

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 6 February 2023

**Public Authority:** Chief Constable of South Yorkshire Police  
**Address:** South Yorkshire Police Headquarters  
Carbrook House  
Carbrook Hall Road  
Sheffield  
S9 2EH

#### **Decision (including any steps ordered)**

---

1. The complainant requested information from South Yorkshire Police (the Police) about suspects moved from bail to released under investigation.
2. The Commissioner's decision is that the Police 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. No steps are required.

#### **Request and response**

---

3. On 5 December 2022, the complainant made the following request for information:  

"Does SYP have any information about when suspects get moved from bail to RUI? Do you have any information that can help at all? Is it legal and something you do yourselves?"
4. The Police requested clarification from the complainant on 8 December 2022, which the complainant provided on the same date.
5. The Police responded to the request for information on 26 January 2023.

#### **Scope of the case**

---

6. The complainant contacted the Commissioner on 10 January 2023 to complain about the Police's failure to respond to their request within the statutory time frame of FOIA.
7. The Commissioner has considered whether the Police has complied with its obligations in relation to the time for compliance at section 10(1) of FOIA.

## **Reasons for decision**

---

8. 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."
9. 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".
10. From the evidence provided to the Commissioner in this case, it is clear that the Police did not deal with the request for information in accordance with FOIA. The Commissioner finds that the Police has breached section 10(1) by failing to respond to the request within 20 working days.

## Right of appeal

---

11. 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](mailto:grc@justice.gov.uk)

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

12. 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.
13. 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 .....**

**Catherine Fletcher**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**