

## **Data Protection Act 2018 Schedule 2 Request Form**

### **1. Data Protection Act 2018 Schedule 2 Part 1(Paragraph 2) requests**

Schedule 2, Part 1(Paragraph 2) of the Data Protection Act 2018 allows Croydon Council (the council) to disclose personal information to a third party organisation that has a crime prevention, law enforcement or tax collection function, if the information is needed to prevent or detect a crime, to apprehend or prosecute an offender or to assess or collect a tax or duty. The following are examples of organisations who can make a request to the council under Schedule 2 Part 1 (Paragraph 2):

- Police
- HM Revenue and Customs (HMRC)
- Local Authorities

### **2. Data Protection Act 2018 Schedule 2 Part 1(Paragraph 5)**

Schedule 2, Part 1(Paragraph 5) of the Data Protection Act 2018 allows the council to disclose personal information to a third party:

- Where disclosure is required by or under an enactment, by any rule of law or by the order of a court
- For the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings) or for the purpose of obtaining legal advice or establishing or exercising or defending legal rights.

### **3. Is information always released?**

The GDPR sets out principles the council must comply with when processing personal information. In response to a Data Protection Act 2018 Schedule 2 request that fits either the Schedule 2 Part 1(Paragraph 2) or Schedule 2 Part 1(Paragraph 5) criteria the council is permitted to apply an exemption and release personal information to a third party. However, making a request does not guarantee release and in some situations the decision may be taken not to release the information.

### **4. How long will it take and is there a charge?**

The council aims to respond to all requests with one month of receipt. Generally we will provide information free of charge in response to Data Protection Act 2018 Schedule 2 requests. If a charge does apply this will be advised on a case by case basis and will be explained in the council's Information Charging Policy.

### **5. How to make a request?**

Please complete the relevant sections of the following form and forward it with any supporting evidence and any fee due to the council – contact details are at the end of the form. Please note that we might need to ask for identification before releasing information and we might need to ask that someone else signs to authorise your request, if for example we consider they are not in a senior enough role to provide authorisation.

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I am making enquires which are concerned with (tick as appropriate):

- The prevention and detection of crime
- The prosecution or apprehension of offenders
- The assessment or collection of a tax or duty or an imposition of a similar nature
  
- I confirm that the personal data requested below is needed for the purpose indicated above and a failure to provide that information will be likely to prejudice those matters
- I can 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.

**Please describe the information you would like to access with any relevant dates**

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**Please explain why releasing the information is necessary and how non-disclosure would prejudice that purpose**

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**Data Protection Act 2018 Schedule 2 Part 1(Paragraph 5) requests**

I am requesting information because it is necessary for:

- The purpose of or in connection with legal proceedings (including prospective legal proceedings)
- The purpose of obtaining legal advice
- The purpose of establishing, exercising or defending legal rights.
  
- I confirm that the personal data requested below is needed for the purpose indicated above and a failure to provide that information will be likely to prejudice those matters
- I can 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.

**Please describe the information you would like to access with any relevant dates**

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**Please explain why you think it is necessary for the council to disclose the information and if relevant please state which law or enactment and section number**

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**Data Subject Details – who is the information requested about?**

If the name of the data subject is not known please provide as much information as possible about who you are requesting the information about.

Name	
Address	

Please provide any other relevant information that will assist us to clearly identify the data subject, as follows:

Date of Birth	
Alleged Offence	
Police Reference	

**Requester Details – please provide your contact details**

Name	
Organisation	
Your reference	
Address	
Telephone	
Email address	
Signature	

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**Authorisation**

I confirm that the personal information requested is necessary for the purpose(s) described in this application and that failure to provide this information is likely to prejudice these matters. I undertake to keep the information supplied secure and only to use it for the purpose described in the application.

Name of Officer / Requester			
Position in organisation			
Address			
Telephone			
Email Address			
Signature		Date	

Please return completed forms to [sar@croydon.gov.uk](mailto:sar@croydon.gov.uk) or to:

Croydon Council  
Croydon Digital Services  
Assistant Chief Executive Directorate  
Floor 3 Zone E, Bernard Wetherill House, Mint Walk, Croydon, CR0 1EA

We advise using a secure method of postage.