

Freedom of Information Act 2000

WARWICKSHIRE POLICE AUTHORITY PUBLICATION SCHEME

Introduction

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, 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.

Yours rights and our responsibilities from June 2003

Under the FOI Act all Police Authorities including Warwickshire 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 intends to publish. Part 3, our list of publications, supports the Publication Scheme. It lists specific publications we make available, how they can be obtained and whether they are free or if we will ask you to pay a charge.

Yours rights and our responsibilities from 1st January 2005

The Freedom of Information (FOI) Act 2000 will give you a right of access to recorded information held by public authorities, subject to certain exemptions.

The FOI Act applies to the vast majority of public authorities, including Warwickshire Police Authority. When the FOI Act comes into force fully on **1 January 2005**, if you ask us for information we will be 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).

Further information with regard to Individual Rights of Access will be provided nearer to 2005. Such information will include contact details, how to obtain assistance and our appeals procedure.

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

Responsibilities for the Warwickshire Police Authority Publication Scheme

Ian Caulfield of Warwickshire Police Authority has overall responsibility for our Publication Scheme. The person responsible for maintaining and managing the Publication Scheme is: -

Neil Gulliver
Warwickshire Police Authority
PO Box 9, Shire Hall, Warwick CV34 4RR

Telephone: 01926-412322
Fax: 01926-418087
E-mail: neilgulliver@warwickshire.gov.uk

Contacting Warwickshire Police Authority

If you wish to obtain a hard copy of our Publication Scheme or any of the publications contained in our list of publications in Part 3, you may write to, e-mail or telephone us at:

Neil Gulliver
Warwickshire Police Authority
PO Box 9, Shire Hall, Warwick CV34 4RR

Telephone: 01926-412322
Fax: 01926-418087
E-mail: neilgulliver@warwickshire.gov.uk

Our website also contains a copy of the Publication Scheme at www.warwickshire.police.uk

Charging for Publications

In Part 2, we indicate for each class of information whether the class includes chargeable information or not. In Part 3 — our publication list — we indicate which of the following charging regimes could apply:

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 10p 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 Warwickshire Police Authority 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.

Comments about the Publication Scheme

If you have any comments on our Publication Scheme or feel that the Scheme could be improved, you should write, in the first instance to:

Neil Gulliver
Warwickshire Police Authority
PO Box 9, Shire Hall, Warwick CV34 4RR

Telephone: 01926-412322
Fax: 01926-418087
E-mail: neilgulliver@warwickshire.gov.uk

Complaints about the Publication Scheme

If you think we have not supplied information in accordance with our Scheme, then you should write, in the first instance, to:

Neil Gulliver
Warwickshire Police Authority
PO Box 9, Shire Hall, Warwick CV34 4RR

Telephone: 01926-412322
Fax: 01926-418087
E-mail: neilgulliver@warwickshire.gov.uk

We aim to deal with your complaint within 15 working days. If you are dissatisfied with the response you can ask for the matter to be internally reviewed. We aim to complete an internal review and respond to you within 15 working days.

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

Review of the Warwickshire Police Authority Publication Scheme

We will review our Publication Scheme in May, 2004 and subsequently on an annual basis.

Availability of this scheme in other languages and formats.

You can obtain a copy of this scheme in large print from the above address.

Copyright

Different bodies might own the copyright of material contained in our Scheme:

Warwickshire Police Authority 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 Warwickshire Police Authority 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.

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 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 Warwickshire Police Authority 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 or 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.
- 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

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 Warwickshire Police Authority is not the “Data Controller”

In many cases, it is the police and not the police authority 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 Warwickshire Police Authority.

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 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 Warwickshire Police you should contact: -

Force Data Protection Officer
Warwickshire Police
PO Box 4, Leek Wootton, Warwick. CV35 7QB

Telephone: 01926-415000

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:

Neil Gulliver
Warwickshire Police Authority
PO Box 9, Shire Hall, Warwick CV34 4RR

Telephone: 01926-412322
Fax: 01926-418087
E-mail: neilgulliver@warwickshire.gov.uk

General Information about Warwickshire Police Authority

Warwickshire Police Authority Role and Responsibilities

The Warwickshire Police Authority is an independent body made up of local people. It is our job to ensure that there is an efficient and effective police force for Warwickshire and to make sure that the chief officer and force are accountable to you in carrying out their responsibilities and serving our communities.

The Warwickshire Police Authority sets the strategic direction for policing in Warwickshire and holds the chief officer to account for the policing service delivered. Delivery of local policing services is the job of the chief officer of police.

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

- secure an efficient and effective local police force
- hold the police budget and allocate resources
- appoint (and dismiss, if necessary) the chief constable and senior police officers
- consult widely with local people about the policing of their area
- set local policing priorities and targets for achievement
- monitor everything the police do and how well they perform against the targets set by the authority
- publish a three year and annual plan which tells local people what they can expect from their police service and report on achievements every year
- makes sure local people get best value from their local police

- oversees complaints against the police and disciplines senior officers

A more detailed list of our responsibilities can be found at Annex A to this scheme.

It might help you to know that police operations are the responsibility of the chief officer and force and information on individuals is more likely to be held by the police than the police authority.