

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 10 July 2017

**Public Authority:** Chief Constable of Staffordshire  
**Address:** Police Headquarters  
PO Box 3167  
Stafford  
ST16 9JZ

### Decision (including any steps ordered)

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1. The complainant has requested information about arrests made of people aged over 60 in Staffordshire, over the last five years. While Staffordshire Police provided a response, it did so outside of the required 20 working day timescale of the FOIA.
2. The Commissioner's decision is that Staffordshire Police has breached section 10(1) of the FOIA. As a response has been provided, the Commissioner does not require Staffordshire Police to take any steps.

### Request and response

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3. On 12 February 2017, the complainant wrote to Staffordshire Police via the public "Whatdotheyknow" website and requested information in the following terms:

*"I would be very grateful if you could provide the information in the form of an Excel spreadsheet.*

*I would like to know how many people over the age of 60 in Staffordshire have been arrested and/or jailed - over the last 5 years. (2012-2017)*

*Followed by a list the types of offences.*

*In any case, if you can identify ways that my request could be refined please provide further advice so I can amend my request."*

4. Staffordshire Police acknowledged receipt of the request the following day.
5. Having heard nothing further, on 13 March 2017 the complainant wrote to Staffordshire Police, asking for a prompt response to her request. Staffordshire Police responded, apologising for the delay and saying that it was still waiting to receive the information from the data holders.
6. The complainant chased a response on 20, 26 and 30 March 2017. Staffordshire Police eventually disclosed to the complainant the information described in the request on 4 April 2017.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 30 March 2017 to complain about the way her request for information had been handled. At that stage, she had not received a response to the request.
8. However, the complainant subsequently received the response, which was a full disclosure of the requested information.
9. The Commissioner considers that the matter to be decided is whether Staffordshire Police dealt with the request within the time limit set out in section 10 of the FOIA.

### **Reasons for decision**

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#### **Section 10 – Time for compliance**

10. Section 10 of the FOIA requires a public authority to respond to a request for information in accordance with section 1(1) of the FOIA within 20 working days following the receipt of the request.
11. In this case the request was submitted on 12 February 2017 and Staffordshire Police did not provide its response until 4 April 2017, some 37 working days later.
12. This is outside the required 20 working day timeframe and therefore the Commissioner finds that Staffordshire Police has breached section 10(1) of the FOIA.

## **Other matters**

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13. As well as issuing this notice, the Commissioner has made a separate record of the failure by Staffordshire Police to respond to the complainant's request within the statutory timescale. This issue may be revisited should evidence from other cases suggest that this is necessary.

## Right of appeal

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14. 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: 0300 1234504

Fax: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

15. 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.
16. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed** .....

**Samantha Bracegirdle**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**