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12/07/2023

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 196/2023

Thank you for your request for information regarding data protection compliance, which has now been considered.

This request was received by the Football Policing Unit.

Applicant Question:

I am writing to make a formal request for information under the provisions of the Freedom of Information Act 2000. I kindly request that you provide me with the following information:

1. A copy of your organisation's Records of Processing Activity (ROPA) as defined in Article 30 of the UK General Data Protection Regulation (UK GDPR).
2. A copy of all legitimate interest assessments conducted by your organisation where you rely on Article 6(1)(f) legitimate interests as your lawful basis for processing.
3. A copy of all privacy impact assessments conducted by your organisation.
4. A copy of all data protection impact assessments conducted by your organisation.
5. A copy of all international transfer risk assessments conducted by your organisation.
6. A recent copy of your organisation's data protection compliance assessment using the Information Commissioner's Office (ICO)'s accountability framework template. If you are using your own standards to monitor compliance with the Data Protection 2018, please provide me with copy of it.
7. A copy of your organization's data protection policy.
8. A copy of your organization's subject access request policy, procedures, and processes, including any guidance material such as folder structure, naming conventions, and redaction guides.
9. A copy of your organisation's privacy notices, including but not limited to employees, customers, ministers, special advisors (SPADs), complaints, NEDS, visitors, and CCTV.

1st Floor, 10 Victoria Street, London SW1H 0NN T 020 7084 8950 F 020 7084 8951



10. A copy of your organisation's due diligence questions for vendor management such as independent data controllers or processors.

I understand that under the Freedom of Information Act, you are required to respond within 20 working days. To stay within section 12 - cost limits, I suggest asking your Data Protection Officer for the information. If this is not possible, I suggest a search of your compliance platform and your Microsoft estate for the following search terms (not case sensitive):

1. "records of processing activity" OR "ropa"
2. "legitimate interest assessment" OR "LIA"
3. "privacy impact assessment" OR "privacy impact assessments" OR "PIA"
4. "data protection impact assessment" OR "DPIA"
5. "transfer risk assessment" AND "personal data"
6. "accountability framework"

I would prefer to receive the requested information in electronic format via email.

Should you require any clarification or further details in order to process this request, please do not hesitate to contact me. I would be grateful if you could confirm receipt of this request and provide a reference number for future correspondence.

Thank you for your attention to this matter. I look forward to receiving the requested information within the statutory timeframe.

NPCC Response:

Unfortunately, your request exceeds the fees limit as outlined by the Secretary of State in that to ascertain exactly what information may be held by the NPCC, would take longer than 18 hours. This response serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000 (the Act).

Please see the legal annex for further information on the exemptions applied in respect of your request.

By way of explanation, the UK Football Policing Unit (UKFPU) recently joined the NPCC from the Home Office (April 2023).

As provided in your previous response (193/2023), the NPCC is primarily a strategic and policy level body, which brings police forces in the UK together to help policing coordinate operations, reform, improve and provide value for money. It is a very large organisation comprising of eleven broad coordination committees, each led by a chief constable, covering issues such as crime operations, finance and criminal justice. Underneath these broad categories chief officers take the lead on specific issues. For example, under the Digital, Data and Technology Coordination Committee there are individual leads for Data Quality, Records Management, Information Sharing, Disclosure, Communications etc.

In total across the NPCC this totals in excess of 200 portfolios, working groups and sub-programmes. There are also a number of national policing units and bodies that operate across the UK under the NPCC, details of which can be found on the NPCC [website](#).

Your questions seeking 'all' legitimate interest assessments, privacy impact assessments, data protection impact assessments and international transfer risk assessments from the NPCC are too broad and will capture a significant amount of information, especially as you have not included time parameters in which to search. The cost of complying with this request would exceed the appropriate limit as I would have to check with every single individual working in an NPCC role to check their records for all the information listed in your request. Additionally, each individual would need to read all information held to ascertain whether it was information held on behalf of the NPCC or on behalf of their home force.

In wishing to help you, as a gesture of goodwill, outside of the Freedom of Information Act I have provided some information relevant to your request as detailed below:

1. NPCC Data Protection Policy – Version 2.1 Feb 2022.
2. NPCC Specific Privacy Police ChiefsNet V1
3. NPCC DP Subject Rights Process v1.0 Sep 2021

Additionally in wishing to assist you, some information captured by your request has been proactively published, such as the NPCC Privacy Policy which is available online via [Privacy policy \(npcc.police.uk\)](https://www.npcc.police.uk/privacy-policy)

Yours sincerely

Fiona Greenlees

NPCC Freedom of Information Officer & Decision Maker

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.



Annex A

Section 17 of the Freedom of Information Act 2000 requires the NPCC, when refusing to provide information by way of exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a refusal notice to those aspects of your request.

The legislation: Section 12 – the legislation:

The provisions of section 12(1) of the Act are engaged in response to your request as the NPCC estimates that the cost of complying with the request would exceed the 'appropriate limit' – i.e. the cost limit. Section 12 of the Act provides:

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

These sections of the Act provide that the NPCC is not obliged to comply with its duties under section 1(1) of the Act – i.e. our duty to confirm or deny what information is or is not held, and to supply any information held in response to a request – if to do so would exceed the 'appropriate limit'.

The 'appropriate limit' is defined in the Freedom of Information (Appropriate Limit and Fees) Regulations 2004. Section 3 and 4 of these regulations provide that an authority can take into account the costs it reasonably expects to incur in relation to a Freedom of Information request in regards to the following four activities associated with handling that request:

- (a) Determining whether or not it holds the information
- (b) Locating that information, or document(s) which might contain the information
- (c) Retrieving the information, and
- (d) Extracting the information from a document containing it

The regulations then confirm that the appropriate limit (in the case of a body such as the NPCC) is £450 and that any work estimated or carried out in respect of the above four activities is to be estimated at a rate of £25 per hour.

Therefore, the NPCC can refuse to handle an FOI request for information under section 12 of the Act if it reasonably estimates that it would take more than 18 hours of work to carry out the above four activities in relation to that request. If the limit is exceeded, **there is no requirement for the NPCC to conduct work up to that limit – the limit applies to the whole request and there is not a requirement to answer other parts of a request even if only one area of the request on its own engages the limit.**

Legislation – Section 16

- (1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.