

JOB DESCRIPTION

POST: Head of Freedom of Information and Data Protection

GRADE: Grade 7

DEPARTMENT: Operational Support

BRANCH: Operations

Date: March 2012

1. Organisational Position

1.1 The post holder reports to the Head of Operations (C/Supt.) Operational Support Department.

2. Purpose and Objectives

2.1.1 The role holder will assist the Head of Operations, in managing PSNI's organisational compliance in respect of the Freedom of Information (FOI) Act, the Environmental Information Regulations (EIR), and the Data Protection (DP) Act..

2.1.2 The role holder will ensure that external and internal stakeholders' expectations for ensuring the development of policies, processes and procedures are fulfilled and that legislative and good practice requirements are complied with.

3. Main Activities

3.1 *Main activities include:*

- Monitoring and ensuring compliance with DP, FOI, and EIR regulations, directives, legislation and information access.
- Developing and undertaking regular auditing processes in relation to compliance and ensuring that action plans arising from the auditing process are agreed and implemented in a timely manner across PSNI.

- Gathering and analysing performance information relating to legislative compliance and managing organisational performance in this business area.
- Maintaining a strategic focus externally, to inform the review and revision of internal policies and procedures, in line with best practice developments, legislation and current case law, for example, a review of FOI policy in consultation with the Information Commissioner.
- Ensuring that escalation processes are managed and supported appropriately within the boundaries of legislation and that all record owners are kept informed. Providing mediation as necessary between record owners in relation to disclosure, for example, advising District Commanders to adhere to timelines, and to provide all information relevant to the request.
- Monitoring the impact of rulings from the Information Commissioner and taking action to ensure the continued provision of full information and compliance.
- Monitoring and maintaining the PSNI publication and disclosure scheme on the PSNI website, ensuring that standards are maintained with the aim of reducing the number of FOI requests received by PSNI.

The main duties and responsibilities reflect the main elements of those associated with this position. It is not intended to be exclusive or exhaustive.

4. Knowledge and Skills

- 4.1 The minimum level of formal qualifications required for the role would be 2 GCSEs, or equivalent qualification.
- 4.2 With the above qualification 10 years relevant work experience would be required to perform the role effectively.
- 4.3 If the post were to be recruited directly, the role holder would be expected to have obtained a Degree in a business related subject. With these qualifications the role holder would be expected to have 3 years experience which includes completion of relevant work experience (to include attainment of Information Security Examination Board Certificates in Data Protection and Freedom of Information) in order to perform the role effectively.
- 4.4 The type of knowledge and experience required for the role includes:
- Experience of developing and using policies, procedures and processes to monitor organisational compliance with FOI, EIR, and DP legislation;

- experience in the application and interpretation of FOI, EIR, and DP legislation and current case law;
- experience of working with FOI and DP requests in an information access environment;
- experience of dealing with complex issues relating to FOI and DP, and the ability to research in order to find solutions;
- excellent communication skills;
- decision making and problem solving skills;
- the ability take responsibility for own actions;
- computer literacy.

5. Contacts and Communication

The role holder will communicate with personnel in grade/rank ASO – UG3 and Con – C/Con; examples are as follows: -

- 5.1.1 To interpret and explain FOI, DP, and EIR policies and procedures; to provide information, guidance and rationale to Senior Officers regarding strategic policy and identification of corporate risk. The role holder will, on occasion, be required to challenge decisions of critical importance which may have implications at national level. This would be at ACC – C/Con rank and UG5 – UG3 level.
- 5.1.2 The role holder will provide advice and guidance in respect of FOI, EIR and DP issues. In addition the role holder will collaborate with District Commanders and Head of Branches regarding response to requests. This would be at UG5 and C/Supt level.
- 5.1.3 The role holder will identify training needs/timeframe/benefits to the organisation, in order to consult and agree personnel training which supports the function of the Department. This would be with the Head of Training College (C/Supt).
- 5.1.4 The role holder will liaise with PSNI Legal Services regarding FOI, EIR and DP complex legal issues. This would be at UG5 level.
- 5.1.5 The role holder will provide information and advice to staff within the organisation regarding FOI, EIR and DP legislation. This would be to all levels within the organisation.

5.2 With other Government Organisations

- 5.2.1 The role holder will maintain an effective working relationship with the Assistant Information Commissioner NI and the ICO Group Managers at

Wilmslow which includes discussing complex or sensitive cases, co-ordinating staff training and jointly reviewing legislation/guidance.

- 5.2.2 The role holder will liaise with the Police Ombudsman for NI with regard to reviewing the necessity for policy change resulting from the outcome of investigations which affect the business of FOI and DP.
- 5.2.3 The role holder will liaise with the ACPO lead for FOI/DP in relation to complex cases of national interest; obtain guidance from the ACPO Central Referral Unit; provide PSNI input to national submissions on FOI and DP, and to review cases with national security implications.
- 5.2.4 The role holder will consult and discuss high level sensitive access to information requests with staff from the Northern Ireland Office. This would be at SO-UG3 level.
- 5.2.5 The role holder will provide information to the Crown Solicitors Office regarding internal business process and audit trail details in relation to Judicial Process.

5.3 *With External Organisations*

- 5.3.1 The role holder will receive requests for access to personal data or complaints regarding their application from members of the public, solicitors acting on their behalf, or from Members of Parliament or Legislative Assembly on behalf of their constituents.
- 5.3.2 The role holder will consult with the Driver and Vehicle Agency to agree Service Level Agreements aimed at resolving issues and problems.
- 5.3.3 The role holder will consult and liaise with District Policing Partnerships concerning the provision of information on Publication Schemes.

6. **Problem Solving**

- 6.1.1 The role holder will be required to resolve a number of problems concerning responses to requests for access to information, some of which may be sensitive or have security implications and which, if not handled correctly, might lead to persons being placed at risk. Examples of problems which the role holder has had to solve are: -

- a) The Information Commissioner has the right in law to view all information relevant to a request submitted under FOI that is subject to a complaint to his Office. The role holder received a complaint which related to a request for access to the Lord Stevens Report concerning allegations of collusion involving the Police Service and loyalist organisations. PSNI had earlier refused the original request by applying appropriate exemptions under legislation. This decision was then upheld when a 'Review' of the original decision was carried out.

The complaint to the Information Commissioner required the role holder to provide a detailed response justifying and evidencing the

grounds for the earlier decisions. This was prepared; however, in addition a request for a schedule of the information dealt with in the Stevens Report was requested. This required a number of sensitive communications and meetings with the role holder and the Security Service, Association of Chief Police Officers Director of Information, PSNI Legal Services and the Corporate Support Branch directly to resolve significant disagreement on what should be provided in a schedule. Several drafts were prepared by the role holder and made available via Corporate Support Branch that were subject to scrutiny with the aim of achieving agreement. This was achieved and the documentation was forwarded to the Information Commissioner.

A request was subsequently received from the Information Commissioner to view all exempted information, including Section 23 (Information supplied by or concerning certain security bodies) and Section 24 (national security) information. This gave rise to significant objection given that a PSNI Chief Officer following accepted protocol had provided a letter of 'provenance' indicating that the report contained Section 23 and Section 24 information. In seeking to resolve this 'developing crisis' the role holder entered into further communication with those outlined above proposing that a letter be forwarded to the Information Commissioner by the ACPO Director of Information seeking an explanation as to why this matter is being treated as 'an exceptional case'. Resulting from this a solution has been proposed that a senior Assistant Commissioner will travel to Northern Ireland to have discussions with PSNI concerning the Stevens Reports as a possible alternative to actual inspection. This will address the serious concerns of those identified above.

- b) When an affidavit was required to be prepared setting out the PSNI response to a Judicial Review application relating to policy on the destruction of samples, and photographs in particular, the role holder was required to attend a consultation with the Senior Crown Counsel for Northern Ireland. The timescale for the completion of the affidavit was 24 hours.

There was a lack of clarity concerning current policy, however during the process of the meeting the role holder ascertained via enquiry with the Force Publications Officer and staff responsible for Policenet, that the policy had been cancelled by Criminal Justice in the mistaken belief that it had been incorporated in the PACE Order and Codes of Practice. The role holder advised the Senior Crown Counsel how the definition of Serious Crime, as outlined in the PSNI Retention and Disposal Schedule, had been arrived at in 2005. These matters required focussed and directed research by the role holder, together with consultation to enable the preparation of an affidavit that was accurate and not misleading in any material respect.

7. Decision Making

7.1 *Own Decisions*

7.1.1 The role holder will make decisions on a daily basis in relation to DP, FOI, and EIR queries. Examples of decisions that the role holder has taken are as follows:-

- a) Decision made to carry out a comprehensive review of PSNI FOI Policy in full consultation with the Office of the Information Commissioner. This approach had not previously been taken.
- b) With an observed delay by record owners in the provision of information requested by FOI staff the role holder decided to implement an Escalation Process into policy, placing clear timelines on the process to meet legislative requirements.
- c) The role holder decided that District Commanders and Heads of Branches, as record owners, would be accountable for the provision of accurate and timely information.
- d) When there is evidence of the failure to comply with FOI policy the role holder has taken the decision in exceptional circumstances to brief the Deputy Chief Constable if a record owner refuses to provide information, in whole or in part, to the FOI team. Failure to comply, if not addressed, may result in identified PSNI staff facing criminal prosecution under Section 77 of the Act for withholding or concealing information.
- e) The role holder has made decisions concerning the identification of staff posts in Freedom of Information and Data Protection being suppressed as part of the R2R process.
- f) The role holder has regularly made the final decision on exemptions to be applied to information originating in PSNI and held by another Public Authority e.g. (a) The NIO regarding high level appeals concerning refusal of firearms certificates etc. and (b) Policing Board when considering release of information relating to the trial of TASERS in Northern Ireland by armed firearms officers.
- g) The role holder has made the final decision in FOI requests seeking access to highly sensitive investigation reports. This was done in consultation with key stakeholders both internal and external to the organisation however the final decision with regard to proposal for release, or to withhold information subject to the application of relevant exemptions rests with role holder. This has included recent requests for: (a) Release of information relating to the high profile murder cases, and (b) Release of information contained in the Stevens Report into alleged police collusion.

7.2 *Advising Others*

7.2.1 The role holder will ensure that line managers and staff are aware of their responsibilities under the FOI, EIR and DP legislation by providing regular face-to-face communication, identifying suitable training programmes, providing feedback to management and staff and providing advice and guidance.

8. Autonomy

The role holder will receive guidance from Head of Operations and senior police officers when required.

8.1 Guidance is also available from the following: -

- Policies and procedures
- Police regulations
- HR policies and procedures
- Weekly Orders
- General Orders
- Service Procedures
- Weekly Orders
- Policenet
- Legal Services
- ACPO Lead on FOI
- Legislation, including the Data Protection Act 1998, Freedom of Information Act 2000 etc.
- ACPO Manuals of Guidance in relation to Data Protection, Freedom of Information etc.
- Information Tribunal outcomes and guidance published by the Information Commissioner
- Court decisions
- Decision Notices issued by the Information Commissioner (ICO)

9. Management of Resources

9.1 *Financial*

9.1.1 No formal financial management responsibility is associated with this role.

9.1.2 *Leadership and Team Working*

9.1.3 The role holder will lead and work with a team of up to 20 within the branch. The role holder will build relationships with other teams within the organisation in order to provide direction, advice and guidance in relation to FOI, EIR and DP legislation and organisational requirements.

9.1.4 *Nature of Management*

9.1.5 The role holder leads a complement of up to 20 staff within Freedom of Information and Data Protection and has direct line management for 3 staff (1 x SO, 1 x E01 and 1 x Sergeant).

10. Impact

- 10.1 The role holder can contribute significantly to the success of the PSNI in meeting their obligations in respect of the statutory responsibility placed on the C/Con by assisting the Head of Operations to improve the response to FOI and DP requests.
- 10.2 The role holder will ensure that policy reviews and revision, implementation plans to improve performance, briefings and guidance to District Commanders and Heads of Branches addressing FOI performance, and the introduction of training of N'CALT e-learning modules are maintained in order to meet the C/Con and PSNI's legal obligations and requirements.
- 10.3 Should the role holder fail to meet this objective, Line Management should identify this fairly quickly, as a decrease in level of service to customers will be apparent.
- 10.4 If the role holder does not effectively manage this activity this may lead to a decrease in the ability of the C/Constable to meet legal obligations, the potential for staff members to commit criminal offences (individually or corporately), and a reduction of confidence by members of the public in relation to how PSNI processes personal data.

JOB DESCRIPTION

POST: Paralegal

GRADE: EO2

DEPARTMENT: Operational Support Department

BRANCH: Corporate Information – Advisory Services.

Date: August 2017

1. Organisational Position

1.1 The post holder reports to the Supervisor (E01), Corporate Information Unit – Advisory Services.

2. Purpose and Objectives

- 2.1 The role holder will assist the E01 in attaining the Chief Constable's statutory obligations under the Data Protection Act 1998 (DPA1998), Freedom of Information Act 2000 (FOI 2000), and Environmental Information Regulations 2004 (EIR 2004) and the Data Protection Bill 2018 (to be enacted) by responding to queries, and promoting awareness throughout the PSNI.
- 2.2 The role holder will assist the Organisation in meeting its statutory obligations in relation to the new data protection legislation– the Data Protection Bill 2018 (to be enacted) enshrining the General Data Protection Regulation (GDPR) and the Law Enforcement Directive (LED) by providing advice and guidance to the DP/FOI Unit, and wider organisation around the specifics of the legislation.
- 2.3 The role holder will assist the E01 Supervisor in meeting PSNI's statutory obligations in relation to data protection through the provision and review of Information Sharing Agreements (ISAs).

3. Main Activities

The main duties and responsibilities reflect the main elements of those associated with this position. It is not intended to be exclusive or exhaustive.

- 3.1 Providing information to other staff members regarding police service structures, legal and procedural issues relating to the Acts. This is to include issues regarding the handling, disclosure, obtaining and sharing of personal data processed for a policing purpose and the management of FOI and EIR requests relevant to their particular functions or operation, in line with legal requirements, to ensure that statutory obligations are met.
- 3.2 Providing advice to, and responding to queries by both internal staff and members of the public in relation to DPA 1998, FOI 2000, EIR 2004 and the Data Protection Bill 2018 (to be enacted) enshrining the GDPR and LED. The role holder will use their knowledge and skills of a wide range of legislation to ensure that relevant and comprehensive responses are provided, taking into consideration other legal disciplines.
- 3.3 Liaising with Legal Services regarding interpretation of the Acts and how they interface with other legal disciplines, for example, Confidentiality and Legal Professional Privilege. The post holder may also provide advice to Legal Services regarding cases; meeting to discuss, review and provide written responses to relevant staff.
- 3.4 Liaising with staff from the Information Commissioner's Office (ICO) in order to seek information or advice, or to provide information.
- 3.5 Provide advice and guidance on the use of Data Processors who process data on behalf of the PSNI.
- 3.6 Attending meetings with external stakeholders to provide advice regarding DP, including ISA's which are compiled by the role holder, for PSNI, in conjunction with external bodies. Reviewing, amending and producing final ISA version for authorisation by ACC or Senior Management.
- 3.7 To provide advice to business areas in relation to the development of Data Privacy Impact Assessments.
- 3.8 Provide advice, guidance and assistance to FOI and Data Protection request handling processes
- 3.9 Provide advice and guidance around the mechanisms for investigating breaches of data protection law.
- 3.10 Providing the E01 Supervisor with updates regarding progress and developments within the branch.

- 3.11 To provide assistance to the E01 Supervisor in the advice, coordination, monitoring and review of all information sharing agreements that PSNI is a party to

The main duties and responsibilities reflect the main elements of those associated with this position. It is not intended to be exclusive or exhaustive. Posts may vary in content depending on particular circumstances and areas of work and may contain different combinations of the above activities.

4. Knowledge and Skills

- 4.1 The minimum level of formal qualifications required for the role would be 2 GCSEs, or equivalent qualification in grades.
- 4.2 With the above qualifications a minimum of 5 years' experience would be required to perform the role effectively.
- 4.3 The minimum number of years' experience for direct recruitment would be 3, in which case the minimum level of formal qualifications would be 2 A Levels or equivalent.
- 4.4 Hold or obtain whilst in post Security Check (SC) level of security clearance.
- 4.5 The type of knowledge and experience required for the role includes:
- Knowledge of the legal system in Northern Ireland;
 - Research skills
 - Analytical thinking
 - Information monitoring skills
 - Strong communication and interpersonal skills;
 - An understanding of the DPA 1998, FOI 2000, EIR 2004, GDPR, LED, European Charter of Human Rights (ECHR) and associated legislation, how the legislations interact, and the ability to apply within a policing context;
 - Creative thinking and a sound approach to problem solving, ensuring that the implications of any decisions are thoroughly considered;
 - The ability to take responsibility for prioritising own work, and the work of others;
 - Strong planning and organisational skills;
 - Excellent report writing skills;
 - A high level of IT skills, including knowledge of database systems, particularly where police data is processed; to include Privasoft and NICHE;

- Critical thinking skills;
- The ability to prepare and deliver presentations to a range of internal stakeholders.

5. Contacts and Communication

5.1 Internally

The role holder will communicate with any necessary personnel, regardless of grade or rank, in order to meet the statutory obligations of the Organisation.

- 5.1.1 Contact is varied and dependent on the nature of the advice required. Contact would be across the organisation at all levels from ASO to senior staff/officers. Contact is determined by the nature of the advice required and information would be sought from business areas as appropriate. Judgement is required as to the relevance and/or completeness of the information gathered in order to provide advice. The role holder under the supervision of the E01 Supervisor will provide advice as required.
- 5.1.2 To liaise with internal staff in the Corporate Information Unit, including the Head of Branch through discussions, meetings, and training.
- 5.1.3 Liaising with Legal Services regarding interpretation of the Acts and how they interface with other legal disciplines, for example, Confidentiality and Legal Professional Privilege. The post holder may also provide advice to Legal Services regarding cases; meeting to discuss, review and provide written responses to relevant staff.
- 5.1.4 Liaison with internal departments to discuss, create and implement ISAs, with a strong knowledge and understanding of the need for each document, and how they will be monitored and reviewed.

5.2 With other Government Organisations, External Organisations and members of the public

- 5.2.1 Liaison with external organisations to discuss, create and implement ISAs, with a strong knowledge and understanding of the need for each document, and how they will be monitored and reviewed.
- 5.2.2 The role holder may from time to time provide information to, and seek advice from staff from the ICO including meeting with individual case workers to deal with complaints from the public made to that office.

5.2.3 The role holder will provide information to and seek advice from staff from NPCC Central referral Unit.

6. Problem Solving

6.1 The role holder requires a high level of legal awareness and understanding of the application of Human Rights law, common law, and relevant international law primarily regarding how they interact with the DPA 1998, GDPR, and LED.

6.2 Assist the Organisation in implementing the changes to data protection law and the introduction of GDPR, LED and associated legislation. This will primarily consist of advice provisions around the Acts and any associated legislation.

6.3 The role holder will assist the DP/FOI Unit in investigating, when required, complaints regarding PSNI's handling of their personal data and FOI requests. These requests will be regarded objectively and conclusions drawn using a firm evidence base.

6.4 Liaison with internal departments and external organisations to discuss, create, and implement ISAs, with a strong knowledge and understanding of the need for each document, and how they will be monitored and reviewed.

7. Decision Making

7.1 Own Decisions

7.1.1 The role holder will be required to make decisions with regard to the provision of advice in relation queries from members of the public, staff members and solicitors in line with the provisions of relevant Acts whilst taking into consideration wider legislation that may impact upon the legitimacy of a response.

7.1.2 One of the responsibilities of this role will be to ensure that all ISAs are drawn up for the sharing of data with partner agencies and external organisations. The role holder will ensure that the legal basis for sharing the data has been established and the obligations of each agency are clear.

7.1.3 Paralegals will be required to plan and prioritise their own workload to keep advice provision moving forward. They will liaise with E01, Deputy Principal and Head of Branch to ensure correspondence and advice is fully dealt with

7.2 Advising Others

7.2.1 The role holder will provide information, advice and assistance to both members of the Organisation and members of the public, in respect of DP and FOI.

7.2.2 The role holder will be required to work as part a team, providing guidance to other staff members within the Advisory Services Unit and DP/FOI Unit.

7.2.3 Sharing of ISAs and providing guidance in relation to these.

8. Autonomy

8.1 The role holder will work with a minimum of supervision but will receive guidance and direction from the E01 (supervisor) , DP and G7 within the Unit.

8.2 Guidance is also available from the following: -

- Data Protection, FOI Acts and other relevant legislation
- Organisational policies and procedures
- Legal Services
- Information Commissioner's Office
- PoliceNet
- College of Policing Authorised Professional Practice.

9. Management of Resources

9.1 Financial

9.1.1 No formal financial management responsibility is associated with this role.

9.2 Leadership and Team Working

9.2.1 The role holder will work as part of the team within the Advisory Services Unit and the DP/FOI Unit providing assistance to other staff within the Organisation, when requested.

9.2.2 The role holder is required to work closely and collaboratively with staff within Legal Services Branch and provide assistance where legal knowledge is required.

9.3 Nature of Management

9.3.1 The role holder has no line management responsibilities.

10. Impact

10.1 The role holder will contribute to the success of information compliance by assisting the DP and FOI Unit in ensuring that all personal data processed by the Data Controller (Chief Constable) is compliant with data protection legislation and that

the Organisation is cognisant of, and compliant with all other relevant legislations that may impact upon the Branch and the responses it issues.

- 10.2 If the role holder does not effectively manage this activity this may lead to a decrease in the ability of the Chief Constable to meet legal obligations, the potential for themselves to commit criminal offences (individually or corporately), and a reduction of confidence by members of the public in relation to how PSNI processes personal data and responds to DP and FOI queries and requests.
- 10.3 Whilst nor closely supervised, under-performance in the role should be identified almost immediately by E01 supervisor, and other managers as poor quality work/outputs should be readily apparent, and via the IPR process.

JOB DESCRIPTION

POST: Supervisor, Corporate Information Unit

GRADE: Executive Officer 1

DEPARTMENT: Operational Support Department

BRANCH: Corporate Information Unit

Date: May 2018

1. Organisational Position

1.1 The post holder reports to the Deputy Principal, Corporate Information Unit.

2. Purpose and Objectives

- 2.1 The role holder will assist the Deputy Principal and Head of Branch in attaining the Chief Constable's statutory obligations under the Data Protection Act 1998 (DPA1998), Freedom of Information Act 2000 (FOI 2000), Environmental Information Regulations 2004 (EIR 2004), General Data Protection Regulation and the Data Protection Bill 2018 (to be enacted) by responding to queries, dealing with individuals enacting their rights under new Data Protection legislation and promoting awareness throughout the PSNI.
- 2.2 The role holder will assist the Organisation in meeting its statutory obligations in relation to the new data protection legislation – the Data Protection Bill 2018 (to be enacted), enshrining the General Data Protection Regulation (GDPR) and the Law Enforcement Directive (LED) by providing advice and guidance to the Corporate Information Unit and wider organisation around the specifics of the legislation.
- 2.3 The role holder will assist the Deputy Principal in meeting PSNI's statutory obligations in relation to data protection through the provision and review of Information Sharing Agreements (ISAs).

3. Main Activities

Under the direction of the Deputy Principal, main activities include the following.

3.1 Staff Management

- 3.1.1 General management and supervision of Paralegals including supervising the quality and integrity of advice provision, completion and review of Information Sharing Agreements and handling of requests from individuals enacting their rights under the Data Protection legislation.
- 3.1.2 Prioritising, allocating and monitoring work of Paralegals, ensuring appropriate standards are maintained in the conduct of the work in the Unit.
- 3.1.3 Providing support, advice and guidance to the Paralegals through quality assurance and direction regarding advice provision

3.2 Advice provision

- 3.2.1 Assisting with the provision of information to PSNI business areas on issues regarding the handling, disclosure, obtaining and sharing of personal data as well as the management of FOI and EIR requests, in line with legal requirements, to ensure that statutory obligations are met.
- 3.2.2 Providing advice to, and responding to queries by both internal staff and members of the public in relation to DPA 2018, the General Data Protection Regulation, FOI 2000 and the EIR 2004.. The role holder will use their knowledge and skills of a wide range of legislation to ensure that relevant and comprehensive responses are provided, taking into consideration other legal disciplines.
- 3.2.3 Liaising with Legal Services regarding interpretation of the Acts and how they interface with other legal disciplines, for example, Confidentiality and Legal Professional Privilege. The post holder may also provide advice to Legal Services regarding cases; meeting to discuss, review and provide written responses to relevant staff.
- 3.2.4 Liaising with staff from the Information Commissioner's Office (ICO) in order to seek information or advice, or to provide information.
- 3.2.5 Providing advice and guidance on the use of Data Processors who process data on behalf of the PSNI.
- 3.2.6 Attending meetings with external stakeholders to provide advice regarding DP, including ISAs which are reviewed by the role holder, for PSNI, in conjunction with external bodies. Reviewing and providing advice to PSNI business areas on the final ISA version for authorisation by ACC or Senior Management.

- 3.2.7 Providing advice to business areas in relation to the development of Data Privacy Impact Assessments where appropriate.
- 3.2.8 Providing advice, guidance and assistance to FOI and Data Protection request handling processes.
- 3.2.9 Providing the Deputy Principal with updates regarding progress and developments within the branch.

3.3 Information Sharing Agreements

- 3.3.1 Providing assistance to the Deputy Principal in the advice, coordination, monitoring and review of all information sharing agreements that PSNI is a party to.
- 3.3.2 Auditing and collating all existing ISAs/SLAs/MOUs and maintaining a central register of ISAs for PSNI.
- 3.3.2 Assisting the Deputy Principal to manage the processes associated with Information Sharing Agreements including provision of advice to PSNI business areas.
- 3.3.3 Liaising with other Forces, the Home Office and other organisations to make use of existing best practice and to bench-mark PSNI procedures and processes.
- 3.3.4 Providing advice to Departments/Branches/Districts as appropriate in relation to drafting ISAs and in their operation.

The main duties and responsibilities reflect the main elements of those associated with this position. It is not intended to be exclusive or exhaustive.

4. Knowledge and Skills

- 4.1 The minimum level of formal qualifications required for the role would be 2 GCSEs at Grades A – C or equivalent.
- 4.2 With the above qualifications a minimum of 3 years work experience in an area requiring research, analytical, investigation, legal, information analysis or similar skills would be required to perform the role effectively.
- 4.3 The minimum period of experience required for the role would be 2 years management experience, to include 1 years experience in an area requiring research, analytical, investigation, legal, information analysis or similar skills. With this experience formal qualifications equivalent to 2 A Levels would be required.
- 4.4 The type of knowledge and experience required for the role includes the following.
 - Experience in disclosure of documents to court.
 - Experience of coronial inquests.

- Experience in the application of Human Rights and Information Rights legislation.
- Good general computing skills.
- Knowledge of Microsoft software, including Adobe, Word, Excel and Outlook.
- Excellent administrative skills.
- The ability to gather, analyse, organise and present information in a coherent manner.
- Effective communication skills, both written and verbal.
- Ability to work independently as well as part of a team.
- Effective organisational, prioritisation and time management skills.
- The ability to gain the assistance and co-operation of others.
- Integrity and sound professional judgement.
- Problem solving ability and experience.
- Decision making ability and experience.
- Supervision and management of advice provision by Paralegals.
- Performance management experience.

5. Contacts and Communication

5.1 *Within the Organisation*

- 5.1.1 The role holder will communicate with any necessary personnel, regardless of grade or rank, in order to meet the statutory obligations of the organisation.
- 5.1.2 Contact is varied and dependent on the nature of the advised required. Contact would be across the organisation at all levels from ASO to senior staff/officers. Contact is determined by the nature of the advice required and information would be sought from business areas as appropriate. Judgement is required as to the relevance and/or completeness of the information gathered in order to provide advice. The role holder under the supervision of the Deputy Principal will provide advice as required.
- 5.1.3 To liaise with internal staff in the Corporate Information Unit, including the Head of Branch through discussions, meetings, and training.
- 5.1.4 Liaising with Legal Services regarding interpretation of the Acts and how they interface with other legal disciplines, for example, Confidentiality and Legal Professional Privilege. The post holder may also provide advice to Legal Services regarding cases; meeting to discuss, review and provide written responses to relevant staff.
- 5.1.5 Liaison with internal departments to discuss, advise upon them on their implementation of ISAs, with a strong knowledge and understanding of the need for each document, its requirements and how they will be monitored and reviewed.

5.2 *With other Government Organisations and External Organisations*

- 5.2.1 Supervisors, depending on the advice required, will have regular contact with a range of external agencies including, for example, Information Commissioner's Office, DOJ, NDPBs and external agencies who share information with PSNI.
- 5.2.2 Contacts are generally at middle to senior management level for the purpose of providing and obtaining information or clarification on issues and providing advice. The role holder may from time to time provide information to, and seek advice from staff from the ICO including meeting with individual case workers to deal with complaints from the public made to that office.
- 5.2.3 The role holder will provide information to and seek advice from staff from NPCC Central referral Unit.

6. Problem Solving

- 6.1 The role holder requires a high level of legal awareness and understanding of the application of Information access legislation, Human Rights law, common law, and relevant national laws primarily regarding how they interact with the Data Protection Act 2018, GDPR and LED.
- 6.2 The role holder assists the organisation in implementing the changes to data protection law and the introduction of GDPR, LED and associated legislation. This will primarily consist of advice provisions around the Acts and any associated legislation.
- 6.3 The role holder will assist the Corporate Information Unit in investigating, when required, complaints regarding PSNI's handling of their personal data and FOI requests. These requests will be regarded objectively and conclusions drawn using a firm evidence base.
- 6.4 There will be frequent liaison with internal departments and external organisations to discuss and advise on the creation and implementation of ISAs, which requires a sound knowledge and understanding of the need for each document and its requirements, and how they will be monitored and reviewed.
- 6.5 The role holder will assist with the processing of requests from individuals who enact their rights under Data Protection legislation, including the right to erasure, the right to rectification and the right to restriction of personal information.
- 6.6 The demands for advice will require the Supervisor to have a high level of legal awareness and understanding of the application of Human Rights, Information rights, common law, stated cases from the Information Tribunal,

European court and Supreme Court to apply the quality assurance to the advice provided by the Paralegals.

7. Decision Making

7.1 Own Decisions

7.1.1 The role holder is normally responsible for day-to-day and some longer term decisions in allocating, prioritising and supervising the conduct of work of Paralegals providing advice. There will often be decisions on the content, layout and quality of advice provided. The role holder will at all times take cognisance of Information law, Human Rights legislation, common law, and stated cases from European and Supreme Court.

7.1.2 The role holder will be required to plan and prioritise the workload of the Paralegal team to keep advice provision moving forward effectively. He/she will take decisions in relation to which aspects of the branch's work needs to be referred to more senior management for consideration. They will liaise with the Deputy Principal and Head of Branch to ensure correspondence and advice is fully and appropriately dealt with.

7.2 Advising Others

7.2.1 The role holder will provide information, advice and assistance to both members of the Organisation and members of the public, in respect of DP, FOI and associated legislation.

7.2.2 The role holder will be required to work as part a team, providing guidance to other staff members within the Advice Hub and the Corporate Information Unit.

8. Autonomy

8.1 The role holder will work with a minimum of supervision but will receive guidance and direction from the Deputy Principal and Grade 7 with the Corporate Information Unit via Unit, individual and team meetings and informally. A series of policies, instructions and manuals are also available within the Unit.

8.2 All activity is initiated by way of an instruction from the Head of Branch and Deputy Principal. Guidance is also available from the following.

- Data Protection, FOI Acts and other relevant legislation.
- Organisational policies and procedures.
- Legal Services.
- Information Commissioner's Office.

- PoliceNet.
- College of Policing Authorised Professional Practice.

8.3 Supervisors must be fully conversant across the materials to complete quality assurance of advice provision and recommend appropriate actions to senior colleagues to inform next steps. Supervisors will be required to assess information and apply a level of judgement in particular regard to Information access and Human Rights legislation.

8.4 Whilst work often follows guidelines and working procedures, polices and case law there is scope for some discretion to be applied where this is deemed appropriate, although Head of Branch and Deputy Principal can be consulted for assistance when necessary.

9. Management of Resources

9.1 Financial

9.1.1 Supervisors have no direct formal financial management responsibility.

9.2 Leadership and Team working

9.2.1 The role holder is responsible for showing leadership to their Paralegals (or other staff members where appropriate) and will be required to maintain good working relationships by supporting others and contributing to team decisions. Supervisors will be required to train, manage and support their staff recognising the differing skills and experience across the teams.

9.3 Nature of Management

9.3.1 The role holder will have full management responsibility for a number of Paralegals including motivation and building co-operation and team performance between Paralegals and other staff within the Corporate Information Unit.

9.3.2 The role holder will ensure that individual performance reviews are completed in timely fashion and development plans are in place to improve service delivery.

10. Impact

10.1 The role holder will contribute to the success of information compliance by assisting the Corporate Information Unit in ensuring that all personal data processed by the Data Controller (Chief Constable) is compliant with data protection legislation and that the Organisation is cognisant of, and compliant with all other relevant legislations that may impact upon the Branch and the responses it issues.

10.2 If the role holder does not effectively manage this activity this may lead to a decrease in the ability of the Chief Constable to meet legal obligations, the

potential for themselves to commit criminal offences (individually or corporately), and a reduction of confidence by members of the public in relation to how PSNI processes personal data and responds to DP and FOI queries and requests.

- 10.3 Whilst not closely supervised, under-performance in the role should be identified almost immediately by the Deputy Principal, and other managers as poor quality work/outputs should be readily apparent, and via the IPR process.

11. Post Requirements

The post holder must be prepared to undertake the necessary vetting process and obtain SC Security Clearance.