

WILTSHIRE POLICE FORCE POLICY



FREEDOM OF INFORMATION

Effective from: October 2008
Version: 3.0 (23.05.2014)
Next Review Date: May 2015

POLICY STATEMENT

Wiltshire Police has implemented the provisions of the Freedom of Information Act 2000 in all respects by following the guidance contained in the ACPO Freedom of Information Manual of Guidance.

Under the Act Wiltshire Police has a duty to retrieve and provide any information requested unless an exemption applies to that information. Any person can make a request for information provided the request is in writing, states a name for the applicant and an address for correspondence, and describes the information requested.

Wiltshire Police must comply with a request for information promptly and in any event not later than the twentieth working day following date of receipt. The date of receipt means the day on which a request for information is received by anyone in public authority, therefore any member of Wiltshire police who receives a request for information under the Act should forward it to the Force Disclosure Unit without delay. Details of when and how the request was received, their own name, service number, section and contact telephone number should also be included for future contact if necessary.

The Freedom of Information Act 2000 relates to all types of recorded information held by public authorities and is fully retrospective with regard to all information and records held. Unless exempted under the Act information includes visual, audio and hard copy documents as well as information stored on computers.

Any request for personal information will be processed as a **Subject Access** application under the provisions of Section 7 of the Data Protection Act 1998. If the request is for information under both Data Protection and Freedom of Information the request will be split accordingly for a separate response to be given for each area of the request.

The majority of information will be supplied free of charge; however, there are circumstances where a fee can be levied. For example if the time/cost required to compile the requested information exceeds the 'appropriate limit', as prescribed by the Secretary of State, currently set at 18 hours of staff time or £450. Any work in excess of the prescribed limits is at the discretion of the Wiltshire Police and unless exceptional circumstances exist then no further work will be commenced even if excess payment is offered.

The Act also requires all public authorities, including Police Forces, to maintain a publication scheme. Wiltshire Police has adopted and abides by the ACPO agreed Publication Scheme, introduced January 2009 under s20 of the Act, and approved for the police service by the office of The Information Commissioner.

The Force will publish information in accordance with this scheme and the published ACPO guidance document.

Any person who has requested information from Wiltshire Police under the Act who is dissatisfied with the response they received is entitled to complain and request an internal review. The process for dealing with a review is detailed in the Freedom of Information Review Procedure.

POLICY AIM

To ensure compliance with the Freedom of Information Act 2000 and to provide guidance to personnel in respect of the general requirements and meaning of the Act.

This policy is also intended as an information document for the public, through its publication on the Force website.

APPLICABILITY

This policy applies to staff and officers

LEGAL BASIS AND DRIVING FORCE

The legal basis for this policy is the Freedom of Information Act 2000

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

All of Wilshire Police policies have the potential to be related to this particular policy. Any changes to this policy may have an impactful effect on others; therefore changes will be cascaded down through the organisation where applicable.

The documents directly linked to this policy are:

[ACPO Freedom of Information Manual of Guidance](#)

[Data Protection Policy](#)

[Freedom of Information Review Procedure](#)

COLLEGE OF POLICING AUTHORISED PROFESSIONAL PRACTICE (APP)

There are currently no directly related areas of APP linked to this Policy.

DATA PROTECTION ACT 1998

Any information relating to identifiable individuals recorded as a consequence of this policy is to be processed in accordance with the Data Protection Act 1998 and the Force Data Protection Policy.

FREEDOM OF INFORMATION ACT 2000

This Policy is suitable for disclosure in its entirety under the provisions of the Freedom of Information Act.

MONITORING AND REVIEW

This policy has been formulated using Freedom of Information legislation as well as the ACPO Freedom of Information Manual of Guidance. Any changes in legislation which may affect this policy will be reviewed at that time.

This policy will be reviewed annually.

WHO TO CONTACT ABOUT THIS POLICY

The Force Authorising Officer and the Force Disclosure Unit are responsible for this policy.

All queries relating to this policy should be directed to: Chris Harwood (Force Disclosure Decision Maker); christopher.harwood@wiltshire.pnn.police.uk, Ext. 720 3664