



1st October 2020

Freedom of Information Request Reference N^o: FOI 003181/20

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 18th September 2020 in which you sought access to the following information:

Please can you provide the answers and statistics for the following questions in relation to Data Subject Access Requests made to the organisation for each calendar year between the 1st January 2018 to 25th August 2020 inclusive.

- 1 How many Data Subject Access Request have been made to the force broken down by;
 - A Requests made by the Data Subject themselves
 - B Request made by a third-party on behalf of the Data Subject
- 2 How many requests were rejected and the broad reasons for those rejections
- 3 How many requests were responded to in full or in part, and for each of these;
 - A Whether the response was within one, two, three or longer calendar months after the valid request was received; and where responded to outside of one calendar month;
 - B Whether the requestor was notified within the first calendar month of the delay to the response
 - C The broad categories for the delay in responding within the first calendar month
- 4 How many requests excluded the provision of personal data held which was later used or otherwise disclosed to the Data Subject (or a representative) for another reason, for example in evidence.
- 5 In addition to the above, please could you provide details of;
 - A The Name, Job Title, and Rank and Badge Number (if applicable) of the individual holding the role of Data Protection Officer for the organisation;
 - B If that individual has any other duties, what (in general) those duties are.
 - C What "professional qualities and, in particular, expert knowledge of data protection law and practices" (if any) are held by that individual in accordance with Article 35(5) of the GDPR
 - D If DPO the role holder is a Shared Resource, which other organisations are served by that DPO.
 - E How many people you have working within your Data Protection Compliance team.

Response to your Request

The response provided below is correct as of 25th September 2020.

Norfolk and Suffolk Constabularies have considered your request and our response is below.

When responding to a request for information under the terms of the Freedom of Information Act, a public authority is not obliged to provide information if the authority estimates that the cost of the retrieval of the information requested would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve all of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

The Norfolk and Suffolk Constabularies estimates that to retrieve all the information you have requested for both forces would exceed cost in excess of £450.

During the requested period, 803 subject access requests were received in Suffolk and 1008 in Norfolk. In order to respond to questions 2 and 3, we would to undertake a review of each subject access record on our system, as there is no closing category of 'refused'.

Each response letter would need to be read through to see if any requests were formally refused. Each would need to be reviewed to find out how many requests were responded to in full or in part, when the applicant was notified of a delay and the reason for that delay.

Based on a minimum of two minutes each, this would exceed 18 hours per force.

This would exceed the cost limit for dealing with a Freedom of Information request, in terms of costs, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act states that a public authority is not obliged to:

"...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit".

The Freedom of Information (Appropriate Limit and Fees) Regulations 2004, defines the 'appropriate limit' for the Norfolk and Suffolk Constabularies as £450, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

Advice and Assistance

Although excess cost removes the Constabularies obligations under the Freedom of Information Act, as a gesture of goodwill, we have supplied information, relative to your request, which was 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.

Details of the Data Protection Officer for Norfolk and Suffolk Constabularies can be found on the Information Commissioner's website, via the link below:

<https://ico.org.uk/ESDWebPages/Entry/Z4894872>

Further information regarding the role of Data Protection Officers can be found via the following link:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-officers/>

There are 7.5FTE posts within the Norfolk and Suffolk Joint Compliance Department.

Performance statistics are published on the National Police Chiefs' Council website and can be accessed via the link below:

<https://www.npcc.police.uk/documents/FOI%20Performance%20Monitoring/Force%20Performance%20Sept%2019%20%20Feb%2020%20Published.pdf>

Should you have any further queries concerning this request, please contact Amanda Gibson, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;

<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 40 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW
OR
Email: freedomofinformation@norfolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700