

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 20 August 2018

Public Authority: The Chief Constable of Lincolnshire Police
Address: Police Headquarters
PO BOX 999
Lincoln
LN5 7PH

Decision (including any steps ordered)

1. The complainant has requested information relating to a recently introduced policy requiring applicants for new and renewed shotgun certificates to provide medical information from their doctors.
2. Lincolnshire Police provided a response to the complainant's request, however, this was provided outside of the statutory time limit of 20 working days.
3. The Commissioner's decision is that Lincolnshire Police has breached section 1(1) and section 10(1) of the FOIA.
4. As the requested information has now been provided, the Commissioner does not require Lincolnshire Police to take any further steps.

Request and response

5. On 17 March 2018, the complainant wrote to Lincolnshire Police and requested information in the following terms:

"Please provide me with:

1. A full copy of Inspector [name redacted] recent policy document submitted to the Chief Officer Group in relation to the recently introduced force policy requiring applicants for new and renewed shotgun certificates to provide medical information from their doctors.

2. Details of all interviews, cautions and prosecutions that support Inspector [name redacted] assertion made to me on 7/3/18 that a number of such applicants for shotgun applications have been untruthful in respect of their medical status and have thus made false statements in their applications."

6. Lincolnshire Police acknowledged the request on 19 March 2018. It responded to the request for information on 26 April 2018.
7. On 25 May 2018 Lincolnshire Police carried out an internal review of its initial response.

Scope of the case

8. The complainant contacted the Commissioner on 7 May 2018 to complain about the way his request for information had been handled.
9. The Commissioner contacted the complainant on 30 July 2018 and he advised that he was dissatisfied with the time taken by Lincolnshire Police to respond to his request and required a decision notice to record the delay.
10. The Commissioner has considered whether Lincolnshire Police breached section 10(1) of the FOIA – time for compliance.

Reasons for decision

Section 1 – general right of access **Section 10 – time for compliance**

11. Section 1(1) of the FOIA states that anyone making a request for information to a public authority is entitled to be informed whether the public authority holds the information, and if so, to have that information communicated to them.
12. Section 10(1) of the FOIA states:

"Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."
13. In this case, the complainant's request for information was made on 17 March 2018 and he did not receive a response from Lincolnshire Police until 26 April 2018. Lincolnshire Police therefore did not respond to the

complainant within the statutory time frame set out in the FOIA and by doing so it breached section 1(1) and section 10(1) of the FOIA.

Right of appeal

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

Website: 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

**Deborah Clark
Group Manager
Information Commissioner's Office
Wycliffe House
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Wilmslow
Cheshire
SK9 5AF**