

Freedom of Information Publication Scheme



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| TITLE: | Right to access information about yourself – locally held records only |
| DATE RANGE: | 1 st May 2020 to date |
| BACKGROUND INFORMATION: | <p>Individuals have the right to apply for information held on Essex Police local systems.</p> <p>This guidance sets out the process to apply for information held on Essex Police local systems and the exclusions and limitations that apply. Information will help you to understand how and why Essex Police is using your data and to check data is being held lawfully.</p> <p>Additional routes for other information requests is provided within this publication.</p> |
| RELATED DOCUMENTS/LINKS: | <p>https://www.essex.police.uk/rqo/request/ri/request-information/rso/request-information-about-yourself-or-someone-else/</p> <p>http://legacyapps.netr.ecis.police.uk/forms/form_templates/A95.dotx</p> <p>http://legacyapps.netr.ecis.police.uk/forms/form_templates/A95_GUIDANCE.dotx</p> |

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| | <p>https://www.acro.police.uk/ https://www.acro.police.uk/Subject-access https://www.gov.uk/request-copy-criminal-record https://www.acro.police.uk/police_certificates.aspx</p> |
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FOI PUBLICATION

Essex Police has a guidance document and process for requests for information about yourself and your rights on locally held records only. Requests can be made via completion of the A95 form or requests can be made verbally (although verification is needed of your identification). Essex Police will respond within one calendar month, legislation allows us to extend the response period by a further two months where requests are complex or numerous. If this is the case, we will inform you within one month of receipt of your request and explain why the extension is necessary.

Exclusions

The rights of access form is not for use for the following purposes

- Applying for data held on the Police National Computer (PNC) please contact ACRO (see above link)
- Application of a police certificate for visa or emigration purposes for specific countries
- Disclosure for employment purposes.

Limitations

An individual is only entitled to their own personal data, and not to information relating to other people (unless the information is also about them or they are acting on behalf of someone). Information must fall within the definition of personal data

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/key-definitions/what-is-personal-data/>

Essex Police will not disclose if information relates to a live investigation unless the Officer in the case (OIC) can confirm that no prejudice will be caused by the release otherwise a disclosure will only be made by order of the court.

Information regarding other methods to follow for other information requests

PNC checks

If you require information held about you on the Police National Computer (PNC) please make a request via <https://www.acro.police.uk/Subject-access>

Visa purposes

If you require a certificate to show whether or not you have a criminal record in the United Kingdom as part of a visa process by the high commission or embassy please link on https://www.acro.police.uk/police_certificates.aspx

Employment purposes

If you require a disclosure for employment purposes and you live in England, and Wales, please contact the Disclosure and Barring Service (DBS) <https://www.gov.uk/request-copy-criminal-record>

If you live in Scotland please contact: Disclosure Scotland www.mygov.scot/disclosure-types/

If you live in Northern Ireland: Access NI via their website <https://www.nidirect.gov.uk/campaigns/accessni-criminal-record-checks>

Employment advisory note: It is a criminal offence for a current or prospective employer or recruitment agency to require an individual to make a subject access request as a condition of employment or for the provision of goods or services. They should instead be using the existing formal criminal records check arrangements operated by the Disclosure and Barring Service, Disclosure Scotland or Access Northern Ireland. Please view the A95 guidance document for more information.

Additional Rights

Please refer to the Essex Police website for general details in relating to the Fair Processing Notice, Privacy Notice and Retention policy. Additionally, for further rights under GDPR such as right to be informed, right to rectification, right to erasure/to be forgotten, right to restrict processing, right to data portability, right to object and rights in relation to automated decision making and profiling please refer to other Essex Police publications for further details.

No charges apply for disclosure and postal service. Please see the following document for further details
<https://www.essex.police.uk/SysSiteAssets/foi-media/essex/other-information/published-items/foi-schedule-of-fees-information-rights.pdf>

