



Cumbria Office of the Police and Crime Commissioner

Publication Scheme

Contents

Page

- 3.** Introduction
- 4.** Classes of Information
- 7.** Significant Public Interest Categories
- 8.** Responsibility for the Police & Crime Commissioner's Publication Scheme
- 9.** Charging for Publication
- 10.** Complaints about the Publication Scheme
- 11.** Requests under the Environmental Regulations
- 12.** Requests for Personal Information

Introduction

The Freedom of Information Act 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.

Under the Act, all public authorities including the Police and Crime Commissioner (PCC) must have a Publication Scheme, setting out the information they routinely make available.

The Information Commissioner's Office (ICO) has introduced a Model Publication Scheme for all public authorities to follow. The Police and Crime Commissioner must produce a guide to the specific information they hold and which is contained within any of the Scheme's seven classes. This Publication Scheme acts as that guide to the public

Availability of this scheme in other languages and formats

If you wish to obtain a copy of this Publication Scheme in other languages or alternative formats such as Braille and audio please contact the Office of the Police and Crime Commissioner for details.

Classes of Information

The Police and Crime Commissioner publishes, or intends to publish, information under the following classes, as determined by the Model Publication Scheme:

Who I am and What I Do (About the Commissioner)

I will publish information about, the roles and responsibilities of the Commissioner, the structure of the Office of the Police and Crime Commissioner, details of all senior posts, the Independent Custody Visiting Scheme, details of the Chief Constable and any processes or policies relating to their appointment and contact information for the Office of the Police and Crime Commissioner.

Availability: Website (insert hyperlink to relevant section)

Cost: Free

What I Spend and How I Spend It

I will publish financial information relating to projected and actual income and expenditure, procurement, contracts, any commissioned work and financial audit. Details of expenditure over £500 and details of contracts with a value of more than £10,000 along with services for which the PCC is entitled to recover a fee, together with those fees will be published. I will also publish details of salaries and allowances and expenses that can be claimed or incurred by myself or senior staff.

Availability: Website (insert hyperlink to relevant section), post

Cost: Free

What My Priorities Are and How Am I Doing

I will publish my strategies and plans, performance indicators, audits, inspections and reviews. I will also publish the number of complaints and conduct issues which have been brought to the attention of the Police and Crime Panel.

Availability: Website (insert hyperlink to relevant section), post

Cost: Free

How I Make Decisions

I will publish my decision-making processes and records of decisions, including a forward plan and schedule of meetings, agendas, approved minutes and any background papers. Details of any public consultation events to be held will be made available stating dates, times and venues. I will also publish copies of any reports which I have requested from any Community Safety Partnerships in the police force area.

Availability: Website (insert hyperlink to relevant section), post

Cost: Free

My Policies and Procedures

I will publish current written protocols, policies and procedures for delivering services and responsibilities, including policies about the employment of staff, schemes of delegation and any standards regime.

Availability: Website (insert hyperlink), post

Cost: Free

Lists and Registers (About Cumbria's Commissioner)

I will publish any lists or registers that Cumbria Office of the Police and Crime Commissioner currently maintains.

Availability: Website (insert hyperlink), post

Cost: Free

Services I Offer (About COPCC; Publications; Getting Involved; and Vacancies)

I will publish any information about the services offered, including leaflets, guidance and newsletters.

Availability: Website (insert hyperlink), post

Cost: Free

Significant Public Interest Categories

In addition to the above categories, I will be publishing information of interest as follows:-

Disclosure Logs

I will publish details of Freedom of Information Act requests received by the Office of the Police and Crime Commissioner.

Availability: Website, post

Cost: Free

Retention and Disposal Schedule

I will publish my Retention and Disposal Schedule

Availability: Website, post

Cost: Free

Responsibility for the Police & Crime Commissioner's Publication Scheme

The Chief Executive of the Office of the Police and Crime Commissioner has overall responsibility for the Publication Scheme. They can be contacted by writing to:-

The Office of the Police and Crime Commissioner
Carleton Hall
Penrith
Cumbria
CA10 2AU

Tel: 01768 217734

E-mail: commissioner@cumbria-pcc.gov.uk

Review of the Office of the Police and Crime Commissioner Publication Scheme

The Publication Scheme will be reviewed on an annual basis.

Charging for Publications

Under each class of information, it is listed whether the class includes chargeable information or not.

Free of charge on website: There is no charge made, 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, a single printout of an individual publication will be provided, 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 the 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 5p per sheet for black/white copy) and postage. You will be advised of the cost when your request is received. 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 Cumbria Police and Crime Commissioner without charge.

Chargeable hard copy: Indicates a bound paper copy, cassette or other product charged as shown in our Publication Scheme. 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.

Complaints about the Publication Scheme

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

Cumbria Office of the Police and Crime Commissioner
Carleton Hall
Penrith
Cumbria
CA10 2AU

Tel: 01768 217734

E-mail: commissioner@cumbria-pcc.gov.uk

Cumbria Office of the Police and Crime Commissioner will aim to deal with your complaint within 10 working days. If you are dissatisfied with the response you can ask for the matter to be internally reviewed. Cumbria Office of the Police and Crime Commissioner will aim to complete an internal review and respond to you within 20 working days.

If you remain dissatisfied after the internal review, you can complain to the Information Commissioner at the following address:-

Case Reception Unit
Customer Service Team
Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

http://www.ico.gov.uk/complaints/freedom_of_information.aspx

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:-

Cumbria Office of the Police and Crime Commissioner
Carleton Hall
Penrith
Cumbria
CA10 2AU

Tel: 01768 217734

E-mail: commissioner@cumbria-pcc.gov.uk

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.

Information where the Police and Crime Commissioner is the Data Controller

Where the Police and Crime Commissioner is the data controller, you are entitled to be told whether they hold data about you, and if they 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 the Police and Crime Commissioner 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 the above address. A fee of £10 must accompany your request together with proof of your identity. We will 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 of 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 address previously shown seeking resolution of your complaint;
- write to the Information Commissioner, who is appointed to consider such complaints.

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 the Office of the Police and Crime Commissioner is not the Data Controller

In many cases, it is the police and not the Police and Crime Commissioner that holds 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 the Office of the Police and Crime Commissioner.

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 Cumbria Constabulary you should contact:-

Force Data Protection Officer
Cumbria Constabulary
Police Headquarters
Carleton Hall
Penrith
Cumbria
CA10 2AU

Telephone: 0845 3300247

Email: PSD.Admin@cumbria.police.uk