

WILTSHIRE POLICE



Via Email



Police Headquarters

London Road
DEVIZES
Wiltshire
SN10 2DN

disclosure@wiltshire.police.uk

Date 11/07/2023

Your ref: FOI

Our ref: **FOI 2023/634**

Reply contact name is:

Dear ,

I write in connection with your request for information dated 16/06/2023 concerning data protection compliance.

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:

I am writing to make a formal request for information under the provisions of the Freedom of Information Act 2000. I kindly request that you provide me with the following information:

1. A copy of your organisation's Records of Processing Activity (ROPA) as defined in Article 30 of the UK General Data Protection Regulation (UK GDPR).
2. A copy of all legitimate interest assessments conducted by your organisation where you rely on Article 6(1)(f) legitimate interests as your lawful basis for processing.
3. A copy of all privacy impact assessments conducted by your organisation.
4. A copy of all data protection impact assessments conducted by your organisation.
5. A copy of all international transfer risk assessments conducted by your organisation.
6. A recent copy of your organisation's data protection compliance assessment using the Information Commissioner's Office (ICO)'s accountability framework template. If you are using your own standards to monitor compliance with the Data Protection 2018, please provide me with copy of it.

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7. A copy of your organization's data protection policy.
8. A copy of your organization's subject access request policy, procedures, and processes, including any guidance material such as folder structure, naming conventions, and redaction guides.
9. A copy of your organisation's privacy notices, including but not limited to employees, customers, ministers, special advisors (SPADs), complaints, NEDS, visitors, and CCTV.
10. A copy of your organisation's due diligence questions for vendor management such as independent data controllers or processors.

Response:

The type of information you require is not stored in a way which allows for easy retrieval. To locate, retrieve and extract the information you seek would 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. Therefore, the whole of the request falls under the exemption of section 12 of the Freedom of Information Act 2000.

Ordinarily under our Section 16 obligation to provide advice and assistance, we would advise you of a way to refine your request to a more manageable level. While I am unable to do this, I can, as a gesture of goodwill, offer a link to our website where you can find privacy notices: [Privacy notices | Wiltshire Police](#)

In relation to Question 1, the act requires us to keep a ROPA. It does not, however, require us to make this publicly available. There will be information contained within the ROPA that will take on a covert nature. Requests for a copy of this could result in further exemptions being applied.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, 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.

Please contact me if you would like to discuss the withheld information.

Yours sincerely

Force Disclosure Decision Maker

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The 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

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.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.

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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

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish you contact them, please visit <https://ico.org.uk/global/contact-us/>