



## Briefing no. 2: Submitting a Subject Access Request

*This is a guidance document and is not intended as legal advice*

An individual has the right to request any information a public institution holds on you through a Subject Access Request. Complainants and witnesses have previously found this a useful means to find out more about a disciplinary process and its outcome. Types of information that can be requested include emails, outcomes of disciplinary procedures, or any data held on your personnel/HR file.

All university websites should have a page detailing how to make a request, for an example see the UCL page<sup>1</sup>. In the event that a university refuses your request or delays past 1 calendar month, you can consider making a complaint to the Information Commissioner's Office (ICO)<sup>2</sup>.

A template SAR can be seen at the end of this document, adapted from the ICO advice<sup>1</sup>. Be as specific as possible to prevent delays or claims from the organisation that your claim is excessive.

You can expect the documents you receive to be heavily redacted but the university should still provide you with enough context to understand your own data, so expecting the sentence before and after any mention of your name to be readable is not unreasonable. If you feel the redaction is excessive, request they provide more context and if that fails, consider making a complaint to the ICO.

*Note, we have seen cases where accused staff members have used repeated and broad subject access requests directed at multiple individuals in an effort to harass victims and their supporters. While a person's right to their data must be respected, there is a responsibility not to use SARs superfluously. If you believe you are being targeted unfairly, talk to your institution's data officer, or raise the issue with the accused staff member's HR department.*

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<sup>1</sup> <https://www.ucl.ac.uk/legal-services/guidance/subject-access-request-sar-overview> [accessed 15.02.20]

<sup>2</sup> <https://ico.org.uk/make-a-complaint/> [accessed 15.02.20]



*Sample SAR request adapted from ICO<sup>3</sup>*

[Your full address]

[Phone number]

[The date]

[Name and address of the organisation]

Dear Sir or Madam

Subject access request

[Your full name and address and any other details to help identify you and the data you want.]

Please supply the data about me that I am entitled to under data protection law relating to: [give specific details of the data you want, for example:

my personnel file

emails between 'person A' and 'person B' (from 1 June 2017 to 1 Sept 2017)

my medical records (between 2014 and 2017) held by 'Dr C' at 'hospital D'

personal data relating to me in the form of reports, recommendations or outcome documents of grievances, disciplinary processes and settlement agreements raised towards <perpetrator name>, or by <perpetrator name> towards <university>, between the dates of August 2015 and May 2017.

CCTV camera data files, situated at ('location E') on 23 May 2017 between 11am and 5pm]

If you need any more data from me, or charge a fee, please let me know as soon as possible. It may be helpful for you to know that data protection law requires you to respond to a request for data within one calendar month.

If you do not normally deal with these requests, please pass this letter to your DataProtection Officer, or relevant staff member. If you need advice on dealing with this request, the Information Commissioner's Office can assist you. Its website is [ico.org.uk](http://ico.org.uk) or it can be contacted on 0303 123 1113.

Yours faithfully

[Signature]

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<sup>i</sup> <https://ico.org.uk/your-data-matters/your-right-of-access/> [accessed 15.02.20]