

PFCC Decision Report

Report reference number: 069/2020

Classification: Not protectively marked

Title of report: Access to Information Policy

Area of county / stakeholders affected: All PFCC staff

Report by: Darren Horsman (Strategic Head of Policy and Public Engagement)

Date of report: 15 May 2020

Enquiries to: Darren Horsman (Strategic Head of Policy and Public Engagement)

1. Purpose of the report

To approve the updated Access to Information Policy.

2. Recommendations

That the updated Access to Information Policy attached as Appendix 1 is approved for adoption.

3. Benefits of the proposal

The Access to Information Policy provides the public with an easy to understand guide on how to access information held by the Police, Fire and Crime Commissioner's Office. It provides guidance on how to access this information through the Freedom of Information Act, General Data Protection Regulation (GDPR) and the Environmental Information Regulations (EIR) 2004. The Policy also includes the PFCC's Publication Scheme and a summary of the information provided as part of the PFCC's compliance with the relevant Specified Information Orders.

Having this information within one policy helps improve public accessibility and the PFCC's transparency.

4. Background and proposal

The Access to Information Policy was introduced in 2018 and incorporated the previous Freedom of Information Policy. The Policy was widened to include the public's rights to access information under the European General Data Protection Regulation that was

enshrined in UK law as the Data Protection Act 2018. As well as covering access to information, the Policy also includes guidance on how the public can exercise their rights to challenge the accuracy of personal data that is held by the office and how to request that the data is erased, restricted or moved.

This review of the Access to Information Policy is part of our regular policy review process. Changes made during this review include updating the relevant staff titles following recent restructuring and updating the location of published documents within the Publication Scheme. The Policy has also been reviewed to ensure it is aligned and complimentary to the PFCC's Data Protection Policy published in December 2019.

This Policy will be reviewed again in 2022 or before if there are relevant changes to policy, regulations or legislation.

5. Alternative options considered and rejected

Alternative options were considered including separating out the various rights the public have to access information into different policies and / or combining the Access to Information Policy with the Data Protection Policy. Both options were rejected as they would make it harder for the public to understand and exercise their legal right to information and as such wouldn't achieve the PFCC's intention to promote public access and support transparency.

6. Police and Crime Plan

The proposals set out in this report contribute to the delivery of the Police & Crime Plan and Fire & Rescue Plan by providing greater transparency to the public and contributing to confidence in the services and in the role of the Commissioner. The proposal also supports the Commissioner in fulfilling his statutory obligations as set out in section 9 below.

7. Police operational implications

The policy has been reviewed alongside statutory guidelines and legislation which are relevant to operational policing and how the police make information accessible to the public. While this policy will have no direct impact on operational policing its alignment with Essex Police policies and procedures will help to provide a coherent system for the public.

8. Financial implications

There are no new financial implications of this policy.

9. Legal implications

This proposal will provide reassurance that the PFCC is meeting their statutory obligations under the Freedom of Information Act, the Data Protection Act 2018, the Environmental Information Regulations (EIR) 2004 and under various Specified Information Orders.

10. Staffing implications

All staff will be required to comply with this policy. All requests for information through this policy will be managed by the Data Protection and Correspondence Officer.

11. Equality and Diversity implications

Providing clear information for people wishing to access information held by the PFCC is an important aspect of helping all communities engage with and be part of the work of the PFCC's Office. While efforts have been made to ensure this Policy is clear we recognise that a full accessibility assessment of our website is required to develop our understanding of how accessible it is for those with a sensory or cognitive impairment. This work has been planned for 2020-2021.

12. Risks

This policy has been in place since 2018 and throughout that time has proven to be effective in providing a clear guide for people wishing to access information. The continuation of the policy, including the minor changes suggested during this review, will continue to provide reassurance that the PFCC is meeting their statutory obligations under the relevant legislation.

13. Governance Boards

The updated Access to Information Policy attached for approval at Appendix 1 was discussed at the PFCC's SMT on 19 May 2020 and approved in principal for adoption by the PFCC.

14. Background papers

Appendix 1 – Access to Information 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:



Print: P. Brent-Isherwood

Date: 23 June 2020

Chief Finance Officer / Treasurer

Sign:



Print: Elizabeth Helm

Date: 23 June 2020

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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.....N/A.....

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

2. Of Appendix?

YES

NO

NO

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

.....
.....N/A.....

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:

Chief Executive/Treasurer

Date signed:

Decision and Final Sign Off

I agree the recommendations to this report:

Sign: 

Print: Roger Hirst

PFCC

Date signed: 29 June 2020

I do not agree the recommendations to this report because:

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Sign:

Print:

PFCC/Deputy PFCC