**Record of data sharing with law enforcement authorities for specified purposes**

**Please refer to guidance note Police Entry and Search Powers and checklist before completing this record**

1. **Name of the organisation requesting the data:**
2. **Date of request and how the request was received:**
3. **Nature of the personal data being requested (i.e. not the names or details of individuals of interest):**
4. **The stated law enforcement purposes for which the information is required:**
5. **The stated reasons and justifications for the necessity of the personal data requested:**

The information above must be provided by the requesting body. Unless the College is satisfied that the request is legitimate, it must not proceed with its considerations.

**There are four sections (A-D) of the form to complete below – not all cases will need all sections to be filled in.**

**This rest of the form is designed to be completed by the College Data Protection Lead (CDPL), who should in any event assure themselves of its accuracy.**

**A. Lawful Basis for sharing personal data**

**Complete this section in ALL cases.**

Please select the most appropriate lawful basis for sharing the personal data and provide the reasons and justifications in the relevant pale-yellow boxes (one or more entries in the relevant row):

|  |  |  |
| --- | --- | --- |
| ****Lawful basis**** | ****The specific legal task/function/power the College is relying on**** | ****Reasons for this decision**** |
| *Public task* |  |  |
|  | **Purpose test** | **Necessity test** | **Balancing test** |
| *Legitimate interests* |  |  |  |
|  | **Reasons for this decision** |
| *Consent* |  |
| *Performance of a contract* |  |
| *Compliance with a legal obligation* |  |
| *Vital interests* |  |

**B. Sharing Special Category Personal Data**

**If the request does not include special category personal data, proceed to the next section.**

The College must satisfy at least one of the following conditions that justify sharing special category data, in addition to the lawful basis identified above:

|  |  |  |  |
| --- | --- | --- | --- |
| Condition | Reasons and justifications for this decision | Why the sharing is necessary for this specific purpose | Is the sharing in the public interest? (Y/N) |
| Explicit consent |  | N/A | N/A |
| Vital interests |  | N/A | N/A |
| Legal claims or judicial acts |  |  | N/A |
| *Health or social care (with a basis in law)* |  |  | N/A |
| Public health |  |  |  |
| Substantial public interest (with a basis in law) | Complete the table below |

*Substantial public interest (with a basis in law)*

|  |  |  |  |
| --- | --- | --- | --- |
| ****Criteria**** | ****Show substantial public interest**** | Reasons why consent can't be obtained / asking for consent would prejudice the purposes | ****Appropriate policy document in place**** |
| *Safeguarding of children and individuals at risk* |  |  |  |
| *Statutory and government purposes* |  | N/A |  |
| *Administration of justice and parliamentary purposes* | N/A | N/A |  |
| *Regulatory requirements* |  |  |  |
| *Preventing fraud* | N/A | N/A |  |
| *Suspicion of terrorist financing or money laundering* | N/A | N/A |   |
| *Publication of legal judgments* | N/A | N/A |  |
|  | **Can the College demonstrate processing is necessary for reasons of substantial public interest? (Y/N)** | **Reasons and justifications for making this decision**  | **Reasons why consent can't be obtained / asking for consent would prejudice the purposes** |
| *Preventing or detecting unlawful acts* |  |  |  |

**C. Sharing Criminal Offences Data**

**If the request does not include criminal offences data, proceed to the next section.**

This condition only applies if the College cannot **reasonably** meet the same purpose through less intrusive means. There are two circumstances under which data sharing can occur:

1. Under the control of official authority; or
2. Authorised through meeting a specific condition outlined in the current UK data protection legislation.

|  |  |
| --- | --- |
|  | ****Reasons and justification for this decision**** |
| *1. Under the control of official authority* |  |
| **2. Conditions a**uthorised by law: | **Reasons and justifications for this decision** | **Reasons why consent can't be obtained / asking for consent would prejudice the purposes** | **Appropriate policy document in place** |
| *Preventing or detecting unlawful acts Authorised by law – preventing or detecting unlawful acts* |  |  | N/A |
| *Safeguarding of children and individuals at risk* |   |  |  |
| *Health or social care purposes* |   | N/A | N/A |
| *Public health* |  | N/A | N/A |
| *Statutory and government purposes* |  | N/A |  |
| *Administration of justice and parliamentary purposes* |  | N/A |  |

**D. Record of how the data sharing complies with data sharing principles**

**Complete this section in ALL cases.**

The College needs to document how it the proposed data sharing meets all the requirements of the data protection principles:

|  |  |  |  |
| --- | --- | --- | --- |
| ****Principle**** | The issue to demonstrate | ****Is the sharing compliant? (Y/N)**** | ****Your reasons for making this decision**** |
| *Lawfulness, fairness and transparency* | The data will be shared in a way that is fair and transparent |   |  |
| *Purpose limitation* | Data sharing is limited to a specific purpose |   |   |
| *Data minimisation* | Sharing is limited to data that is adequate, relevant and limited to what is necessary for the requested purpose(s) |   |   |
| *Accuracy* | The data to be shared is accurate and up to date |   |   |
| *Data minimisation: Not generally applicable in this context* | N/A | N/A |
| *Integrity and confidentiality (security)* | Data can be shared securely |  |  |
| *Accountability* | All appropriate technical and organisational measures can be met (as documented above) to meet the accountability requirements |  |  |