

Checklist for handling requests for personal information from third parties (parents, other family members, friends)

To be read in conjunction with:

[Section 8 of the Data Protection Code of Practice](#)

And

[Examples of Third Parties who may request disclosure of personal information](#)

Parents and relatives of a student have no general legal right to be given information about that student. **Do not** disclose or discuss any student issues with parents unless it is clear that consent from the student (in writing) has been given. Institutional procedures, however, may be discussed freely with anyone. It is possible therefore to explain to a parent what, in principle, happens when a student must retake examinations, spend a year on industrial placement, make a complaint etc. but the specific circumstances of an individual student must not be discussed without consent.

Scenario 1 – Parent etc. asks for personal information regarding a student (e.g. whether they are attending, exam results, details of fees owed)

- **Do not** give out any information. Explain that the student will need to contact us themselves for this information or give their express consent in writing for it to be shared with the family member. This is also the case if the student is under the age of 18.

Scenario 2 – Parent etc. asks for general information regarding institutional procedures (e.g. making a complaint, re-sitting exams etc.)

- If the information is purely procedural it is fine to share this with the parent. A good rule of thumb is if the information is freely available on our public website then it can be shared. If it is not or if it would require discussing the personal circumstances of the student then **do not** provide it.

Scenario 3 – Parent etc. has not heard from the student and is concerned.

- There may be many different reasons why students have not contacted their parents, and however concerned the parent/s may be, the student has the right to privacy and not to have their personal information disclosed without their consent. There is no exemption in the Data Protection Act for concerned parents. Colleagues should let the parent know that while they sympathise with their concerns the University is under a legal obligation to comply with the Data Protection Act and therefore cannot give out any information. Direct the parents to our intranet pages for more information:
<https://staff.napier.ac.uk/services/governance-compliance/governance/DataProtection/Pages/FAQ.aspx#faq02>
- Otherwise take their contact details and pass them on to Governance Services at dataprotection@napier.ac.uk. But do not confirm or deny whether the

individual is a current student. Governance Services will attempt to contact the student and advise them of their parent's concern – please advise the parent/s that we can only pass on the message and cannot guarantee their child will contact them.

- If it is an emergency situation see Scenario 4 below.

Scenario 4 – Parent etc. believes the student is in danger/has significant concern for their health/well-being

- As per [Section 8.7 of the Data Protection Code of Practice – Emergency Requests](#)
- An emergency situation is one where there is reason to believe that there is a danger of death or injury to the data subject or any other person. In such situations, University staff receiving a request are required:
- To seek the authorisation of their Head of School or Service area or nominated deputy before disclosure
- Not to disclose data where they have doubts as to the validity of the request
- Where the request is received by telephone, to ask the caller to provide a switchboard number and call them back through the organisation's switchboard before providing the data
- To make a record of the enquiry as soon as possible, detailing the circumstances, what information was shared and explaining why the disclosure took place and pass this to [Governance Services](#)
- To ask the enquirer to follow up their request with a formal written and signed request, so that this may also be passed to the [Governance Services](#) to retain centrally
- Provided only that there is time to do so and no delay would be caused to a data sharing which is deemed necessary in an emergency, the relevant member of staff should consider consulting the checklist at 8.5.1 above for such a “one-off” request.