for managing and responding to all Subject Access Requests.
- 6.3 The Deputy Chief Executive Officer, as the College's Data Protection Officer, will be responsible for investigating and responding to any complaints.
- 6.4 All staff must immediately forward details of any Subject Access Request received by them to the Legal and Compliance Adviser to respond to as soon as the request is received by them, because of the statutory time limit to respond to a Subject Access Request.

## **7. MONITORING AND REVIEW**

- 7.1 The Deputy Chief Executive Officer will maintain oversight of the effectiveness of these arrangements.
- 7.2 This policy and the implementation arrangements which underpin it will be reviewed annually by the Deputy Chief Executive Officer in conjunction with the Legal and Compliance Adviser.

## **8. RELATED POLICIES AND PROCEDURES**

Data Protection Policy  
Subject Access Request Procedure (internal use only)  
Data Sharing Policy  
Data Sharing Procedure (internal use only)  
Data Retention Policy  
Breach Detection and Reporting Policy  
Breach Detection and Reporting Procedure (internal use only)  
Data Subject Rights Policy  
Data Subject Rights Procedure (internal use only)

## **9. DOCUMENT HISTORY**

Date of Issue: 29<sup>th</sup> May 2026  
Approved on: 20<sup>th</sup> May 2026  
Next review: May 2027  
Owner: Legal and Compliance Adviser  
Author: Deputy Chief Executive Officer  
Publication requirements: PUBLIC

Please note: this policy was written with regard to the ICO guidance at the time of writing, which may have been updated and therefore superseded by what is on their website at the time the policy is enacted. It is therefore recommended to always check the ICO guidance when applying this policy

APPENDIX A: SUBJECT ACCESS REQUEST FORM

Part 1 – The Request

Please complete in **BLOCK CAPITALS**

I am the person the information is about  if yes, please tick and then complete Parts 3, 4, 5 and 6

OR

I am acting on behalf of someone else  if yes, please tick and then complete Parts 2, 3, 4, 5 and 6

Part 2 – The information requested is about someone else

I am the Data Subject’s parent  I enclose proof of parental responsibility

I am the Data Subject’s guardian/carer  I enclose proof

Other  I enclose consent to share signed by the Data Subject

If “Other”, please state .....

If you are requesting information on behalf of someone else, please give **YOUR** details below

Full Name ..... Relationship to Data Subject .....

Address .....

Daytime Telephone Number ..... Email Address (optional).....

**SUBJECT ACCESS REQUESTS POLICY 2026 - 2027**

**Part 3 – Data Subject - Person that the information relates to**

---

Title ..... Surname ..... First Name .....

Student number: .....

Date of birth .....

Current Address .....

Post Code .....

Telephone Number ..... Email Address .....

**Identification Documents - please select one from each section**

- Section 1 – proof of identity**
- Passport
  - Driving Licence
  - Other Please state .....

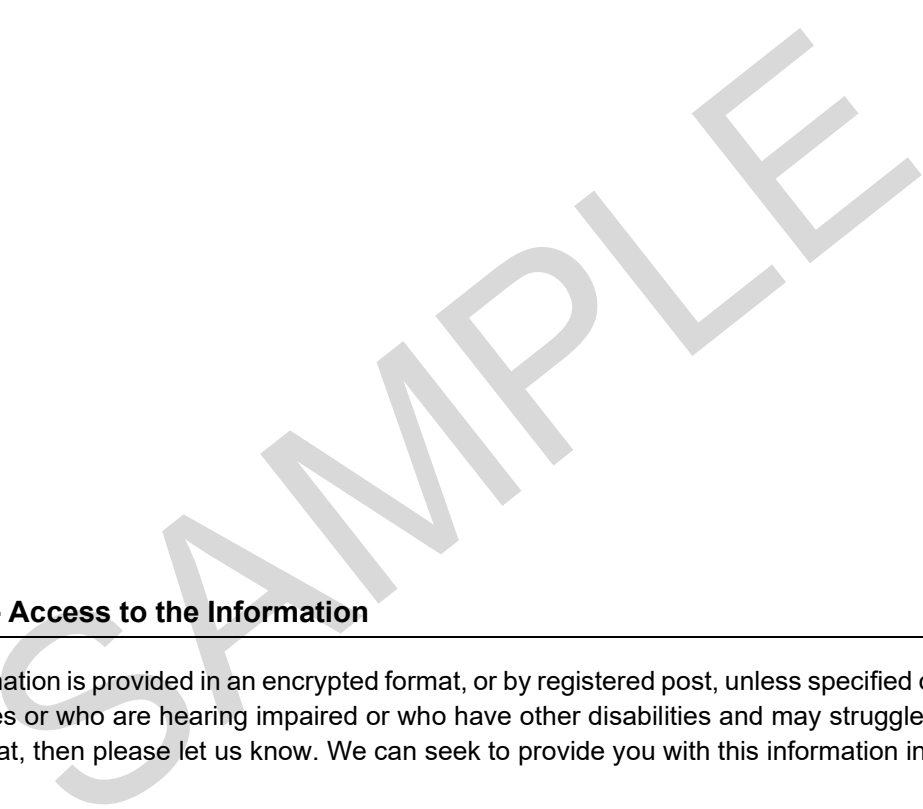
- Section 2 – proof of address**
- Bank Statement
  - Utility Bill
  - Other Please State .....

**SUBJECT ACCESS REQUESTS POLICY 2026 - 2027**

**Part 4 – Details of the information being requested**

---

Please help us deal with your request quickly and efficiently by giving as much detail as possible about the information you want.



**Part 5 – Access to the Information**

---

All information is provided in an encrypted format, or by registered post, unless specified otherwise. If you have learning disabilities or who are hearing impaired or who have other disabilities and may struggle to access your information in this format, then please let us know. We can seek to provide you with this information in another format.

.....

**Part 6 – Declaration**

---

I certify the information provided on this form is true. I understand Askham Bryan College is not obliged to comply with my request unless they are supplied with such information as they may reasonably require in order to satisfy themselves as to my identity and to locate the information which I seek.

Name .....

Signature .....

Date .....