

<b>For Information</b>	
<b>Public/Non Public*</b>	
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>29<sup>th</sup> July 2021</b>
<b>Report of:</b>	<b>Deputy Chief Constable</b>
<b>Report Author:</b>	<b>Pat Stocker – Information Management Lead</b>
<b>E-mail:</b>	<b>Pat.stocker@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	<b>lehan.fielding7194@nottinghamshire.pnn.police.uk</b>
<b>Agenda Item:</b>	<b>13 -</b>

## **Force Report on Monitoring, Review and Assurance of the Publication Scheme January to May 2021**

### **1. Purpose of the Report**

1.1 The purpose of this report is to update the Audit & Scrutiny Meeting on the current Force position in relation to NPCC & ICO Publication Scheme requirements as listed within the relevant definition document.

1.2 **Appendix A** is an NPCC updated National Policing Guide to Police Publication Scheme Compliance document regarding force publication scheme compliance, this specifies the minimum forces should be publishing, and has been updated following consultation with the NPCC FOI Steering Group, this was received in Force in April 2021.

1.3 The guidance states:

*Section 19 and 20 FOIA 2000 requires all forces to publish certain information as outlined in the Definitions Document for Police Forces and the subsequent Model Publication Scheme produced by the Information Commissioners Office.*

*This document seeks to add clarity to the definitions for the types of information required to be published and also ensures that each force has a corporate approach to the publications which reduces public confusion.*

*Forces are encouraged to publish more information than the minimum standards require whenever possible. Schemes are monitored by the ICO and non-compliance is likely to attract regulatory action.*

*Please note, information is not required to be published which:*

- *Is not held by the force.*
- *Is exempt under the FOIA or EIR, or if it is prohibited by any other enactment.*
- *Is archived, out of date or otherwise inaccessible; or,*
- *To do so would be impractical or resource-intensive to prepare the material for routine release. \**

*\*Not having resources to manage a publication scheme is not a defence to non-compliance. This exclusion is focussed on some of the types of information being too resource intensive, for example because they are stored in the wrong format and rendering them suitable for publication is an expensive process.*

## 2. Recommendations

- 2.1 The Audit & Scrutiny Meeting is asked to note the contents of this paper
- 2.2 A further paper will be provided to the Audit & Scrutiny Panel in Q1 2022 providing end of year metrics for both the Force Website and Publication Scheme compliance.

## 3. Reasons for Recommendations

- 3.1 To provide awareness of the current position of Nottinghamshire Police in terms of the Publication Scheme requirements

## 4. Summary of Key Points (this should include background information and options appraisal if applicable)

- 4.1 The purpose of the Publication Scheme is to let the public know what information is “readily available” from Nottinghamshire Police. By readily available we mean that the information is available on our website, can be obtained from us upon request by letter, e-mail or telephone call, can be purchased from us or can be found in another location e.g. PCC’s website or hard copy in a local library
- 4.2 Classes of information as defined in the 2021 NPCC Guidance document:

LAWFUL REQUIREMENT – WHAT THE ICO POLICE SECTOR DEFINITIONS DOCUMENT SAYS	MINIMUM STANDARDS TO ENSURE COMPLIANCE
Who We Are and What We Do	DPA issues are the largest consideration in this section. Staff should clearly understand via policies and procedures when their personal data may be placed in the public domain. Application of exemptions is case by case basis.
What We Spend and How We Spend It	All of the items listed may be subject to exemption/redaction to protect commercial and law enforcement interests where appropriate (e.g. purchase of covert equipment).  PCC’s have statutory obligation to publish substantial amounts of financial information. Wherever possible the force should consider links to their website as an alternative to publishing.
What Our Priorities Are and How We Are Doing	Strategies and plans, performance indicators, audits, inspections and reviews
How We Make Decisions	Decision making process and records of decisions
Policies and Procedures	All policies should be suitable for publication on the force website. However, a case-by-case review of procedures must be undertaken to protect law enforcement and health and safety considerations

<b>Lists and Registers</b>	Applies to currently maintained lists and registers.
<b>Services Provided by the Police Force</b>	Information about the services provided by the police force, produced for the public and businesses.

4.3 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.

4.4 With the publication of this updated document we intend to pull together the work we are currently doing with our Corporate Communications Department on the Digital Public Contact Project (Single Online Home national project) including improvements to our FOI processes, to ensure that we meet the new guidance and improve our compliance with the Publication Scheme requirements.

4.5 We continue to publish FOI responses and monitor the Force Website traffic to inform of any areas of interest or concern and the latest website traffic figures are published below

Webpage stats for **Jan – May 2021**

Website area	Number of page views
Total page views	1,984,973
Your area	35,414
News and appeals	News: 1,019,469 Appeals: 44,268
Advice	98,455
Contact	36,152
Careers	181,589
About	4,954
Information	Landing page: 6,856 Data protection: 755 Freedom of information: 585

Figures represent total pageviews for each section with the exception of the about us page which is solely the landing page.

#### **4 Financial Implications and Budget Provision**

5.1 None

#### **5 Human Resources Implications**

6.1 None

## **6 Equality Implications**

7.1 None

## **7 Risk Management**

8.1 None

## **8 Policy Implications and links to the Police and Crime Plan Priorities**

9.1 None

## **9 Changes in Legislation or other Legal Considerations**

10.1 None

## **10 Details of outcome of consultation**

10.7 No consultation took place when preparing this report

## **12. Appendices**

12.1 **Appendix A:** NPCC National Policing Guide to Police Publication Scheme Compliance.

## **13. Background Papers (relevant for Police and Crime Panel Only)**

13. None

NB See guidance on public access to meetings and information about meetings for guidance on non-public information and confidential information.

# NATIONAL POLICING GUIDE TO POLICE PUBLICATION SCHEME COMPLIANCE V5.0

## Commencing January 2021 onwards

Section 19 and 20 FOIA 2000 requires all forces to publish certain information as outlined in the [Definitions Document for Police Forces](#) and the subsequent [Model Publication Scheme](#) produced by the Information Commissioners Office.

This document seeks to add clarity to the definitions for the types of information required to be published and also ensures that each force has a corporate approach to the publications which reduces public confusion. Forces are encouraged to publish more information than the minimum standards require whenever possible. Schemes are monitored by the ICO and non compliance is likely to attract regulatory action.

**Please note, information is not required to be published which:**

- **Is not held by the force.**
- **Is exempt under the FOIA or EIR, or if it is prohibited by any other enactment.**
- **Is archived, out of date or otherwise inaccessible; or,**
- **To do so would be impractical or resource-intensive to prepare the material for routine release.\***

\*Not having resources to manage a publication scheme is not a defence to non compliance. This exclusion is focussed on some of the types of information being too resource intensive, for example because they are stored in the wrong format and rendering them suitable for publication is an expensive process.

LAWFUL REQUIREMENT – WHAT THE ICO POLICE SECTOR DEFINITIONS DOCUMENT SAYS	MINIMUM STANDARDS TO ENSURE COMPLIANCE	SCHEDULE	GUIDANCE NOTES
<b>Who We Are and What We Do</b>	DPA issues are the largest consideration in this section. Staff should clearly understand via policies and procedures when their personal data may be placed in the public domain. Application of exemptions is case by case basis.		
Force structure	Map of the force area with the ability to identify the geographical area covered by each Safer Neighbourhood Team. <b>Do not include details of sensitive units</b>		Provide a link to <a href="#">Police.UK</a> which details maps of force areas, including neighbourhood.
	Organisational Chart showing Chief Officers areas of responsibility and the generic Department titles, e.g. Finance, ICT, Scientific/Forensic Services	Updated when changes occur	
	Officer and police staff approved establishment numbers at force level		Provide a link to <a href="#">Police Workforce</a>
Profiles of Chief Officer, Deputy CC or Deputy Commissioner, Assistant CC or Assistant Commissioners & Divisional or Area Commanders.	Photograph and brief career outline. All senior officers down to head of BCU/OCU/Borough/Dept as per Force Structure above.  Details of how they can be contacted must be included.	Updated within 3 months of changes occurring	Should be links within force structure to this information if possible.

Identity of senior civilian staff	<p>Senior police staff are defined as Heads of Department as listed in the force structure. Minimum details to include name, post title, brief outline of role and duties. This must include as a minimum HR, Legal Services, Finance, Corporate Communications, Estates and Facilities and Procurement or Equivalent Post.</p> <p>Any senior staff in a public facing role should have photographs published.</p> <p>Details of how they can be contacted must be included.</p> <p>Senior staff defined as all those earning over £58,200.</p>	Updated when changes occur	<p>PCC publish the job title, responsibilities and salary of each senior employee (and name if they consent) under <a href="#">The Elected Local Policing Bodies (Specified Information) Order 2011</a>.</p> <p>Links to PCC information would save force publication.</p>
Location of police stations (including mobile units) and public opening hours	<p>Addresses and opening hours</p> <p>Mobile police stations – dates, times, location</p> <p>Surgeries and shared buildings.</p>	Updated when changes occur	Provide a link to <a href="#">Police.UK</a> which shows a force map and forces station details..
Contact details	<ul style="list-style-type: none"> <li>• Emergency and non-emergency telephone numbers</li> <li>• Text number for general enquiries</li> <li>• Email address for general enquiries</li> <li>• Postal Address for general enquiries</li> <li>• Social Media pages</li> <li>• Contact details for local Safer Neighbourhood Team (or equivalent)</li> <li>• How to report a crime</li> <li>• How to make a complaint</li> <li>• Firearms Licensing</li> <li>• Freedom of Information requests</li> <li>• Subject Access requests</li> <li>• Online reporting procedures</li> </ul>	All updated when changes occur	
Relationships with other authorities	<p>List the authorities/agencies, the force's relationship and where possible provide a link to a relevant web-site. Examples are:</p> <ul style="list-style-type: none"> <li>• Crime &amp; Disorder Reduction Partnerships</li> <li>• Crimestoppers</li> <li>• Local Criminal Justice Board</li> <li>• Local Safeguarding Childrens Boards</li> <li>• MAPP</li> <li>• Casualty Reduction Partnership</li> <li>• PCC</li> </ul>	Updated when changes occur	If terms of reference for the arrangements are produced, these should also be published.
Arrangements for special constables and civilian volunteers	Link to force's information/recruitment pages, including eligibility, training and how to apply.	Updated when changes occur	
Sponsorship arrangements with business	<p>Link to force policy on sponsorship arrangements (policies and procedures).</p> <p>List any private company who provides sponsorship, what that sponsorship entails, and its monetary value.</p>	Updated when changes occur	The <a href="#">Income Generation Guide</a> provides the most up to date guidance available.

<b>What We Spend and How We Spend It</b>	All of the below may be subject to exemption/redaction to protect commercial and law enforcement interests where appropriate (e.g. purchase of covert equipment).		PCC's have statutory obligation to publish substantial amounts of financial information. Wherever possible the force should consider links to their website as an alternative to publishing.
Annual Statement of accounts	Copy of audited accounts*	Previous 3 financial years published within 3 months of being audited.	
Force budget (as agreed by PCC or Board)	Details of income and expenditure at force level, with information concerning any precept impact.	Current and previous 2 financial years	The PCC publish the forces budget and a link to this can be supplied.
Expenditure	<p>Details of expenditure over £500, including costs, supplier and transaction information (monthly).</p> <p><b>Care should be taken to ensure details of sensitive information is withheld, for example Special Branch or covert equipment.</b></p> <p>Guidance specifies this as monthly. However, PCC's publication is quarterly. Forces are strongly urged to consider whether producing monthly would be too resource intensive.</p>	Current and previous 2 financial years.	Link to PCC website who are required, via <a href="#">Specified Information Order</a> to publish force spending over £500.
Procurement procedures	<p>Force policy and procedure on procurement (link to policies and procedures)</p> <p>Link to any sites where your force advertises contracts for tender (BLPD)</p>	Updated when changes occur	Link to any sites where your force advertises contracts for tender ( <a href="#">BLPD</a> )
Details of contracts currently being tendered (that exceed £10,000)	<p>Link to sites where your force advertises contracts for tender or framework solutions.</p> <p>Forces are required to publish contracts and invitations to tender when they exceed £10,000</p>	Current information provided	Provide a link to <a href="#">BLPD</a> or relevant website used by your force.
Contracts.	<p>Publish contracts and invitations to tender that exceed £10,000. A list of those under £10,000 should also be published to include value, identity of parties and purpose of contract.</p> <p>PCC is obliged to publish: 'A copy of each contract with a value exceeding £10,000. A copy of each invitation to tender. A list of every contract with a value not exceeding £10,000 including the value of the contract, the identity of every other party to the contract and the purpose of the contract'</p>	Updated within 3 months of contract being awarded.	<p>A link to the PCC website, if published, would satisfy this requirement.</p> <p>Ensure any sensitive operational or commercial information is redacted in line with S31/43.</p>
Expenses paid to or incurred by the Chief Officer, Deputy and Assistant Chief Constables or Commissioners.	<p>All Chief Officers and Police Staff listed as Senior Police Staff. Senior police staff are defined as Heads of Department as listed in the force structure, and such it is considered suitable for them to be named.</p> <p>Only relates to personal spend when on official business. Will include amount</p>	Published quarterly – last four quarters to remain	<p>PCC is only required to publish their own expenses.</p> <p>Nothing should be published that endangers officers, such</p>

	<p>claimed for re-imbursement and spend on corporate credit card. Should be broken into categories headed: Travel (can be broken down by first class and general travel at forces discretion), Accommodation, and Subsistence.</p> <p>Should be total amount spent in each category by month with clear indication as to whether the published amounts include VAT.</p>		<p>as regular hotels stayed at or specific repetitive journeys.</p> <p>Any amounts repaid by the staff member should be clearly indicated</p>
Pay and Grading Structure.	<p>The figure of £58,200 is a reflection of the PCC Statutory Instrument requirements</p> <p>As a minimum, forces should publish salary (in £5k bands) and job title of all senior staff earning over £58,200. For all other police staff and officers' grades/ranks and salary scales should be published.</p> <p>A full list of allowances available such as housing, CRTP (even though these are being phased out), overnight, mutual aid, London weighting etc. should also be produced.</p> <p>Bonus payments or benefits such as vehicle allowance or healthcare provided to senior staff should also be provided.</p> <p>The 'pay multiple'-the ratio between the highest paid salary and the median average salary of the whole authorities workforce.</p>	Updated within 3 months of changes occurring	<p>Does not include overtime or allowances per person.</p> <p>Because it is regularly asked under FOI, forces should consider publishing the highest amount of overtime earned in any financial year.</p>
Evaluation of police use of resources.	Any reports additional to the Annual Statement of Accounts, evaluating how the force spends its budget, including formal evaluation of resources.	Reports covering the last 3 financial years	Link can be given to any HMIC reports.
Support for the provision of Police Community Support Officers	<p>Your annual budget and source for the funding of PCSOs.</p> <p>Home Office ring-fenced funding, local authority schemes where another agency, public body or private company have provided funding for the provision of PCSOs.</p>	Current and previous 2 financial years	
Financial regulations	List of regulations police forces are subject to. (Confer with Finance Depts.)		Consider link to PCC website
<b>What Our Priorities Are and How We Are Doing</b>	Strategies and plans, performance indicators, audits, inspections and reviews		
Strategic Plan	Force Strategic Plan/Business Plan	For current and previous 2 financial years	
Annual Policing Plan	Annual Policing Plan/Force Control Strategy		
Area Policing Plans	Policing plans/Control Strategies to OCU/BCU/Borough level.		
Chief officer's Annual Report	Chief Officer's Annual Report		
Police performance assessments	<p>Assessment of performance against the policing plan and performance indicators for current and 2 previous financial years.</p> <p>HMIC Reports</p>	<p>For current year, quarterly reports as soon as possible after completion</p> <p>For previous financial years,</p>	Link to force reports on HMIC website is recommended.



		the end-year assessment	
Police force statistics	Information and statistics that indicate force performance, used in is force management decision making, including crime statistics  Link to <a href="https://www.police.uk">Police.uk</a>  Link to <a href="#">Crime Statistics</a> and <a href="#">ONS Crime in England and Wales</a>  Any other statistical information produced by the force that is suitable for public release.*	Current & previous 2 financial years.  Current within 3 months of being produced.	Links to HO and other relevant bodies.  Links to PCC website performance pages.  Where numbers are low care must be taken not to identify individuals.
Neighbourhood policing arrangements	Links to Safer Neighbourhood Policing Teams areas of force website.	Updated as changes occur	
Reports from independent custody visitors	Copies of reports.	Current & previous 2 financial years.	Link to PCC website if published
Monitoring record of 'Stop and Account'	Statistical breakdown by district to include number of stops under PACE and ethnicity monitoring.	Minimum annually	Ensure publication of the use of terrorist related powers conforms with the currently agreed levels of disclosure
Data Protection Impact Assessments In full or summary format.	Copies of assessments should be provided	Current and previous 2 financial years.	Some content may be sensitive, i.e.may raise community tension or reveal personal data. Forces can redact accordingly or consider non publication of those that would be too resource intensive.
<b>How We Make Decisions</b>	<b>Decision making process and records of decisions</b>		
Agenda and minutes for the senior decision making committee	NPCC executive meetings and senior management team meetings of those departments listed in the organisational chart.  Minutes from Neighbourhood Policing Team Meetings which highlight significant changes in Neighbourhood policing, <a href="#">For example</a> .  The above is the minimum required but forces are encouraged to publish as many meeting minutes as possible, where decisions are made that effect the public. Care should be taken to ensure any information that may damage the operation of policing are not revealed.	Current and 2 previous financial years. Within 3 months of being agreed at subsequent meetings.	Further guidance can be found on the <a href="#">ICO website</a>  Only open sessions should be published with agenda and existence of closed sessions included. Subsequent requests for these will be dealt with on a case by case basis.
Feedback from public consultation and surveys	Public opinion surveys, customer satisfaction surveys and any other public feedback reports.  Published results should not include personal data.	Published as reports become available	

<b>Policies and Procedures</b>	All policies should be suitable for publication on the force website. However, a case-by-case review of procedures must be undertaken to protect law enforcement and health and safety considerations		
For the conduct of police force business  For the provision of policing services	Policies are why we do things and procedures are how we do them.  Policy and procedures falling into these three categories should be available, and published subject to any adverse impact on operational policing. This will include any developed in combination with other public authorities. Sensitive information should be removed before publishing, to allow for as much information to be published as possible.  Force Equality Schemes and how forces handle requests for information, should published.	Updated within 3 months of changes occurring.	Links to <a href="#">The College of Policing APP</a> can be considered  Remember there is no requirement to show where redactions are, simply remove from the published article.
About recruitment and employment of staff	Information concerning the recruitment and employment of staff, i.e. recruitment pages, health and safety, conduct		Link to HR pages
Records management and personal data policies	Policies should include: Requirements under the Code of Practice for the Management of Police Information; Information Security; Records Retention, Destruction and Archiving; Data Protection Compliance and Data Sharing.	Updated within 3 months of changes.	
Fileplans-or any other business classification scheme used for the management of information.	There is no requirement to create information. If a fileplan exists then it should be published, subject to removal of any sensitive parts.		A fileplan is for the management of records.  It is a records management tool which is referenced within section 9.3 of <a href="#">s46 FOIA Codes of Practice</a> .
Customer service standards and complaint procedure	Forces should provide the following information: <ul style="list-style-type: none"> <li>• How to Make a complaint.</li> <li>• What procedures will be followed.</li> <li>• How requests for information will be handled.</li> <li>• Response Times</li> <li>• Any survey or analysis of performance in this area.</li> </ul>	Updated as changes occur	Provide link to <a href="#">IPOC</a> website.
Charging regime and policies	Any service for which the public are charged, including the rates and how they are calculated, e.g. road traffic collision reports, subject access requests, police officer interviews/statements, and any local charging regimes.  Details regarding the charges in relation to the re-use of datasets should be laid out, including how this is calculated and whether the charge is made under the Re-use Fees regulations or under other legislation.	Updated as changes occur	Note, public authorities cannot charge a re-use fee if it makes the datasets available for re-use under the Open Government licence.
<b>Lists and Registers</b>	<b>Applies to currently maintained lists and registers.</b>		
Information held in registers by statute	Currently there are no registers that the police service is required to publish by statute.		
Asset registers	Copy of any current Asset Register.	Currently	Be aware of what PCC may

	<p>This relates to tangible physical assets excluding information. Some details may be sensitive and should obviously be removed.</p> <p>ICO expect details of buildings and land to be provided. Care should be taken to exclude sensitive sites.</p>	Maintained Registers only.	publish in relation to <£500/£10000.
Information asset register	<p>If in existence it should be published.</p> <p>If not any information which outlines the types of information held should be provided.</p>		<p>The IAR holds details of the assets, systems and applications used for processing or storing personal data across your organisation.</p> <p><a href="#">ICO guidance</a> is available</p>
CCTV	Location of any <b>overt</b> CCTV Cameras sites in public places operated by the force.	Updated as changes occur.	Only includes systems operated by force employees, not other systems the force may have access to. Does not include police buildings.
Register of interests	<p>The Force Register of Business Interests, to include the type of business and the number of staff registering this type of interest, but not to a level that would identify individuals.</p> <p>Do not include business names, locations, or staff names and use generic groupings/headings, e.g. children's entertainer, consultancy.</p>	Updated at least annually	Subsequent requests for more detail will need to be assessed on a case by case basis.
Register of gifts and hospitality (senior personnel)	<p>All persons whose expenses are published should be included in this section. Must include details of any gifts, given or received; details of any hospitality afforded and by which organisation. Gifts and hospitality decline should also be included.</p> <p>Forces should publish an entire force register with names removed and replaced by ranks or police staff grades for all non senior personnel.</p>	Updated at least annually	As per force policy definition of what constitutes a gift. If recorded in register it should be published.
FOI disclosure log	<p>Information provided in response to FOI and EIR requests should be available. Disclosure logs are considered as good practice.</p> <p>There is no requirement to publish full refusal notices. Information identifying the applicant should be removed.</p>	Updated at least quarterly and be for previous 2 years.	<p>A time delay of a minimum of five working days between sending a response to the applicant and publishing it, allows for any errors.</p> <p>However, uploading to sites such as WDTK does not allow this protection, therefore, responses must be thoroughly quality assured before publication to reduce the risk of inadvertent disclosure.</p>

<b>Services Provided by the Police Force</b>	Information about the services provided by the police force, produced for the public and businesses.		
Advice and guidance for the general public	This should include electronic versions of leaflets, guidance and newsletters produced for the public and/or local businesses.	Current up to date versions only.	
Firearms and explosives licensing, firearms dealers licensing, abnormal loads escort, keyholder services	How applications can be made for these services.	Updated as changes occur	
Police college or learning centre	Details of any external training provided		Provide link to <a href="#">College of Policing</a> .
Ceremonial duties			
Museum			
Local campaigns	Details of campaigns such as drink drive or burglary reduction for example	Remove once campaign ended	
Details of the services for which the police force is entitled to recover a fee together with those fees.	Policing of events and the fees charged – link to ACPO policy and any local arrangements. Forces would be expected to publish details of events for which they have provided policing resources in excess of 300 officers, excluding VIP and Royalty protection, royal visits and security at sensitive locations such as military establishments. Would include community events such as football matches, fairs & fetes, processions.	Within 3 months of event completion and for previous 2 financial years.	