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NPCC Chair – Assistant Commissioner Martin Hewitt



## Operation Talla Publication Strategy

### Background

On 30 January 2020 the World Health Organisation declared the outbreak of COVID-19 a “Public Health Emergency of International Concern”.

Public Health England anticipates the number of cases of the virus in the UK to increase considerably over the coming weeks.

The Government produced its [Action Plan](#) in response to the spread of the Coronavirus.

There are three phases to the Government’s response to the virus, which the police are also working to.

- Contain – detect early cases, follow up close contacts, and prevent the disease taking hold in this country for as long as is reasonably possible
- Delay – slow the spread in this country, if it does take hold, lowering the peak impact
- Mitigate – provide the best care possible for people who become ill, support hospitals to maintain essential services and ensure ongoing support for people ill in the community to minimize the overall impact of the disease on society, public services and on the economy

### National Policing (NPCC)

The NPCC is responsible for leading communications around the police service’s preparedness for a large increase in demand or severe staffing issues. There is a national lead for civil contingencies, DCC Paul Netherton, who is attending Cobra meetings, meetings with other police leaders, NPoCC and is briefing the Home Secretary.

### Freedom of Information Act 2000 (FOI)

The legislation gives the public an automatic right to request information from a public authority (PA). For the purposes of this strategy, the relevant PA will be the NPCC and all Home Office forces holding relevant information. It is important to note that any information held by a PA for a business purpose, regardless of its origins or author, will be subject to the legislation. **It is mandated that the information holder, receiving the request, will be solely responsible for decisions regarding disclosure.** However, under Part IV of the Secretary of State’s Code of Practice, governed by section 45 of the legislation, there is a clearly defined requirement to consult with third parties who may be affected by any such disclosures.

In order to facilitate this, all FOI requests capturing information relating to the Coronavirus, are until further notice, considered to be a mandatory referral to the NPCC Freedom of Information and Data Protection Unit (NPFDU) as per College of Policing Authorised Professional Practice (APP), a process all chief officers are signed up to.

Upon receipt of a referral, the NPFDU will ensure all necessary stakeholders are consulted for a view on disclosure or retention of the requested information. In addition, whilst the application of NCND will be strictly maintained wherever possible, it cannot be considered as a blanket approach in handling such requests and must be dealt with on a case-by-case basis in line with the public interest arguments. These collective views from the main stakeholders will be provided to the PA in receipt of the request in order that it can make a properly informed final decision which is based on a national corporate view and supplemented by their own local factors. It is important that each request is dealt with on a case by case basis.

Regardless of the final decision on disclosure, the NPFDU will ensure that the NPCC communications team is informed of the request. Each PA receiving a request should also ensure that their local media / communications team is aware.

In addition to the above, the NPCC FOI publication strategy has been formulated in order to allow any public authorities to take advantage, when appropriate, of the exemption within FOI legislation found at Section 22.

Section 22 may not be used, and authorities may not take the decision to publish the information, **after the request for information is received**. The key to it is that the decision to publish must have been made prior to any request for the information being received.

The NPCC decision to produce this intention to publish data means that the Section 22 exemption is engaged for **any** PA wishing to apply that exemption. That decision does not have to have been made by the PA receiving the request, but can be made by any party who also holds the same information. **This publication strategy is therefore transferable between all relevant parties.**

The identified benefits of engaging this exemption are that dealing with requests for certain data whilst the negotiations are ongoing can be complex and resource intensive. The exemption allows for the removal of predicted demand and enhanced transparency where appropriate. Also, random piecemeal disclosures may in fact damage strategic aims.

There will also be an appetite from the news media and others to gain knowledge and data via FOI, and publication will provide for transparency and accessibility to information which is not sensitive for operational or other reasons.

The application of this exemption also allows a sterile period, prior to publication, where all the stakeholders are able to engage, ensuring the final publication meets the full needs of the public and the authorities involved. This coordinated approach to publication mitigates any harm that may be caused by random incomplete information entering the public domain.

What is critical to the success of this strategy is that any rationale for not complying with the Section 22 approach is recorded so that a precedent is not set which undermines other PAs ability to engage the exemption. This is most likely to occur as a result of an overriding, compelling, public interest factor, specific to an individual request; the exemption itself is subject to a public interest test and such matters must be dealt with on a case-by-case basis.

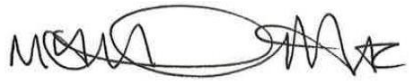
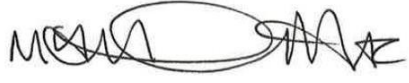
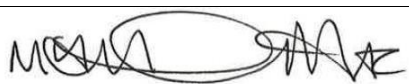
Additionally, the NPCC and forces may use information already in the public domain (e.g. from press statements or other publications) as part of any responses to FOI requests where these answer, or are otherwise relevant to the request. This does not undermine the use of Section 22.

### **Data Protection Act (DPA)**

In addition to FOI requests, a relevant PA may also receive a request under subject access for personal information under the DPA. The main difference between this and FOI is that a release of personal information is not a release to the world in general. Although it is impossible to prevent what a data subject may do with their information, the information itself is also subject to a range of exclusions to disclosure, primarily law enforcement. As with FOI, the ultimate decision on disclosure will lie with the individual Data controller

**Appendix A – Information held & will be published by the NPCC**

Type Of Information	Relevant Material	Publication Strategy
Financial Information.	Overtime cost	As and when risk diminishes and no later than July 2021.
National Guidance	Sick pay and working time directives	As and when risk diminishes and no later than July 2021.
Mutual Aid	Requests Requirements	As and when risk diminishes and no later than July 2021.
National Figures	Officer sickness Staff sickness Demand – data specifically related to demand resulting from coronavirus legislation, coronavirus operational activity or related areas. Including: <ul style="list-style-type: none"> <li>• Fixed Penalty Notices (FPNs) issued by force area.</li> <li>• CPS Charges by Force area to include summary of charge.</li> <li>• Prohibition Notices issued By Force area</li> </ul>	As and when risk diminishes and no later than July 2021.  Fortnightly.  When available.  When available.
National Decisions	Accountability / recorded decision making	As and when risk diminishes and no later than July 2021.
Hate Crime Data	Breakdown by regional areas of recorded hate crime that relate to the Coronavirus either through verbal interaction with the victim or the perception by the victim based on race, ethnicity or country of origin.	As and when risk diminishes and no later than July 2021.

	Date	Authorised by (Name and Position)	Signature
1	23/03/2020	Assistant Commissioner & NPCC Chair Martin Hewitt	
2	30/03/2020	Assistant Commissioner & NPCC Chair Martin Hewitt	
3	02/04/2020	Assistant Commissioner & NPCC Chair Martin Hewitt	
4	20/04/2020	Assistant Commissioner & NPCC Chair Martin Hewitt	