



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-02773

Keyword: Organisational Information/Governance

Subject: PSNI and the ICO

Request and Answer:

Your requests for information has now been considered. In respect of Section 1(1)(a) of the Freedom of Information Act ('FOI') I can confirm that the Police Service of Northern Ireland does hold some of the information to which your request relates and we are providing that to you. The remaining information we do not hold.

Request 1

Can I get under FOI for minutes of meetings between PSNI and Senior ICO officials regarding the backlog in responding to FOI requests by PSNI? (As stated in Irish news in report written by Brendan Hughes).

Answer

PSNI does not hold minutes of meetings with the ICO regarding the backlog. For clarification in the Irish News article you have referenced in your request, ACC Todd confirmed "*PSNI continues to work closely with the Information Commissioner's Office and has updated it on our plans to reduce the backlog*".

Given that senior Information Commissioner's Office ('ICO') staff are not permanently based in Northern Ireland, face to face meetings are not always possible. PSNI has therefore updated the ICO on its backlog by way of email, verbal updates and providing sight of PSNI's risk register actions.

Following a recent visit to PSNI Headquarters on the 21st September by the UK Commissioner Elizabeth Denham and ICO Head of Regional Offices, PSNI provided a verbal update on its backlog. At that meeting the UK Commissioner confirmed her staff would formally write to PSNI seeking details of those measures being taken to address the backlog along with a timescale for completion. PSNI has just received that correspondence and is currently in the process of responding formally to the ICO with its action plan.

Request 2

Can I get told how many complaints about PSNI have been received by ICO (which PSNI were informed about) in past 24 months and a general reason for the complaint?

Answer

In the two year period from 13 November 2016 to 13 November 2018, PSNI has received notification of 44 complaints under section 50 of the Freedom of Information Act from the ICO. This comprised of

32 complaints about not processing FOI requests in compliance with section 10 of the FOIA (timescales) and 11 complaints where the ICO investigated the application of exemptions by PSNI at Part 2 of the FOIA. Specifically, these requests included investigations, some of which are still ongoing by the ICO of the application of the following exemptions:

- (i) Section 12 (x1)
- (ii) Section 14 (x5)
- (iii) Neither Confirm nor Deny provisions (x3)
- (iv) Section 30(1) and Section 40(2) (x1)
- (v) Section 23 (x1)

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.