

## Performance Indicators in Fulfilling Statutory Information Requests – Reporting Period 1<sup>st</sup> April 2021 – 31<sup>st</sup> December 2021

### Freedom of Information Requests

Below are some performance indicators on the number of requests received under the Freedom of Information Act 2000 and our compliance with statutory response timescales. Although FOI requests do not concern the compliance with handling personal data, these figures are relevant to demonstrate our overall compliance with statutory information requests that are of interest to the ICO.

Reporting year	No. of FOIs received during reporting period	No. of FOIs completed during reporting period*	No. of FOIs completed within the statutory timescale	No. of open FOIs (2021-22 spreadsheet)	No. of overdue FOIs (2020-21 spreadsheet)	No. of overdue FOIs (provided from Oct 2019 onwards)	Percentage compliance rate <b>within</b> the statutory timescale
Apr-Jun 2020	229	399	159		94	84	40%
Jul-Sep 2020	266	311	173		84	49	56%
Oct-Dec 2020	287	292	223		84	37	76%
Jan-Mar 2021	360	248	212		199	92	85%
<b>Total for the Year</b>	<b>1142</b>	<b>1250</b>	<b>767</b>		-	-	<b>61%</b>
Apr-Jun 2021	302	78	41	262	135	-	52%
Jul-Sep 2021	253	210	84	314	88	372	40%
Oct-Dec 2021	316	328	115	431	13	392	35%
<b>Total for the Year</b>	<b>871</b>	<b>616</b>	<b>240</b>	-	-	-	<b>39%</b>

**Please Note:** Figures for **Number of open FOIs** and **Number of overdue FOIs** are as of 14 January 2022.

**Please Note:** **No. of FOIs completed during reporting period\*** includes overdue FOIs from the previous financial year 2020-21. All overdue FOIs from the 2019-20 financial year are now completed and the spreadsheet was closed in December 2020.

### Progress Towards Achieving Backlog of Information Sharing Agreements

There are 125 ISAs awaiting action (not yet started or existing ones requiring review). The breakdown is provided below.

All 115 ISAs listed by the DPO and provided to the CDU, have now been reviewed and most of them are either already logged, or duplicates. Therefore, these are already included in the figures below. There were 56 potential new ones which have now been added these to the figure for 'New - not yet started' which now makes that figure 109.

Civil Disclosure are reviewing all the ISAs to determine the last communication/correspondence. This is to help identify which ones maybe dormant and no longer required. The review is 50% complete and once completed, CDU will update the status of each case file.

	Jan-Mar 2021	Apr-Jun 2021	July 2021	August 2021	September 2021	December 2021
<b>Existing ISA's to be reviewed</b>						
Review Required	16	16	16	16	16	16
New Template Required	17	17	17	16	17	
<b>New ISA's/Queries</b>						<b>17</b>
Not yet started	40	40	52	109	113	113
With Business Area	36	36	36	36	38	38
With CDU Decision Maker	12	12	12	12	13	13
With Lawyer/DPO/IAO	5	5	6	6	10	10
ISAs that have been cross referenced with DPO list status to be updated				33	33	33
<b>Items on DPOC waiting list</b>	115	115	115	0		
ISAs that have been cross referenced			33			
Already logged, but unsure if duplicates			26			
Potential New ISAs			56			

## Subject Access Requests

Individuals have the right under the data protection legislation to request their personal data. These numbers report of valid requests only and discounts those that were not validated (ie. no ID received, fee not received under DPA 98, nor scope of request defined).

Reporting year	No. of SARs received during reporting period	No. of SARs completed during reporting period	No. of SARs completed within the statutory timescale	Percentage compliance rate <b>within</b> the statutory timescale
Apr-Jun 2020	86	88	65	74%
Jul-Sep 2020	95	113	86	76%
Oct-Dec 2020	76	89	52	58%
Jan-Mar 2021	130	90	61	68%
<b>Total for the Year</b>	<b>387</b>	<b>380</b>	<b>264</b>	<b>69%</b>
Apr-Jun 2021	96	113	49	43%
Jul-Sep 2021	73	94	53	56%
Oct-Dec 2021	73	93	41	44%
<b>Total for the Year</b>	<b>242</b>	<b>300</b>	<b>143</b>	<b>48%</b>

## Rectification and Erasure Requests

Individuals have the right under the legislation to request the rectification of their personal data and to request the erasure of their personal data (also known as the 'right to be forgotten').

Reporting year	No. of valid requests received during reporting period	No. of requests b'fwd from previous quarter	No. of requests completed during reporting period	No. of requests to carry forward to next period	No. of requests completed within statutory timescale during reporting period	Percentage compliance rate <b>within</b> the statutory timescale responded to during the period
Apr-Jun 2020	11	0	10	1	10	100%
Jul-Sep 2020	8	1	6	3	5	83%
Oct-Dec 2020	7	3	8	2	7	87.5%
Jan-Mar 2021	12	2	9	5	8	89%
<b>Total for the Year</b>	<b>38</b>		<b>33</b>		<b>30</b>	<b>86.5%</b>
Apr-Jun 2021	9	5	14	0	13	93%
Jul-Sep 2021	9	0	8	1	8	100%
Oct-Dec 2021	8	1	8	1	8	100%
<b>Total for the Year</b>	<b>26</b>		<b>30</b>		<b>29</b>	<b>97%</b>

## Other Information Rights Requests

Individuals have other rights under the data protection legislation, these include: the right to restrict processing, the right to data portability, the right to object to processing, the right to object to automated decision making and the right to complain to the Information Commissioner.

These rights are exercised less often than the aforementioned rights, further information is provided below:

### Complaints made by data subject to the Information Commissioner's Office (ICO)

During the latter quarter of the reporting period, there was **1 complaint** made to the ICO by a member of the public in relation to the handling of their personal data or processing of their information rights.

### Other Information Rights

Other than the aforementioned subject access requests, rectification and erasure requests and the right to complain, we have received **2 complaints** directly from the data subject with regards to the handling of their data.

### Independent reviews

The DPO conducts independent reviews when individuals ask for them. This sometimes alleviates individuals from complaining to the ICO. This quarter there has been **1 independent SAR review**. **There have been no independent reviews of Rectification and Erasure requests** conducted in the last quarter.

## Personal Data Breaches

The following data breaches have been received for the reporting period. These are confirmed data breaches and do not include those reports of data breaches that have been discounted following further investigation.

Reporting year	No. of confirmed personal data breaches reported	No. of breaches reported to the ICO	No. of breaches where we've notified data subjects
Apr-Jun 2020	46	0	0
Jul-Sep 2020	38	0	0
Oct-Dec 2020	62	1	1
Jan-Mar 2021	72	2	0
<b>Total for the Year</b>	<b>146</b>	<b>3</b>	<b>1</b>
Apr-Jun 2021	56	1	2
Jul-Sep 2021	65	1	1
Oct-Dec 2021	73	3	3
<b>Total for the Year</b>	<b>194</b>	<b>5</b>	<b>6</b>

## Progress Towards ICO Recommendations

This section reports on progress towards the completion of recommendations NYP accepted to implement following the ICO consensual audit in July 2019. The report will not include recommendations issued and actioned prior to July 2019, but instead will include recommendations issued as a result of data breaches, complaints made to the ICO and the ICO audit recommendations since July 2019.

Source of ICO recommendation	No. of recommendations	No. completed or rejected	No. outstanding
Following hard copy book data breach (outcome Aug 19)	7	7 completed	0
ICO audit (Jul 19)	53	39 completed (no change since last report)	14 in progress
Following disclosure of report breach (outcome Dec 20)	7	7 completed	0
Following disclosure of information to an employer (outcome Jan 21)	5	5 completed	0
Following disclosure of inaccurate DVDS notice (outcome Feb 21)	7	7 completed	0
Following Clearview AI incident (outcome Jan 2022)	2	0	2 in progress
Following postal charge sent to nominal's previous address incident (outcome Jan 2022)	3	0	3 in progress

## Progress Towards Achieving Backlog Activities Relating to Data Protection Legislative Reform

The temporary resource assigned to progressing the backlog activities, left the post in November 2021 and therefore there has been little progress on backlog activities since then. The dedicated post (7.5 months remaining of the 21 temporary contract initially allocated) has been offered and the offer accepted, with a view for the individual to start in post at the beginning of March 2022.

The first half of the contract focussed on picking up the remaining DPCs and bringing them to completion, alongside assisting the Records Compliance Team with records management backlog activities. The second half of the contract, once the post is filled, will focus on other data protection related matters and assist the Information Security Team with information security related backlog work. This report updates IAB on the work outstanding to satisfy the various compliance activities:

Source of backlog activity	No. of controls	No. of controls completed or rejected	No. of controls outstanding
ICO self assessment toolkit	241	208	35
APP College of Policing data protection standards	42	41	1
NPCC data protection controls	78	73	5
RSM internal audit report	44	38	6
Actions identified in internal information asset audit	<b>435</b>	<b>341</b> (increase of 5 since last report)	<b>94</b>

Some of the controls from each source may overlap.

### Training Compliance Rates – NCALT Managing Information Module

The latest report (7<sup>th</sup> January 2022) on NCALT completion rate shows the completion of the **Managing Information** package which was due for mandatory completion by 26<sup>th</sup> July 2019, now stands at:

Managing Information – Operational **93.33%** (an increase of 0.22%)

Managing Information – Non-operational **71.63%** (a decrease of 1.65%)

Average across the organisation: **87.55%** (decrease of 0.31%)

Number of employees still to complete the module: **402** (an increase of 9 since last report)

Information Management will continue to send IAOs extracts from the report pertaining to their employees who have not completed the module, to give the extra push for completion.

**Information Management are also querying whether the FRS completion data will be reflected in these reports going forward and have been advised this will be encompassed in the report as soon as access to the MLE is granted to FRS staff.**