



Force Disclosure Unit

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.uk

disclosure@wiltshire.pnn.police.uk

Date: 30th March 2021

Your ref: FOI

Our ref: FOI 2021 / 221

Reply contact name is: Kerry Merritt

I write in connection with your request for information dated 11th March 2021 concerning Data collecting, storing, sharing or selling. And data breaches.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

Can I have your records pertaining to sales of personal data from 2019 (01.01.2019) to 2020 (31.12.2020), including trading partners and money earned from transactions?

Do you use tracking cookies on your website, and can I have a list of third parties that you share personal data with?

Have you received any complaints about how you handle personal data? This includes collecting, storing, sharing or selling, as well as wider processing practices. Please can I view records pertaining to these complaints for the years 2019 and 2020?

How many Subject access requests did you receive in the period 2019-2020, broken down by year? What types of personal data did they typically receive? For example email addresses, home address and telephone number?

How many data breaches have you experienced for the past 5 years (broken down by each year).

Our response:

The information that you are requesting for the majority of your request (namely questions 3-4) is not stored in a way which permits easy retrieval.

For each of these questions related to complaints about how we handle personal data, whilst many of these complaints are likely to be linked to a Right of Access Request, we will come to our



main Force Disclosure Unit, they are not necessarily related to how their personal data has been handled and can be more in relation to how their investigation has been handled.

Some of these complaints may relate to handling of personal data, and these can be dealt with by our Force Disclosure Unit and will require no further escalation, however some can be passed to our Data Protection Officer if they result in a breach. The Force Disclosure Unit do not collate the number of complaints made in relation to personal data, as most these can be dealt with easily and do not need escalating to our DPO. In addition to this some complaints could be made to our official complaints department and not just the Force Disclosure Unit/ DPO.

Personal data can be handled by many different departments and any complaints received may not all amount to an official breach/complaint and can be dealt with locally. The ascertaining of this information would only be possible by physically reading every request for personal data made within the Force and to manually search through each request in every department to see if the applicant has complained about how their data has been handled.

Again, for your question relating to question for what requests did we typically receive for a Right of Access Request (formally known as Subject Access) a ROA only gives an individual access to their own personal data. An individual can request anything under a Right of Access; however, they would only be provided with their own personal data – in order to determine what was typically requested, we would require searching through every single request made during the period you are requesting.

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it.

Although excess cost removes the forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I am able to provide you are the answers documented below :-

Question 1

Can I have your records pertaining to sales of personal data from 2019 (01.01.2019) to 2020 (31.12.2020), including trading partners and money earned from transactions? **No Information held**

Question 2

Do you use tracking cookies on your website, and can I have a list of third parties that you share personal data with? **The Wiltshire Police website is on Single Online Home, a national website solution for policing, so the policy on cookies is set at a national level rather than by individual forces. The site uses cookies for a variety of reasons, for example to remember where you are when you are completing an online form, or to understand the behaviour of visitors to the site in order to improve it. It also uses Google and Facebook Cookies to track activity from those sources, as well as aiding any online recruitment advertising we do. The user can opt out of these cookies if they wish. More information can be found at: <https://www.wiltshire.police.uk/hyg/cookies/>**

Question 4

How many Subject access requests did you receive in the period 2019-2020, broken down by year? What types of personal data did they typically receive? For example email addresses, home address and telephone number?

Right of Access Requests (formally known as Subject Access) for 2019 = 317

Right of Access Requests (formally known as Subject Access) for 2020 = 409

Question 5

How many data breaches have you experienced for the past 5 years (broken down by each year).

2021 – 12

2020 – 74

2019 – 78

2018 – 59

2017 - 19

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request to a more manageable level. However, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Kerry Merritt
Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:
Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk