



HOPE LEARNING COMMUNITY

Third party request for information policy



HOPE LEARNING COMMUNITY

Third Party Request for Information Process

Approved by trustees: May 2023

Review every two years

*To be published on school website/linked to trust website and
made available to all staff*

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Third Party Requests for Information

Occasionally the Hope learning Community and its schools and college may receive a request for information on a pupil or member of staff by a third party, such as the police or social services.

The police do occasionally ask for personal data as part of an inquiry, but they don't have the automatic right to receive information about our staff or pupils. You should not feel pressured into handing over personal information. There is a special process the police are required to follow to access personal data for certain crime-related purposes.

However, child protection and safeguarding can take priority over data protection. The Children Act 1989 and 2004, Education Act 1996 and 2002 all emphasise the importance of sharing information responsibly where safeguarding is an issue.

Every situation should be assessed on its individual circumstances, and a distinction must be made at this time whether the information has been requested on an emergency basis, (where there is immediate and significant risk to the life and/or limb of a person), or whether the information is required as part of a routine investigation (where there is no immediate threat of harm).

If there is any doubt, then the school's legal advisor should be contacted for advice.

Any decisions about disclosure on safeguarding requirements should be recorded. The member of staff who has disclosed the data should make a record in the pupil or staff file of the following:

- Information that has been disclosed
- Who it has been disclosed to (person, position and agency)
- Who within the school authorised the release of the data
- Date & time of the decision

A 'Third Party Request for Information' form (Appendix A) or 'Police Request to Disclose Third Party Personal Data' Form (Appendix B) summarising this information should be completed for each request from all third-parties other than the police.

Appendix A

Third Party Request for Information

This form should be completed where a third party contacts the school requesting that information is shared with them about a member of staff or a student.

Remember, the police and other agencies have processes that they need to follow in order to legitimately gain information that is protected within the Data Protection regulations. However, child protection and safeguarding take priority and if information is requested on an emergency basis where there is immediate or significant risk, information can be disclosed.

This form should be completed on receipt of an information request, with authority sought from the Headteacher/Head of School or College.

A copy should be retained on the relevant staff or pupil file.

Date of Request:	
Time of Request:	
Person receiving request:	
Position:	

Details of Third Party

Name:	
Position:	
Agency:	
How has request been made?	Face to face <input type="checkbox"/> Telephone <input type="checkbox"/> Letter <input type="checkbox"/> Email <input type="checkbox"/> Other (please describe)

Details of Information Requested

Data that has been requested:	
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Reason the data has been requested:

Authorisation to Release Information

Name:	
Position:	
Date:	
Time:	
Authority to release requested information?	Yes / No
Summary of Information to be released:	

Confirmation of Information Released:

Date Information Released:	
Time Information Released:	
Method of Releasing Information:	<p>Face to face <input type="checkbox"/></p> <p>Telephone <input type="checkbox"/></p> <p>Letter <input type="checkbox"/></p> <p>Email <input type="checkbox"/></p> <p>Other (please describe)</p>
Person who released the information:	
Position:	
Summary of Information Released:	
Follow Up Action to be Taken:	

Appendix B

Police Request to Disclose Third Party Personal Data

(under Schedule 2 Part 1 Paragraph 2 or Paragraph 5 of the Data Protection Act 2018)

Requestor:

Full Name:	
Job Title:	
Organisation:	
Address:	
Telephone:	
Email:	

Data Subject:

Full Name:	
Current or last known address:	
Any other identifying information e.g., previous address, other known names, NI number	

Information Required:

State the specific information required.

Reason for Disclosure:

State the reason for requesting the disclosure, which should include what is intended with the information and how long it will be retained for.

Lawful basis for Disclosure:

With reference to Schedule 2 Part 1 Paragraph 2 or Paragraph 5 of the Data Protection Act 2018, and to Articles 6(1) and 9(2) of the GDPR, state why the disclosure is lawful.

If asking for the information relating to criminal convictions and offences, please state your official authority and how you are authorised to process this information with regard to Article 10 GDPR or with reference to Schedule 1 Data Protection Act 2018.

Non- Disclosure:

Please state how not providing the information requested would prejudice the state purpose.

Information Provision:

If we hold information, how should the information be provided?

✓	✗	Electronically via secure email
✓	✗	Collection in person (proof of identification will be required)

We will notify you if we do not hold the information requested or if the request is refused.

Declaration and Authorisation

The Authorising Officer must be of the rank of the police officer or higher, or for other relevant bodies, a senior officer or manager. In the case of an inspector not being available at your location, we will accept an email from an inspector, (or higher-ranking officer), attaching this paperwork and confirming their approval.

Declaration

I certify that:

- Information requested is compatible with the state purpose (section 4) and will not be used in anyway incompatible with that purpose.
- I understand that information given on this form is correct.
- I understand that if any information given on this form is incorrect, I may be committing an offence under Section 170 of the Data Protection Act 2018.

Requestor

Signed:		Date:	
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Authorising Officer

Full Name:			
Job Title:			
Signed:		Date:	

For School Use Only:

Date Form Received by School:			
Form Reviewed By:			
Position:			
Authority to Release Requested Data?	✓	✗	
Notes to Support Release of Data:			
Data Release Date:			

Method of Release:	
Name of Individual Releasing Data:	
Position:	