



Our Ref: 002780/15
Your Ref:
Address Correspondence to: Information Management
Date 12 June 2015

Freedom of Information Act 2000

I write further to your request for information received 13/05/2015.

I note you seek access to the following information:

Please can you tell me whether the PCC, or any employee of the PCC's office, has been charged with any criminal offence since 1 January 2014, and if so:

- 1 *The name of the individual concerned.*
- 2 *The date set for their first appearance in court.*
- 3 *What they were charged with.*

Please confirm receipt of this request and provide this information in electronic form within the required 20 working day maximum deadline for FoI responses.

Following receipt of your request, searches were conducted within the Office of the Police and Crime Commissioner to locate information relevant to your request.

However, on this occasion I am not required to confirm or deny that information is held as the obligation imposed by Section 1 (1) (a) of the legislation does not apply by virtue of the following exemption:

Section 40 (5) – Personal Information

(5)The duty to confirm or deny—

(b)does not arise in relation toinformation if or to the extent that either—

(i)the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles

In line with the Information Commissioners Guidance, any request of this legislation is considered to be applicant blind and we cannot therefore consider the motives behind the request. We have to treat such a disclosure as if it is being released to the world and assess each request accordingly.

In this case, you are asking for confirmation of whether members of the OPCC have a criminal which is considered to be personal data. To confirm or deny that the

information is held would result in a breach of the Data Protection Act 1998 and I am satisfied that this exemption applies.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Professional Standards Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Information Management
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