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# THE HEATH ACADEMY TRUST

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## 3<sup>RD</sup> PARTY REQUEST FOR INFORMATION PROCESS

The Heath Academy



Growing Excellent Learners

*inspire transform together*

Summary	
Policy Reference Number:	n/a
Category:	Data Protection
Authorised By:	Board Of Directors
Committee Responsible:	Board Of Directors
Version:	2018-1
Status:	21/03/2018: Approved at Full Trust Board.
Next Review Date:	21/03/2019

*The Heath Academy Trust  
Registered Address: S.t Ives Primary & Nursery School, Sandy Lane, St. Ives, Ringwood, Hampshire, BH24 2LE  
Registered in England and Wales  
Registration Number: 09809895*

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## Definitions

*Note: These terms are standard throughout all policy documents and are designed to provide clarity.*

### Section 1: The MAT

“the Academy Trust” and “Trust”	mean the Heath Academy Trust Company.
“the Board”	means the Board of Directors of the Heath Academy Trust Company.
“the Directors”	refers to the group of (up to 12) Directors who make up the Board, and who are also the Heath Academy Trust’s “Trustees” under charity law.
“Finance Committee”	refers to the Finance and Audit Committee formed by the Board to manage the financial affairs of the Trust.
“Accounting Officer”	is a role held by the Chief Executive Officer (“CEO”) of the Trust, and one which includes a personal responsibility for the financial resources under the Trust’s control. He is accountable for the Trust’s financial affairs.
“Chief Finance Officer” (CFO)	is the Trust’s finance director, and also the Trust Business Manager, to whom the Accounting Officer delegates responsibility for delivery of the Trust’s financial processes and reports , and for the oversight and consolidation of the Academies’ financial data.
“Trust Business Manager” (“TBM”)	Fulfills the CFO role within the Trust, including compliance and statutory returns, as described in the Academies’ Financial Handbook.
“Leadership Team”	is a team representing the Academies, consisting of the Headteachers and the CEO, and the TBM.

*A full description of the positions listed and their responsibilities will be found in the current Academies’ Financial Handbook.*

### Section 2: The Schools

“Academy”	One of the six schools making up the Heath Academy Trust.
“Academies”	All of the six Academies.
“School”	means an Academy within the Trust.
“Finance Officer”	The person responsible for the day to day management of an Academy’s financial operations.
“Governor”	means a formally elected and appointed member of a School’s Governing Body (generally referred to as the LGB).
“Headteacher”	means the senior person at an Academy who may also be an Executive Headteacher and/or elected as a Director of the Board.
“School’s Leadership Team”	A group within each School consisting of the Headteacher, senior staff and the local Governing Body.

## 1. 3rd Party Request For Information

- 1.1 Occasionally the school/Trust may receive a request for information on a pupil or member of staff by a 3rd party, such as the police or social services.
- 1.2 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. Trust staff 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.
- 1.3 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.
- 1.4 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).
- 1.5 If there is any doubt, then the school's legal advisor should be contacted for advice.  
Stone King LLP  
13 Queen Square  
Bath  
BA1 2HJ  
Tel: [01225 337599](tel:01225337599)
- 1.6 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
- 1.7 A '3rd Party Request for Information' form (Appendix A) should be completed for each request which summarises this information.

## Appendix A – 3<sup>rd</sup> Party Request For Information

1. This form should be completed where a 3<sup>rd</sup> party contacts the school requesting that information is shared with them about a member of staff or a student.
2. 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.
3. This form should be completed on receipt of an information request, with authority sought from the school Data Protection Controller
4. A copy should be retained on the relevant staff or pupil file.

<b>Date of request:</b>	
<b>Time of request:</b>	
<b>Person receiving request:</b>	
<b>Position:</b>	

### Details Of 3<sup>rd</sup> Party

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

### Details Of Information Requested

<b>Data that has been requested:</b>	
<b>Reason the data has been requested:</b>	

### Authorisation To Release Information

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

### Confirmation of Information Released

<b>Date Information Released:</b>	
<b>Time Information Released:</b>	
<b>Method of releasing Information:</b>	Face to face <input type="checkbox"/> Telephone <input type="checkbox"/> Letter <input type="checkbox"/> Email <input type="checkbox"/> Other (please describe)
<b>Person who released the information:</b>	
<b>Position:</b>	
<b>Summary of Information released:</b>	
<b>Follow up action to be taken:</b>	