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14/10/2025

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 2523/2025

Thank you for your request for information regarding NSRG Meeting 18/05/2023, which has now been considered.

Applicant Question:

Dear National Police Chiefs' Council,

Please see my request https://www.whatdotheyknow.com/request/abi_mou_requestsand the comment:

"This was raised at 'the last NSRG'. However, I am awaiting clarification as the acronym NSRG is not one I am familiar with - possibly associated with, falls to, the NPCC. If so, please extend the request to include the information relating to RoA raised."

I now understand NSRG relates to the National Subject Rights Group

1. The NSRG raised the issue of the ABI MoU on 18/05/23. Apparently, some constabularies were experiencing a number of Right of Access requests due to pushing back on the MoU

Please provide a copy of the minutes/notes resulting from the 18/05/2023 raising of the issue, the date of subsequent NSRG meetings/discussions and the notes resulting from these

NPCC Response:

The NPCC does hold information captured by part of your request.

Some of the information has been withheld by virtue of S40(2) Personal Information. For further information relating to the legislation, please see Annex A.

For clarity and completeness, there are no minutes taken for the NSRG Meetings.

There are formal notes made and are circulated to members on behalf of the NPCC NSRG Chair.

The following information has been retrieved in response to your request which I have extracted from those notes, that relate specifically to your request above – issue of the ABI MoU:

18/05/2023:

Item 6 Regional Updates

****S40(2)** Surrey query 05042023:**

In the SE region we are receiving SAR requests from the owner of a loss adjustment company who, since the publication of the latest ABI / NPCC MOG, is no longer able to apply for information under Appendix D as the process is limited to Insurance Companies who are signatories to the MOU.

A conversation has taken place between the force in question and the ICO to determine if they considered this to be enforced SAR, however the ICO sat on the fence a bit and would not give a definitive answer although the force is maintaining their position at this time as it is not within the spirit of the act. The company in question is ****S40(2)**** and the applications are generally from ****S40(2)**** and he can be quite insistent. ****S40(2)**** has used FOI and other DP routes such as Legal Proceedings requests but the 'other' DP requests come at a cost and it would appear that he is attempting to circumvent the MOU via SAR. Any advice, or examples of similar activity would be welcome.

****S40(2)**** – always disclosed to loss adjusters etc and seen the new ABI, looking at changes in their process in light of this. Concerns re enforced RoA.

****S40(2)**** – they were charging and doing the work, will check process.

****S40(2)**** - ****S40(2)**** have been through the process and agree (MIB/solicitors down civil route and then ABI only)

Action 3:

****S40(2)**** to email ****S40(2)**** for advice re Surrey query and lawful basis for the sharing in the first place and copy in ****S40(2)****.

Completed email sent 22/05/2023.

07/09/2023:

Item 6 Regional Updates

****S40(2)**/**S40(2)**** - Issues re ABI making RoA requests from previous issue raised by Surrey – any ongoing issues? – pushed back no further issues ****S40(2)**** – not had any from one individual but are getting them from individuals – discussion between ****S40(2)**/**S40(2)**/**S40(2)**** re processes ****S40(2)**** - still accept from non-ABI members but bottom of the queue ****S40(2)**** - new form & charge a greater fee as they are not paying for ABI membership

****S40(2)**** - lack of ABI consultation is it worth coming into this group – yes and is it worth a NPCC position on non-ABI requests – yes, can also look at charges increasing

****S40(2)**** -Query re S170 RTA ****S40(2)**** -awaiting further update

****S40(2)**** – to engage with ****S40(2)**** that if there is are any information sharing they link in with the group

16/11/2023

AOB

ABI RTC process ****S40(2)**** did you get any legal advice - ****S40(2)**** still waiting

22/02/2024:

Item 6 Regional Updates

****S40(2)****

Update re ABI

I have had a query from ****S40(2)**** Hants/TVP, ****S40(2)****/****S40(2)****

****S40(2)**** Hants/TVP refusing - ICO considering Hants / TVP use of Vexatious, decision pending.

****S40(2)**** – FOI request has come in

11/09/2024:

Notes of meeting did not relate to the subject matter of your request.

Yours sincerely

Freedom of Information Officer & Decision Maker

www.npcc.police.uk

COMPLAINT RIGHTS

Internal Review

Any request for an internal review will be acknowledged and responded to, based on the specific wording of your initial request only.

We ask that any rationale to request an internal review, does not include any requests for new information and ask that these be submitted by separate email. We will acknowledge as a new request and may aggregate to your initial request in compliance with the legislation.

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 40 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.

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 40 Personal Information

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if
(a) it constitutes personal data which does not fall within subsection (1), and
(b) the first, second or third condition below is satisfied.

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

- (a) would contravene any of the data protection principles, or
- (b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

(3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).

Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

This is an absolute exemption and there is no requirement to apply the public interest test.

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.