



Derbyshire Constabulary

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Telephone: 0845 123 3333
Fax: 01773 572639
Tel Ext: 700 2776
Direct Line:
Ask For: Freedom of Information
Our Ref: 002166/08
Your Ref:
Date: 1st October 2008

Dear MR LACEY

FREEDOM OF INFORMATION REQUEST - REFERENCE NO: 002166/08

I write in connection with your request for information which was received by Derbyshire Constabulary on 30/09/2008 in a letter addressed to Mrs S. Davies of our Legal Section. I note you seek access to the following information:

1. A FULL LIST OF COMMON PURPOSE GRADUATES THAT ARE CURRENTLY EMPLOYED OR WERE PREVIOUSLY EMPLOYED BY DERBYSHIRE CONSTABULARY EITHER AS OFFICERS OR CIVILIANS.
2. IN PARTICULAR ARE THE FOLLOWING COMMON PURPOSE GRADUATES
SUPT. D. PLATT
INSP. CONSTANTINE
CHIEF CONSTABLE CREEDON AND HIS PREDECESSOR
ASS. FORCE SOLICITOR MRS S. DAVIES
3. I REQUIRE A FULL AND DETAILED ACCOUNT OF ALL TAXPAYER MONIES TO COMMON PURPOSE BY DERBYSHIRE CONSTABULARY

Following receipt of your request searches were conducted within Derbyshire Constabulary to locate information relevant to your request. I am unable to confirm or deny that the Derbyshire Constabulary holds the information you have requested in relation to Questions 1 and 2 of your request.

I can confirm that the Derbyshire Constabulary does hold some limited information in relation to your third question and this information which has already been provided in relation to a previous question relating to "Common Purpose" is supplied below.

Extent of Searches to Locate Information

To locate the information relevant to your request searches were conducted at **Freedom of Information**

Result of Searches

The searches located some records relevant to the third question of your request.



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Question 3 –

7 Officers of the Derbyshire Constabulary have attended training courses organized by Common Purpose since 2003. The total cost to the Force for these Common Purpose Courses was £28,780.

Questions 1 and 2 –

I am unable to confirm or deny whether the Derbyshire Constabulary holds the information you request in relation to these questions.

If we did hold the information in relation to these questions we would not be obliged to supply the information you have requested.

Section 17 of the Freedom of Information Act 2000 requires Derbyshire Constabulary, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) States that fact,
- (b) Specifies the exemption in question and
- (c) States (if that would not otherwise be apparent) why the exemption applies.

The information you seek relates directly to personal information of third parties and as such is not accessible through the Freedom of Information Act legislation; indeed it is specifically precluded from disclosure.

I should add at this point that the information you seek is not information that staff are required to provide to the organisation and would doubt whether or not the information you request is in fact recorded at all. If it such information had been notified by any employee past or current, it would only be evidenced by manual perusal of each individual personal file.

If the Force held any relevant personal information it would be unlawful for the Derbyshire Constabulary to provide it and leave the Force open to prosecution under both the Data Protection Act 1998 and Human Rights Act 1998.

Section 40 Personal Information

Section 40(2) applies to third party personal data. This would not be released under the Freedom of Information Act unless there is a strong public interest. This is because any release would breach the Data Protection Principles contained within the Data Protection Act (1998).

One of the main differences between the Data Protection Act (1998) and the Freedom of Information Act (2000) is that any information released under FOI is released into the public domain, not just to the individual requesting the information. As such, any release that identifies an individual through releasing their personal data, even third party personal data, is exempt.

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Personal data is defined under the Data Protection Act (1998) as data that is biographical in nature, has the applicant as its focus and/or affects the data subject's privacy in his or her personal, professional or business life. The information you request clearly falls within this category.

Since the request asks for very specific personal information there is a clear duty of responsibility to maintain privacy of not only the named individuals but also any other member of staff to whom the request may be relevant.

All members of the public have an intrinsic right to privacy and these rights are protected by virtue of the Human Rights Act and the Data Protection Act. Release of information as requested here is likely to compromise those rights.

The exemption under this sub section is an absolute and class based exemption if disclosure would breach the third party's data protection rights. The disclosure of personal information to someone other than the data subject will almost always infringe the data protection principles within the Data Protection Act 1998. I am not required to apply either the public interest test or show the harm in disclosure unless there is an overwhelming community interest to be served which override the rights of the individuals. No such overwhelming community interest is evidenced.

In accordance with the Act, this letter represents a Refusal Notice for this particular request.

Please note this action cannot be taken as confirmation or denial that Derbyshire Constabulary does or does not hold the information you seek in relation to questions 1 and 2 of your request.

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Police forces in the United Kingdom are routinely required to provide statistics and information to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data and information. It should be noted that for these reasons this force's response to your questions should not be used for comparison purposes with any other response you may receive.

Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large disparate administrative data systems generated by the courts and police forces. The detail collected to respond specifically to your request is subject to the inaccuracies inherent in any large scale recording system. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

The figures provided therefore are our best interpretation of relevance of data to your request but you should be aware that the collation of figures for ad hoc requests may have limitations and this should be taken into account when those data are used.

If you decide to write an article / use the enclosed data we would ask you to take into consideration the factors highlighted in this document so as to not mislead members of the public or official bodies or misrepresent the relevance of the whole or any part of this disclosed material.



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Complaint Rights

Your attention is drawn to the attached sheet, which details your right of complaint.

Should you have any further enquiries concerning this matter, please write or contact Stuart Barlow, Freedom of Information Manager, on telephone number 0845 123 3333 quoting the reference number.

Yours sincerely

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Stuart Barlow
Freedom of Information Manager

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