

1. Scope

All personal data processed by Luminate Education Group is within the scope of this procedure.

NOTE: The GDPR at Recital 63, clarifies that the reason for allowing individuals to access their personal data is so that they are aware of and can verify the lawfulness of the processing.

Data subjects are entitled to obtain:

- Confirmation as to whether the Luminate Education Group is processing any personal data about that individual;
- Access to their personal data;
- Any related information;

2. Responsibilities

- 2.1 The Luminate Education Group organisation Data Protection Officer / GDPR Owner is responsible for the application and effective working of this procedure, and for reporting to the information and resource owner on Subject Access Requests (SARs).
- 2.2 The Luminate Education Group organisation Data Protection Officer / GDPR Owner is responsible for handling all SARs.

3. Procedure

NOTE: Where possible, Luminate Education Group (Leeds City College, Leeds Conservatoire - The Controllers) will provide remote access to a secure system which would provide the data subject with direct access to his or her personal data. However, if this direct access is not available, a subject access request will be required.

- 3.1 Subject Access Requests are made using the Subject Access Request Record (GDPR REC 4.2) or any other way the user wants to make a subject access request, for example by email to gdpr@luminate.ac.uk, telephone by contacting 0113 386 1997 or by letter addressed to GDPR Owner, Luminate Education Group, Park Lane Campus, Leeds, LS3 1AA.
- 3.2 The data subject provides Luminate Education Group with evidence of their identity, in the form of (*see below*), and the signature on the identity must be cross-checked to that on the application form (GDPR REC 4.2).

Two copies of forms of identification will be needed, which can be:

- Passport
- Driving licence
- Birth certificate
- Utility bill (from last 3 months)
- Current vehicle registration document
- Bank statement (from last 3 months)
- Rent book (from last 3 months).

- 3.3 The data subject specifies to the Luminate Education Group a specific set of data held on their subject access request (SAR). The data subject can request all data held on them.

Each organisation in the Luminate Education Group records the date that the identification checks were conducted.

Each organisation in the Luminate Education Group provides the requested information to the data subject within one month from this recorded date.

Please NOTE: Under the GDPR Article 12 (3), that period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

The controller shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay. Where the data subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject.

- 3.4 Once received, the subject access request (SAR) application is immediately forwarded to the Data Protection Officer / GDPR Owner, who will ensure that the requested data is collected within the specified time frame in clause 3.4 above. Collection entails:
- 3.4.1 Collecting the data specified by the data subject, or
 - 3.4.2 Searching all databases and all relevant filing systems (manual files) in the organisation, including all back up and archived files (computerised or manual) and all email folders and archives.
- 3.5 The Luminate Education Group organisation Data Protection Officer / GDPR Owner maintains a record of requests for data and of its receipt, including dates.
- 3.6 The Luminate Education Group organisation Data Protection Officer / GDPR Owner reviews subject access requests from a child. Before responding to a SAR of the child data subject the Data Protection Officer / GDPR Owner considers their ability to making the request by the following
- 3.8.1 A child has a right of access to the information held about them. In most cases, these rights are likely to be exercised by those with parental responsibility for them. However, before responding to a SAR for information held about a child, you should consider whether the child is mature enough to understand their rights.
 - 3.8.2 It is reasonable, in most cases, for a child that is aged 13 years or more has the capacity to make a subject access request.

SUBJECT ACCESS REQUEST PROCEDURE

3.7 The Luminate Education Group Data Protection Officer / GDPR Owner reviews all documents that have been provided to identify whether any third parties are present in it, and either removes the identifying third party information from the documentation or obtains written consent from the third party for their identity to be revealed.

3.8 Under the UK GDPR and the UK's Information Commissioner's Office guidance, a Subject Access Request (SAR) does not automatically entitle someone to *all* information held about them. Luminate Education Group may withhold some or all information where a specific exemption applies. Exemptions must be considered case-by-case and cannot be applied as a blanket rule. Common SAR exemptions include:

Information about other people – personal data relating to third parties may be redacted or withheld where disclosure would be unreasonable.

Legal professional privilege – communications between lawyers and clients that are legally privileged can be withheld.

Crime and taxation – where disclosure would be likely to prejudice the prevention, detection, or investigation of crime, or tax collection.

Confidential references – references given for employment, education, training, or similar purposes may be exempt.

Management forecasting and planning – certain management information may be withheld if disclosure would prejudice the conduct of the business.

Negotiations with the requester – information relating to ongoing negotiations may be exempt in some circumstances.

Research, statistics, journalism, academic, artistic, and literary purposes – specific exemptions may apply where the legal conditions are met.

Health, education, social work, and child-abuse records – special rules and exemptions can apply.

Manifestly unfounded or excessive requests – an organisation may refuse or charge a reasonable fee in limited circumstances.

If an organisation relies on an exemption, it should generally explain that it has done so and be able to justify its decision if challenged. The burden is on the organisation to demonstrate that the exemption applies.

For the official guidance, the ICO's SAR exemptions page can be viewed:
[ICO – What exemptions are relevant for SARs?](#)

3.9 In the event that a data subject requests to provide them with the personal data stored by the controller/processor, then Luminate Education Group will provide the data subject with the requested information in electronic format, unless otherwise specified.

3.10 In the event that a data subject requests what personal data is being processed then Luminate Education Group provides the data subject with the following information:

SUBJECT ACCESS REQUEST PROCEDURE

- 3.10.1 Purpose of the processing
- 3.10.2 Categories of personal data
- 3.10.3 Recipient(s) of the information, including recipients in third countries or international Luminate Education Group
- 3.10.4 How long the personal data will be stored
- 3.10.5 The data subject's right to request rectification or erasure, restriction or objection, relative to their personal data being processed.
 - 3.10.5.1 The Luminate Education Group organisation communicates with other Luminate Education Group, where the personal data of the data subject is being processed, to cease processing information at the request of the data subject. Based on the Data Inventory register/
 - 3.10.5.2 The Luminate Education Group communicates without undue delay in the event that the data subject has: withdrawn consent ((GDPR REC 4.6A); objects to the processing of their personal data in whole or part; no longer under legal obligation and/or has been unlawfully processed.
- 3.10.6 Inform the data subject of their right to lodge a complaint with the supervisory authority and a method to do so.
- 3.10.7 Information on the source of the personal data if it hasn't been collected from the data subject.
- 3.10.8 Inform the data subject of any automated decision-making.
- 3.10.9 If and where personal data has been transferred and information on any safeguards in place.
- 3.11 Luminate Education Group will use secure and encrypted methods of data transfer to respond to SARs.

Document Owner and Approval

The Luminate Education Group IT Director is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR.

This procedure is issued on a version controlled basis.

Change History Record

Issue	Description of Change	Date of Policy
1.0	Initial issue	27/11/2017
1.1	Annual Review	21/08/2020
1.2	Update annual review	14/10/2021
1.3	Update – Annual review	08/08/2022
1.4	Review – No update	14/09/2023
1.5	Annual review – no changes	14/10/2024
1.6	Post Validera Audit. Section 3.1 amended to reflect additional ways a person can request a SAR.	20/06/2025
1.7	Amended 3.12 to remove details of old Egress secure email platform	17/10/25
1.8	Annual revuew - Updated section 3.8 with new guidance	26/05/2026