



**POLICE AND CRIME COMMISSIONER
FOR DERBYSHIRE**

ACCESS TO INFORMATION POLICY

EXTERNAL POLICY

Control Sheet

Policy details

Policy Title	Derbyshire OPCC Access to Information Policy
Responsible Officer	Head of Governance Compliance
Security Classification	External
Disclosable under FOIA	Yes
Policy implementation date	July 2019 (Last Reviewed June 2026)
Next review date	March 2027

Revision details

Revision date	Changes
Draft version 1 – 01/07/2020	Altered sub-headings MR
Final version - 10/07/2020	MR
Reviewed	Altered wording from UK GDPR to UK UK GDPR 11/05/2021 MR

Reviewed	Reviewed the policy content, changed Chief Executive wording in the policy to Interim Chief Operating Officer as OPCC had restructure and Chief Executive is no longer a role within the OPCC structure. Also, updated the next review date – MR 06/12/2021.
Reviewed	Reviewed the policy content. Updated the review date to every three years. Updated and checked all links in the policy – MR 21/03/2024.
Reviewed	Reviewed the policy content in line with the introduction of the Data Use and Access Act 2025 and complaints process – MR 23/06/2026.

Index list

Topic	Page
1) Introduction	Page 4
2) Scope	Page 4
3) Definitions	Page 5
4) Governance	Page 6
5) Method by which information will be made publicly available	Page 6
6) Publication Scheme and Specified Information Order	Page 7
7) FOI Requests	Page 7
8) EIR Requests	Page 9
9) SAR Subject Access Requests	Page 10
10) Requests from children	Page 12
11) Requests from parents/individuals with parental responsibility	Page 13
12) Requests from third parties	Page 14
13) Exemptions and Public Interest Test	Page 15
14) Vexatious or repeated requests	Page 17
15) Re-use of public sector information	Page 17
10) Information Complaints	Page 18
11) Transparency	Page 19
12) Records Management	Page 19
13) Linked Policies	Page 19
13) Policy Review	Page 20

Introduction

This Policy has been created to enable the public to confidently submit information requests to the Office of the Police and Crime Commissioner (OPCC) and gives a detailed overview of the process.

This policy also describes the procedures in place to ensure that the Police and Crime Commissioner's Office (OPCC) can respond appropriately to information requests from the public under the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR), the Data Protection Act 2018 (DPA), UK General Data Protection Regulations (UK GDPR), and any other legislation that provides a right of access to information.

The FOIA, EIR, DPA and UK GDPR, gives the public a right of access to information held by public authorities. Any person has a legal right to ask for information held by the OPCC and this is done through submitting An information request directly to the OPCC. Once a request has been received and processed the requester is entitled to be told whether the OPCC holds the information requested or not, and to receive a copy, in the format they specify (within reason), subject to certain exemptions.

Whenever the OPCC receives an information request, it will consider the nature of the information requested and, wherever possible, identify the statutory access regime (FOIA/DPA/EIR) under which it will respond to that request.

Not all information held by the OPCC can be released. While the FOIA and EIR assumes openness, the DPA and UK GDPR ensures the protection of data subject's personal information and rights. However, all the legislations recognise that certain information may be restricted from disclosure and there are exemptions that the OPCC can rely upon to protect this information from being released.

The OPCC is a public authority and is committed to promoting a culture of openness, transparency, awareness and understanding regarding its operations and activities. The OPCC routinely makes information available to the public via its website and also via the OPCC Publication Scheme and Specified Information Order. Requests for all other information not on the website or listed in the OPCC Publication Scheme and Specified Information Order will be dealt with in accordance with the guidance below.

The OPCC accepts that failure to comply with the FOIA/EIR/DPA/UK GDPR may result in an investigation and/or fine from the Information Commissioner's Office (ICO).

Scope

The OPCCs Access to Information Policy has been produced to ensure compliance with the provisions of the FOIA, EIR, DPA and UK GDPR and incorporates guidance from the Information Commissioner's Office (ICO).

This Policy is intended for public use.

This Policy also applies to all staff who work part-time or full-time under a contract of employment, whether oral or written, express or implied, and has recognised rights and duties. This includes volunteers, temporary employees and independent contractors and partners/partnership working at or for the OPCC.

Definitions

Children/Child

For the purpose of this policy means an individual under 18-years-old.

Data Protection Officer (DPO)

Meaning the OPCC Data Protection Officer (DPO) or staff member who is tasked with the role and responsibilities of a DPO.

Office of the Police and Crime Commissioner (OPCC)

Means the Derbyshire Office of the Police and Crime Commissioner.

Police and Crime Commissioner (PCC)

Means the Police and Crime Commissioner for Derbyshire.

Freedom of Information Act 2000 (FOI) and the Environmental Information Regulations 2004 (EIR)

Are legislations that give the public a right of access to information held by public authorities.

Data Protection Act 2018 (DPA) UK General Data Protection Regulations (UK GDPR)

Are legislations that protect the personal information and gives the public a right of access to their own personal information held by public authorities.

Information Request

A request for information submitted by email, letter, social media channels or verbal.

Requester

Someone submitting an information request. An individual (Data Subject), a member of the public, a company.

Employee/Staff

An individual who works part-time or full-time under a contract of employment, whether oral or written, express or implied, and has recognised rights and duties. This includes volunteers, temporary employees and independent contractors and partners/partnership working at or for the OPCC.

Personal data/information

Any information (including opinions and intentions) which relates to an identified or identifiable Natural Person. Information which relates to a living individual who can be identified from the information in question or from any other information which is possession of, or is likely to come into the possession of, the data controller.

Governance

To demonstrate our commitment to data protection, and to enhance the effectiveness of our compliance efforts, the OPCC has appointed a Data Protection Officer (DPO).

The Data Controller is the Police and Crime Commissioner (PCC). The PCC has delegated day to day responsibility for data control to the OPCCs Chief Operating Officer, who in turn has delegated this to the Head of Governance and Compliance, who is also the OPCCs Data Protection Officer – (DPO).

The method by which information will be made publicly available

Where it is within the capability of the OPCC and to aid with transparency information will be provided on the OPCC website or through the OPCC Publication Scheme and Specified Information Order. Where it is impracticable to make information available on the website or when an individual cannot access the information via the website, the OPCC will indicate how information can be obtained by other means and provide it by those means, within reason.

In exceptional circumstances some information may be available only by viewing in person. Where this is the case, contact details will be provided so an appointment to view the information can be arranged for the requester 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 there is a legal requirement to translate any information, the OPCC will do so.

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 the Equality Act 2010, under reasonable adjustments.

Publication Scheme and Specified Information Order

The OPCC has a Publication Scheme and Specified Information Order which is a register of information that is already publicly available to individuals. The OPCC Publication Scheme and Specified Information Order is available through the OPCC website or can be provided in hard copy or soft copy format on request.

The OPCC Publication Scheme and Specified Information Order is modelled on the ICOs Model Publication Scheme. The OPCC is under a duty to follow The Elected Local Policing Bodies (Specified Information) Order

2011:<http://www.legislation.gov.uk/ukxi/2011/3050/contents/made>

The OPCC Publication Scheme and Specified Information Order can be found on the OPCC website: [Public Information | Office of the Derbyshire Police and Crime Commissioner \(derbyshire-pcc.gov.uk\)](http://derbyshire-pcc.gov.uk)

Requesters should check if the information they are requesting is available on the website before submitting an information request. Where a requester asks for information that is not contained either on the OPCC website or in the OPCC Publication Scheme and Specified Information Order, then the OPCC will consider the request for information under either the Freedom of Information Act (FOIA), Environmental Information Regulations (EIR) or Data Protection Act (DPA)/UK General Data Protection Regulations (UK GDPR) – Subject Access Request (SAR), as described below.

Freedom of Information Requests (FOIA)

Freedom of Information requests are requests for general information that the OPCC holds. They do not include environmental information or personal information, as these are covered by the EIR and DPA/UK GDPR respectively.

Any requests for general information held by the OPCC will be responded to in accordance with the FOIA.

The OPCC will respond to requests promptly. Requesters will receive an acknowledgement correspondence stating that their request has been received within 5 working days of receipt of a request. The OPCC can refuse to answer a request that is too general, although some correspondence will be sent back to the requester to ask for extra information, offering them advice, assistance and to help to clarify or rephrase their request.

The requester will receive a full response within 20 working days unless a time extension is applied due to consideration of an exemption. If the 20-working day timescale is unlikely to be adhered to, then the requestor will be contacted within the original 20 working days with an explanation as to why this is and confirmation that an extension of time needs to be applied. The time extension can only be extended for another 20 working days, unless there is an exceptional rationale for a longer extension. The response will also confirm whether or not the OPCC holds any of the information requested; if information is held then it will be released, unless exempt from disclosure under one of the exemptions under the FOIA.

The OPCC has the right to charge for supplying the requested information but is under no obligation to provide information if the cost of doing so would be in excess of the 'appropriate limit'. Any fee for handling a request will be communicated to the requester accordingly and must be paid before release of any data.

The 'appropriate limit' under FOIA for the OPCC is currently £450. The OPCC can only include the time spent by staff on identifying, locating, retrieving and extracting the information at a rate of £25 per hour.

Where the OPCC claims that the appropriate limit has been exceeded then they will provide advice and assistance to help the requestor to refine the request, so that it can be dealt with under the appropriate limit. If this cannot be achieved then the request will be refused.

For more information on FOIA please see the ICO's website - <https://ico.org.uk/fororganisations/guide-to-freedom-of-information/>

How to make a request for information under FOIA

If a requester would like to request some general information from the OPCC that is not included in the Publication Scheme and Specified Information Order, or on the website, then they need to send their request into the OPCC for consideration.

For a FOI request to be valid it must:

- a) be in writing;**
- b) include a name and address for correspondence (email address is sufficient);**
- c) detail the information requested.**

Requests should be sent via email to:

[Contact Us | Office of the Derbyshire Police and Crime Commissioner \(derbyshirepcc.gov.uk\)](https://www.derbyshirepcc.gov.uk/contact-us)

or by post to:

The Office of the Police and Crime Commissioner for Derbyshire
Butterley Hall
Ripley
Derbyshire DE5 3RS

NOTE - Please ring – 0300 122 600 if any additional help with submitting an information request is needed.

Environmental Information Requests (EIR)

Environmental Information Requests are requests for environmental information that the OPCC holds. They do not include general information or personal information, as these are covered by the FOIA and DPA/UK GDPR respectively.

Any requests for environmental information held by the OPCC will be responded to in accordance with the EIR.

The OPCC will respond to requests promptly. Requesters will receive an acknowledgement correspondence stating that their request has been received within 5 working days of receipt of a request. The OPCC can refuse to answer a request that is too general, although some correspondence will be sent back to the requester to ask for extra information, offering them advice and assistance to help clarify or rephrase their request.

The requester will receive a full response within 20 working days unless a time extension is applied due to consideration of an exemption. If the 20-working day timescale is unlikely to be adhered to, then the requestor will be contacted within the original 20 working days with an explanation as to why this is and confirmation that an extension of time needs to be applied. The time extension can only be extended for another 20 working days, but this is only for complex and voluminous requests. The response will also confirm whether or not the OPCC holds any of the information requested; if information is held, then it will be released unless exempt from disclosure under the EIR. (See below).

Under the EIR there is no legal equivalent to the FOIA's 'appropriate limit'. However, the OPCC can refuse requests if they deem them 'manifestly unreasonable'. To work out whether the costs of dealing with a request can be treated as manifestly unreasonable, the OPCC will consider requests on a case-by-case basis.

Where the OPCC claims that the request is manifestly unreasonable, then they will provide advice and assistance to help the requestor to refine the request so that it can be dealt with in accordance with the Regulations. If this cannot be achieved then the request will be refused.

For more information on EIR please see the ICO's website -

<https://ico.org.uk/fororganisations/guide-to-the-environmentalinformationregulations/what-are-the-eir/>

How to make a request for information under EIR

If the requester would like to request some environmental information that is not included in the Publication Scheme and Specified Information Order or on the website, then they need to send their request into the OPCC for consideration.

For an EIR request to be valid it must:

a) be in writing or verbal;

b) include a name and address for correspondence (email address is

sufficient);

c) detail the information requested.

Requests should be sent via email to:

[Contact Us | Office of the Derbyshire Police and Crime Commissioner
\(derbyshirepcc.gov.uk\)](https://www.derbyshirepcc.gov.uk)

or by post to:

The Office of the Police and Crime Commissioner for Derbyshire
Butterley Hall
Ripley
Derbyshire DE5 3RS

NOTE - Please ring – 0300 122 600 if any additional help with submitting an information request is needed.

Subject Access Requests (SAR)

Subject Access Requests are requests for personal information that the OPCC holds. They do not include general information or environmental information, as these are covered by the FOIA and EIR respectively.

Any requests for personal information will be responded to in accordance with the DPA and UK GDPR.

The OPCC will respond to requests promptly. Requesters will receive an acknowledgement correspondence stating that their request has been received within 5 working days of receipt of a request. The OPCC can refuse to answer a request that is too general, although some correspondence will be sent back to the requester to ask for extra information, offering them advice and assistance and to help to clarify or rephrase their request.

The requester will receive a full response within one calendar month unless a time extension is applied due to consideration of an exemption. If the one-month timescale is unlikely to be adhered to, then the requestor will be contacted within the original one month with an explanation as to why this is and confirmation that an extension of time needs to be applied. The time extension can be extended for a further two months if the request is complex or if we have received a number of requests from the same person. The response correspondence will also confirm whether or not the OPCC holds any of the information requested; if information is held then it will be released, unless exempt from disclosure under one of the exemptions under the DPA/UK GDPR.

In most cases the OPCC cannot charge a fee for supplying the requested information however, fees can be charged for requests that are deemed manifestly unfounded and/or excessive, and if the requester asks for further copies of personal data that has already been supplied to them. Any fee for handling a request will be reasonable and will reflect the administrative costs of complying with the request. Any fee for handling a request will be communicated to the requester accordingly and must be paid before release of any data.

Where the OPCC claims that the request is deemed manifestly unfounded and/or excessive then they will provide advice and assistance to help the requestor to refine the request. If this cannot be achieved then the request will be refused.

Under DPA/UK GDPR the OPCC need to process personal data lawfully so the OPCC will ask for two forms of identification one photo ID and one address ID (passport/driving licence/utility bill) before the SAR will be processed this is to ensure the requester is the data subject who the personal data is about.

For more information on SAR please see the ICO's website - <https://ico.org.uk/media/for-organisations/documents/2259722/subject-accesscodeofpractice.pdf>

How to make a request for information under SAR (DPA/UK GDPR)

Requests for a copy of your own personal information must be sent into the OPCC for consideration.

For a SAR request to be valid it must:

- a) be in writing or verbal;**
- b) include a name and address for correspondence (email address is sufficient);**
- c) detail the information requested.**
- d) include two forms of ID – photo ID and address ID. (scanned copy or photocopy of ID will suffice)**

Requests should be sent via email to:

[Contact Us | Office of the Derbyshire Police and Crime Commissioner \(derbyshirepcc.gov.uk\)](mailto:contact@derbyshirepcc.gov.uk)

or by post to:

The Office of the Police and Crime Commissioner for Derbyshire
Butterley Hall Ripley
Derbyshire DE5 3RS

NOTE - Please ring – 0300 122 600 if any additional help with submitting an information request is needed.

Information requests from Children

Any requests for personal data (SAR) from an individual under the age of 18 years old will be classed as a request from a child.

Children can request access to their own personal information from the OPCC at any time and the OPCC on receipt of a request will assess whether the child is mature enough to receive a copy of that information and understand it. If it is felt that releasing the information to the child may place the child at risk of harm or the OPCC determine that the child does not have sufficient maturity to digest the information, then the OPCC will arrange to send the information to the parent, carer or person who has parental responsibility for the child instead, whilst taking into account the best interests of the child and any concerns raised or identified regarding;

- any consequences of allowing a parent, carer or person who has parental responsibility access to the child's personal data;
- any detriment to the child if individuals with a parent, carer or person who has parental responsibility access the child's personal data;
- any views the child or young person has on whether individuals with a parent, carer or person who has parental responsibility should have access to information about them;
- any duty of confidence owed to the child or young person;
- any court orders relating to parental access or responsibility that may apply;
- the nature of the personal data.

How to make a request for information as a child

Requests for a copy of your personal information must be sent into the OPCC for consideration.

For a SAR request to be valid it must:

- a) be in writing or verbal;**
- b) include a name and address for correspondence (email address is sufficient);**
- c) detail the information requested.**

d) include form of ID – passport, birth certificate, bus pass, student pass, B-Line card etc. (scanned copy or photocopy of ID will suffice)

Requests should be sent via email to:

[Contact Us | Office of the Derbyshire Police and Crime Commissioner \(derbyshirepcc.gov.uk\)](https://www.derbyshirepcc.gov.uk)

or by post to:

The Office of the Police and Crime Commissioner for Derbyshire
Butterley Hall
Ripley
Derbyshire DE5 3RS

NOTE - Please ring – 0300 122 600 if any additional help with submitting an information request is needed.

Requests from parents, carers or individuals who have parental responsibility

All personal information belongs to the data subject who the information is about, regardless of their age. This means that anyone else wanting to view that information to provide proof that they are entitled to ask and receive this information. Normally this will be the parent, carer or the person who has parental responsibility for the child. In the cases of non-resident parents, the OPCC may also need to undertake further checks to ensure that releasing the information will not place anyone at risk.

For children who are capable enough to understand the SAR process, they should be involved in the application process and be asked for their consent. The OPCC will only allow a parent, carer or person who has parental responsibility to exercise SAR rights on behalf of a child if the child authorises them to do so, or when the child does not have sufficient understanding to exercise the rights for themselves, or when it is evident that this is in the best interests of the child.

Proof of identity of the individual with a parent, carer or person who has parental responsibility will be asked for, as well as any other supporting evidence the OPCC requires before release of any personal data.

Making a request for a child's information

Requests for a child's personal information must be sent into the OPCC for consideration.

For a SAR request to be valid it must:

- a) be in writing or verbal;**
- b) include a name and address for correspondence (email address is sufficient);**
- c) detail the information requested.**
- d) include two forms of ID – photo ID and address ID Proof of parental/carer responsibilities. (scanned copy or photocopy of ID will suffice)**

Requests should be sent via email to:

[Contact Us | Office of the Derbyshire Police and Crime Commissioner \(derbyshirepcc.gov.uk\)](https://www.derbyshirepcc.gov.uk)

by post to:

The Office of the Police and Crime Commissioner for Derbyshire
Butterley Hall
Ripley
Derbyshire DE5
3RS

NOTE - Please ring – 0300 122 600 if additional help with requesting the personal data is needed.

Requests from third parties – solicitors, companies, family members or friends

All personal information belongs to the data subject who the information is about. This means that anyone else wanting to view the information of another data subject needs to provide proof that they are entitled to ask and receive this information. This is normally proven through a power of attorney, a court order or a written consent document signed from the data subject themselves.

Proof of identity will be asked for as well as any other supporting evidence the OPCC requires before release of any personal data.

How to make a third-party data request for someone else's information

Requests for someone else's personal information must be sent into the OPCC for consideration.

For a third-party SAR request to be valid it must:

- a) be in writing or verbal;**
- b) include a name and address for correspondence (email address is**

sufficient);

c) detail the information requested;

d) for companies only – details of why the personal data is needed;

e) include two forms of ID – photo ID and address ID. (scanned copy or photocopy of ID will suffice)

f) Authorisation from the data subject

Requests should be sent via email to:

[Contact Us | Office of the Derbyshire Police and Crime Commissioner
\(derbyshirepcc.gov.uk\)](https://www.derbyshirepcc.gov.uk/contact-us)

by post to:

The Office of the Police and Crime Commissioner for Derbyshire
Butterley Hall
Ripley
Derbyshire DE5
3RS

NOTE - Please ring – 0300 122 600 if additional help with requesting the personal data is needed.

Exemptions and Public Interest Test

There are a number of exemptions/exceptions under the FOIA, EIR, DPA and UK GDPR, where the OPCC is not required to provide the information requested. In cases where the OPCC considers a request is subject to an exemption/exception, consideration will be given as to whether or not the information can be disclosed.

Some exemptions/exceptions are absolute, meaning there are no obligations to release the requested information (although there may be other reasons outside the relevant legislations to do so). A qualified exemption/exception means that the OPCC has to assess the balance of the public interest for and against disclosure, and this decision is reached through utilising a public interest test exercise.

A public interest test is where the OPCC weighs the harm that disclosing the requested information would cause against the harm caused if the requested information wasn't disclosed. It is normally documented like a for and against decision making process and each request will be considered on a case-by-case basis. The OPCC will take into account any public interest arguments, the rights of data subjects or any third parties, legal and contractual obligations and any issues of information access and security.

The OPCC will follow the below process when applying the public interest test -

- Identify the relevant public interest considerations in favour of disclosure
- Identify the relevant public interest considerations against disclosure
- Determine the weight of the public interest considerations in favour of and against disclosure and come to a conclusion about whether the factors favouring non-disclosure are strong enough to outweigh the factors in favour of disclosure (taking into account the presumption in favour of disclosure).

The public interest test requires that for information to be withheld, the factors against disclosure must ultimately override public interest considerations in favour of disclosure.

Information will only be withheld in accordance with the exemptions specified by the FOIA, EIR, DPA and the UK GDPR, and the reasons for applying the exemption/s will be provided to the requester (unless, providing this information would essentially reveal the very information the exemption is trying to protect) in the response correspondence, including a thorough, easy to understand and well laid out public interest test, where applicable.

A full list of the exemptions can be found on the ICO's website:

FOIA

- For more information regarding exemptions please visit -

<https://ico.org.uk/fororganisations/guide-to-freedom-of-information/refusing-a-request/>

EIR – For more information regarding exemptions please visit -

<https://ico.org.uk/fororganisations/guide-to-the-environmental-informationregulations/refusing-a-request/>

DPA/UK GDPR – For more information regarding exemptions please visit -

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-generaldata-protection-regulation-UK GDPR/exemptions/>

Vexatious and repeated requests

The OPCC is not obliged to comply with vexatious or repeated requests for information. Where the OPCC considers that a request may be vexatious or repeated, it will review the case and will make a decision, whether or not the request should be considered vexatious or repeated.

The OPCC will follow the ICO advice and guidance on vexatious and repeated requests. Where a request is considered vexatious or repeated, the requester will be provided with some response correspondence detailing this and any next steps.

For more information on vexatious requests please visit the Information Commissioner's Office website - [Information Commissioner's Office \(ICO\)](#)

The OPCC may also deal with any vexatious individuals under the OPCCs Unreasonable and Unreasonably Persistent Complainants and Vexatious Complaints Policy - [Policies, Procedures and Guidance Documents | Office of the Derbyshire Police and Crime Commissioner \(derbyshire-pcc.gov.uk\)](#)

Re-use of Public Sector Information (RPSI)

A European Directive came into force on 1st July 2005, which allows individuals to apply to re-use public information held by public bodies. The directive does not provide access to the information itself, and any information needs to be sought under information regimes such as the FOIA and EIR. Re-use means using the information received for a purpose other than the purpose for which the information was originally produced (including commercial purposes).

Requesters who want to make a request for re-use must submit a request in writing to the OPCC, with their name and address for correspondence, and specify the information they want to re-use and the purpose they intend to use it for.

The OPCC will respond to requests for re-use promptly.

Requesters will receive an acknowledgement correspondence stating that their request has been received within 5 working days of receipt of a request. The requester will receive a full response within 20 working days, unless the information is extensive, or the request raises complex issues. If the 20-working day timescale is unlikely to be adhered to, then the requestor will be contacted within the original 20 working days with an explanation as to why this is and confirmation that an extension of time needs to be applied.

The RPSI does not apply to information that has or would be exempt from disclosure under the FOIA or EIR.

For more information, please visit the Information Commissioner's Office website [Guide to RPSI | ICO](#)

Requests should be sent via email to:

[Contact Us | Office of the Derbyshire Police and Crime Commissioner \(derbyshirepcc.gov.uk\)](#)

or by post to:

The Office of the Police and Crime Commissioner for Derbyshire

Butterley Hall
Ripley
Derbyshire DE5
3RS

NOTE - Please ring – 0300 122 600 if additional help with requesting the personal data is needed.

Information Complaints

Complaints raised by requesters to the OPCC regarding how their data request/personal data has been processed will be processed in line with the details below, and inline with the Data (Access and Use) Act 2025 - [The Data Use and Access Act 2025 \(DUAA\) - what does it mean for organisations? | ICO](#)

Internal review procedure

If a requester is unhappy with the way in which their FOI, EIR, SAR, or RPSI has been handled, they can request an internal review of the decision by contacting the OPCC by the following ways.

Requests should be sent via email to:

[Contact Us | Office of the Derbyshire Police and Crime Commissioner \(derbyshirepcc.gov.uk\)](#)

or by post to:

The Office of the Police and Crime Commissioner for Derbyshire
Butterley Hall
Ripley
Derbyshire DE5 3RS

NOTE - Please ring – 0300 122 600 if additional help with requesting the personal data is needed.

A request for an internal review should be submitted to the OPCC within 40 working days of receipt of the full response from the OPCC to the requester. The requester should specify why they do not agree with the response and what factors they would like the OPCC to take into account as part of the review.

The OPCC will send you an acknowledgement within 5 working days of receipt of your internal review request. The internal review will be dealt promptly, however, the requester will be updated every 30 days of when to expect a response.

The internal review will be dealt with by a senior member of the OPCC staff (normally the OPCCs Chief Operating Officer) and will not be the same staff member who made the original decision regarding the information request response. This is to ensure that a fair and transparent review process is undertaken, and no prejudice is involved.

After an internal review

After an internal review, if a requester remains dissatisfied with the handling of their request, they have a right to appeal to the ICO at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire, SK9 5AF.
Telephone: 0303 123 1113
Website: www.ico.gov.uk

Transparency

As well as responding to requests for information we also publish information proactively. For transparency and accountability reasons all FOI and EIR requests are published on the OPCC website.

For more information regarding previous FOI/EIR requests please visit the OPCC website - [Public Information | Office of the Derbyshire Police and Crime Commissioner \(derbyshire-pcc.gov.uk\)](http://Public%20Information%20|%20Office%20of%20the%20Derbyshire%20Police%20and%20Crime%20Commissioner%20(derbyshire-pcc.gov.uk))

Records Management

The OPCC will manage its records in line with the OPCC Retention and Destruction Policy. The OPCC will manage its records effectively and systematically to ensure information retrieval is simple, timely and meets legislative, regulatory and ethical requirements.

For more information regarding records management please visit the OPCCs website - [Public Information | Office of the Derbyshire Police and Crime Commissioner \(derbyshire-pcc.gov.uk\)](http://Public%20Information%20|%20Office%20of%20the%20Derbyshire%20Police%20and%20Crime%20Commissioner%20(derbyshire-pcc.gov.uk))

For more information regarding records management please visit the ICO's website - [Information Commissioner's Office \(ICO\)](#)

Linked Policies

This Policy also links in with the OPCC Data Protection Policy which is available on the OPCC website - [Policies, Procedures and Guidance Documents | Office of the Derbyshire Police and Crime Commissioner \(derbyshire-pcc.gov.uk\)](#)

Policy Review

This policy will be reviewed every three years. However, it will be updated as necessary to reflect best practice and to ensure compliance with changes in any relevant legislations and laws.

END