

FREEDOM OF INFORMATION REQUEST – FOI 744

Questions:

1 Do you have any guidance or policy for the public or service users to record calls when they speak to your staff

What is your organisations protocol on service users recording calls when they speak to your staff? Please provide a copy of your policy, procedure and guideline notes on this issue.

or call centres Do you Inform Users they can record. If the answer is no what is the reason for this please if so do send me a copy.

Are service users made aware of their right to record the encounter, if they choose to do so? Is this reflected in you policy document on the matter?

2. Does your organisation have an “Unacceptable Behaviour” policy? If so, please can you provide me with a copy?

If such a policy contains points of objectionable behaviour such as telephones calls being recorded by the caller due to them being not necessary or unwanted or needed, and furthermore the staff members may feel threatened or apprehensive, are you aware that denying users the right to record calls goes against the current UK laws.

3. Are your policies and procedures compliant with the public right to audio-visually record encounters with your staff, without their consent? If not, will you provide appropriate training for your staff so they are fully informed of the Public right to record?

4. What is our organisations current charging policy for Freedom of Information requests (FOI) or Subject Access Requests (SAR)? If charges are applied are concessions available for those on low income or students?

5. What is your organisations complaints policy? Please can you forward me a copy. Does your complaints procedure permit service users evidence such as covert call recordings to form part of the investigation.

The Public need to record all calls too many lies now its time for honesty.

Answer 1:

The information requested is not held. Please note that the scope of the Freedom of Information Act is limited to recorded information held at the time of the request.

There is no requirement on an organisation to create new information in response to a request. Therefore, this letter represents a Refusal Notice for your question 1.

Answer 2:

Regarding the first part of your question, there is no obligation for the PCC's office to create information to satisfy a request. In this instance we would need to create a “yes” or “no” answer for your questions. As such the information requested is not recorded information.

Regarding the second and third part of your question, the information requested is not held. Please note that the scope of the Freedom of Information Act is limited to recorded information held at the time of the request.

Therefore, this letter represents a Refusal Notice for your question.

However, to assist you further, the PCC's office has no 'Unacceptable Behaviour' policy regarding members of the public. The staff code of conduct – which relates to acceptable behaviour - is published online here:

<https://www.avonandsomerset-pcc.gov.uk/Document-Library/TERM-TWO/Policies-Procedures/OPCC-Staff-Code-of-Conduct-Amended-May-2018-3.pdf>

This includes this section:

Relations with the public

Staff in the Office of the Police and Crime Commissioner who deal with the affairs of the public should do so sympathetically, efficiently, promptly and without bias or maladministration.

Answer 3:

Regarding the first part of your question, there is no obligation for the PCC's office to create information to satisfy a request. In this instance we would need to create a "yes" or "no" answer for your questions. As such the information requested is not recorded information.

Regarding the second part of your question, the information requested is not held. Please note that the scope of the Freedom of Information Act is limited to recorded information held at the time of the request.

Therefore, this letter represents a Refusal Notice for your question.

Answer 4:

I have interpreted this question as asking about the PCC's office as an organisation. Freedom of Information (FOI) request charges are in accordance with the FOI Act 2000. Subject Access Request (SAR) charges are in accordance with the Data Protection Act 2018 and General Data Protection Regulation. Regarding the second part of your question, no information is held. However, to assist you further, the PCC's office have no separate policy.

Answer 5:

How to make various types of complaint is published on the PCC's website. As this information is already published then there is no obligation for the PCC's office to supply the information you have requested. The exemption applicable to this information is Section 21: Information reasonably accessible by other means. This is an absolute and class based exemption and as such does not require a harm and public interest test.

To assist you, the webpage link about the complaints process is here

<https://www.avonandsomerset-pcc.gov.uk/Feedback/About-Complaints.aspx>

Regarding the final part of your question, the information requested is not held. Please note that the scope of the Freedom of Information Act is limited to recorded information held at the time of the request. Therefore, this letter represents a Refusal Notice for your question.

To reiterate, there is no obligation for the PCC's office to create information to satisfy a request. In this instance we would need to create a "yes" or "no" answer for your questions. As such the information requested is not recorded information. To assist you further, the PCC's office does not hold documentation specifically