

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2021-02270

Keyword: Organisational Information/Governance

Subject: FOI/SAR Decision Makers

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act we can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

Request

“Relating to the credentials of ‘decision makers’ pertaining to FOI requests or Subject Access Requests to PSNI, can you please advise regarding the credentials of typical PSNI ‘decision makers’ and in what way does the relevant credentials, if there are any, ensure, if it does, total fairness and impartiality when making decisions ?

Are ‘decision makers’ re requests submitted to PSNI employed by PSNI or by an independent organisation”

Answer

We can confirm that the ‘decision maker’ role you refer to is a direct employee of PSNI. Whilst the job title currently states ‘decision maker’ all decisions with regard to FOI and data protection request handling are taken in line with branch processes, Information Commissioner’s Office published guidance and PSNI’s Service Instructions. The role is graded at ‘E02’ level within PSNI. The role profile is currently under review, however we can confirm that staff are recruited to E02 role must attain and demonstrate Level 2 supervisor/middle manager competency and values on the PSNI competency framework which is available at the following link:

<https://www.psnipolice.uk/globalassets/inside-the-psni/careers-in-the-psni/competency-and-values-framework/psni---competency-and-values-framework---version-1.1---april-2020.pdf>

This is tested at entry to the role either through internal transfer or promotion. If the role was externally advertised the current minimum entry academic level criteria to PSNI at E02 grade is 2 A-levels. In the Corporate Information Branch training is provided to all staff including attendance at external courses, internal supervision and bespoke e-learning packages in FOI and Data Protection which are a mandatory requirement for all staff handling FOI and data protection requests. The main roles and responsibilities of this E02 role are as follows:

Main roles and responsibilities

The role of the EO2 case-officer within Corporate Information Branch is to support the PSNI in ensuring it adheres to its obligations under the Freedom of Information Act 2000, Environmental Information Regulations 2004, Data Protection Act 1998 General and Data Protection Regulations 2018.

The role holder will report to the EO1 Team manager and assist with processing requests made by individuals under the updated the public access legislation detailed above, to ensure PSNI processes and provides information in line with its legal obligations.

Main duties

- Processing of requests made by individuals primarily under data protection (referred to as Subject Access) and Freedom of Information requests, from the time that the task is assigned to the role holder through to when the response is issued to the requester. This processing will be completed in line with branch processing guidelines and checklists for DP and FOI requests and include discussion with EO1 team leaders to allow for effective quality assuring in line with branch audit processes including by the EO1s, Staff Officer or other senior managers as appropriate.
- Assessing factual information received in response to FOI and data protection requests and formalising an appropriate reply
- Applying sound knowledge on the application of the use of exemptions/refusing a request in relation to DP and FOI and formulating a response that is clearly and concisely communicated in the public response.
- Processing DP, FOI and EIR requests in line with statutory time frames, using relevant processes (for example, escalation processes), to ensure compliance and ensuring individual case-loads are managed in a timely fashion and recording an audit trail of all detail relevant to request processing.
- Liaising with internal departments and districts to provide advice and guidance regarding the management of requests relevant to their particular functions or operation.
- Providing information to staff members about the handling of requests.
- Responding as appropriate to external DP, FOI, and EIR queries, providing external organisations and members of the public with advice and guidance.
- Liaising with staff from the Information Commissioner's Office as appropriate in order to seek information or advice, or to provide information.
- Conferring with staff from the NPCC Central Referral Unit with regard to FOI requests which involve a number of UK police forces.
- Providing the Team leaders and branch managers with regular updates regarding casework progress, raising issues with cases at an early stage, which may require guidance or intervention and ensuring all cases are discussed with the EO1 Team leader.
- The role holder will, on occasion, have responsibility for managing the FOI, Data Protection and Access to information mailboxes, and process the content of the emails accordingly.
- Other duties as required by the needs of the branch/organisation and as agreed with the EO1/Staff Officer/Deputy Principal/Head of Branch.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Corporate Information Branch, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If, following an Internal Review carried out by an independent decision maker, you remain dissatisfied with the handling of your request, you may make a complaint to the Information Commissioner's Office, under Section 50 of the Freedom of Information Act, and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at 'Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF', or use the ICO self-service portal available at www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/

In most circumstances, the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out however, the Commissioner has the option to investigate the matter at their discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnj.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.