

## PERSONAL DATA REQUEST FORM – DPA98 SECTION 29(3)

This form is provided for the convenience of police forces and other organisations requesting personal data from the Trust under Section 29(3) of the Data Protection Act 1998. **Patients seeking access to their own health records should instead use our [Subject Access form](#).**

Police officers may prefer to complete the 'Personal Data Request Form' issued by ACPO in their Data Protection Manual of Guidance. The advice below applies to all requests received by the Trust, regardless of format. Please ensure you read it **before** submitting your request.

The Trust considers that disclosure of sensitive personal data under DPA98 Section 29(3) is lawful without consent only where any person's **vital interests** are at risk ("life or death"), or where there is a **substantial public interest and your investigation would be prejudiced by seeking consent for disclosure**. In general this means that only requests relating to **very serious crime** will be considered, where the public interest overwhelmingly outweighs the patient's individual rights and freedoms in the particular case. Under the common law duty of confidence, we apply the same threshold for requests relating to deceased patients. Disclosing non-sensitive personal data is subject to a lower public interest threshold, but you must still justify it to our satisfaction.

Please therefore provide as much justification as possible to help us decide the balance of interests. We acknowledge that providing us with detailed information of a very serious crime may, in rare cases, compromise your investigation. For such 'unexplained' requests please ensure that your counter signatory holds the rank of Superintendent or equivalent, in line with ACPO guidance.

**The Trust is not obliged to disclose information in response to any Section 29(3) request.** If we refuse your request, you may wish to reconsider your justification, seek data subject consent, or apply to the courts for a disclosure order. Our intent is not to obstruct your investigations, but to maintain a confidential health care service whilst remaining within the law.

If you need general advice about making a request for personal data under Section 29(3), please contact your force's Data Protection Officer in the first instance, or alternatively the Trust's Information Governance team ([asp-tr.informationgovernance@nhs.net](mailto:asp-tr.informationgovernance@nhs.net)).

### Submitting a request

Requests should be sent to our Police Liaison staff within the relevant department, depending on whether the data subject is a patient from one of our hospitals or a member of Trust staff:

<b>Patient (St Peter's):</b>	<b>Patient (Ashford):</b>	<b>Trust staff:</b>
A&E	Reception	HR
St Peter's Hospital	Ashford Hospital	St Peter's Hospital
Guilford Road	London Road	Guilford Road
Chertsey	Ashford	Chertsey
Surrey KT16 0PZ	Surrey TW15 3AA	Surrey KT16 0PZ
01932 872000	01784 884488	01932 872000

**Email:** [asp-tr.policeliason@nhs.net](mailto:asp-tr.policeliason@nhs.net) for any requests relating to patients.  
 Please send only from PNN addresses (ending @...**police.uk**), or other secure domains within GSi, and do not enter any personal data in the subject line.

The Trust takes no responsibility should you email unencrypted personal data insecurely over the internet (such as to addresses ending @*asph.nhs.uk*) without the consent of the data subject.

**OFFICIAL-SENSITIVE PERSONAL (when completed)**

**REQUEST DETAILS**

**Data subjects**

*Identify (or describe as far as is known) the individuals to which the personal data relates, such as by giving name, address and date of birth.*

*Please help us locate the data by naming the hospital, department and ward which treated the person, the date/time of attendance, and any other information which may be relevant.*

**Data required**

*Describe the information required (for example – address, copy of medical records, etc.) and how you would prefer it to be transferred (secure email, by hand, etc.)*

**OFFICIAL-SENSITIVE PERSONAL (when completed)****Justification for disclosure**

Select the relevant justification and describe, in as much detail as possible without prejudicing your investigation, how it is relevant to your request. In all cases, disclosure must be both **necessary** in the particular circumstances, and **proportionate** to the potential harm and the individual's right to a private life (and, for patients, the right to confidential healthcare).

- Consent (*attach a copy – no further explanation necessary*)
- Vital interests of any person (*specify who and how*)
- Substantial public interest **and** seeking consent would prejudice the prevention or detection of an unlawful act
- Other public interest (*cannot be used for sensitive personal data, such as health information*)

**OFFICIAL-SENSITIVE PERSONAL (when completed)**

**I confirm that the information disclosed will be used and held only in relation to this enquiry and for as long as is necessary for policing purposes and subsequent criminal justice proceedings.**

Signed: \_\_\_\_\_ Collar No: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Post: \_\_\_\_\_

BCU/Area/Dept. address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Counter signatory**  
 If the request is adequately justified in the public interest, above, this form must be countersigned by a Sergeant or Supervisor. If justifying your request would in itself be likely materially to prejudice your investigation, this form must be countersigned by a Superintendent.

Signed: \_\_\_\_\_ Collar No: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Post: \_\_\_\_\_

**Signatures should be in handwriting.**

**Ashford & St Peter's staff:** on receipt of this form, use the '*Disclosures to police & coroners*' guidance on the intranet, or seek advice from the Information Governance Manager.