

OFFICIAL SENSITIVE (WHEN COMPLETE)

This form is only to be shared with the Police and the External Agency involved



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: Click or tap here to enter name of person this is sent to (recipient).
Position (where known): Click or tap here to enter their position in their organisation.
Organisation: Click or tap here to enter name of their organisation.
Address: Click or tap here to enter address of their organisation.

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 confirm that the individual(s) whose personal data is sought should not 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:

Click or tap here to enter text setting out what information is required.

What will the information be used for:

Click or tap here to enter text informing how the information will be used.

Police Reference:

Click or tap here to enter Crime Reference No., Case File No. etc. where necessary

OFFICIAL SENSITIVE (WHEN COMPLETE)

This form is only to be shared with the Police and the External Agency involved

From:

Rank/Number/Name: Click or tap here to enter details of person completing form.
Station: Click or tap here to enter details of station where you are based.
Date/Time: Click or tap here to enter date and time of completion.
Telephone Number(s): Click or tap here to enter your telephone number(s).
Email address: Click or tap here to enter your official police email address.
Signature*:

Counter Signature:*

Rank/Number/Name: Click or tap here to enter details of person providing counter signature.

**as required by recipient*

Response from external agency:

Click or tap here to enter response from external agency

Please see Guidance Notes on following page

OFFICIAL SENSITIVE (WHEN COMPLETE)

This form is only to be shared with the Police and the External Agency involved

Explanatory Note

This form replaces the Section 29(3) Form which has become redundant by virtue of new data protection legislation. It is used by the police as a means of making a formal request to other organisations for personal data where disclosure is necessary for the purposes of the prevention or detection of crime or the apprehension or prosecution of offenders. It places no compulsion on the recipient to disclose the information, but should provide necessary reassurance that a disclosure for these purposes is appropriate and in compliance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

Crime and Taxation

The GDPR regulates the processing of personal data where it is done so for non-Law Enforcement purposes. Article 23 of the GDPR permitted the UK Parliament to create, via legislation, exemptions from particular elements within the GDPR which would otherwise compromise the public interest.

Consequently Parliament used the Data Protection Act 2018 to set out exemptions from the GDPR which apply in some circumstances. They mean that some of the data protection principles and subject rights within the GDPR do not apply at all or are restricted when personal data is used or disclosed for particular purposes.

The most relevant exemption for Law Enforcement is that within the Data Protection Act 2018 at Schedule 2 Part 1 Paragraph 2 (Crime & taxation: general). This applies where personal data is disclosed by an organisation subject to the GDPR to the police for the purposes of *the prevention or detection of crime or the apprehension or prosecution of offenders*.

It restricts the application of the GDPR data protection principles and subject rights (as listed in the Data Protection Act 2018 at Schedule 2 Part 1 Paragraph 1) to the extent that the application of those provisions would be likely to prejudice *the prevention or detection of crime or the apprehension or prosecution of offenders*.

In effect the exemption means that an organisation can provide personal data to the police where necessary for the prevention or detection of crime or the apprehension or prosecution of offenders without fear of breaching the GDPR or Data Protection Act 2018.

Vital Interests

GDPR Article 6(1)(d) provides a lawful basis for organisations to disclose personal data to the police where the disclosure *is necessary in order to protect the vital interests of the data subject or of another natural person*.

Further guidance on the use of this form may be obtained from the force Data Protection Officer.

Completion Guidance

Police officers or staff completing this form should type and tab between the fields on the form. The information required field should provide the recipient with sufficient information to allow them to locate the information sought. Where a signature and/or counter signature are required the form will need to be printed off and signed manually. Some organisations may require a counter signature to be added to the form. Normally this should be the supervisor or line manager of the person completing the form, but may be a higher rank if reasonably required by the recipient.