

## **Completing the Police and Section 29 disclosure request form**

According to the ICO the disclosure of personal data under the section 29 exemption does not need to be received in a certain manner, the school simply needs to be satisfied that the request is genuine and that the information being requested is required for the prevention or detection of crime, and the prosecutions or apprehension of offenders. This provides an exemption from informing the individuals, or seeking their consent to disclose the information.

Requests from Police and other relevant authorities often come in various forms, e.g. DP7 or DP9 which normally sets out the purpose of the disclosure, information required and authorised and signed by a police officer of the rank of Inspector or above.

Where the request is insufficient schools should use the Trust Section 29 Disclosure Request Form, this will help the school determine whether the request is exempt from requiring consent, lawful and genuine e.g. for the purposes of prevention or detection of crime; apprehension or prosecution of offenders; or assessment or collection of tax, duty or imposition of a similar nature.

A separate request form should be submitted for each individual data subject about whom information is required.

Please complete the form as follows:

### **Section 1 - Requestor**

Complete all fields in this section. If completing this form on behalf of someone else please give details of the requestor.

### **Section 2 – Data subject**

- Name – Current name of person (data subject) about whom you are requesting information
- Address – Current address of data subject
- Other identifying information – Other information that may help us to identify information relating to the data subject, for example:
  - Date of birth
  - Former names, alternative names, or aliases that the data subject may be/have been known
  - Former address(es), or alternative address(es)
- Has the Data Subject provided consent to the request? Depending on the age and mental capacity of a child data subject, we will require parental consent or that of an adult with legal guardianship.

### **Section 3 – Specific information required**

Give details of the specific information you require about the data subject for the purpose stated in section 4 of this form.

How will the information be obtained – try to get the information collected in person wherever and check the identity documentation of the person collecting and obtain a signature confirming receipt e.g. a copy of the letter as that is the only secure way if they don't give you a secure encrypted email service to use.

### **Section 4 – Reason for requesting disclosure**

**Offence(s)** – Give brief details of the offence or subject of investigation. Or, if disclosing this is likely to prejudice the case, indicate this by ticking the box provided.

**Statutory powers** – State the statutory power(s) under which information is being requested e.g. Police and Criminal Evidence Act. Include details of relevant section within the legislation. DO NOT cite Section 29 of the Data Protection Act 1998.

**Purpose** – Indicate the purpose for requesting disclosure of information (Select 1 only).

**Reason** – Briefly describe why the requested information is necessary to achieve your declared purpose.

- which the information is held, files may be large and need to be checked prior to making a decision about releasing the requested information
- An assessment is made by a Senior member of staff to ensure the request is proportionate to the stated purpose

We will notify you as soon as possible if we do not hold the information you have requested, or a decision is made not to release information.

### **Section 6 – Declaration and authorisation**

Police requests - The request MUST be authorised and signed by a police officer of the rank of Inspector or above.

Other 'relevant authorities' – The request must be signed by an appropriate senior officer/manager.

The authorising officer is certifying that:

- The information requested is compatible, and will not be used in any way that is not compatible with the stated purpose.
- Non-disclosure would prejudice the stated purpose
- Information given on the form is correct

**Warning** - An offence may be committed under Section 55 of the Data Protection Act, 1998 if information given on the form is incorrect, or if released information is used for a purpose other than that stated.



