

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2020-02200

Keyword: Organisational Information/Governance

Subject: Firearm Applications

Request and Answer:

Your request for information below has now been considered. In respect of Section 1(1)(a) of the Freedom of Information Act 2000 (FOIA) I can confirm that the Police Service of Northern Ireland does hold the information you have requested however it is estimated that the cost of complying with your request for information would exceed the “appropriate costs limit” under Section 12(1) of the Freedom of Information Act 2000. We have explained to you below that when PSNI estimates whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if certain conditions are met. In this case those conditions are met and complying with all of your requests would in our estimation exceed that appropriate limit set out in Regulation. We have explained this further below but also we followed the Information Commissioner’s Office guidance ‘*Requests where the cost of compliance exceeds the appropriate limit*’ in relation to this request, which also provides further detail on the application of section 12 (1) of the FOIA. This guidance is available on the ICO website at the following link:

https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf

You requested the following information from PSNI:

Request 1

As of the 17th November 2020 can you confirm how many Firearm applications are awaiting processing to completion?

(1b) How many of these are re-grants (Renewals)

(1c) How many are variations

(1d) How many are initial grants

Request 2

How many Staff are working on processing applications

(2b) How many Re-grants have actually expired while awaiting Feb to process the application

Request 3

How many "Senior Managers" are employed to process applications

(3b) On 17th November 2020 how many cases are awaiting senior manager sign off?

(3c) How many of these are initial grants

(3d) How many are re-grants (Renewals)

(3e) How many are variations

(3f) Has the chief constable been made aware of the number of cases awaiting processing

(3g) Are Feb meeting with or planning to meet with firearm representative bodies to update them on Feb performance if not have any bodies requested meeting to discuss PSNI Feb performance and have these requests to meet been facilitated?

Request 4

What age is the oldest case awaiting senior manager approval

(4a) Is this a renewal, initial grant or a variation

(4b) What type of Firearm is this for

(4c) What is the reason that this hasn't been processed

Request 5

What is the target per hour for processing of cases by (a) FEB Staff (b) Senior Manager, if there is no target in place what is considered a satisfactory days work with regards number of applications processed.

(5b) Where targets are in place and these have not been achieved how many individual FEB processing staff and Senior Managers have faced any form of disciplinary action can this be confirmed for both please and action taken

(5c) Where action was taken that didn't involve dismissal how many Processing staff and senior managers continued to underperform and how was this addressed? If you can clarify for both please.

Request 6

As guidance what is the current expected turn around for re-grants, Initial Applications and a variation in days assuming that

(a) There are no red flags

(b) Doctors report is required

(c) Further security checks are required If you can confirm for each please A to C (7) how many staff are not working due to Covid 19 in FEB

Request 7

(7a) How many are working from home or other locations For 7 and 7b can you clarify for both FEB processing staff and Senior Management individually

(7b) why has the latest information on PSNI FEB website not been updated since 2018?

(7c) Why are NO monthly performance reports provided

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000. Section 12 of FOIA allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to either comply with the request in its entirety or confirm or deny whether the requested information is held. The estimate must be reasonable in the circumstances of the case. The 'appropriate limit' is currently £600 for central government and £450 for all other public authorities including PSNI. The relevant Regulations which define the appropriate limit for section 12 purposes are The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 SI 2004 No 3244. These are known as the 'Fees Regulations' for brevity.

Regulation 4(3) of the Fees Regulations states that a public authority can take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- (i) determining whether the information is held;
- (ii) locating the information, or a document containing it;
- (iii) retrieving the information, or a document containing it; and
- (iv) extracting the information from a document containing it.

Under those regulations PSNI can calculate the time spent on each of these permitted activities at £25 per hour (thus if the activity(s) takes more than 18 hours PSNI will be in excess of the 'appropriate limit').

When a public authority is estimating whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if the conditions laid out in Regulation 5 of the Fees Regulations can be satisfied. Those conditions require the requests to be:

- made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign;
- made for the same or similar information; and
- received by the public authority within any period of 60 consecutive working days.

Regulation 5(2) of the Fees Regulations requires that the requests which are to be aggregated relate "to any extent" to the same or similar information. This is quite a wide test but public authorities should still ensure that the requests meet this requirement.

Enquiries made in relation to your request has identified that retrieval of information would exceed the 18 hour cost limit set under the FOI Act by the Secretary of State. The information requested in Request 1 although it is held electronically it is not held in a readily retrievable format and therefore requires manual intervention. There are two IT systems where this information is held the 'Shogun' Team Diary system and the 'Shogun' PSNI's licensing system. In an attempt to capture the information you require, firstly, each Processor within PSN's Firearms Branch would need to manually search their own entries on the 'Shogun' Team Diary system to obtain a list of PID numbers (the unique record held on the Shogun system). The Processor would then need to collate the PID numbers for each diary entry. Once retrieved the Processor would need to open 'Shogun' (a separate system) to search each record individually to identify if it relates to an application which has not yet been finalised (the diary system contains other types of entries). The Processor would then have to record the results on a spreadsheet for records which are relevant to this question i.e. (1b) if it's a regrant, (1c) if it's a variation and (1d) if it's an initial grant. There are currently a

combined total of 2,659 entries in the diary system. It has been estimated that it would take each Processor an average of 2 minutes per record to retrieve the PID numbers from the Shogun Team Dairy system which would equate to 88 hours, grossly exceeding the 18 hour cost limit. This would be further increased to manually search the individual records on PSNI's licensing system 'Shogun' to obtain the information required for this part of your request.

Under Section 12 of the Freedom of Information Act 2000, if any part of the request exceeds the cost threshold then the whole request will be excess costs and there is no obligation to answer any part of the request.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

Advice and Assistance

Under Section 16 of the FOIA PSNI will always try to assist you to refine your request and provide advice where we can. PSNI have considered how your request may be refined to bring it under the appropriate limit. Unfortunately, as a manual trawl of records would be required for retrieval of any relevant information, it is not possible to offer any refinement for Request 1 – 1d. Additionally, Requests 5b, 5c, 6a, 6c and 7a, relates to third party information and exemptions may apply. However, PSNI can assist with the following;

Request 2 and 2b.

Request 3, 3b, 3c, 3d, 3e and 3f.

Request 4, 4a, 4b and 4c.

Request 5

Request 6b

Request 7b and 7c.

Please note: The information cannot be provided as of the 17th November. Information can only be provided at time of interrogation of IT systems.

Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

If you have any queries regarding your request or this decision please do not hesitate to contact me on 028 9070 0164. When contacting the Corporate Information Branch, 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 Corporate Information Branch, 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.psnipolice.uk

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