

## Subject Access Requests: The Exemptions

<p><b>Prejudice the Rights of Others</b></p> <p><i>Records or correspondence containing personal data about another person, cannot be disclosed unless the school has that person's consent or it's reasonable to disclose without this.</i></p>	<p><b>Serious Harm</b></p> <p><i>The school must not disclose information that would be likely to cause serious harm to the mental or physical health of any person. An education professional must make this prognosis.</i></p>	<p><b>Crime and Taxation</b></p> <p><i>The school must not disclose information that would be likely to prejudice the prevention or detection of crime; apprehension or prosecution of offenders; assessment or collection of tax or duties.</i></p>
<p><b>Legal Professional Privilege</b></p> <p><i>The school is not obliged to disclose information which contains confidential communications between the school and their Legal Advisors.</i></p>	<p><b>Manifestly Unfounded or Excessive</b></p> <p><i>The school can refuse requests which are considered malicious; are being used to harass the school, have no real purpose clearly unreasonable, not proportionate when balancing burden of costs.</i></p>	<p><b>Confidential References</b></p> <p><i>Requesters are not entitled to 'confidential' references sent or received by the school. This only applies when the reference is truly confidential in nature and not just labelled confidential.</i></p>
<p><b>Education Data Processed by a Court</b></p> <p><i>The school is not permitted to disclose education data to a requester, if that information has been supplied in a report or evidence has been given to the court in the course of proceedings.</i></p>	<p><b>Prohibited or Restricted by Law</b></p> <p><i>There are some laws which restrict or prohibit certain information from being disclosed. A SAR cannot be made to circumvent these laws.</i></p>	<p><b>Management Forecasts</b></p> <p><i>The school is not obliged to disclose information relating to management forecasting or management planning, if it could prejudice the effective running of the school e.g. if disclosure at that time would cause staff unrest or distress.</i></p>
<p><b>Negotiations</b></p> <p><i>The school is not obliged to disclose information if it would prejudice negotiations with the data subject i.e. if it would reveal their intentions towards them.</i></p>	<p><b>Exam Scripts</b></p> <p><i>Candidates are not entitled to a copy of their answers to exam questions (scripts). However, they are entitled to the comments recorded about them by the person marking the exam.</i></p>	<p><b>Exam Marks</b></p> <p><i>Candidates are not entitled to their exam marks before they are announced. The school has 1 month to provide the data after the announcement or 5 months from the date of the request.</i></p>

This summary describes the most commonly used exemptions within schools. Other exemptions may apply.