



**Derbyshire
Police and Crime
Commissioner**

Protecting Communities,
Fighting Crime



**Office of the Police and Crime
Commissioner for Derbyshire**

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DE5 3RS

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pccoffice@derbyshire.pnn.police.uk

www.derbyshire-pcc.gov.uk

Date 02/09/2022

Good Afternoon,

FOI Request: FOI/17/2022

I write in connection with your request for information processed under the Freedom of Information Act 2000 and sent to the Police and Crime Commissioner for Derbyshire on the 28/06/2022, regarding the Homelessness Paramedic Project.

Please note that under the Freedom of Information Act 2000 we have applied **Section 40 (2) Personal Data** exemption to some of the data contained within the documents. For ease of identification any redactions will be clearly marked by the word **REDACTION**.

Exemptions

The OPCC has assessed the information requested and has determined that Section 40 (2) of the Freedom of Information Act (FOIA) 2000 (Personal data of a third party), applies to some of the information you have requested.

Personal information for instance, would refer to anything which could identify an individual – (in this case, names and email addresses of third parties). The OPCC has determined that this information should be exempt from disclosure by virtue of Section 40 (2) FOIA 2000, as disclosing this information to you would contravene the first principle (Lawfulness and Fairness) as set out in the Data Protection Act.

To apply the exemption appropriately, the conditions set out in Section 40 (3) of the FOIA should be satisfied. Section 40 (3) states that where disclosure of the information would contravene any one of the eight principles in the DPA then this data is exempt. The OPCC does not believe that the release of the names and email addresses would be fair or lawful under the terms of the FOIA, as the third parties will have no expectation that their personal information is likely to be released for this purpose and, as such, disclosure of this information would be in breach of their rights under Data Protection.

This letter therefore serves to act as a refusal notice for this information in accordance with Section 17 (1) of the FOIA, therefore the names and email addresses of third parties have been removed from the documents accordingly.

If you are not satisfied with our response to your request, under Section 17 of the FOIA of the FOIA you are entitled to ask for an internal review of our decision. Any internal review needs to be submitted within two months of the date of receipt of this response and state why you are unhappy with the response. You can submit an internal review in the following ways:

- emailing the OPCC Inbox – PCCOffice@Derbyshire.PNN.Police.UK or;
- writing to the OPCC at –
The Office of the Police and Crime Commissioner for Derbyshire
Butterley Hall
Ripley
Derbyshire
DE5 3RS

By phone – 0300 122 6000 (as a reasonable adjustment under the Equality Act 2010).

If you are not satisfied with the outcome of the internal review under Section 50 of the FOIA you can apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the internal review procedure provided by the OPCC. You can contact the ICO in the following ways:

- online at the ICO – <https://ico.org.uk/global/contact-us/> or;
- writing to the ICO at –
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Roman' with a stylized flourish at the end.

Marie Romano
Head of Governance and Compliance
On behalf of the Police and Crime Commissioner