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23/10/2018

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 186/18**

Thank you for your request for information regarding audio and video recordings which has now been considered.

**Applicant Question:**

1. Are Service Users or the general public allowed to audio-visually record meeting and calls with your staff? If so, do they require permission or are they permitted to do so covertly?
2. Do you have any guidance or policy for the public or service users to record calls when they speak to your staff?
3. What is your organisations protocol on service users recording calls when they speak to your staff or call centres? Please provide a copy of your policy, procedure and guideline notes on this issue.
4. Do you Inform Users they can record. If the answer is no what is the reason for this please if so do send me a copy.
5. Are service users made aware of their right to record the encounter, if they choose to do so? Is this reflected in you policy document on the matter?
6. Does your organisation have an "Unacceptable Behaviour" policy? If so, please can you provide me with a copy? Regarding court staff the public or the court itself.
7. If such a policy contains points of objectionable behaviour such as telephones calls being recorded by the caller due to them being not necessary or unwanted or needed, and furthermore the staff members may feel threatened or apprehensive, are you aware that denying users the right to record calls goes against the current UK laws.
8. Are your policies and procedures compliant with the public right to audio-visually record encounters with your staff, without their consent? If not, will you provide appropriate training for your staff so they are fully informed of the Public right to record?
9. What is our organisations current charging policy for Freedom of Information requests (FOI) or Subject Access Requests (SAR)? If charges are applied are concessions available for those on low income or students?



10. What is your organisations complaints policy? Please can you forward me a copy? Does your complaints procedure permit service users evidence such as covert call recordings to form part of the investigation?

**NPCC Response:**

Following the dissolution of the Association of Police Chief Officers (ACPO), designation under the Freedom of Information Act did not automatically transfer across to the National Police Chiefs' Council (NPCC). The NPCC, as the new coordinating body, should clearly be open to the same level of scrutiny and transparency as its predecessor and it is anticipated that an Order to bring the NPCC under the auspices of FOIA will be forthcoming. This is currently the responsibility of the Cabinet Office and the NPCC is supporting the Cabinet Office in bringing forward the Order.

In the meantime, the NPCC will comply with the spirit of the Freedom of Information Act and will respond to all requests received as if it were still subject to FOIA. Applicants should note, however, that until the formal designation is in place and the legislation is amended to include the NPCC, the Internal Review process will remain in place but there is no legal basis to pursue complaints to the Information Commissioner's Office.

The NPCC would have responded in the following way:

The NPCC does not hold information captured by your request. The NPCC does not hold any records which provide answers to the questions posed.

In wishing to assist you, I have provided web-links below which may be of interest:

College of Policing Code of Ethics

[http://www.college.police.uk/What-we-do/Ethics/Pages/archive\\_DO\\_NOT\\_DELETE/Code-of-Ethics.aspx](http://www.college.police.uk/What-we-do/Ethics/Pages/archive_DO_NOT_DELETE/Code-of-Ethics.aspx)

Regulation of Investigatory Powers Act 2000

[https://en.wikipedia.org/wiki/Regulation\\_of\\_Investigatory\\_Powers\\_Act\\_2000](https://en.wikipedia.org/wiki/Regulation_of_Investigatory_Powers_Act_2000)

Surveillance Camera Code of Practice

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/204775/Surveillance\\_Camera\\_Code\\_of\\_Practice\\_WEB.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/204775/Surveillance_Camera_Code_of_Practice_WEB.pdf)

Yours sincerely

Sherry Traquair  
Freedom of Information Officer & Decision Maker

[www.npcc.police.uk](http://www.npcc.police.uk)

**COMPLAINT RIGHTS**

Internal Review

If you are dissatisfied with the response you have been provided with, in compliance with the Freedom of Information legislation, you can lodge a complaint with NPCC to have the decision reviewed within 20 working days of the date of this response. The handling of your request will be looked at by someone independent of the original decision, and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

If, after lodging a complaint with NPCC, you are still unhappy with the outcome, you may make an application to the Information Commissioner at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.