

*POLICE AND CRIME COMMISSIONER FOR WEST YORKSHIRE*

*FREEDOM OF INFORMATION ACT 2000*

*PUBLICATION SCHEME*

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## **Introduction**

### **Police and Crime Commissioner Role and Responsibilities**

The Police and Crime Commissioner for West Yorkshire took office on 22 November 2012. It is the Commissioner's job to ensure that there is an efficient and effective police force for West Yorkshire and to make sure that the Chief Constable and Force are accountable to you in carrying out their responsibilities and serving our communities.

The Commissioner engages with the public and communities in West Yorkshire and holds the Chief Constable to account for the delivery of policing, sets and updates a police and crime plan, sets the Force budget and council tax precept and appoints and, where necessary, dismisses the Chief Constable.

**It might help you to know that police operations are the responsibility of the Chief Constable and Force and information on individuals is more likely to be held by the Police than the Commissioner.**

### **The 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 governmental 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.

### **Your rights and our responsibilities**

Under the Freedom of Information Act the Commissioner must have a publication scheme setting out information that is routinely made publicly available.

The purpose of the publication scheme is to let you know what information is readily available from us without your needing to ask 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.

The scheme commits the Commissioner to:

- proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Commissioner and falls within the classifications overleaf.
- specify the information which is held by the Commissioner and falls within the classifications overleaf.
- proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.

- review and update on a regular basis the information the Commissioner makes available under this scheme.
- produce a schedule of any fees charged for access to information which is made proactively available.
- make this publication scheme available to the public.

Part 2 of our publication scheme sets out the classes or types of information that we publish or intend to publish.

When you ask us for information we will:

- 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).

## **Part Two: What information is available**

### **Introduction**

Under the Freedom of Information Act 2000, our publication scheme must say what classes, or broad types, of information the Commissioner already publishes or intends to publish. We aim to publish as much information as possible about our work through the scheme, except where it would not be in the public interest to do so, for example, because it might prejudice law enforcement or the health and safety of our staff, or our ability to secure best value from local policing because information is commercially sensitive.

For each class we briefly define the information contained in that class, the format in which it is available and whether the class includes chargeable material (chargeable material indicated by a “£” sign).

For those who do not have access to a computer, all information contained in this publication scheme (including the scheme itself) is available in hard copy form.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where legally required the Commissioner will arrange for translation of information.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

The Commissioner publishes, or intends to publish, information under the following classes:

**Classes of Information:** Who we are and what we do  
 What we spend and how we spend it  
 What our priorities are and how we are doing  
 How we make decisions  
 Our policies and procedures  
 Lists and registers  
 The services we offer

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

<b>Information</b>	<b>Format</b>	<b>Charge</b>
<i>Role and statutory responsibilities</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Forthcoming events and appearances</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Commissioner profile and manifesto commitments</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Appointment of members to the Audit Committee and Misconduct Panels</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Commissioner activity log</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Membership of the Audit Committee</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Departmental structure</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Independent Custody Visiting Scheme</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Staff structure and responsibilities</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Contact details of staff</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Contact details for the Commissioner</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Geographical contacts</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Independent Custody Visitor appointments</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Chief Constable appointments</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Senior appointments policy and procedure</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>

<b>Information</b>	<b>Format</b>	<b>Charge</b>
<i>Summary of revenue budget estimates</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Annual statement of accounts</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Budgets set for the Force</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>

<i>Expenses &amp; allowances paid to the Commissioner and senior employed staff, with job descriptions, budgets and staffing portfolios</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Annual Audit Letter</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Financial Audit Reports - PURE</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Internal financial regulations and delegated authority</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Contracts and tender documents (above £10,000) Lists of contracts and tenders (from £500 to £10,000)</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Grants to local and voluntary agencies</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Land and building assets</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Expenditure over £500</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>

<b>Information</b>	<b>Format</b>	<b>Charge</b>
<i>Policing plan</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Force performance reports</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>External inspection reports: HMIC Audit Commission NPIA</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Statistical information: Performance reports HR statistics</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>

<b>Information</b>	<b>Format</b>	<b>Charge</b>
<i>Decision log</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Audit Committee terms of reference</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Standing orders</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Consultation meetings schedule</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Background papers for public meetings</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Equality impact assessments</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Engagement strategy</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>

<b>Information</b>	<b>Format</b>	<b>Charge</b>
<i>Standing Orders</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Terms of reference</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Code of Corporate Governance</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Financial Regulations</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Delegation to Officers</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Officer/Commissioner protocol</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Equality Scheme</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Commissioner Business Plan</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Freedom of Information Publication Scheme</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Employment policies &amp; procedures</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Complaints procedures</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Record retention policies</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>

<b>Information</b>	<b>Format</b>	<b>Charge</b>
<i>Register of Commissioner's Interests</i>	<i>hard copy</i>	<i>Free of charge single copies</i>
<i>Register of Gifts &amp; Hospitality</i>	<i>hard copy</i>	<i>Free of charge single copies</i>
<i>Freedom of Information Disclosure Log</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>

<b>Information</b>	<b>Format</b>	<b>Charge</b>
<i>Publications</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>
<i>Press Releases</i>	<i>Website / hard copy</i>	<i>Free of charge single copies</i>

### **Part Three: Responsibilities for the Commissioner's publication scheme**

The Chief Executive has overall responsibility for our publication scheme. The person responsible for maintaining and managing the publication scheme is: -

Julie Reid  
Office of the Police and Crime Commissioner for West Yorkshire  
Ploughland House  
62 George Street  
Wakefield  
WF1 1DL

Telephone: 01924 294000  
Fax: 01924 294008  
E-mail: [foi@westyorkshire-pcc.gov.uk](mailto:foi@westyorkshire-pcc.gov.uk)

### **Contacting the Police and Crime Commissioner for West Yorkshire**

If you wish to obtain a hard copy of our publication scheme you may write to, e-mail or telephone us at:

Office of the Police and Crime Commissioner for West Yorkshire  
Ploughland House  
62 George Street  
Wakefield  
WF1 1DL

Telephone: 01924 294000  
Fax: 01924 294008  
E-mail: [foi@westyorkshire-pcc.gov.uk](mailto:foi@westyorkshire-pcc.gov.uk)

Our website also contains a copy of the publication scheme at [www.westyorkshire-pcc.gov.uk](http://www.westyorkshire-pcc.gov.uk)

### **Charges which may be made for Information published under this scheme**

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the Commissioner for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

## **Written Requests**

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

## **Copyright**

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

### **Police and Crime Commissioner for West Yorkshire 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 West Yorkshire Police and Crime Commissioner 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 protections 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](http://www.informationcommissioner.gov.uk) or from the address given below.

### **Information where the Commissioner 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 Ploughland House, 62 George Street, Wakefield, WF1 1DL. 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 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 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 Information Commissioner can issue enforcement proceedings if satisfied that there has been a contravention of the data protection principles. The Information 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 Commissioner is not the “Data Controller”**

In many cases, it is the police and not the Commissioner 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 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 West Yorkshire Police you should contact: -

West Yorkshire Police Force  
Data Protection Office  
PO Box 9  
Wakefield  
WF1 3QP  
Telephone: 101

Or alternatively, you can visit the Help Desk of any West Yorkshire Police Station.

### **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:

Chief Executive  
Office of the Police and Crime Commissioner for West Yorkshire  
Ploughland House  
62 George Street  
Wakefield  
WF1 1DL

Telephone: 01924 294000  
Fax: 01924 294008  
E-mail: [foi@westyorkshire-pcc.gov.uk](mailto:foi@westyorkshire-pcc.gov.uk)

### **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:

Julie Reid  
Office of the Police and Crime Commissioner for West Yorkshire  
Ploughland House  
62 George Street  
Wakefield  
WF1 1DL  
Telephone: 01924 294000  
Fax: 01924 294008  
E-mail: [foi@westyorkshire-pcc.gov.uk](mailto:foi@westyorkshire-pcc.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:

Chief Executive  
Office of the Police and Crime Commissioner for West Yorkshire  
Ploughland House  
62 George Street  
Wakefield  
WF1 1DL

Telephone: 01924 294000  
Fax: 01924 294008  
E-mail: [foi@westyorkshire-pcc.gov.uk](mailto:foi@westyorkshire-pcc.gov.uk)

We 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. We aim to complete an internal review and respond to you within a further 10 working days.

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

## **Review of the Commissioner's publication scheme**

We will review our publication scheme annually.

## **Availability of this scheme in other languages and formats.**

If you require this publication scheme in another language or format please contact:

Julie Reid  
Office of the Police and Crime Commissioner for West Yorkshire  
Ploughland House  
62 George Street  
Wakefield  
WF1 1DL

Tel 01924 294000  
Fax: 01924 294008  
E-mail: [foi@westyorkshire-pcc.gov.uk](mailto:foi@westyorkshire-pcc.gov.uk)