



Derbyshire Constabulary

Mr Tim Wells

Telephone: 101
Direct Line: 0300 122 8752
Ask For: Freedom of Information
Our Ref: 006173/19
Your Ref: Policies
Date: 20 January 2020

Dear Mr Wells

FREEDOM OF INFORMATION REQUEST - REFERENCE NO: 006173/19

I write in connection with your request for information which was received by Derbyshire Constabulary on 22/12/2019. I note you seek access to the following information:

- 1) *please can you send me a copy of the current subject access request acknowledgment AND response letter that you use*
- 2) *a copy of the last 5 dpias completed*
- 3) *a copy of any internal mandatory information governance training that you give to staff which was written in the last 2 years including presentation slides and videos and any other media*
- 4) *a copy of any instructions given to staff members to reduce data security breaches, for example double checking work which was written in the last 5 years*
- 5) *a copy of any policies implemented in the last 2 years within the organisation to help reduce the environmental impact that the organisation has?*

Whilst requests under the Act should be dealt with on an applicant blind basis the Information Commissioner's Officer offers guidance on the '*Consideration of the Identity or Motives of the Applicant*' which confirms that an applicant's identity and motives may be relevant when considering the context in which request(s) are made, the burden it may impose, and the value of the request.

The guidance also quotes the following extract from an Upper Tribunal case of relevance (ICO –v- Devon County Council and Dransfield):

'... The motive of the requester may well be a relevant and indeed significant factor in assessing whether the request itself is vexatious, the propose application of Section 14 cannot side-step the question of the underlying rationale or justification for the request...' (Paragraph 34).

I am aware that several forces have received an identical request from an individual who have given a different name (possibly a pseudonym). As a consequence I am of the view that these individuals could be acting in concert.

Section 8(1)(b) indicates that the real name of an applicant should be used when requesting information and not any other name, for example, a pseudonym. The ICO guidance is quite

clear and states it is the intention of the legislation that an applicant should provide their real name so that the request can be processed in accordance with the requirements of the FOIA, see below link:

http://ico.org.uk/for_organisations/guidance_index/~media/documents/library/Freedom_of_Information/Detailed_specialist_guides/guide_to_freedom_of_information.pdf

As a consequence before I do any further work on this request I require from you proof of identity. In such cases 'proof' will be as required under the remit of the Data Protection Act 2018 and necessitate two photocopy documents that between them show name, address, date of birth and a signature. The nature of the documents supplied is up to you.

Pending such identification I have placed your request on hold where it will remain for the next 20 working days. If nothing is held in this period I shall assume that the information is no longer required and close the request marked as 'withdrawn'.

Right to Request a Review (Complaint)

Your attention is drawn to the attached sheet, which details your right of complaint.

I would like to take this opportunity to thank you for your interest in Derbyshire Constabulary.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer, on the above telephone number quoting the reference number in the header.

Yours sincerely

Kevin Lea
Freedom of Information Officer

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