



FREEDOM OF INFORMATION REQUEST



Request Number: F-2023-01746

Keyword: Organisational Information Procurement, Contracts and Contractors

Subject: Procurement And Policies

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act we can confirm that the Police Service of Northern Ireland does hold some information to which your request relates and this is being provided to you. We further consider that some information you seek Re Point 5 is exempt by virtue of section 38 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

I am writing to you under the Freedom of Information Act 2000 to request copies of the six policies listed below. I have searched your website but could not find them.

1. A copy of your most up to date procurement policy.
2. A copy of your most up to date I.T. procurement policy.
3. A copy of your most up to date software asset management policy.
4. A copy of your most up to date hardware asset management policy.
5. A copy of your most up to date corporate/purchasing credit card policy.
6. A copy of your most up to date expenses policy.

Answer

Re Point 1 – Procurement Policy: This policy can be located by the following method:

- Access the PSNI website.
- Enter Procurement as a Search option
- Select the first result which is "Procurement and Logistics Services"
- Next screen select "More on Procurement and Logistics Services"

- On the next page click the Related Link “Procurement and Logistics Services” which can be found at the bottom of the page

That will open the current Procurement and Contract Management strategy

Re Point 2 - PSNI has a consistent Procurement Policy across all business areas (as outlined at Point 1 above) which is maintained and updated by PALS. ICS complies with the organisational procurement policy since it is based on method of procurement, contract management & governance rather than what is being bought.

Re Point 3 - ICS does not have a software asset management policy. The method of managing capital assets covers software that is classed as an asset. Software procured through subscriptions or other renewable payment methods have no enduring asset owned by PSNI and would not come under a software asset policy.

Re Point 4 - ICS does not have a separate asset management policy for its hardware. Hardware items identified as capital assets receive the same treatment as any capital asset owned by the organisation.

Re Point 5 – Attached please find a copy of:

- Chief Officer Credit Card Policy
- A redacted copy of PSNI Government Procurement Card (GPC) Policy

The rationale for some redactions in the GPC policy are outlined under:

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

Section 38 (1)(b) – Health & Safety – Information is exempt information if its disclosure under this Act would, or would be likely to (b) endanger the safety of any individual.

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

Section 38 is a prejudiced based, qualified exemption which means the PSNI must demonstrate harm in disclosure and consider the balance of the public interest in releasing the information. A summary of the Harm and Public Interest Test for Section 38 is provided below.

Harm

A number of supplier names have been withheld as releasing some names would likely highlight the direct association of the supplier with the PSNI. Release of information under FOI is considered a release to the world in general, not just to the individual requesting the information. Disclosure of some company names into the public domain would likely place the business and employees at risk of attack by those seeking to deprive PSNI of essential services or supplies. Terrorism in Northern Ireland remains a severe threat and particularly to the Police Service.

Public Interest Test

Factors Favouring Release - Section 38

Releasing the information would promote openness and transparency. There is always a strong public interest in information that relates to the use of public funds and the procurement of services and suppliers.

Factors Favouring Retention - Section 38

Releasing the name some of the PSNI suppliers into the public domain may assist terrorist groups or criminal elements to carry out attacks on these businesses or members of staff. The current terrorism threat level in Northern Ireland is rated as 'severe' and terrorist groups consider those associated with PSNI as viable targets. In the past such attacks have been known to be indiscriminate in nature, therefore endangering members of the general public in addition to their intended target.

Terrorist activity is a real and current threat and the PSNI has a duty of care to protect individuals working for the Service. The PSNI will not disclose any information which may increase the risk of harm to any individual providing a service to the PSNI. To highlight some supplier names could endanger their employees.

Decision

Once information is disclosed by FOI there is no control or limits as to who or how the information is shared with other individuals, therefore a release under FOI is considered a release to the world in general, not just to the individual requesting the information.

Whilst accountability surrounding the use of public funds is always a strong argument in favour of releasing information, the balance will always favour retention where there is a significant risk to the safety of individuals.

The safety of individuals is of paramount importance and the PSNI will not divulge any information which could put lives or property at risk. In this case, therefore the decision must favour not releasing some details re suppliers.

Re Point 6 -

PSNI do not hold a single expenses policy rather we have a raft of policies covering various financial entitlements within the following documents:

Police Pay And Allowances Code
Police Staff Handbook
Northern Ireland Civil Service Handbook.

To assist – the Northern Ireland Civil Service Handbook is available on the Department Of Finance Northern Ireland website.

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 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 Corporate Information Manager, Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.police.uk.

If, following an Internal Review carried out by an independent decision maker, you remain unhappy about how your request has been handled you have the right to apply in writing to the Information Commissioner, under Section 50 of the Freedom of Information Act, at 'Information Commissioner's

Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. There are a number of other platforms you can use to contact the ICO and these can be found on the ICO's website at the following link: [Make a complaint | ICO \(https://ico.org.uk/make-a-complaint/\)](https://ico.org.uk/make-a-complaint/).

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 their 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.