

**Date:** 13 May 2022  
**Our Reference:** FOIA-2022-041

## **RE: Freedom of Information Act 2000 Request**

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated 26 April 2022 in which you requested the following information:

What is your policy / guidance on the retrieval of data that has been deleted? For context, I am referring to personal data that has been deleted despite the force being aware of a SAR. This has only recently been deleted and so should actually be retrievable. But upon reading guidance it seems that forces will not retrieve data once it has been deleted

You clarified that you are requesting the policy or guidance that has been issued to forces.

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. If a public authority decides that the information should not be disclosed because an exemption applies, it must, under section 17(1) cite the appropriate section or exemption of the Act and provide an explanation for relying upon it.

## **Decision**

After conducting careful searches relating to your request, I can confirm there is no information held.

Although it doesn't specifically cover the retrieval of deleted information, the College's Authorised Professional Practice (APP) on Information Management, accessible [here](#), may be of use. You may also wish to contact the Data Protection Officer of the police force directly or alternatively the Information Commissioner's Office (ICO). Contact details for the ICO can be found [here](#).

I trust this letter answers your questions. Your rights are provided in **Appendix A**.

Yours sincerely,

**Sarah Lawrence | Legal Advisor**  
**Legal and Compliance team**  
**College of Policing**

Email: [FOI@college.pnn.police.uk](mailto:FOI@college.pnn.police.uk)

Website: [www.college.police.uk](http://www.college.police.uk)

## **Appendix A**

### **Rights**

If you are dissatisfied with the handling procedures or the decision of the College of Policing made under the Freedom of Information Act 2000 (the Act) regarding access to information you can request that the decision is reviewed internally.

Internal review requests should be made in writing, within **forty (40) working days** from the date of the refusal notice, and addressed to: FOI team, Central House, Beckwith Knowle, Otley Road, Harrogate, North Yorkshire, HG3 1UF or email: [FOI@college.pnn.police.uk](mailto:FOI@college.pnn.police.uk)

In all possible circumstances the College of Policing will aim to respond to your request for internal review within **20 working days**.

#### **The Information Commissioner**

If, after lodging an internal review request with the College of Policing you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk/for-the-public/official-information/>.

Alternatively, write to:

**Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow**

**Cheshire**

**SK9 5AF**

**Phone: 0303 123 1113**