



Mae'r ddogfen hon ar gael yn Gymraeg yn ogystal â Saesneg.

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COMISIYNYDD
HEDDLU A THROSEDDU
DYFED-POWYS
POLICE AND CRIME
COMMISSIONER

FOI Ref: OPCC 2-16

Request

I'd like to request the appointment diary of the Police & Crime Commissioner from 1st July 2015 to 31st December 2015.

1. Please provide the time and date of each appointment or event, and a summary of what it was about. The estimated duration of the appointment would be appreciated if it is easily accessible.

('Meeting with Chief Constable' would, for instance, be fine as a summary – I'm not looking for a detailed agenda for each appointment.)

I'm not interested in appointments where someone deputised for the PCC.

2. Please also indicate dates when the PCC was on leave.
3. Where entries need to be redacted, please still provide the time and date of the appointment, as part of my research is to establish how many meetings the PCC has had.

It would be immensely helpful if the information could, if possible, be provided as a spreadsheet.

Responses 1 & 3:

I can confirm that the Office of the Police and Crime Commissioner (OPCC) does hold the requested information (please see the attached PDF document 'Response OPCC 2-16 PDF; however it has been necessary to apply a Section 40(2) Personal Information exemption to that information in-part. (Please see details of the exemption applied at the end of this response).

In addition to the above, I have included some reference notes which may be helpful:

Team meeting – Weekly staff team meeting

Policing Accountability Board (PAB) – Governance Meeting. More information available at:

<http://www.dyfedpowys-pcc.org.uk/en/work-with-me/dyfed-powys-police/policing-accountability-board/>

Policing Board (PB) – Governance Meeting. More information available at: [http://www.dyfedpowys-](http://www.dyfedpowys-pcc.org.uk/en/work-with-me/dyfed-powys-police/policing-board/)

[pcc.org.uk/en/work-with-me/dyfed-powys-police/policing-board/](http://www.dyfedpowys-pcc.org.uk/en/work-with-me/dyfed-powys-police/policing-board/)

Police and Crime Panel – Governance Meeting. More information available at: [http://www.dyfedpowys-](http://www.dyfedpowys-pcc.org.uk/en/monitoring-me/police-and-crime-panel/)

[pcc.org.uk/en/monitoring-me/police-and-crime-panel/](http://www.dyfedpowys-pcc.org.uk/en/monitoring-me/police-and-crime-panel/)

Residents' Panel – Complaints Scrutiny Volunteer Panel. More information available at: [http://www.dyfedpowys-](http://www.dyfedpowys-pcc.org.uk/en/work-with-me/volunteer/residents-panel/)

[pcc.org.uk/en/work-with-me/volunteer/residents-panel/](http://www.dyfedpowys-pcc.org.uk/en/work-with-me/volunteer/residents-panel/)

Joint Audit Committee (JAC) – Audit Scrutiny Meeting. More information available at: [http://www.dyfedpowys-](http://www.dyfedpowys-pcc.org.uk/en/work-with-me/dyfed-powys-police/the-joint-audit-committee/)

[pcc.org.uk/en/work-with-me/dyfed-powys-police/the-joint-audit-committee/](http://www.dyfedpowys-pcc.org.uk/en/work-with-me/dyfed-powys-police/the-joint-audit-committee/)

Independent Custody Visitors (ICVs) – Custody Volunteer Scheme. More information available at:

<http://www.dyfedpowys-pcc.org.uk/en/work-with-me/volunteer/independent-custody-visitors/>

Your Voice Days (YVD) – PCC public visits to communities within Dyfed-Powys. Information available at:

<http://www.dyfedpowys-pcc.org.uk/en/what-i-do/listening-to-you/your-voice-days/>

Local Criminal Justice Board (LCJB/ CJB) – Meeting of Dyfed-Powys Criminal Justice Partners. More information available at: <http://www.dyfedpowys-pcc.org.uk/en/work-with-me/partners/local-criminal-justice-board/>

This is a response under the Freedom of Information Act 2000 and disclosed on the 19th February 2016

Public Service Bureau (PSB) – Low-level concerns and dissatisfaction team. More information available at: <http://www.dyfedpowys-pcc.org.uk/en/what-i-do/listening-to-you/complaints-compliments-queries/public-service-bureau/>

Catch Up Call With Welsh PCCs – Fortnightly meeting catch up with the Welsh PCCs.

All Wales Policing Group (AWPG) – Quarterly meeting.

Response 2:

I can confirm that the Office of the Police and Crime Commissioner (OPCC) does hold the requested information; however it has been necessary to apply a Section 40(2) Personal Information exemption to the whole of that information. (Please see details of the exemption applied at the end of this response).

Section 40 (2) Personal Information:

Section 40(2) applies to third party personal data and is exempt from disclosure under the Freedom of Information Act 2000 if disclosure would breach any of the data protection principles contained within Part 1 of Schedule One under Section 4 (1) and (2) of the Data Protection Act 1998. Such information would not be released under the Freedom of Information Act 2000 unless there is a strong public interest. One of the main differences between the Freedom of Information Act 2000 and the Data Protection Act 1998 is that any information released under FOI is released into the public domain, not just the individual requesting the information and disclosure under the Act must be made with that in mind. As such, any release that identifies an individual through releasing their personal data, even third party personal data is exempt.

Personal data is defined under Section 1 (1) (e) of the Data Protection Act (1998) as:

“... data which relate to a living individual who can be identified-

(a) from those data, or

(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual. “

Personal data is also defined under the Data Protection Act (1998) as data that is biographical in nature, has the applicant as its focus and/or affects the data subject's privacy in his or her personal, professional or business life. All members of the public including those employed by the force have an intrinsic right to privacy and these rights are protected by virtue of the Human Rights Act and the Data Protection Act, and a public authority must not interfere with that right. Any release of the information subject to the exemption is likely to compromise those rights.

Principle One:

“Personal data shall be processed fairly and lawfully and in particular shall not be processed unless

(a) at least one of the conditions in Schedule 2 is met, and

(b) in the case of sensitive personal data at least one of the conditions in Schedule 3 is also met.”

Dyfed-Powys Police would not want to disclose details, such as names of individuals or information relating to an individuals' personal life, which could lead to the identification of an individual as to do so would be a direct breach of Principle 1 of the Data Protection Act regarding the fair and lawful processing of information.

The section 40 exemption is a class-based exemption. This means that the legislators when writing the legislation considered that the release of such information under the Freedom of Information Act 2000 would cause harm to the public authority or individual concerned. There is therefore no requirement to carry out a HARM Test in respect of such information.

The section 40 exemption is also in part qualified and in part absolute, in the present case it would be absolute as to release the information would breach principle 1 of the Data Protection Principles which is the fair and lawful processing of data, and therefore there is no requirement to carry out a public interest test.