

**STANDARD OPERATING PROCEDURES:
OFFICE OF THE BEDFORDSHIRE POLICE AND CRIME COMMISSIONER**

Title	Publication Scheme
Area of Compliance	Business and Compliance
SRR Ref. No.	PCC/SR8
SOP Ref. No.	021/2016
Version No.	2.0
Senior Lead	Chief Executive
Author	
Ratifying Group	

Revision History

Date	Revision	Change	Section	Review Date
November 2012	1.0	New Document		
December 2015	2.0	No change to document		December 2016

1. Purpose

1.1 This document was developed to be compliant with the statutory requirements and guidance of the Freedom of Information Act 2000, the Police Reform and Social Responsibility Act 2011 and the Code of Recommended Practice for Local Authorities on Data Transparency 2011.

1.2 Police and Crime Commissioners were introduced in the Police Reform and Social Responsibility Act 2011 as directly elected Local Policing Bodies to hold their Police Force to account in the delivery of an effective and efficient policing service. The first elections for Police and Crime Commissioners took place on 15 November 2012 and they took office from 22 November 2012. The second elections took place on 5th May 2016 and they took office from 12th May 2016.

1.3 As the local policing body the Police and Crime Commissioner and their Office are regarded as a public office.

2. Background

Legal Requirements

Police and Crime Commissioner Role and Responsibilities

- 2.1 The Police and Crime Commissioner for Bedfordshire took office on 12th May 2016. It is the Commissioner's job to ensure that there is an efficient and effective police force for Bedfordshire and to make sure that the Chief Constable and Force are accountable to you in carrying out their responsibilities and serving our communities.
- 2.2 The Commissioner engages with the public and communities in Bedfordshire and holds the Chief Constable to account for the delivery of policing, sets and updates a police and crime plan, sets the Force budget and council tax precept and appoints and, where necessary, dismisses the Chief Constable.
- 2.3 It might help you to know that police operations are the responsibility of the Chief Constable and Force and information on individuals is more likely to be held by the Police than the Commissioner.

The Freedom of Information Act 2000

- 2.4 The Freedom of Information Act 2000 (FOIA) provides rights of public access to information held by public authorities.
- 2.5 The Freedom of Information Act 2000 requires all public authorities to have a publication scheme.
- 2.6 The Elected Local Policing Bodies (Specified Information) Order 2011 of the Police Reform and Social Responsibility Act 2011 sets out statutory requirements for the publication of specific information by the Office of the Police and Crime Commissioner.
- 2.7 The Code of Recommended Practice for Local Authorities on Data Transparency 2011 sets out key principles (see 2.9) for authorities to create greater transparency and enhance accountability through the publication of public data.
- 2.8 This publication scheme has been developed to be compliant with the statutory requirements and guidance of the Freedom of Information Act 2000, the Police Reform and Social Responsibility Act 2011 and the Code of Recommended Practice for Local Authorities on Data Transparency 2011.

Model Publication Scheme

- 2.9 The Office of the Police and Crime Commissioner for Bedfordshire has adopted the Model Publication Scheme of the Information Commissioner's Office (ICO) as set out below and incorporated all specific information requirements of the Police Reform and Social Responsibility Act 2011 and the Code of Recommended Practice for Local Authorities on Data Transparency 2011, thus providing compliance to all statutory requirements regarding the publication of information at the time of implementation.

Information Commissioner – Model Publication Scheme

This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public office without further approval and will be valid until further notice.

This publication scheme commits an office to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the office. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an office:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the office and falls within the classifications below.
- To specify the information that is held by the office and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the office makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

Classes of Information

- Who we are and what we do.
Organisational information, locations and contacts, constitutional and legal governance.
- What we spend and how we spend it.
Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- What our priorities are and how we are doing.
Strategy and performance information, plans, assessments, inspections and reviews.
- How we make decisions

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Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

- Our policies and procedures.
Current written protocols for delivering our functions and responsibilities
- Lists and Registers.
Information held in registers required by law and other lists and registers relating to the functions of the office.
- The Services we Offer.
Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available

The office will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public office, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public office will indicate how information can be obtained by other means and provide it by those means. In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an office is legally required to translate any information, it will do so.

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Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for Information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the office for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by a public office that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

3. Affected persons

3.1 This policy applies to all permanent, temporary, and contracted staff working at the Office of the Bedfordshire Police & Crime Commissioner (OPCC).

4. Strategic Risk Register

4.1 The Publication Scheme will be monitored within the Strategic Risk Register to ensure full adherence to the policy at all times, and to incorporate changes via the Information commissioner (www.ico.org.uk).

5. Policy

5.1 The Office of the Police and Crime Commissioner for Bedfordshire will publish all required information on its website at www.bedfordshire.pcc.police.uk

5.2 A Monitoring Plan, listing all statutory required information for publication with timeframes and location is attached to this document.

5.3 Our website contains a copy of the Publication Scheme at: www.bedfordshire.pcc.police.uk. If there is no access to the website, the Office will provide a single copy free of charge (see 5.5).

Charging for Publications

5.4 All listed information will be available on the website.

5.5 Free of charge on website: There is no charge made by us, although the user will, of course, have to meet any charges made by their Internet service provider and/or telephone service as well as any personal costs for printing, photocopying etc. For those without access to the Internet, we will provide a single printout of an individual publication, as shown on the website, free of charge from the above contact address.

5.6 Chargeable on website: Requests for multiple copies of publications or multiple printouts from our website or for copies of archived material no longer available on the website will attract a charge. The cost will be 10p per printed sheet plus postage. We will let you know the cost when we receive your request. The charge will be payable in advance. Where the information is available via the website but a value-added service is requested using that information, a charge will be made.

5.7 Free of charge hard copy: Indicates a leaflet, booklet or periodical which is published by the Office of the Police and Crime Commissioner for Bedfordshire, still current and available, without charge.

5.8 Chargeable hard copy: Indicates a bound paper copy or other product as shown in our publication list. Where a charge applies, the cost and the reasons for levying such a charge will be made known to you. Any charge will be payable in advance.

Complaints about the Publication Scheme

5.9 If you think we have not supplied information in accordance with our Scheme, then you should write, in the first instance, to:

Chief Executive

Office of the Police and Crime Commissioner for Bedfordshire Bridgebury House

Woburn Road Kempston MK43 9AX

Telephone: 01234 842064

E-mail: pcc@bedfordshire.pnn.police.uk

5.10 We aim to deal with your complaint within 20 working days. If you are dissatisfied with the response you can ask for the matter to be internally reviewed. We aim to complete an internal review and respond to you within 20 working days.

5.11 If, after the internal review, you remain dissatisfied then you can complain to the Information Commissioner:

Information Commissioner

Wycliffe House

Water Lane Wilmslow,

Cheshire

SK9 5AF

Review of the Bedfordshire Publication Scheme

5.12 We will review and update our publication scheme biannually or in accordance with any new national guidance or legislation.

Copyright

5.13 Different bodies might own the copyright of material contained in our Scheme:

Copyright Material of the Office of the Police and Crime Commissioner

5.14 For material where we own the copyright, it can be reproduced free of charge in any format or medium for research, private study or for internal circulation within an organisation. This is subject to the material being reproduced accurately and not being used in a misleading context. Where material is being republished or copied to others, the source of the material must be identified and our copyright acknowledged. The Office of the Police and Crime Commissioner for Bedfordshire logo is also copyrighted and may not be reproduced other than as it appears on copied material.

Other Copyrighted Material

5.15 Some material we include in our Scheme may be the copyright of a third party. Our rights to hold and use such material do not extend to others. You must obtain authorisation from the copyright holder(s) concerned if you wish to copy or reproduce such material. This requires the consent of the Police and Crime Commissioner.

Requests for Personal Information

5.16 Under the Data Protection Act 1998, you already have a statutory right to have access to personal data we hold about you on computer or in a structured manual file (i.e. on paper). You also have the right to expect us, as the data controller, to ensure that data is:

- processed fairly and lawfully
- obtained for specific and lawful purposes
- adequate, relevant and not excessive
- accurate and where necessary kept up to date
- not kept for longer than is necessary
- processed in accordance with the rights of the data subject
- kept secure
- not transferred abroad unless to countries with adequate data protections laws.

5.17 For the purposes of the 1998 Act, “personal data” is information that relates to a living identifiable person. The person or organisation who controls the purpose and manner in which data is processed is the “data controller”. More information on the Data Protection Act can be found on the website of the Information Commissioner www.informationcommissioner.gov.uk or from the address given below.

Information where the Office of the Police and Crime Commissioner for Bedfordshire is the Data Controller

5.18 Where we are the data controller, you are entitled to be told whether we hold data about you, and if we do:

- to be given a description of the data in question
- to be told for what purposes the data is processed
- to be told the recipients, or classes of recipients, to whom the data is or may be disclosed

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5.19 You are also entitled to a copy of the information with any unintelligible terms, acronyms or codes explained. You will also be given any information available to us on the source of the data. The data will be in its latest form.

5.20 If you wish to apply for access to your personal data, known as “a subject access request”, you should write to us at the above address. A fee of £10 must accompany your request together with proof of your identity. We also need to be supplied with the details needed to locate the information you seek. A request for access to personal data will be dealt with promptly and in any event within 40 days of receipt of the request and payment of the fee.

5.21 If you consider that a request by you for access to your personal data has not been dealt with properly, you may:

- Write to us at the above address seeking resolution of your complaint.
- Contact the Information Commissioner, who is appointed to consider such complaints at:

Office of the Information Commissioner
Wycliffe House
Water Lane Wilmslow,
Cheshire
SK9 5AF

5.22 The Information Commissioner is empowered to assess whether there has been a failure to comply with the 1998 Act. The Commissioner can issue enforcement proceedings if satisfied that there has been a contravention of the data protection principles. The Commissioner can also recommend that you apply to court alleging a failure to comply with the subject access provisions of the 1998 Act. The court may make an order requiring compliance with those provisions and may also award compensation for any damages you have suffered as well as any associated distress.

Information where the Office of the Police and Crime Commissioner for Bedfordshire is not the “Data Controller”

5.23 In many cases, it is the Police and not the Office of the Police and Crime Commissioner that hold personal information. The Police National Computer includes information on prosecutions, convictions and cautions. Chief Officers of Police are the “data controllers” for this information and not Bedfordshire OPCC.

5.24 Police forces provide a form to simplify the exercise of your subject access rights to PNC information. In the case of Bedfordshire Police you should contact: -

**Data Protection Officer:
Information Governance Unit
Bedfordshire Police HQ
Woburn Road
Kempston
Bedfordshire
MK43 9AX**

Telephone: 01234 842547

Email: DataProtection@bedfordshire.pnn.police.uk

Requests under the Environmental Information Regulations

5.25 If you wish to make a request for information under the Environmental Information Regulations (EIR), you should write to:

Chief Executive

**Office of the Police and Crime Commissioner for Bedfordshire Bridgebury House
Woburn Road Kempston MK43 9AX**

Tel: 01234 842064

Email: pcc@bedfordshire.pnn.police.uk

General Information about the Office of the Police and Crime Commissioner for Bedfordshire - Roles and Responsibilities of the Police and Crime Commissioner

5.26 The Police and Crime Commissioner has a range of statutory duties to include.

5.27 Police and Crime Commissioners (Commissioners) aim to cut crime and deliver an effective and efficient police service within their force area.

5.28 Commissioners provide transparent accountability of the police. They are elected by the public to hold chief constables and the force to account; effectively making the police answerable to the communities they serve.

5.29 Commissioners will ensure community needs are met as effectively as possible, and improve local relationships through building confidence and restoring trust. They will work in partnership across a range of agencies at local and national level to ensure there is a unified approach to preventing and reducing crime.

5.30 Commissioners will not be expected to run the police. The role of the Commissioner is to be the voice of the people and hold the police to account. A protocol exists that determines the relationship between the Police and Crime Commissioner and the Chief Constable.

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5.31 It might help you to know that police operations are the responsibility of the chief constable and force and information on individuals is more likely to be held by the police than the OPCC.

6. Responsibilities

6.1 The Chief Executive has overall responsibility for this Publication Scheme

No	FOI Act 2000 Requirement	Description	ELPB (Specified Information) Order 2011 ⁱ	COP 2011 Data Transparency	Location of information
1	Who we are and what we do Organisational information, structures, locations and contacts. Information to be published as soon as practicable and available for current year				
1.1	Structure of the Local Policing Body	Names of PCC and Deputy PCC and any council or other body represented. Any sub-committee structure.	Name of each relevant officer 1(a) and salary of each relevant officer 1(c)	✓	PCC Website
1.2	Staff structure of the Local Policing Body	Basic staff structure or other details indicating administrative support	Number of staff 2(a) ; details of gender, ethnicity and disability 2(b) ; organisational chart 2(c) and job title, responsibilities and salary of senior employees ¹ 2(d)	✓ Organisational chart, senior staff salaries, 'pay multiple'	PCC Website
1.3	Contact information	Contact details, preferably by reference to name.	Address for each relevant officer 1(b)		PCC Website
1.4	Geographical area of operation				PCC Website
1.5	General outline of responsibilities				PCC Website
1.6	Appointment of independent custody visitors		Information on operation of the arrangements (ICV Scheme) made under section 51 of the Police reform Act 2002 Section 8		PCC Website
2	What we spend and how we spend it Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit. Information to be published as soon as practicable and be available for the current and previous two financial years				
2.1	Summary of revenue budget estimates of the Local Policing Body itself		Total budget 3(a) ; Proposed expenditure 3(d)		PCC Website
2.2	Annual statement of the Local Policing Body's accounts		Annual Investment Strategy 3(e)		PCC Website
2.3	Budget set for the Police Force				PCC Website
2.4	Expenses and allowances paid to or incurred by the Local Policing Body and senior employed staff	Details of the allowances and expenses that can be claimed or incurred. Total of the allowances and expenses incurred by categories (travel, subsistence and accommodation)	1(d) Required quarterly	✓	PCC Website
2.5	Annual audit letter			✓	PCC Website
2.6	Financial audit reports			✓	PCC Website
2.7	Internal financial regulations and delegated office			✓	PCC Website

¹ Salary exceeds £58,200

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No	FOI Act 2000 Requirement	Description	ELPB (Specified Information) Order 2011 ⁱ	COP 2011 Data Transparency	Location of information
2.8			Precept issued 3(b) before financial year to which it relates	✓	PCC Website
2.9			Anticipated source of revenue 3(c) before financial year to which it relates	✓	PCC Website
2.10			Each CDR grant made including conditions, recipient, purpose and reasons why given 3(f) (monthly)	✓	PCC Website
2.11			Each spend over £500 including recipient, purpose, why good VFM (i) of the Commissioner and (ii) of the Chief Officer of Police 3(g) (monthly)	✓	PCC Website
2.12			Identify premises or land owned or occupied 4(a)	✓	PCC Website
2.13			Copy of each contract over £10,000 (i) that the elected body, or (ii) the chief officer of the force maintained by the body is or is to be party 4(b)	✓	PCC Website
2.14			Copy of each invitation to tender expected to have a value exceeding £10,000 issued by (i) the elected policing body or (ii) the chief officer 4(c)	✓	PCC Website
2.15			List of every contract with a value not exceeding £10,000 to which (i) the elected policing body or (ii) the chief officer is or is to be party, including value of contract, identity of every other party and purpose of contract. 4(d)	✓	PCC Website
3	What our priorities are and how we are doing Strategies and plans, performance indicators, audits, inspections and reviews. Information to be published as soon as practicable and be available for the current and previous two years				
3.1	Strategic plan or local policing objectives set for the Police Force			✓	PCC Website
3.2	Reports presented to Local Policing Body indicating service provision, performance assessments, operational assessments			✓	PCC Website
3.3	Reports by external inspectors			✓	PCC Website
3.4	Statistical information provided to the Local Policing Body			✓	PCC Website

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No	FOI Act 2000 Requirement	Description	ELPB (Specified Information) Order 2011 ⁱ	COP 2011 Data Transparency	Location of information
3.5		Each year after end of financial year to which it relates	The number of complaints or conduct matters that have been brought to the attention of a relevant office holder by the police and crime panel either referred to the Independent Police Complaints Commission, or because they are being subjected to informal resolution by the panel 1(f)	✓	PCC Website
3.6			Arrangements (i) of how the Force works to assist the Commissioner to exercise the Commissioner's functions (ii) arrangements with local authorities (administrative, professional, technical) to assist the Commissioner to exercise the commissioner's functions 2A (a) and (b)	✓	PCC Website
4	How we make decisions Decision making processes and records of decisions. Information to be published as soon as practicable and be available for the current and previous two years				
4.1	Schedule of meetings open to the public		5(a)	✓	PCC Website
4.2	Agendas and approved minutes of the Local Policing Body and sub-committees		5(b) Also meetings, not public, but where a matter of significant public interest is discussed 5(c)	✓	PCC Website
4.3	Background papers for meetings open to the public			✓	PCC Website
4.4	Facts and analyses of facts used for decision making			✓	PCC Website
4.5	Public consultations			✓	PCC Website
4.6			Record of each decision of significant public interest 5(d)	✓	PCC Website
4.7			Copy of any report from the responsible office for a local government area under sec 7(1) C&D Act 1998 Section 7	✓	PCC Website
5	Our policies and procedures Current written protocols, policies and procedures for delivering our services and responsibilities. Information to be published as soon as practicable and be available for current year				
5.1	Policies and procedures for the conduct of the office's business	Standing Orders, delegated powers, corporate governance, code of conduct, memoranda of understanding and similar information.	Decision making process 6(b) Qualifying disclosures (whistle-blowing) 6(d)	✓ constitution	PCC Website

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No	FOI Act 2000 Requirement	Description	ELPB (Specified Information) Order 2011 ⁱ	COP 2011 Data Transparency	Location of information
5.2	Policies and procedures for the provision of services	This will include any policies and procedures for handling requests for information.		✓	PCC Website
5.3	Policies and procedures about the employment of staff	Where the office employs its own staff, details of the policies in place, or where staff are employed through another body, reference to the policies of that body. Vacancies.		✓	PCC Website
5.4	Customer service	Standards for providing services to the office's customers, including the complaint procedure. Complaints procedures will include those covering requests for information and operating the publication scheme.	6(a)	✓	PCC Website
5.5	Records management and personal data policies	This will include information security policies, records retention, destruction and archive policies, and data protection (including data sharing) policies.	6(c)	✓	PCC Website
6	Lists and registers Information to be published as soon as practicable and kept up to date				
6.1	Register of interests		1(e)	✓	PCC Website
6.2	Register of gifts and hospitality		2(e)	✓	PCC Website
6.3	FoIA disclosure log			✓	PCC Website
7	The services we offer Information about the services we offer, including leaflets, guidance and newsletters. Information to be published as soon as practicable and kept up to date				
7.1	Leaflets and explanatory booklets			✓	PCC Website
7.2	Media releases			✓	PCC Website
7.3	Services for which the Local Policing Body is entitled to recover a fee, together with those fees			✓	PCC Website

ⁱ Elected Local Policing Bodies (Specified Information) Order 2011 and Elected Local Policing Bodies (Specified Information)(Amendment) Order 2012