

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 9 July 2024

Public Authority: Chief Constable of Humberside Police
Address: Police Headquarters
Priory Road
Hull
HU5 5SF

Decision (including any steps ordered)

1. The complainant requested information from the Chief Constable of Humberside Police ("the public authority").
2. The Commissioner's decision is that the above public authority ("the public authority") breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner does not require further steps to be taken.

Request and response

4. On 2 March 2024, the complainant wrote to the public authority and requested information in the following terms:

"Under section 19 FOIA the Humberside Police Policies and procedures should be published on their website.

In order to save Humberside Police staff time and money to allow them to concentrate on more important matters I have tried to obtain relevant policy and procedures via the Humberside Police website over the past 18 months. However every attempt has received the same message that states:

'A review of our current policies is presently being undertaken to ensure that they are suitable for publication.

Therefore, if you require access to a specific policy, get in touch with us and a member of staff will look at the feasibility of disclosing the information you are seeking.'

Under the FOIA please provide a date when this review will be completed.

The date the review began.

How many policies remain to be reviewed

How many reviews of policies have now been completed.

The date on which the Humberside Police expect to be compliant with their section 19 legal responsibility and obligations and publish the information in their website."

5. The public authority responded on 15 April 2024.

Scope of the case

6. The complainant has confirmed that they are happy with the information they have now received, but wish to have the late response formally recorded.

Reasons for decision

7. Section 1(1) of FOIA states that:

"Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him."

8. Section 10(1) of FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt".

9. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with FOIA. The Commissioner finds that the public authority has breached section 10(1) by failing to respond to the request within 20 working days.

Right of appeal

10. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

11. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
12. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Ben Tomes
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF