

Mr John Brown

Via email to:

<mailto:request-8577-52188233@whatdotheyknow.com>

Our Reference: 46632

3rd March 2009

Dear Mr Brown,

I am writing with reference to your request for information regarding ownership of data on the Police National Computer made under section 1(1) of the Freedom of Information Act 2000.

You asked for the following information:

(a) What is the legal/statutory basis for stating that each force owns the data, e.g. records of convictions which are records of successful prosecutions?

(b) What is the legal/statutory basis for stating that ACPO is the representative owner - ACPO is a limited company, please explain how it acquires "representative" ownership of sensitive public records?

Our responses are as follows:

(a) Each force owns the data as it is the force that makes the initial entry on to PNC of the charge. As the person progresses through the legal system, further information may be added. The end result is the court conviction for what could be a plea to a lesser offence. All of the above data is entered by the police therefore each Chief Constable owns the data that constitutes a PNC record.

(b) ACRO undertakes its responsibility for Chief Constables by way of a data processing agreement. This is compliant with the Data Protection Act and formally records duties and liabilities.

Your right to complain

We take our responsibilities under the Freedom of Information Act seriously but, if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have the right to complain. We will investigate the matter and endeavour to reply within 3 – 6 weeks. You should write to:

Gavin McKinnon
Head of Secretariat
National Policing Improvement Agency
10-18 Victoria Street
London
SW1H 0NN

E-mail: gavin.mckinnon@npia.pnn.police.uk

If you are still dissatisfied following our internal review, you have the right, under section 50 of the Act, to complain directly to the Information Commissioner. Before considering your complaint, the Information Commissioner would normally expect you to have exhausted the complaints procedures provided by the NPIA. The Information Commissioner can be contacted at:

FOI Compliance Team (complaints)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Further information about the NPIA is routinely published on our website at www.npia.police.uk or through our publication scheme. If you require any further assistance in connection with this request please contact us at our address above.

Yours sincerely,

Phil Cundy
Service Improvement Manager
National Policing Improvement Agency

Email: Phil.Cundy@npia.pnn.police.uk

Web: www.npia.police.uk