

POLICE, FIRE AND CRIME COMMISSIONER FOR ESSEX

ACCESS TO INFORMATION POLICY

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5.0	Jan 2019	Review by the Monitoring Officer	<p>Section added regarding Roles and Responsibilities.</p> <p>Details added regarding sensitive personal information, and requests to rectify, erase or restrict the processing of data.</p> <p>Section added relating to requests made under the Environmental Information Regulations 2004.</p> <p>Subject Access Request Form added as Appendix 1.</p>
6.0	May 2020	Review by Strategic Head of Policy and Public Engagement	Name of office updated, hyperlinks updated, standing orders undated and Publishing Scheme updated.
7.0	May 2022	Review by Strategic Head of Policy and Public Engagement	Standing Orders Updated
8.0	October 2023	Review by Strategic Head of Policy & Public Engagement and Data Protection Officer	Amendments made following internal audit and review

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Introduction

The Police, Fire and Crime Commissioner (PFCC) for Essex is committed to making information available to the public to help you know what they do, how they do it and to help you hold them to account.

This policy explains the legal rights that the public have to access information that the PFCC and their office holds and how they deal with requests for information.

This policy is supported by the guidance issued by the Information Commissioner's Office (ICO) (available to view at <https://ico.org.uk>) and the principles and practice as set out in the UK General Data Protection Regulation (UK GDPR). It is also supported by the PFCC's [Data-Protection-Policy-April-2022-.pdf \(pfcc.police.uk\)](#)

This policy explains how we publish information and your right to request information that isn't currently published. It also outlines how you can make these requests.

Your rights with regard to information include:

- **Freedom of Information (FOI) request**

The Freedom of Information Act 2000 provides public access to information held by public authorities.

- **Subject Access Request (SAR)**

You have the right to find out if an organisation is using or storing your personal data. This is called the right of access. You exercise this right by asking for a copy of the data, which is commonly known as making a 'subject access request'.

Contacting The Police, Fire and Crime Commissioner (PFCC) for Essex

Police, Fire and Crime Commissioner's office
Top Floor
Kelvedon Park
Rivenhall, Witham
Essex
CM8 3HB

Telephone 01245 291600
E-mail pfcc@essex.police.uk

Roles and Responsibilities

This policy applies to all staff employed within the Police, Fire and Crime Commissioner's office (PFCC's office) for Essex, whether permanently or temporarily. All staff have a responsibility to recognise a request for information which falls within the scope of this policy, and to adhere to both the policy and to wider data protection and freedom of information legislation and principles when working with personal and sensitive data during the course of their work. All staff are also responsible for ensuring that information collected and created in the course of their day-to-day duties is accurate, appropriate and managed in a manner consistent with legislation and regulations and which facilitates efficient retrieval of information.

The policy also applies to all those working on behalf of the PFCC's office, including:

- Contractors, sub-contractors and consultants engaged by the PFCC
- Volunteers engaged by the PFCC,
- Employees of partner or subsidiary organisations whilst working or engaged on PFCC business.

The Chief Executive and Monitoring Officer has overall responsibility for the operation of the Access to Information Policy and the Publication Scheme that is incorporated within it. All staff should be alert to any problems that occur with the security, accuracy or disclosure of information under this policy, and bring any concerns to the attention of the Chief Executive.

Day-to-day responsibility for managing and maintaining the Access to Information Policy and Publication Scheme is held by the Strategic Head of Policy and Public Engagement.

The first point of contact to access information under the rights described above is the Data Protection Officer (DPO). The Data Protection Officer for the PFCC is the Data Protection and Correspondence Officer.

All of the officers referenced above can be contacted via the contact details at the head of this policy.

Failure to comply with this policy

You should be aware that non-compliance with the provisions of this policy may result in disciplinary action which could lead to dismissal and criminal prosecution under the Data Protection Act 2018 ('the Act') or Misconduct in Public Office.

Definitions

Term (Example)	Definition (Example)
Criminal Records Information	Defined by the ICO as 'personal data relating to criminal convictions and offences or related security measures. This covers information about offenders or suspected offenders in the context of criminal activity, allegations, investigations and proceedings.
Data	Information, facts or figures to be processed; evidence, records, statistics, etc. from which conclusions can be inferred.
Data Subject	The Data Subject is the individual to whom the personal information relates
Destruction	The process of elimination or deleting records beyond any possible reconstruction.
Disposal	The implementation of appraisal and review decisions. It could result in the destruction of the record, the transfer to an archive institution or the movement of records from one system to another, for example paper to electronic.
Employees	All part-time, full-time and zero hour contracted employees.
Information	All information and data collected, accessed or stored in relation to any activity by information users of PFCC.
Information Users	All users of information and/or systems including employees, volunteers, contracted third party organisations and individuals (including agency staff), students / trainees / apprentices, partner organisations and any other individual who has been granted access.
Personal data	Any information relating to an identified or identifiable natural person; an identifiable natural person is one that can be identified either directly or indirectly by reference to an identifier such as a name, identification number, location data, online identifier or to one or more factors specific to that natural person.
Personally identifiable data	Information that relates to a living identifiable person.
Record	'A "record" is information created, received, and maintained as evidence by an organisation or person in the transaction of business, or in the pursuance of legal obligations, "regardless of media".'
Retention	The continued storage and maintenance of records for as long as they are required until their eventual disposal and destruction, according to their administrative, legal, financial and historical evaluation.
Service users	Anyone using a service provided by PFCC.
Special category Data	Sensitive Personal Information (also known as 'special categories of personal data' or 'sensitive personal data') means personal information about an individual's race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership (or non-membership), genetics information, biometric information (where used to identify an individual) and information concerning an individual's health, sex life or sexual orientation
Subject Access Request	Any request made to PFCC by a data subject to have access to the data held which relates to them.
Tracking	Creating, capturing and maintaining information about the movement and use of records.

Part One

The Freedom of Information Act 2000

The Freedom of Information (FOI) 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, the health service and schools, colleges and universities. Any person who makes a request to a public authority for information must be informed, subject to exemptions, whether the public authority holds that information and be supplied with that information.

Freedom of Information Act (Fol) Requests

Where information isn't already published you can make a request for the information under the Freedom of Information Act. You can make a request by contacting the Police, Fire and Crime Commissioner's office at the contact details at the top of this policy.

When asked we are required to:

- Notify the requestor in writing whether the PFCC's office holds the information requested, unless it is subject to an exemption and
- If it is held, provide the requested information to the applicant within 20 working days, unless it is subject to an exemption.

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

The Publication Scheme

In the interests of accountability and transparency the Police, Fire and Crime Commissioner's office makes a great deal of information publicly available. Much of this information can be accessed via the PFCC's website at www.essex.pfcc.police.uk and is also outlined in the Essex PFCC's Publication Scheme in Part Two of this policy. This includes information on the performance of Essex Police and Essex County Fire and Rescue Service, minutes and papers of boards and committees and all the PFCC's externally facing policies.

Under the FOI Act 2000 all public authorities must have a Publication Scheme setting out the information they routinely make publicly available and the method by which it will be published. A hard copy of our Publication Scheme or any of the publications contained in our list of publications set out in Part Three may be obtained by contacting the PFCC at the contact details at the top of this policy.

The Publication Scheme and the publications included in it are provided free of charge either via the website or as a single printed copy. If multiple copies are requested there may be a

cost. This will be in line with the cost of providing the requested documents. Charges may also be made for information subject to a charging regime specified by Parliament. If a charge is to be made, the payment due will be confirmed before the information is provided. Payment may be requested prior to provision of the information.

The information covered by the Publication Scheme will not generally include:

- Information the disclosure of which is prevented by law or exempted under the Freedom of Information Act or is otherwise properly considered to be protected from disclosure.
- Information in draft form, and
- Information that is no longer readily available.

The Specified Information Order

The Police, Fire and Crime Commissioner also has a statutory duty to publish documents and information set out in the [Elected Local Policing Bodies \(Specified Information\) Order 2011](#). This Order was amended by [The Elected Local Policing Bodies \(Specified Information\) \(Amendment\) Order 2012](#), [The Elected Local Policing Bodies \(Specified Information\) \(Amendment\) Order 2013](#) and [The Elected Local Policing Bodies \(Specified Information\) \(Amendment\) Order 2021](#)

Following the introduction of Joint Governance of Essex Police and Essex County Fire and Rescue Service in October 2017 this order was extended by The Fire and Rescue Authority (Police and Crime Commissioner) (Application of Local Policing Provisions, Inspection, Powers to Trade and Consequential Amendments) Order 2017. The information the PFCC is required to publish under the Order is included in the Publication Scheme.

The Police, Fire and Crime Commissioner Fire and Rescue Authority is a separate legal entity and has its own Publication Scheme and processes for requesting information. These can be accessed via the [Essex County Fire and Rescue Service Freedom of Information page](#).

The UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018

The Data Protection Act 2018 sets standards for protecting general data, in accordance with the UK GDPR, giving people more control over the use of their data and providing them with rights to move, request or delete personal data.

The UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 give you certain rights to access data that organisations hold about you. It also says those who record and use personal information must be open about how the information is used and must follow the six principles of 'good information handling'.

The six data protection principles outlined below, clarify what is expected of PFCC when processing an individual data subject's information.

UK GDPR - The Accountability Principles

Principle 1 - Lawful, fair and transparent.

This ensures that we have identified an appropriate lawful basis for our processing which will not unjustly impact on you. We will not mislead you and will process your data in a way which is honest and open.

Principle 2 - Specified, explicit, legitimate.

We will identify the purpose we have for processing data and this purpose will be determined when the data was provided. We will ensure that if we alter this reason, we will update our documentation and Privacy Notice to reflect any changes.

Principle 3 - Adequate, relevant and limited to what is necessary.

We will only collect and process the minimum amount of data which is required for the purpose it was collected.

Principle 4 - Accurate, up to date

Every reasonable step must be taken to ensure that personal data that are inaccurate having regard to the purposes for which they are processed, are erased or rectified without delay.

Principle 5 - Kept no longer than necessary

There are varied time limits for different types of data. We will not keep it for longer than we actually need it.

Principle 6 - Processed in a secure manner

We will ensure that we hold your data securely and with integrity at all times, having due regard for encryption, security of storage and access.

For the purpose of the UK GDPR and Data Protection Act 2018, “personally identifiable data” is information that relates to a living identifiable person. The law and other regulations treat some types of personal information (such as information concerning racial or ethnic origin, sexual orientation or religious beliefs) as “special categories”. Such information is afforded higher levels of protection and the PFCC needs to have greater justification for processing it. We may process special categories of information in the following circumstances:

- With the subject’s consent;
- Where this is necessary in order to fulfil our legal obligations;
- Where this is needed in the public interest;
- Where this is needed in relation to legal claims;
- Where this is needed to protect the subject’s interests (or someone else’s), or
- Where the subject has already made the information public.

Your individual Rights relating to how we process your data

As well as ensuring we hold to the Principles above, we will also ensure that you may be able to exercise your rights in respect to the data we hold for you. These rights are as listed below.

1.The right to be informed.

You have the right to be informed as to how we collect and use your personal data. We will inform you why we are processing your information, the legal basis of that processing, who has access to your data and who it will be shared with. We will also inform you of our retention periods for that personal data. This information is readily available in our Privacy Notice.

2.The right of access

You have the right to access your personal information and to make a request to receive a copy of that information. This is known as a Subject Access Request. The details of how you should make this request can be found below.

3.The right of rectification

You have the right to request rectification of any personal information we hold about you that you believe is inaccurate, out of date or incomplete. If you exercise this right, the PFCC's office will take reasonable steps to check the accuracy of the data it holds and if appropriate, correct and / or complete this. PFCC will ensure any rectification does not conflict with any ongoing legal, regulatory or other such restraints.

4.The right to object

You have the right to object to our use of the personal information we hold about you in certain circumstances and to ask us to stop using your information. There are instances where your right to object to processing is not absolute.

There may be compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual, or when the processing is for the establishment, exercise or defence of legal claims.

In making a decision on this, we will balance your interests, rights and freedoms with our own legitimate grounds. If PFCC is satisfied that we do not need to comply with the request we will inform you explaining our reasons. In this event, you have the right to make a complaint to the ICO or another supervisory authority and we will explain this process in our notification to you.

5.The right to restrict processing

You can also request that we restrict the use of your personal information where there is a dispute in relation to the accuracy or processing of the information. Where such a restriction is applied, the PFCC's office will notify the data subject before lifting it.

6.The right to data portability

The right to data portability allows you to obtain and reuse you personal data across different services. It allows you to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without affecting its usability. Certain exemptions apply to this right and can be defined for you should you make such a request.

7. Rights related to automated decision making and profiling

In some circumstances, organisations may make automated decisions solely by automated means without any human involvement and/or conduct automated processing of personal data to evaluate certain things about an individual. This is known as profiling. PFCC does not utilise automated decision making.

8.The right of erasure sometimes known as the right to be forgotten.

Finally, if you feel that we should no longer be using your personal information, you can request that we erase the information we hold about you. Erasure requests are likely to be valid if:

- The data is no longer needed for the purpose for which it was originally collected;
- Consent to process the data has been withdrawn;
- The PFCC's office has no proportionate, legitimate interest in processing the data;
- The data is being unlawfully processed, and / or there is a legal obligation to erase the data.

When we receive such a request, we will immediately restrict processing pending our decision as to whether to cease or continue this. Once this decision is made, we will confirm whether the personal information we hold about you has been deleted or tell you the reason why we cannot do so. There may be legal reasons why we need to retain your personal information.

To exercise any of the above rights, please contact the PFCC at the contact details at the top of this policy.

Subject Access Requests (SARs)

You can request access to the personal data we hold about you by completing, signing and returning the [Subject Access Request Form](#) on our website or attached at Appendix 1, along with a copy of the identification documents detailed on the form. If you are unable to print the form, we can send one out to you on request.

Alternatively, you may write to us at the address at the top of this policy.

Please state what information you need and provide enough detail for us to be able to locate this information. Please also provide proof of identification, as specified on the Subject Access Request Form. See below for ease.

To help establish your identity this application must be accompanied by copies of two official documents which between them clearly show your name, current postal address, date of birth and signature, for example: birth certificate, driving licence, passport, medical card, bank statement, utility bill, rent agreement. If you have changed your name, please supply relevant documents evidencing the change.

It is possible to make a verbal request (either by attending our offices or telephoning 01245 291600) but you will still need to provide us with all relevant information to enable us to process your request as well as proof of your identity before we can proceed. It is important that we are able to verify your identity as the requestor if we are to provide this information safely and safeguard you against criminal activities, including illicit access to your information.

Where subject access is requested, we will provide the information we hold within one calendar month of receiving the request.

What we will provide

We will provide copies of documents which include your personal data in line with the regulatory guidelines published by the Information Commissioners Office.

Tracking

We record and track each SAR as it is received in order to ensure we meet the required timescales and to provide an audit trail of what has been supplied, to whom, by what method and the date of completion.

Delay

If there will be a delay in completing your request, PFCC will notify you as soon as this delay is identified. For example, very occasionally, due to the complexity or number of requests, or when we need to seek further confirmation from you as to what is required, or if we need to seek specialised legal advice, we may apply to extend the time by two further months. This will be in exceptional situations and will only be considered where legitimate difficulties are encountered.

Refusing a request

Some exemptions exist to prevent us disclosing personal information to you in certain circumstances. These include:

- The prevention and detection of crime.
- The apprehension and prosecution of offenders.
- The interest of national security.
- The protection of data subjects or the rights and freedoms of other.
- Communications between PFCC and regulators.
- When a request is considered to be manifestly unfounded or excessive. This will be considered on a case by case basis and will consider if the request is a genuine exercising of the right to access. PFCC will examine such aspects as whether a request is being made with the intention of harassing the organisation, is intended to target specific employees, makes unsubstantiated accusations, is a repeated request for the same data or is a systemic attempt to disrupt or instigate a campaign.

If it is not possible to action your request, we will inform you without delay and at the latest, within one month of receipt of your request. We will advise you why we are not fulfilling your request and notify you of how to complain to the supervisory authority if you disagree with the decision.

[Contact us | ICO](#)

Redaction

Before releasing information to you, there may be content within it, which must be concealed or redacted. This means deleting information to which you as the SAR applicant is not entitled. This is done by obscuring any text which relates to third party information.

An example of this may be if you request a copy of your data which includes details of other individuals who may have been involved in the situation recorded, we may redact information which identifies such third parties. We may also redact information if it is determined that to release the information to you may cause you distress or harm.

Transferring your data to you.

Should your request be simple, we can in some circumstances pass the information to you verbally providing you with a straightforward response.

All data which is to be provided to you will be transferred to you, whenever possible by your preferred method. If you prefer the information sent electronically or in hard copy, providing the route of transfer is secure we will endeavour to use that medium.

We will consider both the circumstances of the request and whether you can access the data provided in that format.

If you do not specify, we will endeavour to use the same means you used to make the request. For instance, if you email your request, we will make our best effort to reply electronically, ensuring there is a secure pathway to send the data to you.

The data transferred will be in a clear, concise format, avoiding technical terms. Where this is not possible, we will offer a glossary of terms used. We will not offer transcripts of handwritten correspondence within the released information.

If you have specific preferences, such as for large text, or for the data to be supplied in a way which will allow you to decipher it, we will do our utmost to support such a request. This does not include translation services.

You should inform us if you have specific expectations of additional requirements when you make your application.

Request to view your Personal Data by someone other than you

You may request that a third party make the Subject Access Request on your behalf. If you wish someone to access your data, PFCC will require evidence of your consent to this. If there is uncertainty as to the adequacy of the consent document or authorisation, PFCC will contact you directly to validate the request.

Such a request may be made by someone you have directly requested to assist you, your appointed Power of Attorney, a Medical Professional, or legal representative.

PFCC will require confirmation of the identity of the person making such a request and will require to have sight of original, legally valid documentation in support of such a request.

Submitting a request on behalf of a child

Should PFCC receive a SAR for information about a child, we will consider whether the child is mature enough to understand their rights. If the request is from a child and we are confident they can understand their rights, we may respond directly to the child.

PFCC may allow a parent or guardian to exercise the child's rights on their behalf if the child authorises this, or if it is evident that this is in the best interests of the child.

If a child is competent, they may authorise someone else, other than a parent or guardian, to submit a SAR on their behalf.

Enforced SARs

An enforced SAR is when someone requires an individual to make a SAR to gain access to certain information about them (e.g., their convictions, cautions or health records). This information is then used, for example, as supporting evidence regarding a job application or before entering a contract for insurance.

Information such as criminal records and health records, can be legitimately made through the criminal disclosure regime or under the provisions of the Access to Medical Reports Act 1988 (AMRA).

An individual supplying the details of a SAR they have made, runs the risk of excessive disclosure. This is because a SAR requires the disclosure of all personal information (subject to some exemptions), and does not distinguish, for instance, between spent and unspent convictions.

If PFCC receive a Right of Access form from an individual which is considered to be such a request, they will immediately contact the DPO.

Altering your data following completion of a SAR.

We will supply your data in the form we hold it when you make your request. Similarly, the content will be as it is held at the time it is supplied.

Routine use of your data after the date of completion of your SAR may result in alterations to content depending on your ongoing involvement with PFCC. Therefore, subsequent requests may show additional or modified information or detail processed after the date you received your information.

Having been in receipt of your data you may make certain requests such as for rectification of your data which we would then address.

Can we charge a fee

In certain circumstances, we may charge a reasonable fee for supplying your information, if for example, your request is deemed to be manifestly unfounded or excessive, or if you are requesting additional copies of information already received. Such requests can require photocopying, printing, postage and staff time may incur a fee.

When we are considering a fee we will take into account the administrative cost and will only apply a reasonable and proportionate charge.

Should we request a fee we will explain the costs and justify the charge to you.

Complaints

When we complete your request and provide your information, we will also advise you of how you can complain if you feel we have not responded accurately or within the required timescales.

You may contact us directly, and if you continue to feel you require further support, you should contact the ICO.

Full contact details can be found below in the Complaints section.

Requests under the Environmental Information Regulations (EIR) 2004

A request for information under the Environmental Information Regulations (EIR) should be sent in writing to the address at the top of this policy.

The PFCC is obliged to respond to EIR requests within 20 working days, or within 40 working days if the request is complex or voluminous.

Wherever possible, information requested under the EIR will be provided free of charge, however the PFCC is entitled to make a charge it considers “reasonable” for providing copies of requested information. The principles applied will generally be the same as those applied in relation to Freedom of Information requests. Requestors will be advised of any charges payable on receipt of their request by the PFCC’s office.

There are certain categories of information which the PFCC may not be obliged to disclose if they fall within the exemptions set out within the EIR.

Complaints and Concerns

If you believe that your request has not been dealt with properly, you may raise this with us by contacting or visiting the PFCC at the address at the top of this policy.

Complaints will be acknowledged within five working days and the PFCC aims to resolve complaints within one calendar month of receipt.

If you remain dissatisfied with the response received, an internal review may be requested. We aim to complete internal reviews and respond within one calendar month of receipt of the request for review. In some circumstances (for example, where the matter is particularly complex), the review may take longer. The requestor will be kept informed if it is anticipated that the review will take more than one calendar month.

If the internal review concludes that information requested that was initially withheld should be disclosed to you, the relevant information will be provided as soon as is reasonably practicable and you will be advised as to how long it is anticipated this will take.

If you are not satisfied with the outcome of the internal review, you may write to the Information Commissioner, who is appointed to consider such complaints at:

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

[Contact us | ICO](#)

The Information Commissioner is empowered to assess whether there has been a failure to comply with the UK GDPR, the Data Protection Act and / or the Freedom of Information Act.

In the case of Freedom of Information Act Requests, you should raise your concern to the PFCC in the first instance.

Part Two – The Publication Scheme

Introduction

We aim to publish as much information as possible about our work, 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 for local policing and fire and rescue services, because information is commercially sensitive, or because it contains information exempt under the Data Protection Act 2018 or the Local Government Act 1972. Where this is the case, we may explain what information has been withheld and why.

For each class of information identified in this Scheme 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 is 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.

The Police, Fire and Crime Commissioner's office publishes, or intends to publish, information under the following classes:

Classes of information:

1. Who we are and what we do.
2. What we spend and how we spend it.
3. What our priorities are and how we are doing.
4. How we make decisions.
5. Our policies and procedures.
6. Lists and Registers.
7. Services we offer.

Information published by the PFCC includes, but is not limited to the following:

Class & Definition
WHO WE ARE AND WHAT WE DO Role and responsibilities of the PFCC for Essex Information published by the PFCC which explains the role and statutory responsibilities, including the appointment of the Chief Constable and Chief Fire Officer Details of our governance structure Information about the structure of the Independent Custody Visiting Scheme and details of the scheme.

Class & Definition

Information about the structure of the Restorative Justice and Mediation Service and details of the service

Information about the Dog Welfare Scheme and details of the scheme

Staff structure of the PFCC

Basic information about our staff structure, including a brief outline of responsibilities and a chart setting out the structure in diagrammatic form.

details of statutory roles, for example the Monitoring Officer and Section 151 Officer

information as to any arrangements for use by the Commissioner of the staff of the Chief Constable of Essex Police or of a local authority under either the duty of the chief officer of the police force to provide assistance to the Commissioner to discharge their functions and / or the power of a local authority to provide administrative, professional or technical services to the Commissioner under section 1(1) of the Local Authorities (Goods and Services) Act 1970.

Contact information

The central contact details for general enquiries

Other appointments

Independent Custody Visiting information including the application process and custody visiting policy.

Restorative Justice and Mediation Service information including the application process.

Dog Welfare Visitors information including the application process.

Working arrangements

Chief Constable and Chief Fire Officer appointments

Partnerships

Details of our partnership plans including those relating to community safety in the areas within Essex where the PFCC is a responsible authority in terms of the Crime and Disorder Act 1998.

We also make available documents in respect of other partnerships on which

Class & Definition

the PFCC sits such as the Essex Criminal Justice Board or explain where those documents are available.

WHAT WE SPEND AND HOW WE SPEND IT

Summary of revenue and capital estimates of the PFCC

The spending plans for each financial year for the PFCC, Essex Police and Essex County Fire and Rescue Service, including the council tax level for that year and any anticipated sources of revenue other than the precept.

Annual Statements of Accounts

The income and expenditure for each year, together with the balance sheet as at 31st March and other supporting financial statements. The auditors' opinion is also set out in the statement.

Council Tax

A summary of spending plans, government grants and current tax levels for each financial year.

Medium Term Financial Strategy

The PFCC's overall spending plans and funding sources for the medium term (3-5 years).

Expenses and allowances paid to senior employed staff

The current scheme of allowances and expenses for approved duties of the PFCC and senior staff of the PFCC.

Annual Audit Letter

The report of the external auditor to the PFCC, setting out the auditors' key findings and any recommendations

Internal financial regulations and delegated authority

How the PFCC's financial resources are controlled and accounted for

WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING

Strategic Plans and Local Objectives

Class & Definition

All policing and crime and Fire and Rescue plans, including the Police and Crime Plan, Fire and Rescue Plan, the Annual Report, and the Fire and Rescue Statement

Reports on service provision, performance assessments and operational assessments.

All reports considered at public meetings of the PFCC

Reports showing Essex Police and Essex County Fire and Rescue Service performance against the objectives of the Police and Crime Plan and Fire and Rescue Plan

Reports by external inspectors

Reports on inspections carried out by external bodies such as Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS)

Statistical information provided to the PFCC

Information about the monitoring and scrutiny role of the PFCC including statistical information supplied to the PFCC through public meeting arrangements.

Reports in respect of performance and statistical information on sickness absence, recruitment and staffing targets, secondments, grievance, and employment tribunal cases (unless restricted). No information will be made available that may make an individual personally identifiable.

HOW WE MAKE DECISIONS

Schedule of meetings open to the public

Advance publication of all our formal public meetings

Details of public consultation events, arrangements for consulting the public and information about dates and venues of any planned public meetings

Agendas and approved minutes

Information about how we carry out our work and make decisions through meetings, including agendas and minutes, except information which is exempt under the provisions of the Local Government Act 1972

Background papers for meetings open to the public

Agendas and reports, including a list of background papers, to be considered at those meetings, and to be made available a minimum of 5 working days in advance of the

Class & Definition

meeting, except late papers tabled in accordance with our urgency arrangements or information which is exempt under the provisions of the Local Government Act 1972; the names of any regular groups, panels or project boards and their terms of reference.

Facts and analyses of facts used for decision making

Information supporting the decision-making process such as Equality Impact Assessments.

Public Consultations

Information about our arrangements for consulting and engaging in dialogue with local people about policing and fire and rescue issues or the wider work of the PFCC, including:

- our current strategy for engaging in consultation and dialogue with local people
- surveys or other consultation or community engagement initiatives we carry out including with local communities
- the names of any standing consultative groups or forums administered by the PFCC, including any organisations represented on those groups
- how the public can provide their views on policing and fire and rescue issues or the wider work of the PFCC, Essex Police or Essex County Fire and Rescue Service
- the results of our consultation and other initiatives and how we have taken these into account in our work
- any current community safety grant schemes we operate, grants made, procedure for applying and the process and criteria for deciding whether to award a grant.

OUR POLICIES AND PROCEDURES

Policies and procedures for the conduct of the PFCC's business

The Constitutions, our delegation arrangements and schemes of delegation, Independent Custody Visiting Scheme, and other policies in place which have been formally approved and set out the broad principles of our approach to making decisions or dealing with particular aspects of our work

Policies and procedures for the provision of services

Class & Definition

Details of our Freedom of Information Publication Scheme including any charging policy in relation to the copying and provision of documents

Policies and procedures about the employment of staff

Additional information to that provided under the 'Staff Structure of the PFCC', including equality information.

Customer Service

Information regarding our complaints procedure and whistleblowing policy when the complaint is against the actions of the Chief Constable or the Chief Fire Officer

Information regarding Essex Police's and Essex County Fire and Rescue Service's complaints processes

Information regarding our complaints procedure when the complaint is against the actions of the PFCC

Information about our complaints procedure when the complaint is about a member of PFCC staff or a breach of the Code of Conduct by such.

Advice on directing the complaint through the Ombudsman where certain circumstances apply.

Information about our minimum standards for responding to requests for information.

Records management and personal data policies

Information in respect of security policies, our records retention, destruction and archive policies

our data protection policies

LISTS AND REGISTERS

The Register of Interests

The Register of Gifts and Hospitality

The Freedom of Information Act Disclosure Log summarises information which has been disclosed following a request under the Freedom of Information Act 2000.

SERVICES WE OFFER

Class & Definition

Information about the provision of the PFCC's services

The PFCC's business plan which sets out the service provided by the PFCC

Information about how the PFCC works with other statutory and voluntary partners, for example Community Safety Partnerships and the Essex Criminal Justice Board

Leaflets and Explanatory Booklets

In support of the Police and Crime Plan, Fire and Rescue Plan and the Annual Report and Fire and Rescue Statement, leaflets such as the council tax document, police and fire and rescue service standards and various advice and public briefing notices that may be issued from time to time.

Media Releases

Regular press and media releases published through the PFCC website.

Other publicity material.

Services for which the PFCC is entitled to recover a fee

(Please note: all information is available electronically, in hard copy format and on the PFCC website unless noted. Any cost or charge for information is discretionary (see Part Three for the Publications List), unless the information specified is subject to a charging regime specified by Parliament).

Part Three - List of Publications

Unless otherwise indicated publications are available, free of charge from:

Police, Fire and Crime Commissioner's office
Top Floor
Kelvedon Park
Rivenhall, Witham
Essex
CM8 3HB
Telephone: 01245 291600
E-mail pfcc@essex.police.uk

To include the following papers:

TITLE	DESCRIPTION	FORMAT	CLASS
PFCC Group Annual Report	Annual Report on performance against the PFCC's Police and Crime Plan. Gives details of PFCC progress against objectives including the performance of Essex Police and the work of partners http://www.essex.pfcc.police.uk/police-and-crime-plan/annual-report/	Electronic / hard copy / Essex Police website	What our priorities are and how are we doing
PFCC Fire and Rescue Authority Fire and Rescue Statement	Fire and Rescue Statement on performance against the PFCC's Fire and Rescue Plan. Gives details of progress against objectives including the performance of Essex County Fire and Rescue Service. http://www.essex.pfcc.police.uk/police-and-crime-plan/annual-report/	Electronic / hard copy / Essex County Fire and Rescue Service website	What our priorities are and how are we doing
Background papers	Background papers are documents which relate to the subject matter of a report, disclose any fact or matter on which the report is based and have been relied upon to a material extent in preparing the report but exclude any published work. http://www.essex.pfcc.police.uk/finance-reporting/	Electronic / hard copy	How we make decisions
Calendar of Meetings	Details (dates, times and locations) of the PFCC's public meetings http://www.essex.pfcc.police.uk/events/	Electronic. Website lists public meetings only	How we make decisions
Community Engagement Strategy	Charter, principles and outcome of engagement activity https://www.essex.pfcc.police.uk/giving-you-a-voice/	Electronic / hard copy	How we make decisions
Complaints against the PFCC	Complaints that have been brought to the attention of the relevant officer holder by the Police, Fire and Crime Panel http://www.essex.pfcc.police.uk/complaints-and-complaints/	Electronic / hard copy	Our policies and procedures

TITLE	DESCRIPTION	FORMAT	CLASS
Complaints process	Explanation of how complaints against the Chief Fire Officer and Chief Constable will be handled and directions for complaints against Essex Police and Essex County Fire and Rescue Service. http://www.essex.pfcc.police.uk/complaints-and-complaints/	Electronic / hard copy	Our policies and procedures
Codes of Conduct	Guidance: http://www.essex.pfcc.police.uk/our-team/ethics-integrity-framework/	Electronic / hard copy	Our policies and procedures
Disclosure Log	Summary of FOI requests http://www.essex.pfcc.police.uk/reporting/freedom-of-information/	Electronic / hard copy	Lists and Registers
Dog Welfare Visitor Scheme	Overview of programme and contact details http://www.essex.pfcc.police.uk/giving-you-a-voice/dog-welfare-lay-visiting/	Electronic / hard copy	Our policies and procedures
PFCC Accounts (including PFCCFRA)	Statement of Accounts Policing and Crime https://www.essex.pfcc.police.uk/statement-of-accounts/ Fire and Rescue https://www.essex.pfcc.police.uk/finance-reporting/transparency/	Electronic / hard copy	What we spend & how we spend it
Police and Crime Plan	http://www.essex.pfcc.police.uk/police-and-crime-plan/police-and-crime-plan/	Electronic / hard copy / Essex Police website	What are our priorities and how are we doing
Fire and Rescue Plan	https://www.essex.pfcc.police.uk/what-we-are-doing/fire-rescue-strategy/	Electronic / hard copy	What are our priorities and how are we doing

TITLE	DESCRIPTION	FORMAT	CLASS
Integrated Risk Management Plan	http://www.essex-fire.gov.uk/About_Us/IRMP/	Electronic / hard copy / Essex County Fire and Rescue Service website	What are our priorities and how are we doing
PFCC reports to the Police, Fire and Crime Panel	Reports to the Police, Fire and Crime Panel http://www.essex.pfcc.police.uk/our-role/police-crime-panel/ https://cmis.essex.gov.uk/essexcmis5/EssexPolice,FireandCrimePanel.aspx	Electronic / hard copy / PFCC website	How we make decisions
Agendas and Reports	Current agendas and associated reports of the PFCC Policing and Crime https://www.essex.pfcc.police.uk/policing-and-crime/ Fire and Rescue https://www.essex.pfcc.police.uk/finance-reporting/fire-and-rescue-performance/	Electronic / hard copy / PFCC website (subject to security restrictions)	How we make decisions
PFCC Constitutions	Refers to how the PFCC conducts business Police and Crime: https://www.essex.pfcc.police.uk/finance-reporting/publications/ Fire and Rescue: https://www.essex.pfcc.police.uk/finance-reporting/publications/	Electronic / hard copy / PFCC website	Our policies and procedures
PFCC Meeting Minutes	Minutes of PFCC meetings Policing and Crime https://www.essex.pfcc.police.uk/policing-and-crime/	Electronic / hard copy / PFCC website	How we make decisions

TITLE	DESCRIPTION	FORMAT	CLASS
	<p>Fire and Rescue https://www.essex.pfcc.police.uk/finance-reporting/fire-and-rescue-performance/</p> <p>Public Meetings https://www.essex.pfcc.police.uk/public-meeting-minutes/</p>		
Schemes of Delegation and Consent	<p>Refers to delegation by the PFCC to the Chief Constable, Chief Executive and Monitoring Officer, Section 151 Officer and Deputy PFCC (it does not refer to delegation of matters within the Chief Constable's remit)</p> <p>The Scheme of Delegation is included within the Constitutions.</p> <p>http://www.essex.pfcc.police.uk/finance-reporting/publications/</p>	Electronic / hard copy	Our policies and procedures
PFCC & Essex Police Joint Information Sharing Protocol	<p>Defines the protocols governing the working relationship between the PFCC and Essex Police. This is within the Constitution.</p> <p>http://www.essex.pfcc.police.uk/finance-reporting/publications/</p>	Electronic / hard copy	Our policies and procedures
PFCC & Essex County Fire and Rescue Service Joint Information Sharing Protocol	<p>Defines the protocols governing the working relationship between the PFCC and ECFRS. This is within the Constitution.</p> <p>http://www.essex.pfcc.police.uk/finance-reporting/publications/</p>	Electronic / hard copy	Our policies and procedures
PFCC & Police, Fire and Crime Panel Joint Information Sharing Protocol	<p>Defines the protocols governing the working relationship between the PFCC and the Police, Fire and Crime Panel. This is within the Constitutions</p> <p>http://www.essex.pfcc.police.uk/finance-reporting/publications/</p>	Electronic / hard copy	Our policies and procedures

TITLE	DESCRIPTION	FORMAT	CLASS
Financial regulations (inc. contract standing orders)	PFCC financial regulations. These are within the Constitutions. http://www.essex.pfcc.police.uk/finance-reporting/publications/	Electronic / hard copy	What we spend and how we spend it
Freedom of Information Act 2000 Publication Scheme	The Scheme sets out the information the PFCC routinely makes publicly available http://www.essex.pfcc.police.uk/reporting/freedom-of-information/	Electronic / hard copy / website	Our policies & procedures
PFCC and DPFC details	Names, contact details and salaries http://www.essex.pfcc.police.uk/our-team/pfcc-dpfcc/ http://www.essex.pfcc.police.uk/contact-us/	Electronic / hard copy / website	Who we are and what we do
PFCC Senior Officers including Monitoring Officer and Section 151 Officer	Names; job title; responsibilities; salary (only staff with salary in excess of £58,200) http://www.essex.pfcc.police.uk/our-team/	Electronic / hard copy / website	Who we are and what we do
PFCC Record Retention and Disposal Policy	Record Retention and Disposal Policy http://www.essex.pfcc.police.uk/finance-reporting/publications/	Electronic / hard copy / website	Our policies and procedures
Independent Custody Visitors Scheme	Annual report, procedure, policies http://www.essex.pfcc.police.uk/giving-you-a-voice/independent-custody-visiting/	Electronic / hard copy	Who we are and what we do
PFCC Register of Interests, expenses and allowances	A register of the PFCC's interests, expenses and allowances http://www.essex.pfcc.police.uk/finance/disclosable-interests/	To view in the Chief Executive's office Hard Copy	Lists and Registers

TITLE	DESCRIPTION	FORMAT	CLASS
Media/News Releases	http://www.essex.pfcc.police.uk/news/	Electronic / hard copy	Services we offer
Location of police stations and opening hours	List of police stations, addresses and opening hours https://www.essex.police.uk/a/your-area/	Electronic (Essex Police website)	What we are and what we do
Asset and information registers	Essex Police Property Portfolio https://www.essex.pfcc.police.uk/finance/asset-portfolio/	Electronic	Lists and registers
Asset and information registers	Essex County Fire and Rescue Service Property Portfolio https://www.essex.pfcc.police.uk/finance/asset-portfolio/	Electronic	Lists and registers
Contracts	All contracts to which the Commissioner is a party http://www.essex.pfcc.police.uk/finance/items-of-expenditure/	Electronic	What we spend and how we spend it
Contracts currently being tendered with a value over £10K	All procurement tenders over £10,000 for both Essex Police and Essex County Fire and Rescue Service https://www.essex.pfcc.police.uk/finance/items-of-expenditure/	Electronic	What we spend and how we spend it
Organisation information	Staff numbers, including diversity information and organisational Structure chart http://www.essex.pfcc.police.uk/our-team/	Electronic	What we spend and how we spend it
ECFRS organisation information	Staff numbers, including diversity information and organisational Structure chart https://www.essex.pfcc.police.uk/finance-reporting/transparency/	Electronic	What we spend and how we spend it

TITLE	DESCRIPTION	FORMAT	CLASS
Details of overt CCTV surveillance cameras	Policies for surveillance cameras and process for putting in place https://www.essex.police.uk/police-forces/essex-police/areas/essex-police/au/about-us/surveillance-cameras/	Electronic	Lists and registers
Decisions	Details of all decisions with a significant public interest taken by the PFCC, and description of the purpose of the decision. http://www.essex.pfcc.police.uk/finance-reporting/decision-making-fire-rescue/ http://www.essex.pfcc.police.uk/decision-making/	Electronic	How we make decisions
Decision Making Policy	Policy for making decisions http://www.essex.pfcc.police.uk/wp-content/uploads/2018/09/2018-Decision-Making-Policy-v3.pdf	Electronic	How we make decisions
Expenditure over £500	All items of expenditure over £500 by Essex County Fire and Rescue Service http://www.transparency.essex-fire.gov.uk/invoices/ All items of expenditure over £500 by Essex Police http://www.essex.pfcc.police.uk/finance/items-of-expenditure/	Electronic	What we spend and how we spend it
Treasury Management Strategy	Annual investment strategy http://www.essex.pfcc.police.uk/finance/items-of-expenditure/	Electronic	What we spend and how we spend it

Appendix 1

Police Fire and Crime Commissioner's Office Subject Access Request (SAR) Form
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1. Personal Information:

Title:

ALL forename(s) / given name(s):

Surname / family name:

Date of birth:

Town and Country of birth:

Have you ever been known by any other names? Yes / No

If you have answered Yes to the question above, please provide a list of all your previous names below, including maiden/married names, names prior to and after change by deed poll, and name at birth if different from the above. Failure to answer this question will delay your request. If you run out of space, please supply any additional information on a separate sheet. Please provide surnames in UPPER CASE.

Previous / former name(s):

2. Contact Details (in case it is necessary to contact you):

Email Address:

Daytime Telephone Number:

Address (This is the current physical address at which you reside and should be shown on your proof of address):

Date From (dd/mm/yyyy):

3. Delivery of your disclosure:

How would you like your subject access disclosure to be delivered? Email / Post

Email disclosures will be sent to the email address specified above. Please be aware that whilst the email response will be sent from a secure network, unless you have a secure email address the delivery to your personal inbox is an insecure connection via the public internet. The Police Fire and Crime Commissioner cannot accept responsibility for any loss or inappropriate access to the email response once it has left our secure network. It is also the responsibility of the applicant to ensure that the email address submitted is accurate.

Alternative postal address: Only complete this address if you do not want correspondence to be sent to your current address:

4.Third Party Nomination:

The Police, Fire and Crime Commissioner’s Office will not discuss your request with another party or disclose details without your consent. If for any reason you wish to nominate a representative to discuss this request on your behalf, you must provide their contact details below. Providing contact details for a third party will be considered as consent. If you are a Power of Attorney for the applicant, please enclose a copy of the Power of Attorney documents with this request.

Name of representative / contact:
Daytime Telephone Number:

Relationship to you:
Email Address:

5.Information requested:

To help find any information that may be held about you, please supply additional details in the box below. For example: A description of the information you are looking for, A description of the circumstances in which you had contact with the PFCC office – e.g. were you a correspondent, a complainant, etc. Do you have a correspondence reference number, dates and times or any other information you can provide which may assist us in finding the information you seek. If you are requesting photographs or CCTV footage, please supply a portrait photograph.

Details of information requested:

6. Declaration & signature

The information I have supplied in this request is correct, I am the person to whom it relates. By signing this form I accept the terms and conditions of service and I confirm that I wish to be supplied with information held by the Police Fire and Crime Commissioner's Office.

Signature:

Signed By:

Date:

7. Third party authorisation

If the data subject is completing this form but would like us to discuss the request with somebody else, please complete section 4. A person who impersonates or attempts to impersonate another person may be guilty of an offence. If the person completing the request form is not the data subject, a Power of Attorney or an original letter of authority signed by the data subject must be attached with this form.

8. Proof of identity

To help establish your identity this application must be accompanied by copies of two official documents which between them clearly show your name, current postal address, date of birth and signature, for example: birth certificate, driving licence, passport, medical card, bank statement, utility bill, rent agreement.

If you have changed your name, please supply relevant documents evidencing the change

9. Consent:

I consent to storage of my data in accordance with the privacy policy.

Please send this form and any required additional documents to:

Police Fire and Crime Commissioner's Office
Kelvedon Park
London Road
Rivenhall
Essex
CM8 3HB

Email: pfcc@essex.police.uk

Appendix 2

[Name]
[Address]

[Date]
[Ref No.]

Dear xxxxx

Data Subject access request dated xxxxxx

We write further to your request for details of the personal data held by the Police Fire and Crime Commissioner's Office that relates to:

[Add in specifics of request]

Please find attached copy documents (redacted where necessary) containing the data that the Police Fire and Crime Commissioner's office holds in relation to you, dispatched as follows:

[List documents attached and how many pages/emails etc.]

Please note duplicated emails were removed for clearer viewing and where redaction has taken place this would have been undertaken to protect the identity of third parties.

Your right to complain:

If you feel your request has not been properly handled, or you are otherwise dissatisfied with the outcome of your request you have the right to complain. Complaints should be submitted within 20 working days from the date of this response and should be addressed to:

Chief Executive
Police, Fire and Crime Commissioner Office
Kelvedon Park
Rivenhall, Witham
Essex
CM8 3HB
or by email to: pfcc@essex.police.uk

We will conduct a review to investigate your complaint and endeavour to reply within 20 working days.

You may also complain to our supervisory authority, the Information Commissioner's Office (ICO). Further details can be found on their website: <https://ico.org.uk/make-a-complaint/>

Yours sincerely
Police, Fire and Crime Commissioner's Office

Appendix 3

[Name]
[Address]

[Date]
[Ref No]

Dear xxxxx

Thank you for your Freedom of information (FOI) request dated xxxx. Your request has been recorded in accordance with our FOI procedures as follows:

[insert information specifics requested]

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Sec 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Sec 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon s17 of FOIA requires that we provide the applicant with a notice which: a) states that fact b) specifies the exemption(s) in question and c) states (if that would not otherwise be apparent) why the exemption applies.

Having completed our enquiries, we are able to respond as follows:

[insert response]

Your right to complain:

If you feel your request has not been properly handled, or you are otherwise dissatisfied with the outcome of your request you have the right to complain.

Complaints should be submitted within 20 working days from the date of this response and should be addressed to Chief Executive at the Police, Fire and Crime Commissioner's Office, Top Floor, Kelvedon Park, Rivenhall, Witham, Essex, CM8 3HB or by email to: pfcc@essex.police.uk

We will conduct a review to investigate your complaint and endeavour to reply within 20 working days.

Please explain which aspect of the reply you are not satisfied with, and if your complaint concerns the decision to apply an exemption it would assist the review if you would outline why you believe the exemption does not apply.

If you are still dissatisfied following our review, you have the right under section 50 of the Act to complain directly to the Information Commissioner. Before considering your complaint, the Information Commissioner would normally expect you to have exhausted the complaints procedures provided by PFCC for Essex

Yours sincerely
Police, Fire and Crime Commissioner's Office