Third Party Requests for Information Process

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CRESCO Multi Academy Trust

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Third Party Requests for Information

Occasionally the academy 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 Trust's legal advisor should be contacted for advice.

Essex Legal Services

0333 013 9993

ELS.enquiries@essex.gov.uk

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) should be completed for each request which summarises this information.

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 relevant academy headteacher.

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 ☐ Telephone ☐ Letter ☐ Email ☐ Other (please describe)

Details of Information Requested

Data that has been requested:	
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:	Face to face ☐ Telephone ☐ Letter ☐ Email ☐ Other (please describe)
Person who released the information:	
Position:	
Summary of Information Released:	
Follow Up Action to be Taken:	