

## PFCC Decision Report

**Please ensure all sections below are completed**

**Report reference number:** 062-22

**Classification** (e.g. Not protectively marked/restricted):

**Title of report:** Reviewed Policies, Declarations and Standards

**Area of county / stakeholders affected:** Countywide

**Report by:** Darren.Horsman@essex.police.uk

**Chief Officer:** Darren Horsman

**Date of report:** 29.4.2022

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### 1. Executive Summary

As part of the Commissioner's Policy Review Schedule, the Policies, Declarations and Standards listed below have been reviewed and updated in line with current legislation and once agreed by the Commissioner, will set the policy for the Commissioner's officer going forward. The review cycle is intended to ensure policies are up-to-date relevant and take account of any changes to the Commissioner's legislative obligations.

- Data Protection Policy
- Access to Information Policy, including the publication schedule
- Business Interest Declaration
- Correspondence Standards

### 2. Recommendations

It is recommended that the Commissioner approves the Policies, Declaration and Standards below.

- Data Protection Policy
- Access to Information Policy, including the publication schedule
- Business Interest Declaration
- Correspondence Standards

### **3. Background to the Proposal**

As part of the Commissioner's Policy Review Schedule, the Policies, Declarations and Standards listed in the recommendation section of this report have been reviewed and updated to bring them up to date with current legislation and practice.

All of the documents are identified in the Commissioner's Policy Review Schedule and are on a two-year review cycle, unless changes in practice or legislation means they need to be updated earlier.

Details of the changes to each policy, when they were last reviewed and who reviewed them are set out at the beginning of each policy.

Once agreed the documents will be shared widely with the Commissioner's staff with key changes highlighted and opportunities provided for clarification and explanation. In the case of the Business Interest Declaration staff will be asked to take the opportunity to check and update their business interest declarations.

### **4. Proposal and Associated Benefits**

The Data Protection Policy and Access to Information Policy, including the publication schedule, are the two key policies setting out how the Commissioner and their team will manage data, including data where somebody is personally identifiable. The policies also set out how the Commissioner will comply with the Freedom of Information Act and UK General Data Protection Regulations.

These two documents have been reviewed by our Data Protection Officer, Senior Information Risk Owner and external data protection specialists as part of our wider data protection work. These reviews provide significant reassurance to the Commissioner and the public that data is being handled appropriately and all the Commissioner's statutory obligations relating to data protection, freedom of information and public access to information are clearly set out and being monitored.

The Correspondence Standards provide reassurance to the Commissioner and the public regarding clarity of the way that correspondence, public enquiries, and contacts are being managed and reported against.

The refresh and reapproval of the Business Interest Declaration also provides reassurance that appropriate checks are in place to provide staff with a way to report and record business interests. The reapproval of this declaration also provides a useful opportunity to remind staff of this declaration and the need to check and, where necessary, update their business interests.

## **5. Options Analysis**

The Commissioner could choose not to update these policies, however, this decision would fail to provide reassurance that they were up to date and incorporate all relevant legislative and process changes.

## **6. Consultation and Engagement**

In reviewing the policies, relevant team members across the Commissioner's team have been engaged, along with external advisors in the case of the policies relevant to data handling. The Commissioner's Senior Management Team and Management Team have also been consulted in developing these drafts.

## **7. Strategic Links**

Public confidence is a key performance indicator for both the Police and Crime Plan and Fire and Rescue Plan. Effective data management, GDPR compliance, transparent levels of correspondence and the declaration of business interests are all prerequisites of maintaining public confidence and compliance with legal responsibilities. This decision provides reassurance that the policies outlined above are all up to date and relevant to support public confidence in the Commissioner and their team.

## **8. Police operational implications**

There are no direct operational implications from this decision however maintaining confidence in the way the Commissioner manages data supports effective partnership between the Commissioner, the police and wider partners.

## **9. Financial implications**

There are no financial implications from these policies.

## **10. Legal implications**

These policies, especially the Access to Information Policy and Data Protection Policy support the Commissioner's statutory obligations and helps staff and the wider office ensure they are fully complying with the law.

## **11. Staffing implications**

These policies are relevant to all staff and will be shared with the team. The team will also be provided with opportunities to seek any clarification around the expectation on them to comply with these policies. In terms of the Data Protection Policy, significant ongoing training and development is provided by the Data Protection Officer to ensure staff are up to date with current legislation, can check their understanding and have a clear route to raise any concerns or seek further clarification.

## **12. Equality, Diversity and Inclusion implications**

There are no direct equality and diversity implications from this review, however, ensuring a range of appropriate ways to access information has been taken into account when setting the way the public can seek information from the Commissioner and their office team.

## **13. Risks and Mitigations**

The Access to Information Policy and Data Protection Policy are designed to support the office and staff in managing the risk of handling data incorrectly. The framework established by these policies and the ongoing work of the Data Protection Officer, including quarterly reports to the Senior Management Team, ongoing training and development and effective management of data breaches and risks, has proven to be a successful way to reduce the risk of the mishandling of data and improve senior level visibility of this risk.

These updated policies are part of this ongoing management of the way the Commissioner's office manage data and helps provide increased reassurance.

Without the Business Interest Declaration being used effectively there is a risk that members of staff may inadvertently have additional business interests that conflict with their responsibilities as employees and bring into question the decisions they take in their role. This declaration is a useful way to mitigate this risk and provide reassurance that a robust process is in the place. The regular review of the Declaration also ensures staff get regular reminders to update their declarations and opportunities to discuss what needs to be declared and what doesn't.

The Correspondence Standards are designed to mitigate the risk that members of the public get inadequate or inconsistent levels of response from the Commissioner's office leading to falling levels of public confidence and engagement.

## **14. Governance Boards**

All four of these policies, standards and declarations have been discussed at the Commissioner's Senior Management Team who reviewed and endorsed the attached versions.

## **15. Links to Future Plans**

The review of these documents is part of the Commissioner standard Policy Review Schedule.

## **16. Background Papers and Appendices**

Data Protection Policy  
Access to Information Policy, including the publication schedule  
Business Interest Declaration  
Correspondence Standards



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

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Date redaction carried out: .....

**Chief Finance Officer / 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 / Chief Finance Officer**

**Decision and Final Sign Off**

I agree the recommendations to this report:

**Sign:** 

**Print:** Roger Hirst

**PFCC**

**Date signed:** 8 July 2022

I do not agree the recommendations to this report because:

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**Sign:**

**Print:**

**PFCC/Deputy PFCC**

**Date signed:**