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22/08/2023

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 236/2023**

Thank you for your request for information regarding PDS X-change; which has now been considered.

**Applicant Question:**

Dear NPCC,

I am writing to you under the Freedom of Information Act 2000 to request information about the Police Digital Service's 'PDS Xchange platform', which I understand is powered by Amazon Web Services (AWS) and developed under the Home Office's Transforming Forensics programme.

I would be grateful if you would provide me with the following information within the statutory FOI time limits:

1. A copy of the Data Protection Impact Assessment(s) conducted under the terms of the Data Protection Act 2018 Part 3, for the PDS Xchange platform, including details of the processors and any sub-processors.

**Please note that a DPIA should not in general contain any specific information of security measures requiring redaction before release, but I am aware that some Policing organisations do include this information in their assessments.**

Reasonable redaction of such information strictly and only to the extent necessary to maintain the security of Police operations (if this is included in the DPIA) is acceptable. General redaction of core information relating to relevant DPIA content required to evidence achievement against statutory obligations would however be unacceptable and should be unnecessary since its release is obviously and materially in the public interest, and is the core function of a DPIA.

2. A copy of the specific terms of service applied within the contracts for the above services between any product vendors, processors or sub-processors and the PDS.

Please note that the Terms of Service applied do not need to include any financial information - I am not seeking that or any other commercially sensitive information.



3. Copies of any communications between the NPCC and the ICO, as well as any other national policing bodies and/or other professional advisors, which informed the creation of the DPIA's above, and/or supported decisions around the procurement and subsequent use of these products.
4. Confirmation on whether the NPCC is a data controller, processor, or contract holder
5. Confirmation on which body involved in PDS Xchange is the lead data controller

Please note that I am not seeking any personal data of the individuals involved, and am happy for this to be redacted from **any** communications provided.

6. A copy of the Data Protection Impact Assessment(s) - or any other relevant due diligence materials - conducted under the terms of the Data Protection Act 2018 Part 3, for the integration of the IDENT1 database into the PDS Xchange platform, including details of the processors and any sub-processors.

#### **NPCC Response:**

I have made enquiries with Police Digital Services (PDS), NPCC Digital Data & Technology (DDaT) and the NPCC Data Protection Office (DPO).

Normal standard of proof to apply in determining whether a public authority does hold any requested information is the civil standard of the balance of probabilities. In deciding where the balance lies, the Information Commissioner considers the scope, quality, thoroughness and results of the searches carried out by the public authority as well as considering where appropriate, any other reasons offered by the public authority to explain why the information is not held.

I have undertaken all of the necessary checks in establishing whether information is held which is captured by your request and any necessary steps with regard to retrieval of such information.

Searches have been conducted across all NPCC portfolios that might relate to the subject matter to which your request refers and I am satisfied that the searches conducted to locate the information that you have requested have been robust:

1. The NPCC does hold information captured by part one of your request. The NPCC holds a document titled: Data Protection Impact Assessment (DPIA) Screening Checklist & Template Xchange Platform which I have provided with minor redaction as stated within your request: **"Please note that a DPIA should not in general contain any specific information of security measures requiring redaction before release, but I am aware that some Policing organisations do include this information in their assessments"**.

I wish to stress that this document has not been ratified and is currently going through an approval process. Therefore, it may be subject to further amendment.

2. The NPCC does not hold information captured by your request.
3. The NPCC does not hold information captured by your request.
4. The NPCC does not hold information captured by your request. The PCC does not hold information stating whether it is a Controller or Processor. However, my colleague has advised, outside of the Act as a gesture of goodwill that it is neither a Controller nor a Processor in respect of the Xchange platform.
5. The NPCC does hold information captured by your request. Chief Constable Nick Dean, the NPCC Lead for Forensics.

6. See part one above. The NPCC does hold information captured by part one of your request. The NPCC holds a document titled: Data Protection Impact Assessment (DPIA) Screening Checklist & Template Xchange Platform.

**Sherry Traquair**

NPCC 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.