

Our Ref: 003494/17



Freedom of Information Section
Nottinghamshire Police HQ
Sherwood Lodge, Arnold
Nottingham NG5 8PP

Tel: 101
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04 July 2017

Dear

Request under the Freedom of Information Act 2000 (FOIA)

I write in connection with your request for information, which was received by Nottinghamshire Police on 04/05/2017.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

RESPONSE

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested.

Please find below answers to your questions:-

1. When you become aware of direct or indirect police contact resulting in death or serious injury (DSI) you are then supposed to refer it to the IPCC due to regulations. Please send me the sample blank stationery forms and/or sample blank printed "electronic forms", you use to send DSI case information to IPCC.

Please refer to the attached document titled "Form 7.1 Police PCC MOPAC Referrals"

I must advise you that part of this form is exempt from disclosure under Section 31(1)(a)(b) of the Freedom of Information Act: Law Enforcement.

Section 31 is a prejudice based qualified exemption and as such, I am required to articulate the harm which may be caused by disclosure and to

consider whether the public interest in disclosure outweighs the public interest in maintaining the exemption.

Overall harm

A disclosure made under the Freedom of Information Act is not only made to the individual making the request, but to the whole world. Therefore, any individual would be able to access a blank copy of the IPCC Referral Forms which includes both referral telephone numbers and email which would be open to misuse by individuals' intent on causing harm or wrong doing by being targeted with false referrals. Which would place unnecessary strain on the public authority and could undermine the smooth process of dealing with legitimate referrals from police forces

Factors favouring disclosure

The release of this information would provide an insight into IPCC referrals, and would reveal a better understanding of such matters. This enhanced knowledge would assist in providing transparency in the way Nottinghamshire Police carry out their delivery of effective referrals to the IPCC.

Factors favouring non-disclosure

Specific information provided on the IPCC referrals forms would assist the criminal fraternity or anyone else intent on causing harm or misusing such forms for their own gain. As detailed within the harm this would be a valuable asset to individuals and/or organisations wishing to commit crime or deception. Such actions will place unnecessary strain on the public authority and could undermine the smooth process of dealing with legitimate referrals from police forces and would therefore put the public at greater risk of experiencing possible criminal acts or fraudulent activity.

Balance Test

Whilst there is always a public interest in the transparency of how a police force delivers effective law enforcement, e.g. how a budget is spent, statistical information relating to offences committed and public complaints procedure, there is a very strong public interest in safeguarding the intricacies of procedure to ensure effective and efficient conduct of the service.

Information which identifies the focus of internal procedure such as this particular request could be used by individuals, as outlined within the harm, to their advantage. Disclosure of information that would undermine and place an unnecessary burden on the public authority dealing with legitimate referrals from police forces which will undoubtedly adversely affect public confidence as more fraudulent referrals would be made. This would have a negative impact on the police service and its law enforcement.

As much as there is public interest in knowing that the delivery of public complaints is appropriate and balanced, this will only be overridden in

exceptional circumstances. It is our opinion that for these issues the balancing test for disclosure is not made out.

2. Secondly do you have a DSI "register" or "database" you use to log information about each DSI case? If so then please send me sample blank stationery forms and/or sample blank printed "electronic forms" from the register or database.

Please refer to the attached document titled "Case Recording Information for a DSI"

3. If sending copy of your forms asked in questions 1 and 2 is not possible due to FOI or DPA exemptions, then please quote to me only the generic questions and/or multiple-choices on these forms.

N/A

4. Please provide me statistics over the last 5 years about how many DSI cases you have had.

Total DSI cases
51

- Time Period between 05/05/2012 to 05/05/2017

Complaints Rights

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

Copyright

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

Disclosure Officer

Are you dissatisfied with your response?

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

How do I appeal?

All appeals should be made in writing and sent to:-

Information Management
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Notts
NG5 8PP

or alternatively freedomofinformation@nottinghamshire.pnn.police.uk

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

What if I'm still not satisfied?

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: casework@ico.org.uk