



**Guidance for Organisations Requesting
Disclosure under Schedule 2 Part 1 Paragraph 2
of the Data Protection Act 2018**

Introduction

Organisations that have a crime prevention, law enforcement or tax collection function may require personal information held by Hull City Council to prevent or detect a crime, or apprehend or prosecute an offender, or for taxation/benefit purposes.

These organisations can submit this type of request:

- Police
- HM Revenue and Customs
- Child Support Agency
- Health and Safety Executive
- Official Receiver
- Solicitors or another acting on your clients behalf
- Solicitor acting on your client behalf, but asking for another's data
- Other Local Authorities or Public Bodies, acting under authorised powers

Hull City Council may be able to release this information by applying an exemption under Schedule 2 Part 1(2) of the Data Protection Act 2018. There is no obligation on the Council to do so and even if the exemption applies the Council may decide that it should not release any information.

Please note that if the Council has genuine concerns about releasing any personal information (for example, because it thinks it has other legal obligations such as the information being confidential) then it may ask for a court order requiring release of the information.

How to make a request under Schedule 2 Part 1(2)

Organisations wishing to request disclosure of personal information held by Hull City Council under Schedule 2 Part 1(2) must complete:

Appendix A – *“Request For Disclosure of Personal Data under Schedule 2 Part 1(2) of the Data Protection Act 2018’ form”*

Most organisations will have a standard form for this, but a form is available upon request from our Information Governance Team.

All requests must be submitted either in person/via secure email*/by post. Please note that fax in not considered a secure method of transmission.

Contact details of the Information Governance Team can be found at the bottom of this document

Completing the form

Section 1

- Please provide your name, job title and organisation to enable us to identify you as a person with statutory authority to make a request under the exemption.
- Please include the address, a secure email address and a telephone number to allow us to contact you or forward the information once a decision has been made.

Section 2

- Please specify the information you are looking for and, where known, any other details which would enable us to locate the data e.g. directorate or section the individual has had contact with, where the data is likely to be held or the dates when the individual was in contact with the council.
- You can attach any additional documents which may help us to locate the information, or identify the data subject.
- For the purposes of crime prevention or apprehension/conviction of an offender the requested information should relate to a specific individual. This exemption **must not** be used for 'trawling' information and these requests will be refused

Section 3

- Please supply details of the offence. Where you are unable to specify the offence please tick the appropriate box. This should only be used where it is likely to prejudice the case as this information can aid the decision making process.
- Please give reason(s) why the information is necessary.
- Please also state under what powers you are requesting the information.

Hull City Council reserves the right to withhold data if sufficient grounds for applying an exemption are not provided.

Section 4

- Please state how you would like to receive the information. The most convenient, secure and preferred method is via secure email platforms such as GCSX or CJSM.
- We can provide information by alternative means but this may result in delay releasing the requested information. If you wish to collect the information then we will require sufficient identification for example an ID badge or a warrant card.
- Please indicate the timescale in which you require the information. Dependent on number received, volume and nature of request it may take up to 5 working days to process.

When we receive a completed form we will assess whether or not this information will be released. We will endeavour to provide the information you have requested as soon as possible and will inform you if it is not possible to meet the required timescale.

Section 5

Once you have completed your form please send it to us by secure email/post or in person. Please include the email address of the authorising officer as confirmation.

For requests from the police the form must also be authorised by a person no lower than Police Inspector.

If Hull City Council does not consider the level of authorisation signatory to be sufficient we reserve the right to request further authorisation or to refuse to supply the information.

Failure to complete the form fully is likely to delay the process of obtaining the information.

Please note that the final decision to release the requested information is held by Hull City Council

Contact Details

Postal Address – Information Governance Team, Hull City Council, The Guildhall, Alfred Gelder Street, Hull HU1 2AA

Email – Information@hullcc.gov.uk

Telephone – 01482 615005

REQUEST FOR THE DISCLOSURE OF PERSONAL DATA

UNDER SCHEDULE 2 PART 1(2) OF THE DATA PROTECTION ACT 2018

Section 1 – Requester Details

Requested by	
Job Title	
Organisation	
Address	
Telephone	
Secure Email address	

Section 2 – Data Subject Details

Name	
Address	
Other identifying information	
Specific Information Required	

Section 3 – Information to support disclosure

Alleged Offence(s)	
Reason Information is necessary	
State under which statutory powers you are requesting the information	

I certify that the data is required for one of the following purposes (please tick appropriate one), and non-disclosure would prejudice that purpose. I also certify that it will not be used in any way incompatible with the purpose: -

- Prevention or detection of crime
- Apprehension or prosecution of offenders
- Assessment or collection of tax, duty or imposition of similar nature

Section 4 – Disclosure

How would you like to receive the information?

- Secure email (please ensure you have provided a secure email address)*
- Post
- Collection in person from The Guildhall, Hull

Please provide the date by which the information is required

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** We have a facility which allows us to send emails securely. If you wish to use this facility please provide a contact number so we can call you to arrange this.*

Section 5 Authorisation

I understand that if any of the information given on this form is incorrect, I may be committing an offence under Part 6 of the Data Protection Act 2018. The authorisation email acts as authentication and must be in the recognised police/government formats. In certain circumstances we may ask for further details to confirm authentication.

Name of officer/requestor	
Authorising officer and contact details	
Job title of authorising officer	
Date	

Contact Details

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