



## Freedom of Information Request 01/FOI/22/1444

**Policy and procedure/process used to determine what other relevant information to include in a person's Disclosure and Barring Service certificate?**

### **RESPONSE**

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of the FOIA requires that we provide the applicant with a notice which:

- a) states that fact
- b) specifies the exemption(s) in question and
- c) states (if that would not otherwise be apparent) why the exemption applies.

In relation to this particular request, the following exemption applies:

#### **Section 21 - Information accessible by other means**

This information is exempt under Section 21 of the FOIA because the information is already accessible to you. Section 21 is an absolute exemption and therefore does not require a public interest test. Statutory guidance on providing information for inclusion in enhanced criminal record certificates has been issued to chief officers and is readily available on the gov.uk website. The link to this page is shown below:

<https://www.gov.uk/government/publications/statutory-disclosure-guidance/statutory-disclosure-guidance>

In accordance with the Freedom of Information Act, this letter acts as a refusal notice for your request.