



South Yorkshire

**POLICE**

South Yorkshire Police

# **Force Vetting Unit privacy notice**

## OUR CONTACT DETAILS

<b>Name:</b>	Force Vetting Unit, South Yorkshire Police, Professional Standards Department
<b>Address:</b>	Unit 20, Churchill Way, Sheffield, S35 2PY
<b>Phone number:</b>	0114 292 1801
<b>E-mail:</b>	<b><u><a href="mailto:Force_Vetting_Unit@southyorks.pnn.police.uk">Force Vetting Unit@southyorks.pnn.police.uk</a></u></b>
<b>Privacy notice completed:</b>	20 October 2021

## YOUR CONTACT DETAILS

We are aware that many email addresses are not exclusive to one person. For instance, a number of family members may access one address. Work or professional email addresses may be available to managers or colleagues.

It is vitally important that you are satisfied that any email address you supply does not provide an opportunity for others to access information you may consider confidential.

### The reasons we may send you such information are:

- i) the vetting process often requires us to ask supplementary questions to clarify information you have provided. It is regularly necessary to send sensitive information by email to ensure you understand why we are asking such questions.
- ii) a minority of applications result in refusal of clearance. In most of these cases, you have the right to be told the reasons for refusal those reasons usually relate to personal information you may not wish others to know. We send this information by email.

The requirement and authority to conduct police security vetting and police-sponsored national security vetting is set down in the statutory Vetting Code of Practice (CoP), a copy of which is available at:

**<https://library.college.police.uk/docs/college-of-policing/Vetting-Code-of-Practice-2017.pdf>**

The process by which vetting is conducted, is guided by the Vetting Authorised Professional Practice (APP), a copy of which is available at:

**<https://library.college.police.uk/docs/college-of-policing/Vetting-APP-2021.pdf>**

Please understand that Vetting clearance is based on a snapshot in time. Because an individual's circumstances can change, periodic reassessment is important to ensure suitability for continued clearance. Consequently, all clearances are subject of review necessitating repeated searches of information systems, including Credit Reference Files, using your personal data. We may ask you to complete a review questionnaire to allow the opportunity to notify any changes in your personal circumstances.

The current APP (see above link) sets out the timescales for periodic reviews. However, if adverse information comes to light, or if there is a material change in your personal or professional circumstances, we may review or renew National Security, RV, MV or NPPV clearances at any time before the review or renewal date.

**For instance, we will review clearances if you:**

- Transfer roles
- Successfully complete promotion processes
- Apply for certain specialist posts or duties
- Become eligible for honours or awards

We may also review your clearance if the force receives a reference request from another employer or organisation.

The Force Vetting Unit is responsible for processing, managing and decision-making in relation to police security vetting of police officers, police support staff employed by SYP and non-police personnel who require access to police premises, information or information systems. Police officers and support staff are subject to the following clearance levels:

- Recruitment Vetting (RV)
- Management Vetting (MV)

We conduct Non-police personnel vetting (NPPV) to the following levels:

- NPPV1
- NPPV2 (Abbreviated)
- NPPV2 (Full)
- NPPV3

We also sponsor and make clearance decisions on all levels of national security clearance, i.e. Counter Terrorist Check (CTC), Security Check (SC) and Developed Vetting (DV)

## THE TYPE OF PERSONAL INFORMATION WE COLLECT

We currently collect and process the following information:

1. Your Personal identifiers - current full name, previous names, gender, date of birth, place of birth, NI No.
2. Your contact details - current home address, previous addresses, email address, telephone numbers.
3. Depending upon the level of clearance you require, where you are applying for a clearance other than NPPV1, we ask you to provide the name, date of birth, and address of your spouse/partner, certain members of your family, any other person with whom you co-reside and close associates.
4. We also ask you to supply information in relation to protected characteristics to assist us in monitoring and assessing our performance in complying with the public sector equality duty under the Equality Act 2010. You are not obliged to supply this information. Each of these questions require you to select an appropriate response from a pre-populated list. A response is required to enable you to move to the next section of the questionnaire. However, you will note that each list includes an opportunity to select "PREFER NOT TO SAY". If this is your favoured response, this will NOT adversely affect your application for vetting clearance.
5. Within its vetting process, South Yorkshire Police recognises its legal obligations under the Equalities Act 2010 and the Gender Recognition Act 2004, with particular attention paid to section 22 regarding disclosure of protected information.

Additionally, South Yorkshire Police acknowledges the government guidelines and the requirements to secure protected information – whether it is communicated verbally or materially, or held electronically – as required under UK law. Any disclosed information is managed by these protocols and is not disclosable to any other parties without explicit written permission from the owner of the protected information. South Yorkshire Police acknowledges its legitimate aim for requesting disclosure and its legal obligations under these requirements.

Where you are providing details of another individual (Partner, family members etc.) and this discloses their (Trans) gender history the same protections are afforded. You are obliged to provide this information, however it is recognised that these security checks will seek information that may lead to the identification of transgender status. This information will remain confidential and the disclosure of this information will be restricted to those police personnel involved in the vetting process who will be required to honour that confidentiality under Section 22 of the Gender Recognition Act (2004).

In the event that any relevant information is divulged which requires confirmation or clarification, it may be necessary to disclose information contained within the vetting unit to other organisations or agencies not part of the Police Service. These organisations are also bound by their equality duty and subject to the same laws

of confidentiality. As part of the aforementioned confirmation or clarification, the organisation or agency concerned may be requested to disclose personal information.

6. There is no statutory protection for individuals who fail to disclose this information, where it is legitimately required, say for identification purposes, e.g.; your age
7. If you have any concerns regarding disclosing information in relation to gender history, please contact the Equality and Diversity Team [or force equivalent – amend as applicable] on [...@pnn.police.uk – amend as applicable]. Please be reassured that all information is treated in the strictest confidence and only used for the purposes of vetting.

## HOW WE GET THE PERSONAL INFORMATION AND WHY WE HAVE IT

You provide most of the personal information we process for the following reasons:

- To ensure effective compliance with the process of Authentication as dictated by the Vetting APP. The term ‘Authentication’ relates to confirmation of an individual’s identity, nationality, employment eligibility and residency qualification.
- To ensure searches of local and national police and external agency information systems produce accurate results relating to you and avoiding the risk of processing the personal information of other people with whom you have no connection/ association.

We may also receive personal information from the below sources in the following scenarios:

- Credit reference agencies, in connection with applications for clearance levels at RV, MV, NPPV2 (Full), NPPV3, DV, SC & CTC
- Military Authorities where applicants have previous military service.
- Previous employers or voluntary organisations regarding disciplinary issues.
- Other UK police forces.

We use the information that you have given us in order to conduct searches of national and local police information systems holding records in relation to the following matters:

- Convictions, cautions, reprimands, Restorative Justice, other non-court disposals, and acquittals, for criminal offences.
- Injunctions and Court Orders relating to;
  - Community Protection
  - Criminal behaviour
  - Football related public disorder or other offences
  - Protection from Harassment legislation
  - Domestic abuse or domestic violence.
- Penalty Notices for Disorder
- Motoring Fixed Penalty Notices (excluding parking offences)
- Involvement as a suspect in criminal investigations where the subject was arrested or formally interviewed under caution at a police station or elsewhere, notwithstanding the investigation did not result in charges, prosecution or non-court disposals (caution/reprimand etc.) or where the individual was acquitted by a court.
- Information relating to suspected previous and ongoing criminality ('criminal intelligence')
- Police complaints or misconduct investigations.
- Anti-corruption concerns regarding honesty and integrity.
- Financial vulnerability.
- Performance and attendance issues.

We will also use your information to conduct enquiries with:

- Other police forces or law enforcement agencies following identification of previous relevant service, or where further information is required following interrogation of national police systems.
- United Kingdom Security Vetting (UKSV) where any level of national security clearance is required.
- Military authorities, following identification of previous military service.
- Previous employers or charitable/voluntary organisations regarding disciplinary matters.
- Credit Reference Agencies, for all levels of clearance other than NPPV1 and NPPV2 (Abbreviated)

## INFORMATION SHARING

In order to conduct the above-mentioned enquiries, we will supply the organisations with your personal details to enable them to accurately identify any records they hold about you. This will usually be your name/date of birth/address(es).

We hold the information you supply, together with the results of vetting searches and enquiries confidentially, either in electronic or paper format. We will only share this information under the following circumstances:

- Where the information indicates a risk to the health or safety of yourself or others. In which case, we will share the information with appropriate members of SYP, including the Occupational Health Unit, and/or other public services with sufficient capability to render assistance or take timely preventative safeguarding action.
- Where the information indicates a risk to national security. In which case, we will share the information with the appropriate security authorities.
- Where the information indicates the commission of a hitherto unidentified or undetected criminal offence. In which case, we will share the information with the appropriate investigative unit within SYP, or another police force.
- Where the information indicates the commission of hitherto unidentified or undetected gross misconduct, misconduct, corrupt practices or adverse influence by a third party. In which case, we will share the information with an appropriate officer within the force Professional Standards Department.
- Where the Vetting CoP or APP require us to do so to assist another police force or national security agency in the conduct of their vetting process.

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing this information are:

1. We have a legal obligation to process the information (Article 6(1)(c), GDPR)
2. We need it to perform a public task. (Article 6(1)(e), GDPR)

## LEGAL OBLIGATION

The GDPR (General Data Protection Regulations) place a legal obligation on us to implement appropriate organisational measures to ensure the security of personal data held by the force:

- Article 5(1)(f) of the GDPR concerns the ‘integrity and confidentiality’ of personal data. It says that personal data shall be: ‘Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures’.
- Article 32(1), GDPR states: ‘Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, the controller and the processor shall implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk’

The statutory Code of Practice on the Management of Police Information (MoPI) requires us to ensure procedures are in place to prevent unauthorised access to, amendment of, or loss of police information. The College of Policing APP (Management of Police Information) requires that, “information retained must be searchable and retrievable by staff who are appropriately vetted.....”

Vetting contributes to the protective security regime of the force by identifying individuals unsuitable to access the sensitive information held by SYP. Additionally, vetting will identify lower-level risks associated with an individual, enabling formulation of risk reduction/mitigation planning as a proportionate alternative to refusal of clearance.

- Statutory Vetting Code of Practice (CoP) issued by the Secretary of State under Section 39A(5) of the Police Act 1996, as amended by Section 124 of the Anti-social Behaviour, Crime and Policing Act 2014.

Principle 4 of the Code requires vetting to be conducted in accordance with the APP, which in turn prescribes the systems and enquiries necessary to ensure effective vetting. There are links to both the CoP and APP at the head of this notice.

## COP – RELEVANT SECTIONS

7.2 The Code applies to all those engaged on a permanent, temporary, full-time, part-time, casual, consultancy, contracted or voluntary basis with the police, as well as any individuals who apply to join the service. It also applies to those in partner agencies who have unrestricted access to any police premises or police information that is not publically available.

3.5 The Vetting Code of Practice applies to:

- All police forces in England and Wales
- Vetting units outside the above which conduct police vetting
- The College of Policing and its personnel
- Applicants to the police service
- Individuals appointed to or employed by police forces, ie, police officers, members of police staff and members of the Special Constabulary ('police personnel')
- Individuals and organisations working under contract to, in partnership with or on a voluntary basis with police forces in England and Wales
- The staff of local policing bodies who have unrestricted access to any police premises or police information that is not publically available.

3.6 Everyone involved in policing has a personal responsibility to ensure they comply with vetting requirements and that they report any material change in circumstances as soon as practicable.

4.2 The Code applies directly to the police forces maintained for the police areas of England and Wales defined in section 1 of the Police Act 1996. It is available for adoption by other police forces or agencies.

### Principle 2

Everyone working in a police environment will be vetted to the requisite level. This includes those who:

- Have unrestricted or unsupervised access to police information, assets or estates
- Have access to force or national police systems, be that directly or remotely
- Act as a representative of the police service
- Have the power to make or significantly influence strategic decisions in the police service, and includes members of partner agencies

### Principle 4

Police vetting should comply with the standards laid out in APP on Vetting.

## PUBLIC TASK

- The Policing Protocol Order 2011.  
<https://www.legislation.gov.uk/ukxi/2011/2744/schedule/made>

The Protocol places a responsibility on both the Police and Crime Commissioner and Chief Constable for the delivery of efficient and effective policing, management of resources and expenditure by the police force.

## HOW WE STORE YOUR PERSONAL INFORMATION

Your information is securely stored electronically with access restricted solely to Vetting Unit staff.

We keep the information provided by you, together with the results of searches and enquiries conducted against that information in accordance with the NPCC 'National Guidance on the minimum standards for the Retention and Disposal of Police Records.' We will then dispose of your information by deleting all electronic records. The following table is extracted from the NPCC Guidance:

Information Activity / Task	Description / Example of Record	Retention (Minimum Period)
Vetting	Contractor Vetting (NPPV)	End of contract + 1 year
Vetting	Successful vetting (cleared): Personnel vetting, local intelligence checks, references, referees checks. Counter terrorist checks etc	Police personnel 6 years after leaving, 1 year after death
Vetting - refusals	Failed vetting (clearance refused)	6 years
Vetting – Temporary Staff & Contractors	Non-Police Personnel Vetting	3 years.

## YOUR DATA PROTECTION RIGHTS

Under data protection law, you have rights including:

**Your right of access** - You have the right to ask us for copies of your personal information.

**Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

**Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.

**Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

**Your right to object to processing** - You have the the right to object to the processing of your personal information in certain circumstances.

**Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

If you wish to make a request, please visit:

<https://www.southyorks.police.uk/find-out/right-to-information/make-an-information-rights-request/>

Where you will find comprehensive advice and guidance.

## HOW TO COMPLAIN

If you have any concerns about our use of your personal information, you can make a complaint to us at:

The Information Compliance Unit  
South Yorkshire Police  
Unit 20, Sheffield 35a Business park  
Churchill Way  
Sheffield  
S35 2PY

## You may also complain under the Police Complaints Process:

	<p><b>In person</b></p> <p>You can visit any Enquiry Desk and ask to speak to the duty inspector or sergeant.</p>
	<p><b>By phone</b></p> <p>You can call 101 to give us your feedback.</p>
	<p><b>By email</b></p> <p>You can email the details of your complaint to <b><u><a href="mailto:complaints_and_discipline@southyorks.pnn.police.uk">complaints and discipline@southyorks.pnn.police.uk</a></u></b></p>
	<p><b>By post</b></p> <p>You can write to our Professional Standards Department at;</p> <p>Unit 20 Sheffield 35A Business Park Churchill Way Sheffield S35 2PY</p>
	<p><b>Through the IOPC</b></p> <p>The Independent Office for Police Conduct (IOPC), oversee the police complaints system and investigate the most serious incidents and complaints involving the police.</p> <p>You can also complain to the ICO if you are unhappy with how we have used your data.</p> <p>The ICO's address:</p> <p>Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF</p> <p>Helpline number: 0303 123 1113</p> <p>ICO website: <b><u><a href="https://www.ico.org.uk">https://www.ico.org.uk</a></u></b></p>

