

Data Disclosure Decision Log

Title	Scenario	Decision
Staff Reference	Any requests for staff references, electronic or paper, internal or external	Not defined as a DSAR. These should all be forwarded to HR for action. A template is used by the team there to provide a standard response to this type of request. Any logging of disclosure is within the department
Reference for housing or tenancy agreement	Any requests for references that relate to suitability for housing leases or rentals with letting agencies etc.	Not defined as a DSAR. These should all be forwarded to HR for action. A template is used by the team there to provide a standard response to this type of request. Any logging of disclosure is within the department
Pro Monitor, learner request for comments	A learner approaches a member of staff to ask them to print out the comments on their Pro Monitor record for them	Due to the nature of what may be disclosed (details could be of a sensitive nature or contain details of third parties) and the possibility of a follow up enquiry resulting from this, the standard DSAR procedure should be followed
DSAR request for 'all' learner records and safeguarding records	DSAR received from a learner that details a request for all records held by the Group that relate to them. The concern for the Group is whether safeguarding records should be released under that request	<p>Procedure agreed with the safeguarding leads:</p> <ol style="list-style-type: none"> 1. Learner DSAR received by the data protection team (states 'all records') 2. Request registered on central record, acknowledgement template completed and sent to requestor and case file tracker opened 3. DPO to be made aware of an 'all records' request being received 4. DPO to confirm request is valid and 'all records' is necessary to fulfil the request for the data subject 5. Appropriate due diligence performed on the request by the data protection team 6. Email sent to all three safeguarding site leads (Angela Adams, Laura Reid and Tanya Gerstmar) to see if there is a safeguarding record present for the data subject (this could be an open or closed case, within data retention periods) <this is the serious harm test, as detailed in the Data Protection Act> 7. If no safeguarding record present or no concern raised by the safeguarding team, proceed with information gathering and to be released by the data protection team within DSAR timescales. A request for all records will include necessary enquiries as relevant with the Safeguarding leads, ALS Team, Student Services (for enrolment and application forms), Health and Safety, Marketing and lecturers for individual progress reports 8. If safeguarding record is present, the request must be referred to the legal team for advice by the safeguarding team or the DPO, ensuring they are aware that it is a DSAR request and that we only have 30 days to respond 9. DPO informed of the contact at the legal team that the referral has been made to so that the DSAR timescales can be met by appropriate response chases by the data protection team <p>Information that does not present harm to the data subject can be gathered in preparation for release whilst waiting for legal advice to conclude</p> <p>It must be noted by all that a DSAR request under DPA2018 must be fulfilled within 30 days and without undue delay from the initial point of request. No safeguarding data will be released (including to the Police) until the appropriate actions detailed above have been taken</p>
Request from Atos Healthcare to disclose a factual report on specified learner	Atos Healthcare claim they work on behalf of DWP but do not provide any evidence of this within their correspondence	Consent must still be obtained in order for any information to be released. This is usually done in the form of a letter due to the difficulty in contacting the correct department via telephone call

Request from Welfare Call to disclose learner attendance	Welfare Call operate on behalf of Doncaster Local Authority. Any requests for learner attendance from Welfare Call that relate to LAC (Looked After Children) for all learners	Not defined as DSAR. This should be forwarded to learnerreference@rnngroup.ac.uk Learner Reference team to provide attendance report as and when requested. Logs are held within ProSolution
Request from Welfare Call to disclose learner attendance	Welfare Call operate on behalf of Sheffield City Council. Any requests for learner attendance from Welfare Call that relate to LAC (Looked After Children) years 12 and 13 ONLY	Not defined as DSAR. This should be forwarded to learnerreference@rnngroup.ac.uk. Learner Reference team to provide attendance report as and when requested. Logs are held within ProSolution
Request from Welfare Call to disclose learner attendance	Welfare Call operate on behalf of Kirklees Council. Any requests for learner attendance from Welfare Call that relate to LAC (Looked After Children) for all learners	Not defined as DSAR. This should be forwarded to learnerreference@rnngroup.ac.uk. Learner Reference team to provide attendance report as and when requested. Logs are held within ProSolution
Police Officer enquiry of an urgent safeguarding nature	A Police officer contacts the Group requesting information about a person but we have no record of them attending a course on ProSolution	Due diligence should still be performed on the requestor, this can be as simple as ensuring the enquiry came from a Police secure email address, we will not require a Section 2.2.1 a,b or c document just to confirm to the Police that we have no records of the individual
Solicitor's DSAR with Litigation Friend's consent	DSAR arrives from solicitor or legal authority with signed form of authority from a Litigation Friend of the data subject	A Litigation Friend may be appointed to an adult who lacks capacity to manage their own legal affairs, in this scenario a form of authority from the Litigation Friend will NOT be accepted in the place of consent
		<p>An initial push back to the requestor must be made:</p> <p>Whilst the RNN Group recognises that a Litigation Friend has authority to conduct proceedings on behalf of another, this is intended for legal proceedings and is not effective for the purposes of making a DSAR. We also appreciate that the data subject does not have mental capacity to provide consent therefore, release of this content would fall to the relative parental or guardianship to authorise which, according to our records, the Litigation Friend is not</p> <p>To be confident that the requirements necessary to uphold a DSAR have been appropriately made, and that the RNN Group can subsequently disclose information to yourselves, the Group requires evidence of an appropriate form of authority, such as Power of Attorney or the appropriate guardianship consents to be provided</p> <p>Could you please submit this evidence, or its equivalent, as soon as possible to facilitate completion of the DSAR process</p>
Social Worker contacts the Group requesting learner information	A Social Worker contacts the Group requesting learner information defined as attendance, punctuality, whether present on site, confirmation of enrolment or progress on course (as detailed in ProMonitor)	This should be referred to and dealt with by a safeguarding lead in the first instance
Multi Agency Team (MAT), Multi Agency Safeguarding Team (MAST), Multi Agency Safeguarding Hub (MASH) or Early Help team member contacts the Group for learner information	A member of one of the teams <left> contacts the Group requesting learner information defined as attendance, punctuality, whether present on site, confirmation of enrolment or progress on course (as detailed in ProMonitor)	This should be referred to and dealt with by a safeguarding lead in the first instance
School enquiry for course and level details APPLICATION ONLY	A school provides a list of learners asking for the course and level applied for	As this is not disclosing personal information not putting the data subject at any risk, this is OK to confirm back to the school

School enquiry for course and level details ENROLLED ONLY	A school provides a list of learners asking for the course and/or level enrolled for	As this is not disclosing personal information not putting the data subject at any risk, this is OK to confirm back to the school in a format of YES or NO as to whether they are enrolled and a confirmation of level. No other details should be disclosed
Request from Prospects to disclose enrolment data	Prospects operate on behalf of Northamptonshire County Council. Any request for enrolment data received from them should list the learner name. We can confirm to them that the learner is enrolled and provide course related data	Letter of engagement between Northamptonshire County Council and Prospect received. Not defined as DSAR. This should be forwarded to learnerreference@rnngroup.ac.uk. Learner Reference team to provide report as and when requested. Logs are held within ProSolution
Request from Local Authority for information relating to prospective foster/adoptive parents	Council contacts staff for information on learner attendance and progress, suitability of the prospective foster/adoptive parents. Likely to ask for observations or other opinions relating to individuals	Information may be provided if the Group can evidence the data, e.g., comments from Pro Monitor, learner data from Pro Solution or any other records. The Group will not create new content. Response can be provided on our standard disclosure template
Supply of data relating to change in course details or change in destination details, to schools only	The Group already provides schools with an acknowledgement of learners that have been indicated to have enrolled at RNN, we update and send back with course detail this decision will enable the 'and/or' other destination e.g. apprenticeship, employment etc., should we know this detail. This decision will include a mutual arrangement where learners that we know have joined us from the school or may have changed courses at RNN and are not on the original list, will be disclosed with the same information	As this disclosure of personal information is not putting the data subject at any risk, this level of detail is OK to confirm back to the school, this will include any change in circumstance such as course change, apprenticeship or employment Safe transfer of information must be maintained at all times and sample data being disclosed to be reviewed by the DPO periodically. It must be made clear to the requesting school that the content being disclosed is supplied for this specific purpose only
Supply of specific data relating to the Syrian Refugee Resettlement Programme where data subjects are attending courses at RNN Group, to RMBC and Migration Yorkshire only	Syrian refugee resettlement programme referrals are made from Migration Yorkshire/RMBC to the Group, these learners are then enrolled using the standard documentation. As these learners are RMBC funded some data has to be provided to them, specifically Name, Course, Achievement details including attendance and Destination, the actual numbers of learners that fit these criteria is low	As this disclosure of personal information is not putting the data subject at any risk, this level of detail is OK to confirm back to Migration Yorkshire/RMBC Safe transfer of information must be maintained at all times and sample data being disclosed to be reviewed by the DPO periodically. It must be made clear to RMBC that the content being disclosed is supplied for this specific purpose only
Pension provider (LGPS or private) requesting data on learner	South Yorkshire Pensions (or another provider) contacts the Group asking for learner details to complete payment of a pension to that learner. The pension provider has not specified that they are undertaking an investigation (for instance, they may require information in order to be able to pay the child's pension of a deceased parent)	As the pension provider has not specified that they are investigating a crime, nor are they a local authority, this should be treated as a DSAR and consent will be required prior to release
Local Authority contacts the Group with a court order	Letter received from LA requesting information on a learner with a court order attached. The court order is only valid if it is served on the Group itself, not to a third party which subsequently forwards this to the Group	Consent would need to be sought as the usual DSAR process, the requestor would need to be informed that a court order would be required to be served upon the Group to release without consent being in place
Job interview notes requested	Unsuccessful job applicant requests copy of job interview notes held by the Group	This should be treated as a DSAR as the records are held on a relevant filing system, interview notes are kept on file for 6 months for unsuccessful candidates, due diligence should be performed and the records should be redacted accordingly
Request from Futures to release first name and surname for advising on job prospects	Youth Obligation programme run by the Group includes a visit from Futures to assist the learners, it is important that names are shared so that no attempt is performed to draw down funding by both providers	This content can be released to Futures as it is not putting the data subject at any risk and would be expected as part of the short course being attended

Request from an education provider for a learner's registration number	Learners who leave the RNN Group and transfer to another education provider	This can be released (after due diligence has been performed) as disclosure of this data does not provide any risk to the individual, but will make a for a smoother transition between providers
Request from Doncaster Council for learner's start date	Learner has been approved for transport to College. Start date required in order to make the necessary arrangements.	This can be released (after due diligence has been performed) as disclosure of this data does not provide any risk to the individual
Request from Iris Looked After Call to disclose learner attendance	Iris Looked After Call operate on behalf of Cheshire East Council. Any requests for learner attendance from Iris Looked After Call that relate to LAC (Looked After Children) for all learners	Not defined as DSAR. This should be forwarded to learnerreference@rnngroup.ac.uk Learner Reference team to provide attendance report as and when requested. Logs are held within ProSolution
Releasing letters in relation to an all records request	Staff member requests a copy of their HR file (including letters)	Letters can be released WITH redactions, drafts do not need to be released
Additional learning support plan requests from parent/guardian	Parent/guardian requests a copy of their child's additional learning support plan	This can be released if the learner has an EHCP (WITH redactions)