



Nottinghamshire

POLICE & CRIME COMMISSIONER

Type of Document:	Freedom of Information Publication Scheme
Version:	2.0
Registered Owner:	Chief Executive
Author:	Business Support Manager
Effective Date:	April 2018
Review Date:	April 2020
Replaces document (if applicable)	
Linked Documents:	

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SECTION 1 VERSION CONTROL

Version No.	Date	Post Holder/Author	Post	Reason for Issue
1.0	Nov 2012	Lisa Pearson	Office Manager	
2.0	Nov 2015	Lisa Gilmour	Business Support Manager	Review

SECTION 2 BACKGROUND

- 2.1 This procedure has been written to ensure compliance with the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Specified Information) (Amendment) Order 2012. All information will be disclosed in accordance with the legislative and regulation requirements.
- 2.2 Under the Freedom of Information Act 2000 (FIOA), the Nottinghamshire Police and Crime Commissioner has a statutory duty to produce a Publication Scheme.

We are committed to delivering an open and transparent service whenever possible and it is our intention to publish information in our Publication Scheme that the public have an interest in viewing. However, as we are committed to protecting the communities we serve, it must be recognised that certain information, in the public interest, should not be disclosed.

SECTION 3 AIMS / OBJECTIVES

The aim of the Publication Scheme is to set out:

- What information the Nottinghamshire Office of the Police and Crime Commissioner publishes or intends to publish as a matter of course;
- How we will publish this information;
- Whether the information will be available free of charge or on payment
- To describe the process for requesting information

SECTION 4 DETAILS

4.1 Nottinghamshire Office of the Police and Crime Commissioner Publication Scheme Freedom of Information Act 2000

The Freedom of Information Act 2000 received Royal Assent on 30 November 2000. It gives a general right of access to all types of recorded information held by public authorities, sets out exemptions from that right and places a number of obligations on public authorities. A 'public authority' is defined in the Act, and includes but is not restricted to central and local government, non-departmental public bodies, the police, police and crime commissioners, the health service and schools, colleges and universities. Any person who makes a request to a public authority for information must be informed whether the public authority holds that information and, subject to exemptions, supplied with that information.

4.2 Your rights and our responsibilities from June 2003

Under the FOIA the Nottinghamshire Office of the Police and Crime Commissioner must have a Publication Scheme setting out the information we routinely make publicly available. Our scheme must be approved by the Information Commissioner and we have to review the scheme from time to time. In adopting (or 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.

Our publication scheme must:

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

The purpose of our Publication Scheme is to let you know what information is readily available from us without your needing to ask us for it. By readily available we mean that the information is available on our website; can be obtained from us if you request it by letter, e-mail or telephone call; can be purchased from us; or can be found in a local library.

Part 2 of our Publication Scheme sets out the classes or types of information that we publish or intend to publish, how they can be obtained and whether they are free or if we will ask you to pay a charge.

4.3 Your rights and our responsibilities from 1st January 2005

The Freedom of Information Act 2000 (FOIA) gives you a right of access to recorded information held by public authorities, subject to certain exemptions. The FOIA applies to the vast majority of public authorities, including the Nottinghamshire Office of the Police and Crime Commissioner. Since the FOIA came into force on 1 January 2005, if you ask us for information we are required to:

- let you know in writing whether we hold information you have asked for; and
- if we do, provide the information to you within 20 working days, unless it is subject to an exemption.

We also have a duty to provide advice or assistance to you or anyone seeking information (for example in order to explain what is readily available or to clarify what is wanted).

Full access rights under the Freedom of Information Act came into force on **1 January 2005**.

The Introduction of further Orders/Regulations on 1st March 2006 have provided simpler, clearer rules about circumstances under which the public may be excluded from access to certain kinds of information. The Nottinghamshire Office of the Police and Crime Commissioner has regard to these provisions when approached for information that may be exempt.

4.4 Responsibilities for the Nottinghamshire Office of the Police and Crime Commissioner Publication Scheme

The Police and Crime Commissioner has overall responsibility for our Publication Scheme.

The person responsible for maintaining and managing the Publication Scheme is:

Lisa Gilmour
Business Support Manager
Arnot Hill House
Arnold
Nottingham
NG5 6LU
E-mail nopcc@nottinghamshire.pnn.police.uk
Telephone 0115 8445998

4.5 Charging for Publications

In Part 2, we indicate for each class of information whether the class includes chargeable information or not.

Free of charge on website — there is no charge made by us, although the user will, of course, have to meet any charges made by their Internet service provider and/or telephone company as well as any personal costs for printing, photocopying etc. For those without access to the Internet, we will provide a single printout of an individual publication, as shown on the website, free of charge from the above contact address.

Chargeable on website — requests for multiple copies of publications or multiple printouts from our website or for copies of archived material no longer available on the website will attract a charge. The cost will be restricted to 10% of the reasonable marginal costs of complying with the request, together with photocopying costs (currently 10 pence per sheet) and postage. We will let you know the cost when we receive your request. The charge will be payable in Advance.

Where the information is available via the website but a value-added service is requested using that information, a charge will be made.

Free of charge hard copy — indicates a leaflet, booklet or periodical which is published by Nottinghamshire Office of the Police and Crime Commissioner without charge.

Chargeable hard copy — indicates a bound paper copy, cassette or other product charged as shown in our publication list.

Where a charge applies, the cost and the reasons for levying such a charge will be made known to you. Any charge will be payable in advance.

4.6 How to Request Information

If you wish to request information from the Nottinghamshire Office of the Police and Crime Commissioner, please submit your request in writing to the below address:

Lisa Gilmour
Business Support Manager
Arnot Hill House
Arnold
Nottingham
NG5 6LU
E-mail nopcc@nottinghamshire.pnn.police.uk
Telephone 0115 8445998

If the Commissioner holds the information, we aim to deal with your request within 20 working days. If you are dissatisfied with the response you can ask for the matter to be internally reviewed by writing to the above address.

We aim to complete an internal review and respond to you within 20 working days.

If, after the internal review, you remain dissatisfied then you can complain to the Information Commissioner.

Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow, Cheshire
SK9 5AF

Review of the Nottinghamshire Office of the Police and Crime Commissioner Publication Scheme

We will review and update our publication scheme bi-annually

4.7 Requests for Personal Information

Under the Data Protection Act 1998, you already have a statutory right to have access to personal data we hold about you on computer or in a structured manual file (i.e. on paper). You also have the right to expect us, as the data controller, to ensure that data is:

- processed fairly and lawfully
- obtained for specific and lawful purposes
- adequate, relevant and not excessive

- accurate and where necessary kept up to date
- not kept for longer than is necessary
- processed in accordance with the rights of the data subject
- kept secure
- not transferred abroad unless to countries with adequate data protection laws.

For the purposes of the 1998 Act, “personal data” is information that relates to a living or deceased identifiable person. The person or organisation who controls the purpose and manner in which data is processed is the “data controller”. More information on the Data Protection Act can be found on the website of the Information Commissioner www.informationcommissioner.gov.uk or from the address given below.

Information where Nottinghamshire Office of the Police and Crime Commissioner is the Data Controller

Where we are the data controller, you are entitled to be told whether we hold data about you, and if we do:

- to be given a description of the data in question
- to be told for what purposes the data is processed
- to be told the recipients, or classes of recipients, to whom the data is or may be disclosed.

You are also entitled to a copy of the information with any unintelligible terms, acronyms or codes explained. You will also be given any information available to us on the source of the data. The data will be in its latest form.

If you wish to apply for access to your personal data, known as “a subject access request”, you should write to us at the above address. A fee of £10 must accompany your request together with proof of your identity. We also need to be supplied with the details needed to locate the information you seek. A request for access to personal data will be dealt with promptly and in any event within 40 days of receipt of the request and payment of the fee.

If you consider that a request by you for access to your personal data has not been dealt with properly, you may:

- write to us at the above address seeking resolution of your complaint.
- contact the Information Commissioner, who is appointed to consider such complaints:

The Information Commissioner is empowered to assess whether there has been a failure to comply with the 1998 Act. The Commissioner can issue enforcement proceedings if satisfied that there has been a contravention of the data protection principles. The Commissioner can also recommend that you apply to court alleging a failure to comply with the subject access provisions of the 1998 Act.

The court may make an order requiring compliance with those provisions and may also award compensation for any damages you have suffered as well as any associated distress.

Information where Nottinghamshire Office of the Police and Crime Commissioner is not the “Data Controller”

In many cases, it is the police and not the Nottinghamshire Office of the Police and Crime Commissioner who hold personal information. The Police National Computer includes information on prosecutions, convictions and cautions. Chief Officers of Police are the “data controllers” for this information and not the Police and Crime Commissioner.

You have the right to be told by a Chief Officer whether any information is held about you on the Police National Computer and a right to a copy of that information. The Chief Officer will give that information if he/she is satisfied as to your identity and on payment of a fee of £10. The Chief Officer may deny access to this information where the information is held for the prevention or detection of crime or for the apprehension or prosecution of offenders and where release of the information would be likely to be prejudicial to any of these purposes.

Police forces provide a form to simplify the exercise of your subject access rights to PNC information. In the case of Nottinghamshire Police you should contact: -

Data Protection Officer:

Information Management Team
Nottinghamshire Police
Sherwood Lodge
Arnold
Nottingham
NG5 8PP
Telephone: 101 ext. 800 2526
Email: data.protection@nottinghamshire.pnn.police.uk

Requests under the Environmental Information Regulations

If you wish to make a request for information under the Environmental Information Regulations (EIR), you should write to:

Kevin Dennis
Chief Executive
Arnot Hill House
Arnold
Nottingham
NG5 6LU
E-mail nopcc@nottinghamshire.pnn.police.uk
Telephone 0115 8445998

4.8 Copyright

Different bodies might own the copyright of material contained in our Scheme: **Nottinghamshire Office of the Police and Crime Commissioner Copyright Material.** For material where we own the copyright, it can be reproduced free of charge in any format or medium for research, private study or for internal circulation within an organisation. This is subject to the material being reproduced accurately and not being used in a misleading context. Where material is being republished or copied to others, the

source of the material must be identified and our copyright acknowledged. The Nottinghamshire Office of the Police and Crime Commissioner logo is also copyrighted and may not be reproduced other than as it appears on copied material.

Other Copyrighted Material

Some material we include in our Scheme may be the copyright of a third party. Our rights to hold and use such material do not extend to others. You must obtain authorisation from the copyright holder(s) concerned if you wish to copy or reproduce such material.

4.9 General Information about Nottinghamshire Office of the Police and Crime Commissioner

Role and Responsibilities

The Police and Crime Commissioner is elected by the public to hold the Chief Constable and the force to account; effectively making the police answerable to the communities they serve.

The Police and Crime Commissioner ensures that community needs are met as effectively as possible, and will improve local relationships through building confidence and restoring trust. They also work in partnership across a range of agencies at local and national level to ensure there is a unified approach to preventing and reducing crime.

We have a number of statutory duties and responsibilities. The main ones are to:

- Secure the maintenance of the Nottinghamshire Police Force.
- Secure that the Police Force is efficient and effective.
- Hold the Chief Constable and those under his direction and control to account on behalf of the people of Nottinghamshire.
- To be held to account by the Police and Crime Panel.
- Set the strategic direction and objectives of the Force through the Police and Crime Plan, monitoring the performance of the Force against agreed priorities.
- Hold the Chief Constable to account for the duty to have regard to the Police and Crime Plan and the Strategic Policing Requirement.
- Approve the Office for Police and Crime/Force budget.
- Approve a Police and Crime precept.
- Appoint the Chief Constable of Nottinghamshire.
- Suspend or where necessary, require the resignation or retirement of the Chief Constable.
- Hold the Chief Constable and those under his direction and control to account for the exercise of duties relating to equality and diversity.
- Hold the Chief Constable and those under his direction and control to account.
- Make crime and disorder reduction grants.
- Handle complaints and conduct matters in relation to the Chief Constable.
- To be open and accountable.

It might help you to know that police operations are the responsibility of the Chief Constable and information on individuals is more likely to be held by the police than the Nottinghamshire Office of the Police and Crime Commissioner.

4.10 Classes of Information

Introduction

Under the Freedom of Information Act 2000, our Publication Scheme must say what classes, or broad types, of information the Nottinghamshire Office of the Police and Crime Commissioner already publishes or intends to publish. 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.

For each class we briefly define the information contained in that class, the format in which it is available and whether the class includes chargeable material (chargeable material indicated by a “£” sign).

For those who do not have access to a computer, all information contained in this Publication Scheme (including the Scheme itself) is available in hard copy form.

Please see Appendix 1 classes of information.

SECTION 5 LEGISLATIVE COMPLIANCE

This document has been drafted to comply with the general and specific duties in the Race Relations (Amendment) Act 2000, Data Protection, Freedom of Information Act, European Convention of Human Rights and other legislation relevant to the area of policing such as, Employment Act 2002, Equality Act 2010, Sex Discrimination Act 1975 and Employment Relations Act 1999.