

Information Disclosure

Dyfed Powys Police have a duty to ensure that any information disclosures made are lawful and made within the relevant legislation. The following may be of assistance to you when submitting requests for information to Dyfed Powys Police.

Freedom of Information Act 2000

The Freedom of Information Act (FOI) provides the public with a general right of access to information held by public authorities. There are however exemptions to this within the Act. There are time limits within the Act, which require the Force to deal with all requests for information promptly, but no later than 20 working days after receipt. The 20-day clock starts the day after the Force receives the request.

There are a number of exemptions within the Act that the Force may apply to information requested. Exemptions that may be applicable would include, but are not necessarily limited to, Section 30 (Investigations), Section 31 (Law Enforcement), Section 38 (Health and Safety) and Section 40 (Personal information- see item below regarding the Data Protection Act). A number of exemptions carry a Public Interest Test this means that information may be withheld under the public interest test if the public interest in maintaining the exemptions outweighs the public interest in disclosing the information. Alternatively information may be released under the Public Interest Test if the public interest in releasing the information outweighs the public interest in maintaining the exemptions. Each request is considered on a case-by-case basis. Information released under the Freedom of Information Act 2000 is considered as being released to the World at large.

Data Protection Act 1998

The Subject Access provisions of the Data Protection Act gives an individual the right to have a copy of any personal data held about them, subject to certain exemptions. **Section 7 of the Data Protection Act 1998** states that a "data subject" (the person about whom the personal data refers) is entitled, upon written request, to be informed whether or not personal data is held or processed about them. It is not possible to obtain information regarding third parties under the Data Protection Act 1998.

Should you wish to know what information (if any) Dyfed-Powys Police holds about you, or you would like confirmation that you do, or do not have a prosecution/conviction history; you must complete a Subject Access form. Payment of a £10.00 fee, proof of identification and sufficient information to allow us to locate your personal data must accompany a completed application form.

Dyfed Powys Police has a duty to ensure it processes personal information in line with the Data Protection Act; it is essential that both staff and members of the public are confident that Dyfed Powys Police complies with this duty. Dyfed Powys Police has a duty to ensure that any information it releases is released through the proper disclosure processes and does not result in an unlawful disclosure.

Court Order

It may be possible to obtain information for court purposes through a court order. This should be done through the Court in question.

Environmental Information Regulations

The Environmental Information Regulations provides the right to access environmental information held by public authorities. Requests can be made by letter, e-mail, telephone or in person.

Further information in relation to the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations can be found on the Information Commissioner's website @ www.ico.gov.uk

Further information in respect of information disclosure for court purposes can be located @ www.cps.gov.uk/legal/section20/chapter_f.html

A copy of the Criminal Procedure and Investigations Act 1996 can be located @ www.opsi.gov.uk/acts/acts1996/1996025.htm.

If you have any queries in relation to obtaining information from Dyfed Powys Police please contact either the Freedom of Information Unit or the Data Protection Unit.