

PFCC Decision Report

Please ensure all sections below are completed

Report reference number: 032/19
Classification Not protectively marked
Title of report: Business Confidentiality Declaration
Area of county / stakeholders affected: Countywide
Report by: Greg Myddelton
Date of report: 6 March 2019
Enquiries to: greg.myddelton@essex.pnn.police.uk

1. Purpose of the report

- 1.1. To approve the refreshed PFCC Confidentiality Declaration.

2. Recommendations

- 2.1. The PFCC is asked to approve the updated Confidentiality Declaration (version 1.2) embedded in section 14 of this report.

3. Benefits of the proposal

- 3.1. This policy outlines to PFCC employees what is expected of them in relation to confidentiality. This includes how they are impacted by the Official Secrets Acts and data protection legislation.
- 3.2. The declaration ensures that the PFCC has assurance that staff are aware of their expectations in relation to confidentiality.

4. Background and proposal

- 4.1. The Confidentiality Declaration was last updated in September 2017. Version 1.2 updates the document to ensure it reflects updated data protection legislation and the General Data Protection Regulation (GDPR) which came into force in May 2018. It also updates the document to reflect the change from PCC to PFCC which occurred in October 2017.
- 4.2. The Declaration will be reviewed within 2 years to ensure it is up to date with relevant legislation or policy changes.

5. Alternative options considered and rejected

- 5.1. No alternative options considered.

6. Link to Strategic Objectives

6.1. This policy will ensure that PFCC staff are clear on what is expected of them.

7. Police operational implications

7.1. No operational implications

8. Financial implications

8.1. There are no financial implications

9. Legal implications

9.1. The declaration makes clear to employees how their responsibilities and expectations upon them link to relevant legislation, such as data protection legislation and the Official Secrets Acts.

9.2. The declaration states that employees are aware that they are “subject to the restrictions and duties imposed by the Official Secrets Acts 1911 – 1989 (The Acts) and that disclosure of any information, document or article (or part thereof) in breach of the provisions of the Acts will make me liable to prosecution.”

9.3. The declaration also advises employees that information coming into their possession must be held in confidence and must only be used as authorised. Employees are informed that the unauthorised communication of such information could result in dismissal, and/or prosecution

10. Staffing implications

10.1. All PFCC staff are required to sign the declaration and uphold the expectations placed upon them.

11. Equality and Diversity implications

11.1. This declaration applies to, and must be signed by, all members of staff.

12. Risks

12.1. No associated risks

13. Governance Boards

13.1. This policy was approved at the PFCC senior management team meeting on Tuesday 26 March 2019.

14. Background papers



14.1. 2019 Business
Confidentiality Policy

Report Approval

The report will be signed off by the OPFCC Chief Executive and Treasurer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O. Sign: [Signature]

Print: P. Bevan - Islington

Date: 16 April 2019

Chief Finance Officer / Treasurer Sign: [Signature]

Print: Arben G. G.

Date: 16 / 04 / 19

Publication

Is the report for publication? YES NO

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

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If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

Redaction

If the report is for publication, is redaction required:

1. Of Decision Sheet? YES NO 2. Of Appendix? YES NO

If 'YES', please provide details of required redaction:

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Date redaction carried out:

Treasurer / Chief Executive Sign Off – for Redactions only

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign:

Print:

Decision and Final Sign Off

I agree the recommendations to this report:

Sign: 

Print: 17/4/19

PFCC/Deputy PFCC

Date signed:

I do not agree the recommendations to this report because:

.....
.....
.....

Sign:

Print:

PFCC/Deputy PFCC

Date signed:

Police, Fire and Crime Commissioner for Essex

CONFIDENTIALITY DECLARATION

Version Control	Version 1.2	February 2019
Reviewed By	G Myddelton	February 2019
Policy owner	P. Brent-Isherwood	
First Published	J Drewett	November 2012
Next Review Date	G Myddelton	February 2021

Version history

Version Number	Date	Reason for review	Comments
1.0	November 2012		First publication
1.0	February 2016	Update review	No amendment required
1.1	September 2017	Update review	PCC office location updated
1.2	February 2019	Update review	Updated to reflect PFCC & GDPR

Confidentiality Declaration

Section 1 – Subject Details

Title	Surname	First Name(s)
Staff Number	Employer	

Section 2 Official Secrets Acts 1911 – 1989

Employees – I understand as an employee of the Police, Fire and Crime Commissioner, I will be subject to the restrictions and duties imposed by the Official Secrets Acts 1911 – 1989 (The Acts) and that disclosure of any information, document or article (or part thereof) in breach of the provisions of the Acts will make me liable to prosecution.

Contractors and Volunteers – I have been informed that information, documents or other articles protected against disclosure by the provisions of the Official Secrets Act (for example relating to the prevention and detection of offences) will come into my possession in circumstances requiring it to be held in confidence. I understand that I may be prosecuted for an offence under the Official Secrets Acts 1911 – 1989 should I disclose without lawful authority any such information, documents or other articles.

I understand that on termination of my employment, contract or other work on behalf of the Police, Fire and Crime Commissioner the restrictions on disclosure of information under the Acts, and my liability to prosecution, continue to apply.

I also understand the requirement to mark and manage information, documents and other articles in adherence to the Government Security Classifications, full details of which can be found [here](#).

This policy should not prohibit the disclosure of reporting wrongdoing (whistleblowing) and handling of qualifying disclosures, which is covered in a separate policy.

Signature:

Date:

Section 3 – Data Protection Act and General Data Protection Regulation (GDPR)

I understand that the Data Protection Act and General Data Protection Regulation (GDPR) establish principles that govern the manner in which personal data is obtained and used, including requirements that data is:

- Obtained and processed transparently, fairly and lawfully
- Held only for a specified and lawful purpose
- Not used or disclosed other than as authorised

I also understand that I am liable for prosecution if I knowingly or recklessly use, obtain, disclose or transfer data without authority or other lawful reason.

Signature:

Date:

Section 4 – Confidentiality

I understand that information coming into my possession or knowledge as a consequence of my employment, contract or other work on behalf of the Police, Fire and Crime Commissioner must be held in confidence and must only be used as authorised in connection with my official duties. I understand that the unauthorised communication of any such information to any person, either verbally or in writing, could result in dismissal, termination of contract, civil liability and/or prosecution.

Signature:

Date:

The Police, Fire and Crime Commissioner for Essex, Kelvedon Park, London Road, Essex, CM8 3HB

