

For Information	
Public/Non Public*	
Report to:	Audit and Scrutiny Panel
Date of Meeting:	24th February 2020
Report of:	Force Report on Monitoring, Review and Assurance of the Publication Scheme 2019/2020
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Agenda Item:	14

*If Non Public, please state under which category number from the guidance in the space provided.

Force Report on Monitoring, Review and Assurance of the Publication Scheme 2019/2020

1. Purpose of the Report

- 1.1 The Freedom of Information Act requires every public authority to have a publication scheme, approved by the Information Commissioner's Office (ICO), and to publish information covered by the scheme.
- 1.2 The ICO has published a "Definition document for police forces" (**See Appendix A**) This guidance is for those police forces which are strategically managed by a Police and Crime Commissioner (PCC) or Police Board. It gives examples of the kinds of information that the ICO would expect them to provide in order to meet their commitments under the model publication scheme.
- 1.3 The guide also states that where information is readily and publicly available from an external website (such as that of a PCC or Police Board) to which the police force has already provided it – the police force must provide a direct link to that information.
- 1.4 The guidance is not meant to give an exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and forces should look to provide as much information as possible on a routine basis
- 1.5 The purpose of this report is to update the Audit & Scrutiny Meeting on the current Force position on the Publication Scheme requirements as listed within the definition document.

2. Recommendations

- 2.1 The Audit & Scrutiny Meeting is asked to note the contents of this paper

3. Reasons for Recommendations

- 3.1 To provide awareness of the current position of Nottinghamshire Police in terms of the Publication Scheme requirements

4. Summary of Key Points (this should include background information and options appraisal if applicable)
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4.1 In reviewing our Publication Scheme, we are required to have regard to the public interest in:

- allowing public access to information we hold; and
- to the publication of reasons for the decisions we make.

4.2 Our publication scheme provides the information as detailed in the ICO definition document by:

- setting out the classes of information which we publish or intend to publish;
- saying how we will publish the information in each class; and
- saying if we will provide the information free or charge for it.

The purpose of our Publication Scheme is to let the public know what information is “readily available” from Nottinghamshire Police. By readily available we mean that the information is available on our website, can be obtained from us upon request by letter, e-mail or telephone call, can be purchased from us or can be found in a local library.

Our Publication Scheme sets out the classes or types of information we publish or intend to publish, sets out the list of publications we make available, how they can be obtained and whether they are free or if a charge is payable.

4.3 Classes of information:

- Who we are and what we do.
- What we spend and how we spend it.
- What our priorities are and how are we doing.
- How we make decisions.
- Our policies and procedures.
- Lists and Registers.
- Services we offer.

We aim to publish as much information as possible about our work through the scheme, except where it would not be in the public interest to do so, for example, because it might prejudice law enforcement or the health and safety of our staff, or our ability to secure best value from local policing because information is commercially sensitive.

4.4 Force Website Traffic:

The below table shows the number of 'hits' (total page views) of the main areas of the Nottinghamshire Police website which indicates the most accessed parts of the website

Website area	Number of page views (2019)
Your area	213,945
News and Appeals	News: 1,672,655 Appeals: 217,898
Advice	178,579
Contact*	87,063
Careers	273,110
About	32,350
Information	Data Protection: 2000 Freedom of Information: 1,592

*only includes the contact page available on the Intranet

Appendix B shows an analysis of the themes of requests received via Freedom of Information in 2019. This shows that, by far, the majority of Freedom of Information requests received in 2019 asked for information pertaining to crime statistics. The next most popular category of request related to 'Policies and Procedures'.

It is therefore likely that proactive and routine publication of information in respect of these categories could reduce the number of requests received on these topics.

4.4 Further improvements:

Further improvements can be made by:

- Restarting the routine publication of FOI responses that was temporarily suspended in 2018 due to demand and available resource issues.
- Information Asset Owners to identify any information which is routinely requested by internal/external stakeholders which could potentially be published on the internet or if published elsewhere, relevant links updated on website
- Policy and procedure documents to be updated as a matter of routine and latest versions published to website
- Any out of date links or documents to be routinely removed from the website

5. Financial Implications and Budget Provision

5.1 None

6. Human Resources Implications

6.1 None

7. Equality Implications

7.1 None

8. Risk Management

8.1 None

9. Policy Implications and links to the Police and Crime Plan Priorities

9.1 None

10. Changes in Legislation or other Legal Considerations

10.1 None

11. Details of outcome of consultation

11.1 No consultation took place when preparing this report

12. Appendices

12.1 **Appendix A:** ICO Publication Scheme – Definition document for Police Forces.

Appendix B: FOI requests received by theme 2019

13. Background Papers (relevant for Police and Crime Panel Only)

13. None

NB See guidance on public access to meetings and information about meetings for guidance on non-public information and confidential information.

Freedom of Information Act

Definition document for police forces

This guidance is for those police forces which are strategically managed by a Police and Crime Commissioner¹ (PCC) or Police Board. It gives examples of the kinds of information that we would expect them to provide in order to meet their commitments under the model publication scheme. Police forces which are managed in a different way may need to consult more than one definition document.

We would expect police forces to make the information in this definition document available unless:

- they do not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited under another statute;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

Where information is readily and publicly available from an external website (such as that of a PCC or Police Board) to which the police force has already provided it – the police force must provide a direct link to that information.

The guidance is not meant to give an exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and forces should look to provide as much information as possible on a routine basis.

Publishing datasets for re-use

Public authorities must publish under their publication scheme any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate to do so. So

¹ For the Metropolitan Police Service, this is the Mayor's Office for Policing and Crime

far as reasonably practicable, they must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and the public authority is the only owner, the public authority must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published [guidance](#) on the dataset provisions in FOIA. This explains what is meant by "not appropriate" and "capable of re-use".

Who we are and what we do

Organisational information, structures, locations and contacts.

We would expect information in this class to be current information only.

- **Force structure**

An outline of the structure of the police force by reference to geographic and other divisions should be included.

- **Profiles of the Chief Officer, Deputy Chief Constable or Deputy Commissioner, Assistant Chief Constables or Assistant Commissioners and Divisional or Area Commanders.**
- **Identity of senior civilian staff**
- **Location of police stations (including mobile units) and public opening hours**
- **Contact details**

Police forces should already be publishing as much information as possible about how they can be contacted in addition to emergency numbers. This should, at least, give some indication of the role of the contact, phone number and, where used, email address. Where possible, give named contacts.

- **Relationships with other authorities**

It will assist members of the public to appreciate the role of the police force if partnership or joint board arrangements with other authorities, for example a road safety partnership or the local criminal justice board, are

detailed and the relationships with the PCC or Police Board, central government departments, the CPS and the IPCC are outlined. If terms of reference for the arrangements are produced, we would expect these to be published.

- **Arrangements for special constables and civilian volunteers**
- **Sponsorship arrangements with businesses**

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

We would expect as a minimum that information for the current and previous two financial years should be available.

- **Annual statement of accounts**
- **Force budget (as agreed by PCC or Police Board)**
- **Expenditure**

Details of expenditure over £500, including costs, supplier and transaction information (monthly).

- **Procurement procedures**
- **Details of contracts currently being tendered**
- **Contracts**

We would normally only expect the force to publish contracts and invitations to tender that exceed £10,000. A list of contracts under £10,000 should also be published to include value, identity of the parties and purpose of the contract.

- **Expenses paid to or incurred by the Chief Officer, Deputy and Assistant Chief Constables or Commissioners**

This should include expenses referenced by categories such as travel, subsistence and accommodation.

- **Pay and grading structure**

This may be provided as part of the Force structure and should, as a minimum, include senior employee salaries (over £58,200). The salaries should be stated in bands of £5,000. For those earning less than £58,200, levels of pay should be identified by salary range.

The 'pay multiple' – the ratio between the highest paid salary and the median average salary of the whole of the authority's workforce.

- **Evaluation of police use of resources**

To include any formal evaluation of the police use of resources.

- **Support for the provision of Community Support Officers**

Information about the employment of Community Support Officers (including details on how they are funded).

- **Financial regulations**

What our priorities are and how we are doing

Strategies and plans, performance indicators, audits, inspections and reviews.

We would expect as a minimum that information for the current and previous two financial years should be available.

- **Strategic plans**

While the strategic plan is likely to be drawn up by the PCC or Police Board in conjunction with the Chief Officer, we would expect that there is ready access to it from the police force.

- **Annual policing plan**
- **Area policing plans**
- **Chief Officer's annual report**
- **Police performance assessments**
- **Police Force statistics**

We would expect police forces to make available to the public statistics which indicate the performance of the force and other statistical information that is used for force management decisions. This will include crime statistics published on the www.police.uk website. Care should be taken to make sure that individuals cannot be identified, particularly where low numbers are recorded.

- **Neighbourhood policing arrangements**

Procedures and arrangements for neighbourhood policing together with contact details.

- **Reports from independent custody visitors**
- **Monitoring record of "Stop and Account"**
- **Privacy impact assessments (in full or summary format)**

How we make decisions

Decision making processes and records of decisions.

We would expect as a minimum that information for the current and previous two financial years should be available.

- **Agenda and minutes for the senior decision making committee**
- **Feedback from public consultation and surveys**

We would not expect information that might damage the operations of the police to be revealed.

Our policies and procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

We would expect information in this class to be current information only.

- **Policies and procedures for the conduct of police force business**
- **Policies and procedures for the provision of policing services**
- **Policies and procedures about the recruitment and employment of staff**

Where police forces have written policies and procedures falling into these three categories there should be ready access to them. A number of policies, for example equality and diversity, health and safety and conduct, will cover both the provision of services and the employment of staff. If a police force has an Equality Scheme, this should be made available. A policy for outside business interests of officers would be both a policy for the conduct of business and an employment policy. If vacancies are advertised as part of recruitment policies, details of current vacancies will be readily available. It is recognised that releasing some policies or parts of them would impact adversely on the operational activities of the police and that these should not be generally available. As much information should be made available without damaging operational requirements. Policies and procedures for handling requests for information should be included.

Where procedures are developed in combination with other public authorities, these should also be available.

- **Records management and personal data policies**

This will include information security policies, records retention, destruction and archive policies, and data protection (including data sharing) policies.

- **Fileplans** (or any other Business Classification Scheme used for the management of information)
- **Customer service standards and complaint procedure**

Standards for providing services to the public, including the complaint procedure. Complaints procedures will include those covering requests for information and operating the publication scheme.

- **Charging regimes and policies**

Details of any statutory charging regimes should be provided. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made, and how they are calculated.

If the public authority charges a fee for licensing the re-use of datasets, it should state in its guide to information how this is calculated and whether the charge is made under the Re-use Fees Regulations or under other legislation. It cannot charge a re-use fee if it makes the datasets available for re-use under the Open Government Licence.

Lists and registers

We expect this to be information contained only in currently maintained lists and registers.

- **Information held in registers required by statute**

If police forces are required to maintain any register and make the information in it available for public inspection, the existing provisions covering access will usually be adequate. However, we expect forces to publicise which public registers they hold, and how the information in them is to be made available to the public. Where registers contain personal information, police forces must ensure that they consider the data protection principles.

- **Asset registers**

We would not expect police forces to publish all details from all asset registers. We would, however, expect the location of public land and building assets and key attribute information that is normally recorded on

an asset register to be available along with some other information from capital asset registers.

- **Information asset register**

If a police force has prepared an information asset register, it should publish the contents.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by the police force.

- **Registers of interests**
- **Register of gifts and hospitality (senior personnel)**

This should include details of gifts, given or received; details of any hospitality afforded and by which organisation. Gifts and hospitality declined should also be included.

- **FOI disclosure log**

If a police force produces a disclosure log indicating the information provided in response to requests, it should be readily available. Disclosure logs are recommended as good practice.

Services provided by the police force

Information about the services provided by the police force, including leaflets, guidance and newsletters produced for the public and businesses.

We would expect information in this class to be current information only.

- **Advice and guidance for the general public**
- **Firearms and explosives licensing, firearms dealers licensing, abnormal load escort, keyholder services**
- **Police college or learning centre**
- **Ceremonial duties**
- **Museum**
- **Local campaigns**
- **Media releases**
- **Details of the services for which the police force is entitled to recover a fee together with those fees.**

Appendix B: FOI requests received by theme 2019

