



Freedom Of Information

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Information Management

Our ref: FOI 1138536/22

Date: 15/06/2022

Dear Sir/Madam,

Thank you for your request for information received by West Yorkshire Police on 11/04/22.

You requested the following information:

From information disclosed in previously published FOI requests, there are various types of 'markers' on PNC relating to individuals, for example 'wanted', 'locate and trace', 'missing' etc.

1. Please disclose a complete list of these 'markers' used by your force, together with descriptions of each type

This information can be found online via the following link, page 364 Types of Information Markers.
[PNC Manual](#)

2. Please disclose all guidelines on the use of each of these markers. This may include internal policies, standard operating procedures, practice directions, etc.

3. For example, when would police officers use a 'locate and trace' marker as opposed to a 'wanted' marker?

4. Please disclose all documents relating to the review and cancellation of markers, including review schedules, criteria to be considered when removing or cancelling a marker, etc. If this would depend on other factors such as seriousness of the offence or time passed, please also disclose this information.

Please see the attached policy document.

Note we are unable to provide the complete document, therefore redactions have been applied by virtue of Section 31 (1) (a) (b) Law Enforcement.

Please see Appendix A, for the full legislative explanation as to why West Yorkshire Police are unable to provide the information.

5. How is information on PNC markers shared with foreign authorities or police, eg. via PNC itself or via other systems such as Europol and Interpol?

There is information available in the public domain regarding information sharing, please see the links below.

[Code of Practice for the Police National Computer \(PNC\) and the Law Enforcement Data Service \(LEDS\): Glossary \(college.police.uk\)](#)

[Beyond Brexit: policing, law enforcement and security \(parliament.uk\)](#)

[International Enquiries Policy \(144/2021\) \(sussex.police.uk\)](#)

6. Are there any sets of circumstances that would always result in foreign authorities being notified, e.g. if a foreigner has gone missing or is wanted, would an international alert always be issued regardless of the case's specific circumstances or whether the individual is indeed abroad?

No information is held.

7. For the responses to Q5 and Q6, please also elaborate if Brexit has had an impact on this (e.g. would it be that before Brexit, when a European national was missing or wanted in the UK, all EU countries would be alerted, but currently this is no longer the case)

As of 2300 31/12/20 the UK can no longer access SISII , a pan-European database that circulates real-time information alerts between participating countries in relation to people and property , they now have to use similar international tools such as [Interpol I-24/7](#) and [Interpol notices](#).

This is also covered in the link provided for Q5.

COMPLAINT RIGHTS

If you are not satisfied with how this request has been handled or with the information provided. Please read the advice notice attached to this letter. If you do wish to take up your right of Complaint, please remember to quote the reference number above in any future correspondence.

Yours sincerely,

Emily Dawson
Disclosure Officer.

Appendix A

The Freedom of Information Act 2000 creates a statutory right of access to information held by public authorities. A public authority in receipt of a request must, if permitted, state under Section 1(a) of the Act, whether it holds the requested information and, if held, then communicate that information to the applicant under Section 1(b) of the Act.

The right of access to information is not without exception and is subject to a number of exemptions which are designed to enable public authorities, to withhold information that is unsuitable for release. Importantly the Act is designed to place information into the public domain. Information is granted to one person under the Act, it is then considered public information and must be communicated to any individual, should a request be received.

DECISION

Your request for information has been considered and I regret to inform you that West Yorkshire Police cannot comply. This letter serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000.

Section 17 of the Act provides:

(1) A public authority which, in relation to any request for information, is to any extent relying on a claim that information is exempt information must, within the time for complying with Section 1(1), give the applicant a notice which:-

- (a) States the fact,
- (b) Specifies the exemption in question, and
- (c) States (if that would not otherwise be apparent) why the exemption applies.

REASONS FOR DECISION

The reason that we are unable to provide you with this information is covered by the following exemption:

Section 31 (1) (a) (b) Law Enforcement

Section 31 is a qualified prejudice-based exemption and therefore I am required to provide evidence of harm and consider the public interest test.

Harm

A policy document is created as a guide for operational officers and staff within West Yorkshire Police on their duties and expectations. In this case, details of the use of PNC. Therefore, this document contains information that if disclosed to the public would enable those intent on doing so undermining the work of West Yorkshire Police officers and staff conducting their duties to prevent and detect crime.

Factors favouring disclosure

Disclosure of the full policy would ensure public trust by West Yorkshire Police demonstrating openness and transparency.

Factors favouring non-disclosure

If disclosed in full the PNC policy document would make public details of how a specific policing system is used and the processes undertaken by operational officers and staff within West Yorkshire Police. This information can then be used by those intent on criminal activity to alter their behaviour and undermine the efforts of West Yorkshire Police in the prevention and detection of crime.

Balance test

Whilst West Yorkshire Police recognise the importance of remaining open and transparent and disclosing the policy in full would support this, the consequences of any disclosure must also be

considered. In this case disclosing an unredacted copy of the PNC policy document would undermine policing capabilities and enable those intent on committing criminal activity to avoid detection. Therefore it is not in the public interest to disclose this information and weaken West Yorkshire Police's ability to protect the public.

COMPLAINT RIGHTS

If you are dissatisfied with the handling procedures or the decision of West Yorkshire Police, made under the Freedom of Information Act 2000 regarding access to information, you can lodge a written complaint to have the decision internally reviewed.

A West Yorkshire Police internal review of your decision, will be carried out by a member of staff who is fully trained in interpreting Freedom of Information legislation. The review will be independently conducted, regardless of the original decision made.

Complaints will only be treated as valid, if they are received by West Yorkshire Police within a 60 day timeframe from the date of the decision letter. They must include the original FOI Reference Number and can only be submitted in writing, by using the following contact details:

foi@westyorkshire.pnn.police.uk

Or

West Yorkshire Police
FOI Internal Reviews
PO Box 9
Laburnum Road
Wakefield
WF1 3QP

In all possible circumstances, West Yorkshire Police will aim to complete and respond to your internal review within 20 working days. However this date may be extended in exceptional circumstances, by another 20 working days.

The Information Commissioner

If you are still dissatisfied with the internal review decision, made by West Yorkshire Police. You can then make an application to the Information Commissioner, for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.gov.uk

Alternatively, you can phone their helpline or write to them at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
FOI Help Line: 0303 1231113

Police National Computer - People

Contents

Policy Statement	2
Principles.....	2
Nominal Enquiries/QUEST Searches	3
Wanted Person Circulations	4
Warning Signals	5
Types of Warning Signals	5
Creating and Amending	8
PNC Bureau Responsibilities	9
Orders and Injunctions	10
Types	10
Responsibilities	12
Receiving Orders in PNC Bureau.....	12
Reporting Death of a Nominal	13
Additional Information	14

Policy Statement

Summary	<p>The PNC Bureau is responsible for updating and interrogating the Police National Computer regarding people (nominal) information on behalf of West Yorkshire Police (WYP) employees.</p> <p>This policy procedure outlines how PNC can be used as an investigative tool and to record information about nominals.</p> <p>This policy explains the types of warning signals and orders and injunctions that can be put on PNC, how to make a nominal enquiry and search on QUEST, how to circulate a person as wanted, how to create and amend warning signals to help staff dealing with nominals, and how to enter orders and injunctions on PNC.</p>
Scope	<p>This policy applies to all police officers, police staff, special constables and police community support officers.</p>

Principles

Employee Undertaking	<ul style="list-style-type: none"> • Employees of WYP are accountable for their own actions and their use of PNC data. • Individuals must not, on any account, carry out checks on their own vehicle or people or vehicles connected to them or of any interest to them under any circumstances. • Individuals must only search PNC for a law enforcement purpose or a legitimate policing purpose, i.e.: <ul style="list-style-type: none"> ○ Prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security; ○ Protecting life and property; ○ Preserving order; ○ Preventing the commission of offences; ○ Bringing offenders to justice; and ○ Any duty/responsibility of the police arising from common or statute law.
Breaches	<p>Breaches of this policy procedure may result in the employee being liable to a discipline and/or a criminal investigation as follows:</p> <ul style="list-style-type: none"> • Breaches by any WYP employee will be considered a serious disciplinary or

- legal matter and be dealt with accordingly; and
- Access to the WYP network will be terminated until the matter has been investigated.

All suspected breaches of this policy procedure must be reported immediately to the Force Information Security Officer (ISO) via the [Security Incident Reporting mailbox](#).

Nominal Enquiries/QUEST Searches

Principles

QUEST (Query Using Extended Search Techniques) is a tool which allows searching of the PNC PHOENIX system using any of the following parameters:

- S31(1) [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

QUEST can be used for operational reasons for the law enforcement purpose in line with the Data Protection Act 2018 or for a legitimate policing purpose in line with MOPI 2005; and can be used for intelligence gathering or for statistical purposes. For examples, individuals could use it to:

- S31(1) [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
-

Making an enquiry

- S31(1) [REDACTED]
- [REDACTED]
- [REDACTED]
- A number of staff within WYP are trained to carry out QUEST searches and a list of them is available on the [PNC Bureau intranet site](#).
- The majority of staff in the PNC Bureau are also trained on QUEST. The PNC Bureau can be contacted via S31(1) [REDACTED]
- [REDACTED]
- PNC Operators conducting a QUEST search must ensure the following is carried out:
 - The originator field on PNC clearly shows the reason for the enquiry

- and the person requesting it; and
 - A copy of any result obtained must be retained by the operator in line with the Force retention guidelines as it may be required in evidence.
-

Wanted Person Circulations

General

- Persons can be wanted for a variety of reasons. The PNC Bureau is responsible for circulating and cancelling all persons wanted by WYP on PNC.
-

Principles

If the person is wanted for a crime, individuals must:

- Record the crime on NICHE;
- Have the circulation authorised by an inspector on the Occurrence Enquiry Log (OEL); and
- Task details to the PNC Bureau for circulation.

If the person is wanted for breach of bail, individuals must:

- Record the crime on NICHE;
- Complete the MG8 with details of breach and next court date and attach to NICHE;
- Have the circulation authorised by an inspector on the OEL; and
- Task details to the PNC Bureau for circulation.

If the current whereabouts of the person is wanted but the person is **not** to be arrested, individuals must:

- Update the NICHE OEL, requesting a locate trace marker, including reason for the request, officer dealing and external contact telephone number; and
- Send a task to the PNC Bureau.

Note: if the person is wanted on warrant, the court will contact the PNC Bureau who will complete any necessary PNC circulations.

Where the circulation is no longer required/justified, a NICHE task must be sent to the PNC Bureau requesting the removal of the circulation. NICHE must be recorded appropriately as to why the circulation is no longer required.

Warning Signals

General

- PNC displays a number of coded warning signals within a nominal record to help staff dealing with the recorded person.
- Warning signals are used to alert the police or any authorised agency of a potential risk to officers or the individual.
- It is important that officers/staff who identify a risk appropriately request the warning signal via WYP local systems so that the PNC Bureau can create the warning signal on PNC.

IMPORTANT

- In these cases the operator passing the information must ensure that the person being checked cannot overhear the warning information.

Types of Warning Signals

Summary

The following table outlines the different warning signals:

PNC Code	Meaning
S31(1)	<ul style="list-style-type: none"> • This signal may be used to warn staff dealing with the individual that they may make false or unwarranted allegations against the police. • It may be appropriate to create a separate signal for each time such an allegation is made to assist in the review process.
S31(1)	<ul style="list-style-type: none"> • This signal may be used to cater for both ailments and disabilities. The ailment may be temporary or permanent and will provide advice to anyone dealing with the subject that they may suffer from a medical condition and/or require medication e.g. epileptic, alcoholic, heart condition. • This must not be used to record minor medical conditions which have no relevance to the future care of the individual in custody. • Wherever possible, medical evidence must be obtained to support the information.
S31(1)	<ul style="list-style-type: none"> • May conceal items when placed into custody, including mobile phones, lighters etc., all of which pose an issue to health and safety of officers and individuals, or could have a

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	<p>detrimental effect on the investigation of crime.</p> <ul style="list-style-type: none"> • The text must include the item and where it was concealed. • It must not be used where the concealment refers to weapons or drugs, and this information must be added to the weapons or drugs marker accordingly. • It may be appropriate to create a separate signal for each time a concealment is identified to assist in the review process.
S31(1)	<ul style="list-style-type: none"> • The individual may be a hazard to others as a carrier of disease which is contagious. • This warning signal may be particularly useful in drawing a custody officer's attention to a detainee who is suffering from hepatitis or scabies. • Use of this signal for short term illnesses is not recommended. • HIV or AIDS is not considered to be contagious in the context of this signal. • Wherever possible, medical confirmation of the nature of the disease or condition would be advantageous.
S31(1)	<ul style="list-style-type: none"> • May be in unlawful possession of a controlled drug. • The purpose of this signal is to alert anyone dealing with this person that they may have drugs with them. • The type of drug or the reason for the possession must be recorded. • The signal is not restricted to supply or production. It may, for example, be used to bring attention to the fact that they have needles in their pockets. • Under Mandatory Drugs Testing legislation, a person can be tested for heroin, cocaine or crack cocaine whilst in custody. If this is positive, a DR warning signal must be created. Suggested text for this would be "<i>POSITIVE DRUGS TEST - <name of drug></i>" as appropriate. Certain prescription drugs can give false readings however, and forces must have a system in place to remove the marker immediately if the positive drugs test is rescinded.

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S31(1)	<ul style="list-style-type: none"> • This signal is intended to indicate that the subject may attempt to escape from custody. • Evidence of previous escape attempts along with details of those attempts must be recorded. • Custody or HMP staff may take additional precautions, particularly when transporting such an individual.
S31(1)	<ul style="list-style-type: none"> • Intelligence or conviction information exists to suggest that the individual has used or may use or possess firearms or imitation firearms for the purpose of committing crime.
S31(1)	<ul style="list-style-type: none"> • The subject may impersonate a person, profession, occupation, trade, vocation, e.g. police or ambulance. • Can also be used to refer to individuals who groom others on the internet.
S31(1)	<ul style="list-style-type: none"> • The subject is known to suffer from a mental condition or disorder. Psychiatric confirmation may be desirable. • Likely behavioural activity or risks must be recorded.
S31(1)	<ul style="list-style-type: none"> • This signal must be used where information suggests that the subject may cause harm to themselves, but where the harm is not considered to be a suicide attempt. • Self-mutilation history or deliberate harm in order to support allegations against the police would be appropriate.
S31(1)	<ul style="list-style-type: none"> • Previous history or threats (not idle threats) indicate that the individual may make a determined effort to commit suicide. • Information such as method likely to be used would be desirable. • This signal is not restricted to suicide attempts while in custody.
S31(1)	<ul style="list-style-type: none"> • This signal can be used to indicate that an individual may be violent. • It is not restricted to violent behaviour towards police alone. It may, for example, be used to indicate previous domestic abuse or violence towards particular groups of people. • A conviction for common assault alone would not normally warrant a violent warning signal. It must be remembered that to record a signal for any

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	<p>minor violent act could undermine the effectiveness of this marker.</p> <ul style="list-style-type: none"> • An individual who uses the fact that they are suffering from HIV/AIDS to threaten police may have this signal recorded.
S31(1)	<ul style="list-style-type: none"> • The individual has used a weapon to commit an offence or intelligence suggests that they may carry a weapon unlawfully. • It may also be used to indicate if blades etc. are deliberately secreted about their person when in custody. • The type of weapon and information as to where it might be concealed must be recorded.
S31(1)	<ul style="list-style-type: none"> • May possess explosives for a criminal purpose.

Creating and Amending

General

- The PNC Bureau manually create, amend and weed warning signals; and provide advice on ext S31(1)
- Generally, a PNC warning signal can only be added to a PNC nominal record that is already in existence. However, where a person is assessed as suicidal or likely to self-harm and does not have an existing PNC nominal record, a PNC nominal record can be created using an Operational Information police report S31(1)
- PNC Bureau can be informed about warning signal information in a number of ways.

When in custody

- Where a person is in custody, a 'PNC Name Check' must be carried out as part of the booking in procedure, and any warning signals and supporting information noted and acted on.
- In order to assess whether a PNC warning signal is to be created, individuals must:
 - Complete a Risk Assessment of the detained person in line with current policy;
 - If there is any likelihood of self-harm or suicide, include the details in the Risk Assessment;
 - If any part of the Risk Assessment relates to the creation of any other PNC warning signal, include details in the Risk Assessment;
 - If, during custody, a person's Risk Assessment changes, consider whether new/additional information relating to PNC warning signals should be entered on the Risk Assessment;
 - Update the warnings/flags section of the detainee details tab with

any new warning signals relevant to the detained person, together with supporting remarks S31(1) [REDACTED] These warning signals must be shown as verified by 'Police Custody' in the 'verified by' field on Niche; and

- Where a new suicidal or self-harm warning signal is entered on Niche, create a task of type 'PNC Update' with a priority of 'high' and pass to the PNC Bureau, instructing them to process the record as 'high' priority.

When not in custody and other amendments

Where an officer of member of police staff indicates that a PNC warning signal should be created on a person's PNC record, other than when in custody, or a PNC warning signal is no longer accurate or relevant, the following details must be sent via a NICHE occurrence to the PNC Bureau:

- S31(1) [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

PNC Bureau Responsibilities

Suicidal or self-harm

Where Risk Assessment details are received in suicidal and self-harm cases, the following action must be taken:

- Where information is received in respect of a warning signal for suicide or self-harm relating to a person in custody, they must always be entered on PNC **immediately**. If the person does not have a PNC nominal record then one must be created using the Operational Information Vulnerable report and the suicidal or self-harm marker added to the record.
- If a suicidal or self-harm warning signal is requested, but with no supporting information, the warning signal must be entered on PNC **immediately** and then contact made with the custody suite to obtain further information.

PNC Bureau

- Warning signals are entered onto NICHE by custody staff and will normally be entered on to PNC by the PNC Bureau.
- In order to identify the warning signals to be entered on PNC, the PNC Bureau must carry out the following steps:

- S31(1) [REDACTED]
- [REDACTED]
- [REDACTED]

○ S31(1)

Nominal record

If the person already has a PNC nominal record, individuals must:

- Update PNC with the warning signals on NICHE that have been created within the last 24 hours and verified by 'police custody'.
- If a warning signal has been entered on NICHE but does not meet the criteria for PNC entry then indicate so in the Remarks field on the warning signal and tick the "Do not send to PNC" box.
- If a warning signal already exists and there is no new information, i.e. different use of drug or used a different weapon, then there is no need to create a new warning signal. The old warning will remain and on review the review date will be amended S31(1).
- If the PNCID number is now shown on the NICHE person record, update NICHE with the PNCID number.

No nominal record

If the person does not have a PNC nominal record and the warning signal on NICHE is suicidal or self-harm, individuals must:

- Create the person on PNC and add an Operational Information Vulnerable report to the record with a weed date of three years.
- Add the SUICIDAL/SELF HARM warning signal and any other warning signals on NICHE to the PNC record.
- Update NICHE with the PNCID.

Reviewing and weeding

- The PNC Bureau is responsible for reviewing and weeding warning signals in line with national guidelines.

Orders and Injunctions

Types

Summary

The following types of orders and injunctions can be entered on PNC:

PNC Entry	Description	Responsibility for updating PNC
ASBCI	Civil Injunction – Anti Social Behaviour, Crime and Policing Act 2014	PNC Bureau
ASBO	Antisocial Behaviour order – excludes antisocial housing injunctions under the	

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	Housing Act 1996, for which HARASS or HOUSINJ must be used	
CBO	Criminal Behaviour Order	
CTTRAVEL	Foreign Travel Restriction Order (CT)	
DISANIMAL	Animal Disqualification Order – disqualified from keeping an animal under Animal Welfare Act 2006	
DOGCON	Dog Control Order	
DRINKBAN	Drinking Banning Order – issued under the Violent Crime Reduction Act 2006 See also LICPREM	
DRUGTRAV	Travel Restriction Order (Drugs)	
DVPNO	Domestic Violence Protection Notice/Order	
EXCLUSION	Exclusion Order or Requirement – all orders and requirements referred to in section 112 of the Serious Organised Crime and Police Act 2005 (see HOC 29/2005)	
FGMPO	Female Genital Mutilation Protection Order	
FMPO	Forced Marriage Protection Order	
GANGINJ	Gang Related Violence Injunction, issued under Policing and Crime Act 2009 (see PNC L/O letter 2011/003)	
HARASS	Protection from Harassment Order – order issued under anti-harassment legislation prescribing prohibited actions/locations Civil injunctions, e.g. under the Family Law 1996 or Housing Act 1996 where a power of arrest is attached See also HOUSINJ	
HOUSINJ	Housing Act Injunction – issued under the Housing Act 1996 (also known as an ASBO ‘Injunction’)	
LICPREM	Licensed Premises Exclusion Order See also DRINKBAN	
MATHOMES	Matrimonial Homes Interdict	
NONMOL	Non Molestation Order – issued under the Family Law 1996	
OCCUP	Occupation Order – issued under the Family Law 1996	
SCPO	Serious Crime Prevention Order	
SEXHARM	Sexual Harm Prevention Order (SHPO) –	ViSOR Unit

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	full and interim Replaces SOPO and Sex Offender Orders	
SEXNOT	Sex Offender Notification Order – for full and interim notification orders (given for foreign convictions)	
SEXPO	Sexual Offences Prevention Order (SOPO) now replaced with SHPO	
SEXREG	Sex Offender Notification Requirement – subject to a requirement under the Sexual Offences Act 2003 to register with police	
SEXRO	Sexual Risk Order (SRO) – replaces RoSHO	
SEXRISK	Risk of Sexual Harm Order (RoSHO now replaced with SRO)	
SEXTRAVEL	Foreign Travel Order – under the Sexual Offences Act 2003	
SPORTBAN	Banning Order (Sporting) – includes football as well as other sporting events The Public Order Act 1986 extended football to include all sports	PNC Bureau
VOO	Violent Offender Order and Notification	ViSOR Unit
YRO	Youth Rehabilitation Order	PNC Bureau
MISC	Miscellaneous Order – any court order not covered by the other categories	

Responsibilities

ViSOR Unit

- The ViSOR Unit, headed by the Force ViSOR Registrar, is the single point of contact for all the orders in relation to sexual offenders as well as offenders subject to violent offender orders.
- The ViSOR Unit assumes the responsibility for creating and updating these orders onto PNC in accordance with local and national policies.

Help desk staff

- Help desk staff, responsible for the district where the order relates to, will act as the single point of contact between the courts and other police departments, e.g. PNC Bureau, Local Policing Support, domestic abuse.

Receiving Orders in PNC Bureau

Responsibilities The method by which the PNC Bureau receives orders and associated

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documents, such as maps, is as follows:

- Help desk staff must:
 - Attach a scanned copy of the order and any other relevant documents to a NICHE occurrence relating to the order; and
 - Task the PNC Bureau to update the order details on PNC.
-

Reporting Death of a Nominal

Principles

- WYP undertakes procedures to keep records up to date in respect of nominals who have died.
 - This only applies to deaths of people recorded on:
 - Force systems; and
 - PNC.
 - Individuals must report all deaths of people recorded on Force systems and PNC.
 - Reports must contain the following information:
 - Name of deceased (plus any known aliases);
 - Date of death;
 - Cause of death (giving brief details);
 - Who certified the death; and
 - Who identified the body.
 - To notify the force, individuals must:
 - Email their report to the PNC Bureau Disposal team, via the PNC Disposals mailbox; or
 - Task PNC Disposal Processing using NICHE.
 - The PNC Bureau Disposal team will arrange for all systems to be amended and updated with the above information.
-

Additional Information

Compliance This policy complies with the following legislation, policy and guidance:

Data Protection Act 2018
 Human Rights Act 1998
 Computer Misuse Act 1990
 PNC Manual Version 21
 Computer usage policy

Further Information Further guidance in relation to this policy can be sought from:

PNC Bureau on ext. **S31(1)**

Policy Database Administration

Item	Details
Document title:	Police National Computer – People
Owner:	Operational Support
Author / Reviewer:	S40(2)
Date of last review:	S31(1)
Date of next review:	S31(1)
The Equality and Human Rights Assessment for this policy can be accessed via this link .	

The table below details revision information relating to this document:	
Topic title	Date
