

Date: 11/01/2022

Our Reference: FOI-2021-151

RE: Your request for information under the Freedom of Information Act 2000

I write in response to your Freedom of Information Act 2000 ('FoIA 2000') request, dated 15/12/2021, which you requested:

"The information I require is;

Any policy/rule/legislation or similar relating to civilians personal data that is available to serving police officers/staff, and the protection of that data after any officer(staff) leave the force.

I am after any related information, to include any legal information or rule/guidance relating to any officer breaching the data protection of any information gained while serving in the police that they could not have gained as a civilian."

Decision

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant.

In line with section 1(1) of the FoIA, I can confirm the College does not hold the information you are requesting. I will however try and offer some further context in addition to the emails previously sent to you.

To clarify the College of Policing is a separate entity to Police Forces. Each force is independent of each other with the Chief Constable being the data controller for their own force. Data Protection focuses on the personal and special category data a force (or organisation) holds and how it is managed in line with the principles including accountability. This will run through almost every policy and procedure

The Data Protection Act 2018 and UK GDPR is the legislation that covers data protection and there is guidance available via the ICO Website, which has been provided to you. The ICO will manage

complaints of any breach of data but they might advise to speak the Data Protection Officer in force to resolve any issues first, which is what we have advised.

The College of Policing is the professional body for everyone who works for the police service in England and Wales. Our purpose is to provide those working in policing with the skills and knowledge necessary to prevent crime, protect the public and secure public trust. The APP is authorised by the College of Policing as the official source of professional practice on policing. Police officers and staff are expected to have regard to APP in discharging their responsibilities. There may, however, be circumstances when it is perfectly legitimate to deviate from APP, provided there is clear rationale for doing so. You can access the APP [College of Policing APP](#).

Yours sincerely,

James Rose | Legal Advisor
Information Management and Legal Team
College of Policing

Email: FOI@college.pnn.police.uk

Website: www.college.police.uk

Your right of review

Under the Freedom of Information Act 2000 you have a right to request an internal review if you are dissatisfied with our handling of your request. Review requests should be made in writing (by email or post) within 40 working days from the date of our original response. We will aim to respond to your review request within 20 working days.

The Information Commissioner's Office (ICO)

If, after lodging a review request you are still dissatisfied, you may raise the matter with the ICO. For further information you can visit their website at <https://ico.org.uk/for-the-public/official-information/>. Alternatively, you can contact them by phone or write to them at the following address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113