**UNIVERSITY OF WOLVERHAMPTON**

DATA PROTECTION ACT 2018

**Schedule 2 of the Data Protection Act 2018**

**Guidance and Application Form**

**Requests made under Schedule 2**

* All bodies with regulatory authority are advised to use this application form.
* Include with it a form of identification if requested.

**UNIVERSITY OF WOLVERHAMPTON**

**Request for Information**

**Section 1 – Details of person completing form**

*(please provide the requested detail and tick box as required)*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **1.1** | **Full name** | |  | |
| **1.2** | **Business name** | |  | |
| **1.3** | **Address** | |  | |
| **1.4** | **Telephone number(s)** | |  | |
| **1.5** | **Email address\*\*** | |  | |
| **1.6** | **Confirmation of email address** | |  | |
| **1.11** | **How would you like your disclosure to be delivered?** Please select one option | | | |
|  | Post |  | Email |  |
|  | **\*\*Email disclosures for paperwork only will be sent to the email address specified in Section 1\*\***. Please be aware that whilst the email response will be sent from a secure network, unless you also have a secure email address, the University of Wolverhampton cannot accept responsibility for any loss or inappropriate access to the email once sent. It is also the responsibility of the applicant to ensure that the email address listed is accurate and legible. | | | |

**Section 2 – Details of request type:**

*(please tick applicable box)*

|  |  |  |
| --- | --- | --- |
| 2 | **Crime and taxation: general**  (1) The listed GDPR provisions and Article 34(1) and (4) of the GDPR (communication of personal data breach to the data subject) do not apply to personal data processed for any of the following purposes—  (a) the prevention or detection of crime,  (b) the apprehension or prosecution of offenders, or  (c) the assessment or collection of a tax or duty or an imposition of a similar nature,  to the extent that the application of those provisions would be likely to prejudice any of the matters mentioned in paragraphs (a) to (c). |  |
| 3 | **Crime and taxation: risk assessment systems**  (1)The GDPR provisions listed in sub-paragraph (3) do not apply to personal data which consists of a classification applied to the data subject as part of a risk assessment system falling within sub-paragraph (2) to the extent that the application of those provisions would prevent the system from operating effectively.  (2) A risk assessment system falls within this sub-paragraph if—  (a) it is operated by a government department, a local authority or another authority administering housing benefit, and  (b) it is operated for the purposes of—  (i) the assessment or collection of a tax or duty or an imposition of a similar nature, or  (ii) the prevention or detection of crime or apprehension or prosecution of offenders, where the offence concerned involves the unlawful use of public money or an unlawful claim for payment out of public money. |  |
| 4 | **Immigration**  (1) The GDPR provisions listed in sub-paragraph (2) do not apply to personal data processed for any of the following purposes—  (a) the maintenance of effective immigration control, or  (b) the investigation or detection of activities that would undermine the maintenance of effective immigration control,  to the extent that the application of those provisions would be likely to prejudice any of the matters mentioned in paragraphs (a) and (b). |  |
| 5 | **Information required or be disclosed by law etc or in connection with legal proceedings**  (1) The listed GDPR provisions do not apply to personal data consisting of information that the controller is obliged by an enactment to make available to the public, to the extent that the application of those provisions would prevent the controller from complying with that obligation.  (2) The listed GDPR provisions do not apply to personal data where disclosure of the data is required by an enactment, a rule of law or an order of a court or tribunal, to the extent that the application of those provisions would prevent the controller from making the disclosure.  (3) The listed GDPR provisions do not apply to personal data where disclosure of the data—  (a) is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings),  (b) is necessary for the purpose of obtaining legal advice, or  (c) is otherwise necessary for the purposes of establishing, exercising or defending legal rights,  to the extent that the application of those provisions would prevent the controller from making the disclosure. |  |
| 7 | **Functions designed to protect the public etc**  The listed GDPR provisions do not apply to personal data processed for the purposes of discharging a function that—  (a) is designed as described in column 1 of the Table, and  (b) meets the condition relating to the function specified in column 2 of the Table,  to the extent that the application of those provisions would be likely to prejudice the proper discharge of the function. |  |
| 8 | **Audit functions**  (1) The listed GDPR provisions do not apply to personal data processed for the purposes of discharging a function listed in sub-paragraph (2) to the extent that the application of those provisions would be likely to prejudice the proper discharge of the function.  (2) The functions are any function that is conferred by an enactment on—  (a) the Comptroller and Auditor General;  (b) the Auditor General for Scotland;  (c) the Auditor General for Wales;  (d) the Comptroller and Auditor General for Northern Ireland. |  |
| 9 | **Functions of the Bank of England**  (1) The listed GDPR provisions do not apply to personal data processed for the purposes of discharging a relevant function of the Bank of England to the extent that the application of those provisions would be likely to prejudice the proper discharge of the function.  (2) “Relevant function of the Bank of England” means—  (a) a function discharged by the Bank acting in its capacity as a monetary authority (as defined in section 244(2)(c) and (2A) of the Banking Act 2009);  (b) a public function of the Bank within the meaning of section 349 of the Financial Services and Markets Act 2000;  (c) a function conferred on the Prudential Regulation Authority by or under the Financial Services and Markets Act 2000 or by another enactment. |  |
| 10 | **Regulatory functions relating to legal services, the health service and children’s services**  (1) The listed GDPR provisions do not apply to personal data processed for the purposes of discharging a function listed in sub-paragraph (2) to the extent that the application of those provisions would be likely to prejudice the proper discharge of the function.  (2) The functions are—  (a) a function of the Legal Services Board;  (b) the function of considering a complaint under the scheme established under Part 6 of the Legal Services Act 2007 (legal complaints);  (c) the function of considering a complaint under—  (i) section 14 of the NHS Redress Act 2006,  (ii) section 113(1) or (2) or section 114(1) or (3) of the Health and Social Care (Community Health and Standards) Act 2003,  (iii) section 24D or 26 of the Children Act 1989, or  (iv) Part 2A of the Public Services Ombudsman (Wales) Act 2005; (d) the function of considering a complaint or representations under Chapter 1 of Part 10 of the Social Services and Well-being (Wales) Act 2014 (anaw 4) |  |
| 11 | **Regulatory functions of certain other persons**  The listed GDPR provisions do not apply to personal data processed for the purposes of discharging a function that—  (a) is a function of a person described in column 1 of the Table, and  (b) is conferred on that person as described in column 2 of the Table, to the extent that the application of those provisions would be likely to prejudice the proper discharge of the function. |  |
| 13 | **Parliamentary privileges**  The listed GDPR provisions and Article 34(1) and (4) of the GDPR (communication of personal data breach to the data subject) do not apply to personal data where this is required for the purpose of avoiding an infringement of the privileges of either House of Parliament. |  |
| 14 | **Judicial appointments, judicial independence and judicial proceedings**  (1) The listed GDPR provisions do not apply to personal data processed for the purposes of assessing a person’s suitability for judicial office or the office of Queen’s Counsel.  (2) The listed GDPR provisions do not apply to personal data processed by— (a) an individual acting in a judicial capacity, or (b) a court or tribunal acting in its judicial capacity.  (3) As regards personal data not falling within sub-paragraph (1) or (2), the listed GDPR provisions do not apply to the extent that the application of those provisions would be likely to prejudice judicial independence or judicial proceedings. |  |
| 15 | **Crown honours, dignities and appointments**  (1) The listed GDPR provisions do not apply to personal data processed for the purposes of the conferring by the Crown of any honour or dignity.  (2) The listed GDPR provisions do not apply to personal data processed for the purposes of assessing a person’s suitability for any of the following offices—  (a) archbishops and diocesan and suffragan bishops in the Church of England;  (b) deans of cathedrals of the Church of England;  (c) deans and canons of the two Royal Peculiars;  (d) the First and Second Church Estates Commissioners;  (e) lord-lieutenants;  (f) Masters of Trinity College and Churchill College, Cambridge;  (g) the Provost of Eton;  (h) the Poet Laureate;  (i) the Astronomer Royal.  (3) The Secretary of State may by regulations amend the list in sub-paragraph (2) to—  (a) remove an office, or  (b) add an office to which appointments are made by Her Majesty.  (4) Regulations under sub-paragraph (3) are subject to the affirmative resolution procedure. |  |

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**Section 3 – Details of parties:**

|  |  |  |
| --- | --- | --- |
| **3.1** | **Party – Full name** |  |
| **3.2** | **Student Number**  ***(if known and applicable)*** |  |
| **3.3** | **Date of birth** |  |
| **3.4** | **Address**  *(if known and applicable)* |  |
| **3.5** | **Previous address(es) in last 2 years**  *(if known and applicable)* |  |
| **3.6** | **Full Name(s) of other party**  *(If applicable)* |  |
| **3.7** | **Date of Birth**  *(If applicable)* |  |
| **3.8** | **Address**  *(If known and applicable)* |  |
| **3.9** | **Previous address(es) in last 2 years**  *(If known and applicable)* |  |

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**Section 4 – Details of request:**

|  |  |
| --- | --- |
| 4.1 | **Provide any relevant police crime or incident reference numbers that you may have.** |
| 4.2 | **Provide the time(s), date(s), location(s) relevant to the incidents or matters** |
| 4.3 | **Specify the information you seek**  *(What is it that you need to show or prove)* |
| 4.5 | **Describe why the provision of information is necessary to the case**  *(The purpose and NECESSITY to provide data to you is critical to disclosure and University of Wolverhampton will decide based on your response, what disclosure to make)* |

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**Section 5 – Proof of Identity:**

*(please use the right hand column to tick or provide requested detail)*

|  |  |  |  |
| --- | --- | --- | --- |
| University of Wolverhampton needs to be satisfied that you are who you say you are and asks you to provide evidence of your identity.  To help establish your identity this application must be accompanied by **a** **photocopy of your staff ID**, which clearly shows your **name and photograph**.  **Do not send original documents if sending by post**  **Please be advised that University of Wolverhampton will not be held responsible for any original identity documents lost in the post.** | | | |
|  | I have enclosed a copy of my staff ID showing my name and photograph |  |

**Section 6 – Declarations and undertaking**

*(please use the right hand column for signature, name and date of application)*

|  |  |  |
| --- | --- | --- |
| **6.1** | **I confirm that the personal data requested are necessary for the purposes described in this application and that failure to provide the data will, in my view, prejudice these matters** |  |
| **6.2** | **I undertake to keep any data supplied secure** |  |
| **6.3** | **I undertake to use any data supplied only for the purposed described in this application** |  |
| **6.4** | **I will not supply any copies of data to any other party except**   1. **To a legal representative under my instruction or brief in the case** 2. **To the data subject / client if necessary** 3. **To expert witness instructed by myself or the court in this case** 4. **To comply with a further order or instruction of the Court or to comply with existing rules for disclosure in this case** |  |
| **6.5** | **I accept that University of Wolverhampton may on occasion refuse to provide data to the applicant** |  |
| **6.6** | **Print name**  *(Person making this request)* |  |
| **6.7** | **Date of application** |  |
| **6.8** | **Signature**  *(Signature of named person listed in 6.6)* |  |

**UNIVERSITY OF WOLVERHAMPTON**

**Returning This Form**

The completed form and supporting documents should be returned to University of Wolverhampton using one of the following methods:

**Email:** [**dataprotection@wlv.ac.uk**](mailto:dataprotection@wlv.ac.uk)

**Post:** Information Governance Team, Office of the Vice-Chancellor, Legal Services, University of Wolverhampton, Wulfruna Street, Wolverhampton, WV1 1LY

**Enquires to the Information Governance Team**

**Telephone**: 01902 321000

**Email**: [**dataprotection@wlv.ac.uk**](mailto:dataprotection@wlv.ac.uk)

**Post**: Information Governance Team, Office of the Vice-Chancellor, Legal Services, University of Wolverhampton, Wulfruna Street, Wolverhampton, WV1 1LY