

## Sources for responding to unannounced and citizen journalist data and access requests (in England)

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Compiled by Benjamin Taylor, Public Service Transformation Academy for general information – I am not a subject matter expert, and no liability is accepted for any errors or omissions. However, I am happy to make corrections and share other and better materials – [benjamin.taylor@publicservicetransformation.org](mailto:benjamin.taylor@publicservicetransformation.org)

Together, the sources below support three core messages that matter operationally:

- 1) there is no right to demand data on the spot;
- 2) safeguarding and dignity override performative 'accountability'; and
- 3) claims commonly amplified online about fraud in social care are not supported by the evidence base.

Be aware that a 'by-the-book' response is important – and it is also important to understand that if a person approaches you, they may be very sincere and full of upset and righteous indignation, they may be driven by manipulative intent, or some combination of both.

This means that the way that your response is taken, and used, can be as important as the facts of the matter. So it is critical to provide team members with training and response contacts to be able to deal with what can be a complex and challenging situation.

## National security, de-escalation, and hostile filming

### National Protective Security Authority guidance on 'social media auditors' and hostile reconnaissance.

This is the most directly relevant operational guidance for unannounced filming, intimidation, and provocation, including the CALM approach to de escalation.

<https://www.npsa.gov.uk/system/files/documents/npsa-social-media-auditor-guidance.pdf>

#### Overview

<https://www.npsa.gov.uk/specialised-guidance/hostile-reconnaissance/social-media-auditors>

## Data protection, confidentiality, and personal data

Information Commissioner's Office overview of UK GDPR and the Data Protection Act 2018, including lawful bases and confidentiality duties in health and social care.

<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/>

ICO guide to subject access requests. This is the correct route when someone demands 'their data'.

<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/subject-access-requests/a-guide-to-subject-access/>

ICO transparency and fair processing in health and social care. Useful for explaining what can and cannot be said publicly.

<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/data-protection-principles/transparency-in-health-and-social-care/>

ICO guidance on right of access for social work and care records. Highly relevant where people demand to see files relating to others.

<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/right-of-access/social-work-information/>

## Freedom of information and public accountability

ICO guidance on Freedom of Information. Clarifies scope, exemptions, and why requests must be handled formally and in writing.

<https://ico.org.uk/for-organisations/foi/>

Gov.uk guide on how to make an FOI request. Useful as a neutral signpost when people insist on 'seeing the data'.

<https://www.gov.uk/make-a-freedom-of-information-request>

WhatDoTheyKnow – platform for making and viewing Freedom of Information requests to UK public authorities

<https://www.whatdotheyknow.com/>

## Safeguarding, dignity, and regulation

Care Act 2014 statutory guidance on safeguarding adults. Sets the duty to act on allegations without public disclosure or performance.

<https://www.gov.uk/government/publications/care-act-statutory-guidance>

Social Care Institute for Excellence overview of adult safeguarding principles and practice.

<https://www.scie.org.uk/safeguarding/adults>

Care Quality Commission guidance on privacy and dignity in adult social care. Directly relevant when filming or intrusive questioning occurs.

<https://www.cqc.org.uk/guidance-providers/adult-social-care/privacy-dignity>

CQC role and powers, including how concerns should properly be raised.

<https://www.cqc.org.uk/what-we-do/how-we-do-our-job>

## Fraud and error context

NHS Counter Fraud Authority reports and estimates on fraud in health and care. This is the primary evidence base and consistently shows fraud concentrated in procurement, payroll, and organised system abuse, not frontline care delivery or ethnicity.

<https://cfa.nhs.uk/>

Government Counter Fraud Function and National Fraud Initiative. Provides cross public sector context and comparative risk.

<https://www.gov.uk/government/collections/government-counter-fraud-function>

National Audit Office work on fraud and error across public services.

<https://www.nao.org.uk/work-area/fraud-and-error/>