

**Mr John Brown**

**Via email to:**

<mailto:request-8159-dbc37745@whatdotheyknow.com>

Our Reference: 46535

17<sup>th</sup> February 2009

Dear Mr Brown,

I am writing with reference to your request for information regarding access to PNC records by the ACPO Criminal Records Office made under section 1(1) of the Freedom of Information Act 2000.

You asked for the following information:

- (1) Electronic copies of any correspondence relating to the establishment of the ACRO 'service'.
- (2) What legal authority (including reference to the relevant legislation) does NPIA have to sell/provide PNC data to ACRO for resale.
- (3) Electronic copies of any submission to Ministers and subsequent approval for the purchase/resale of PNC data.
- (4) What control does NPIA have over the charges levied by ACRO and the level of profit achieved.

Our responses are as follows:

- (1) NPIA do not hold information on how ACRO was established and believe that this would be best directed to ACPO (Association of Chief Police Officers).
- (2) Each force Chief Constable owns the information they put onto PNC for their force area. ACPO as a body represents all 44 individual forces in England & Wales and Northern Ireland, and therefore is the representative owner of all PNC records. The NPIA manages the PNC equipment and makes this information available, but does not own the

actual data. ACRO, as part of ACPO can, and does, have access to all PNC records for the policing work that it provides to forces and other agencies. Its Police Certificates business is charged in a similar manner to other agencies that use PNC data for vetting purposes. This was done to ensure no unfair advantage was provided to any one agency or department.

- (3) The authority that governs the NPPIA's ability to charge other government departments comes from within the Managing Public Money guidelines from the Treasury. It states under Fees, Charges & Levies (Section 6.2.10) the following instructions;

"Charges within and among central government organisations should be made at full cost, including the standard cost of capital. To charge otherwise would risk creating unwarranted subsidies or distorting competition."

- (4) NPPIA has no control over any charges levied by ACRO and the level of profit achieved.

### 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](mailto: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

## National Policing Improvement Agency

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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](http://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**

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