

# Lincolnshire Police

## Policy Document



### Restriction of policing system records policy PD 205

#### Policy document information

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|--------------------------|-----------------------------------|
| <b>Reference number:</b> | PD 205                            |
| <b>Policy sponsor:</b>   | DCC                               |
| <b>Policy owner:</b>     | Head of PSD                       |
| <b>Author:</b>           | ACU Inspector – A/Insp Steve Hull |
| <b>Publication date:</b> | June 2024                         |
| <b>Review date:</b>      | June 2026                         |

## Version history

| Version | Date        | Reason for issue |
|---------|-------------|------------------|
| 4       | June 2020   | Biennial Review  |
| 5       | August 2022 | Biennial Review  |
| 6       | June 2024   | Biennial Review  |

## Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

## Legislative compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the staff and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

Other legislation/law which this policy has been drafted to comply with:

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Equality Act 2010](#)
- [Crime and Disorder Act 1998](#)
- [H&S legislation](#)

- [Data Protection Act 2018](#)
- [Freedom Of Information Act 2000](#)

## **Security classification**

**Policy to be published on Intranet:** Yes

**Policy to be published on Force Website:** Yes

## **Authorised Professional Practice (APP)**

This policy has been checked against APP and there is none in relation to the subject matter of this policy.

### **1. Policy aims (Purpose)**

- 1.1. The aim of this policy is to ensure that all requests to restrict information relating to a person, object, location or event (P.O.L.E.) entered onto policing systems, is considered in a corporate manner, authorised at the correct level and restricted only for as long as necessary. It is incumbent on the Force to ensure that information is shared and only restricted in the right circumstances. It should therefore be the norm that incidents are not restricted.

The policy is entirely separate to the restriction of intelligence process.

- 1.2. This policy relates to how the force will handle requests to restrict information held on its policing systems relating to Command and Control, Crime, Custody and Case for a policing purpose to ensure a corporate approach. The Management of Police Information (MoPI) guidance defines information for a policing purpose as:

That which satisfies the following five policing purposes which provide the legal basis for collecting, recording, evaluating, sharing and retaining police information:

- a. Protecting life and Property

- b. Preserving Order
- c. Preventing the commission of offences
- d. Bringing offenders to justice
- e. Any duty or responsibility arising from common or statute law.

## **2. Policy statement (Key information)**

### **2.1. Origins**

- 2.1.1. The Management of Police Information (MoPI) Guidance and Code of Practice 2006 gives details on how information held by the police should be handled. Unless there are specific reasons for information not being in the corporate knowledge of the organisation i.e. restricted, it should be shared. This policy advises on the corporate approach to why, when and how information should be restricted for a Policing Purpose, and how the restricted record is subsequently managed.

Staff should be aware that incidents that are restricted in Guardian Command and Control that lead to an occurrence being created in Niche RMS, will also require the restriction being placed on the Niche RMS occurrence.

- 2.1.2 In order that the force complies with legal requirements with regards to the Management of Police Information Lincolnshire Police must ensure that restricted information is not kept from the corporate knowledge of the organisation for longer than necessary.

### **2.2. Principles Reasons for restriction of information**

- 2.2.1. There may be many reasons for information held on the core policing systems to be marked as restricted. Although not a comprehensive list, circumstances where restriction of information may be required are:-
- Police Officers / Police Staff or their immediate families are involved personally and corporate knowledge of the facts may lead to personal embarrassment, repercussions etc.

- Members of the Public requiring security of information, and anonymity.
- VIP and related incidents or crimes, including celebrities.
- Risk to the organisation (including reputation) should the details become publicly known.
- There is a likelihood of compromise to a criminal or disciplinary investigation.
- The details of the incident are of an extremely sensitive nature – e.g. Ongoing Operation.

## **2.3. Who authorises restriction?**

- 2.3.1. Authority to restrict information should only come from Inspector Rank or above, but in circumstances requiring confidentiality nominated persons for example PSD/ACU or Protected Persons Unit may have the authority to restrict access to information. There will also be the requirement for Supervisors in the FCR to have the authority to restrict incidents which are 'live' and developing.

## **2.4. Who physically restricts information?**

- 2.4.1. Only personnel who have the appropriate access level within the core policing systems can restrict the information or record. The System Administrators have details of these personnel. The list identifies who has the correct level of access to authorise the restriction of incidents.

- **Guardian Command and Control**

The person restricting the incident, normally the FCR Inspector or Supervisor, should ensure that they record who has authorised the restriction, the reason for the restriction and also the level of restriction applied by completing the restricted incident proforma.

This should be added to the Incident to provide an audit trail.

Additionally, until amendments are made to the Guardian system in a further release, the FCR supervisor or Inspector should create a Threat, Harm, Risk marker for the nominal/ location so that the

presence of a previous incident is identified in any subsequent search.

- **Niche RMS**

During normal working hours, the System Administrators can be contacted to apply the restriction and ensure the correct ACL (Access Control Level) is applied. There are currently 5 Administrators who can apply ACLs.

- 2.4.2. Out of hours, only certain members of staff will have the access to apply the restriction; currently these members of staff are within the FCR, and is limited to the FCR Inspector and FCR Supervisors.
- 2.4.3. The person restricting the record must detail who has authorised the restriction, the reason for restriction and also the level of restriction applied on the Occurrence Enquiry Log (OEL). All such restrictions should be communicated to the relevant System Administrator for management of these restrictions.
- 2.4.4. The risk held at this point in time is of time based restriction. If the record is created outside of normal working hours, the provision to apply the ACL in NICHE RMS will be given to the FCR Inspector, FCR Supervisors and the IRT Sergeant.

## **2.5. Who reviews the restriction?**

### **2.5.1. Guardian Command and Control**

Live Incidents should be continually reviewed to ensure that it is still appropriate for the Incident to be restricted. The Incident should also be reviewed upon closure and any ongoing requirement for the restriction to remain considered. The rationale for any removal of the restriction should be recorded in the incident log.

- 2.5.2. With respect to closed incidents, if the need for a restriction is no longer required, then the FCR Supervisor or Inspector should be contacted for the restriction to be reviewed, and where appropriate, removed. When a

restriction is removed an entry should be made on the incident log as to why the restriction is no longer required.

### **2.5.3. Niche RMS**

The System Administrators will have the responsibility of contacting the requesting person to review the restriction. This will be a maximum of three months after the restriction is applied.

2.5.4. The requestor will review the restriction, if it has been passed to someone else to deal with; they must forward the details to the new dealing officer, and update the System Administrators.

2.5.5. Once a response is received in writing (for audit purposes), the System Administrator will ensure that the OEL is either updated with why the restriction will be retained and for how long (maximum period 3-months before a further review), or update the OEL with why the restriction is being removed and the authorising officer's details.

## **2.6. Levels of restriction**

### **2.6.1. Guardian Command and Control**

The levels of restriction will vary dependant upon the circumstances and must therefore be decided by the person authorising the restriction. The restriction should be applied only to groups consisting of the following levels:

- Everybody – Can only view incidents marked at security level 'everybody' (default)
- Level 1 – Can view all incidents and assigned resource marked as Secure Level 1 and below
- Level 2 – Can view all incidents and assigned resource marked as secure Level 2 and below

- Level 3 – Highest level of security<sup>1</sup>

Thus enforcing a hierarchical procedure so that if an incident was restricted at a lower level it would not miss higher level roles. The Levels will consist of the following members:

Level 1 – FCR Calltakers, and all ranks of inspector and above (including police staff equivalent).

Level 2 – FCR Supervisors, FCR ISO, Intel analysts, Superintendent and above

Level 3 – FCR inspectors, Chief Officers and members of PSD

#### 2.6.2. **Niche RMS**

A data classification, titled: Restricted, will be created to set the ACL level on the occurrence. This will contain all staff with agreed access to restricted occurrences.

### 2.7. **User Access Levels**

2.7.1. An application for membership of these restriction groups, for any system, will need to be completed, signed by the line manager (Inspector or equivalent or above) and sent to the System Administrators for recording, and implementation.

#### 2.7.2. **Guardian Command and Control**

Access will automatically be granted to the following members of staff;

- System Administrator
- Professional Standards/Anti-Corruption Unit
- Anyone who has had a P695 signed by their line manager and applied in accordance with the Policy, allowing them access to the appropriate level. Level 3 access will not be authorised outside of

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<sup>1</sup> Restricted applies to all those who have been granted access by the System Administrator because of their role within the organisation and / or because they have completed a form P695, which has been appropriately approved.

the persons listed at 2.6.1, and it is expected that this level will be rarely used.

- 2.7.3. The list of current users who have access to restricted incidents is maintained by Systems administrators.
- 2.7.4. One-off access: Guardian has different functionality to previous command and control systems. When a user is assigned to an incident they will have access to both view and update for the entirety of the time that they are assigned to it. The action by the FCR controller in assigning a resource to the incident will open it up only to those assigned resources, which will enable them to update it, view it and create occurrences from it. The incident will be visible through both Pronto and CADView. Any exporting of the incident to a PDF is recorded within the incident log.

2.7.5. **Niche RMS**

Access will automatically be granted to the following members of staff;

- System Administrators
- Professional Standards/ Anti-Corruption Unit
- RRD Supervisors
- FCR Inspectors
- FCR Supervisors
- CMB Supervisors
- Custody Sergeants (only for the processing of persons having a restricted status for example a police employee, VIP)
- Inspectors and above
- Case Prep Supervisors

2.7.6. Niche RMS has 5 Levels of ACL within its structure.

- Top Level – Anti Corruption Unit (can view all levels of restricted information and has auditing capabilities)
- Top Level – Professional Standards and Sections of IMU, CRB, RRD
- Level 2/3 – Special Branch, CAB, DSU, FIB, IIU, MCU

- Level 1 – Divisional DIUs
- No ACL applied.

## **2.8. Legal Basis**

- 2.8.1. Following the publication of the Bichard Inquiry report in June 2004, the Home Secretary tasked the National Center for Policing Excellence (NCPE) with development of a statutory code in furtherance of recommendations 8-11 of Sir Bichard's report. The Code was laid before parliament in July 2005 with a date for the Code to come into forces on 14 November 2005. However, it was identified from an early stage that alongside the Code, there was a requirement for comprehensive guidance for the service detailing the end-to-end process for Management of Police Information. The Home Secretary committed to parliament and Sir Michael Bichard that Chief Officers will be required to 'have regard to' under the terms of s39 and s39A of the Police Act 1996 and sections 28, 28A, 73 and 73A of the Police Act 1997, the Code and Guidance, with effect from 1 April 2006.

## **3. Other related documents and appendices**

- 3.1. Appendices:

- Appendix A – Record restriction process flow chart

Related documents:

- MoPI Policy
- RRD Policy
- Government Protective Marking Scheme

## **4. Monitoring and review**

- 4.1 The policy will be subject to review at two yearly intervals. There will also be a periodic review of restricted records by the Force Auditors.

## **5. Who to contact about this policy**

- 5.1. This policy is owned by Head of PSD. Any enquiries about this policy should be directed to Professional standards department.

## Pro-forma for the equality initial assessment

This screening document is the first stage in a two-stage process to take a systematic approach to assessing the impact of an activity on equality. An activity may mean a:

- policy or policy review
- a business case
- a business plan
- a project initiation
- a decision to implement a service
- a decision to decommission a service.

This screening should be completed by the lead person for the activity with assistance from any of the following departments:

- Human Resources (where appropriate)
- Equality and Diversity

|                               |                                         |                            |              |                                                   |            |
|-------------------------------|-----------------------------------------|----------------------------|--------------|---------------------------------------------------|------------|
| <b>Department:</b>            | Professional Services Department        | <b>Section:</b>            | N/A          | <b>Person responsible for initial assessment:</b> | Phil Baker |
| <b>Policy being assessed:</b> | Restriction of policing systems records | <b>Date of assessment:</b> | 30 June 2018 | <b>Is this a new or existing policy?</b>          | Existing   |

|                 |               |
|-----------------|---------------|
| <b>Question</b> | <b>Answer</b> |
|-----------------|---------------|

|                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Briefly describe the aims, objectives and purpose of the policy.   | The aim of this policy is to ensure that all requests to restrict information relating to a person, object, location or event (P.O.L.E.) entered onto policing systems, is considered in a corporate manner, authorised at the correct level and restricted only for as long as necessary. It is incumbent on the Force to ensure that information is shared and only restricted in the right circumstances. It should therefore be the norm that incidents are not restricted.            |
| 2. Are there any associated objectives of the policy? Please explain. | None.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 3. Who is intended to benefit from the policy and in what way?        | The intended beneficiaries to the policy are Lincolnshire Police Officers and Staff, Partner Agencies and the Public.                                                                                                                                                                                                                                                                                                                                                                      |
| 4. What outcomes are wanted from this policy?                         | <ul style="list-style-type: none"> <li>• Establish a corporate approach to why, when and how information should be restricted for a Policing Purpose, and how the restricted record is subsequently managed.</li> <li>• Ensure that the force complies with legal requirements with regards to the Management of Police Information Lincolnshire Police and that restricted information is not kept from the corporate knowledge of the organisation for longer than necessary.</li> </ul> |
| 5. What factors/forces could contribute/detract from the outcomes?    | Failure to comply could restrict information unnecessarily.                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6. Who are the main stakeholders in relation to the Policy?           | <ul style="list-style-type: none"> <li>• Lincolnshire Police Officers and Staff employees</li> <li>• Partner Agencies</li> <li>• General Public of Lincolnshire</li> </ul>                                                                                                                                                                                                                                                                                                                 |

|                                                                                                                                       |                                                                                                                                |
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| 7. Who implements the policy and who is responsible for the activity?                                                                 | Head of PSD.                                                                                                                   |
| 8. Is there any likelihood the policy <b>could</b> have a differential impact on racial groups?<br>(Including Gypsies and Travellers) | <b>No</b><br><br>There is nothing within the policy that is likely to create a differential impact on different racial groups. |
| What existing evidence (either presumed or otherwise) do you have for this?                                                           |                                                                                                                                |
| 9. Is there any likelihood the policy <b>could</b> have a differential impact due to gender?                                          | <b>No</b><br><br>There is nothing within the policy that is likely to create a differential impact due to gender.              |
| What existing evidence (either presumed or otherwise) do you have for this?                                                           |                                                                                                                                |
| 10. Is there any likelihood the policy <b>could</b> have a differential impact on due disability?                                     | <b>No</b><br><br>There is nothing within the policy that is likely to create a differential impact due to disability.          |
| What existing evidence (either presumed or otherwise) do you have for this?                                                           |                                                                                                                                |
| 11. Is there any likelihood the policy <b>could</b> have a differential impact on people due to sexual orientation?                   | <b>No</b>                                                                                                                      |

|                                                                                                                         |                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                         | There is nothing within the policy that is likely to create a differential impact due to sexual orientation.                     |
| What existing evidence (either presumed or otherwise) do you have for this?                                             |                                                                                                                                  |
| 12. Is there any likelihood the policy <b>could</b> have a differential impact on people due to their age?              | <b>No</b><br><br>There is nothing within the policy that is likely to create a differential impact due to age.                   |
| 12a. Is there any likelihood the policy <b>could</b> have a differential impact on Young People and Children?           | <b>No</b><br><br>There is nothing within the policy that is likely to create a differential impact on Young People and Children. |
| What existing evidence (either presumed or otherwise) do you have for this?                                             |                                                                                                                                  |
| 12b. Is there any likelihood the policy <b>could</b> have a differential impact on Older People?                        | <b>No</b><br><br>There is nothing within the policy that is likely to create a differential impact on Older People.              |
| What existing evidence (either presumed or otherwise) do you have for this?                                             |                                                                                                                                  |
| 13. Is there any likelihood the policy <b>could</b> have a differential impact on people due to their religious belief? | <b>No</b>                                                                                                                        |

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|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                 | There is nothing within the policy that is likely to create a differential impact due to religious belief.                                                         |
| What existing evidence (either presumed or otherwise) do you have for this?                                                                     |                                                                                                                                                                    |
| 14. Is there any likelihood the policy <b>could</b> have a differential impact on people due to them having dependants/caring responsibilities? | <p><b>No</b></p> <p>There is nothing within the policy that is likely to create a differential impact due to people having dependents/caring responsibilities.</p> |
| What existing evidence (either presumed or otherwise) do you have for this?                                                                     |                                                                                                                                                                    |
| 15. Is there any likelihood the activity <b>could</b> have a differential impact on people due to Marriage or Civil partnership?                | <p><b>No</b></p> <p>There is nothing within the policy that is likely to create a differential impact on people due to Marriage or Civil partnership.</p>          |
| What existing evidence (either presumed or otherwise) do you have for this?                                                                     |                                                                                                                                                                    |
| 16. Is there any likelihood the policy <b>could</b> have a differential impact on people due to them being Transgender or Transsexual?          | <p><b>No</b></p> <p>There is nothing within the policy that is likely to create a differential impact on people due to them being Transgender or Transsexual.</p>  |
| What existing evidence (either presumed or otherwise) do you have for this?                                                                     |                                                                                                                                                                    |

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|-----------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 17. If a differential impact has been identified in 8-16, will this amount to there being the potential for an adverse impact in this policy? | <b>N/A</b> |
| 18. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?              | <b>N/A</b> |
| 19. If Yes, is there enough evidence to proceed to a full EIA?                                                                                | <b>N/A</b> |
| 20. Date on which Full impact assessment to be completed by.                                                                                  |            |

Signed (completing officer): Phil Baker

Signed (Lead officer):

## Groups affected

Please identify the anticipated impact this activity will have on the following population groups.

- Tick the appropriate box and give explanation if so required,
- Please note that there are both likely benefits and adverse impact within the same group
- Any groups highlighted as likely to be adversely affected should be consulted in the second stage Full Impact Assessment if one has been identified as being needed.

|                                                                                  | Likely to Benefit        | No Impact                           | Adverse Impact           |
|----------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|
| <b>Disability:</b> Physical, Sensory, Learning Disability, Mental Health, Carers | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Gender:</b> Male, Female                                                      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Transgender</b>                                                               | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Race:</b> Traveller and Gypsy etc                                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Sexual Orientation:</b> Lesbian, Gay, Bisexual                                | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Religion and Belief</b>                                                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Age:</b> Young and Old                                                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Marriage and Civil Partnerships</b>                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |