



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2019-00275

**Keyword:** Organisational Information/Governance

**Subject:** Third Party Hosting Annual Spend

### Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold some information to which your request relates. We do not however hold information in relation to request number one below. We further consider the information you seek in request number two is exempt by virtue of Section 31 of FOIA and have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

### Request 1

Reg. Annual spend; we are seeking an overall average spend of each supplier, not the actual. Hence please advise.

### Answer

The Freedom of Information Act 2000 legislates for the rights of an individual to seek access to recorded information. The Act only extends to requests for *recorded information* as defined by Section 84 of the Act and does not require public authorities to answer questions or create information to answer an FOI request.

Based on the information you have provided, searches were conducted by PSNI Finance Department however these searches failed to locate any records or documents relevant to your request. Finance Department has confirmed that this specific information is not recorded.

Accordingly, I have determined that the Police Service of Northern Ireland does not hold the information to which you seek access.

### Request 2

Can you please share the direct email address of Mark McNaughten

### Answer

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

(a) states that fact,

- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemption, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 31 (1)(a) the prevention or detection of crime (b) the apprehension or prosecution of offenders – Law Enforcement

The full text of exemptions can be found at [www.legislation.gov.uk](http://www.legislation.gov.uk) and further guidance on how they operate can be located on the Information Commissioners Office website [www.ico.org.uk](http://www.ico.org.uk).

### **Harm Test**

The information requested refers to a personal police e-mail addresses and the release of this information is a sensitive area. Releasing these details would allow criminals, and anyone intent on hampering police law enforcement duties, to bombard the system with e-mails therefore both directly and indirectly impacting on the prevention and detection of crime.

### **Public Interest Test**

#### Factors favouring release – Section 31

Release of this information could give the public better access to a member of staff and their Police Department.

#### Factors favouring retention – Section 31

Disclosures of details about a personal e-mail address could compromise the PSNI's law enforcement abilities by bombarding the address with e-mails and keeping the system engaged. This would mean that a member of staff would be engaged in continuously answering emails. The release of a personal e-mail address could increase the risk of cyber-attack which would hinder legitimate e-mails from getting through. This could potentially lead to more crime being committed and individuals being placed at risk by important calls and information not getting through.

### **Decision**

While there is a strong public interest in releasing the information requested the PSNI must ensure that law enforcement is not adversely affected by the release of a personal e-mail address. There may be a public interest in having access to police departments and a personal email account however in ensuring that the Service is actively engaging with its Law Enforcement responsibilities the PSNI has a duty of care to the community it serves. The PSNI will not release details that may hinder the detection or prevention of crime through the release of information which may be of assistance to criminals and e-mails being inappropriately used or maliciously attacked.

In this case I am satisfied that the exemptions outlined above are applicable to this information.

However to assist I have provided the generic email address that Mark McNaughten can be contacted through as the role of PSNI Director of Finance & Support Services

Email address - FSSSecretariat@psni.pnn.police.uk

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](mailto: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](http://www.psni.police.uk)

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