



Disclosing Information to the Police

Based on a template from Information Governance (IG) Services (Dudley).

Disclosure of Personal Information to the Police

Introduction

Occasionally schools will receive requests from the police for personal information that is held by the school. This could be information relating to the contact details of a family whose children attend the school or information relating to a member of staff.

Decision on whether to disclose information to the Police

Under certain circumstances personal information can be provided to the police without consent from the data subject.

Part 2, Sch 2, Para 2 of the Data Protection Act allows personal information to be disclosed to the police in cases where the failure to provide the information would prejudice the prevention or detection of crime or the apprehension or prosecution of an offender.

Essentially, this allows the school to disclose personal data to the police, where it is necessary to prevent or detect crime or apprehend or prosecute offenders, without fear of breaching the Act.

Although Part 2, Sch 2, Para 2 of the Data Protection Act allows personal information to be disclosed for legitimate police enquiries it is up to the school to determine whether it should disclose the information.

Personal data should only be disclosed to police officers if they are able to supply a 'relevant document', which notifies of a specific, legitimate need to have access to the personal data. However it should always quote Part 2, Sch 2, Para 2 of the Data Protection Act or other relevant exemption. The document must be signed by the requestor's supervisor or sergeant.

If a telephone call is received from the police they will need to be advised to send the completed form to the headteacher or CEO. No disclosure of any information should be made over the telephone.

A record should be kept of any personal data disclosed for audit purposes.

When a 'relevant document' is not required

If the school contacts the police and asks them to attend the setting to deal with an incident, a 'relevant document' is not required.

Appendix 1

OFFICIAL SENSITIVE (WHEN COMPLETE)

WA170 05/2018



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Request to external organisation for the disclosure of personal data to the Police

Under Schedule 2 Part 1 Paragraph 2 of the Data Protection Act 2018 and GDPR Article 6 (1) d

To: info.school@dudley.sch.uk

Position (where known): Headteacher

Organisation: Sunnyside Primary School

Lawful basis quoted
Opt in tick boxes support lawful basis
Signed by rank of Sergeant and above
Information has to be provided in its entirety

I am making enquiries which are concerned with:

- The prevention or detection of crime*
- The prosecution or apprehension of offenders*
- Protecting the vital interests of a person*

I confirm that the personal data requested below is needed for the purposes indicated above and a failure to provide that information will be likely to prejudice those matters

I do not confirm that the individual(s) whose personal data is sought not to be informed of this request as to do so would be likely to prejudice the matters described above

* Check mark as is appropriate

Information required:

Details of member of staff in relation to an incident during school hours

Police Reference: PU/XXX/2020

From:

Rank/Number/Name: IO 33333 Gray
 Station: Stourbridge
 Date/Time: 1415 hrs 27/04/2020
 E-mail address: j.gray@west-midlands.pnn.police.uk
 Signature: J Gray

Counter Signature: **S ATTWOOD**

Rank/Number/Name: DS 5620 Attwood