

Our Ref: 008906/19



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

Tel: 0115 967 0999
Ext 318 0888
Fax: 0115 967 2896

24 July 2020

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 09/12/2019.

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:-

I am writing to request information under the Freedom of Information Act 2000. Please see questions below:

How many computers do you have in your organisation?

Answer: - as of 24/07/2018 there are 2816 Laptops and 3278 Workstations.

Of these computers, how many are running Windows XP?

Of these computers, how many are running Windows 7?

Of these computers, how many are running non-Microsoft operating systems?

Do you expect to have all of your machines with Microsoft operating systems to be running Windows 10 before the Windows 7 end of support date (14 January 2020)?

If not, how many do you expect to not be running Windows 10?

In relation to any further information Nottinghamshire Police can neither confirm nor deny that information is held relevant to your request as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 24(2) National Security

Section 31(3) Law Enforcement

Sections 24 and 31 being prejudice based qualified exemptions, both evidence of harm and public interest considerations need to be articulated to the applicant.

Harm in Confirming or Denying that Information is held

Policing is an information-led activity, and information assurance (which includes information security) is fundamental to how the Police Service manages the challenges faced. In order to comply with statutory requirements, the College of Policing Authorised Professional Practice for Information Assurance has been put in place to ensure the delivery of core operational policing by providing appropriate and consistent protection for the information assets of member organisations, see below link:

<https://www.app.college.police.uk/app-content/information-management/>

To confirm or deny whether Nottinghamshire Police uses a certain operating system would identify vulnerable computer systems and provide actual knowledge, or not, that this software is used within individual force areas. In addition, this would have a huge impact on the effective delivery of operational law enforcement as it would leave forces open to cyberattack which could render computer devices obsolete.

This type of information would be extremely beneficial to offenders, including terrorists and terrorist organisations. It is vitally important that information sharing takes place with other police forces and security bodies within the UK to support counter-terrorism measures in the fight to deprive terrorist networks of their ability to commit crime.

To confirm or deny whether or not Nottinghamshire Police relies on a certain operating system would be extremely useful to those involved in terrorist activity as it would enable them to map vulnerable information security databases.

Public Interest Considerations

Section 24(2) National Security

Factors favour complying with Section 1(1)(a) confirming that information is held

The public are entitled to know how public funds are spent and how resources are distributed within an area of policing. To confirm whether Nottinghamshire Police utilises Windows XP/7 would enable the general public to hold Nottinghamshire Police to by highlighting forces that use out of date software. In the current financial climate of cuts and with the call for transparency of public spending this would enable improved public debate into this subject.

Factors against complying with Section 1(1)(a) confirming or denying that information is held

Security measures are put in place to protect the community we serve. As evidenced within the harm to confirm information is held would highlight to terrorists and individuals intent on carrying out criminal activity vulnerabilities within Nottinghamshire Police.

Taking into account the current security climate within the United Kingdom, no information (such as the citing of an exemption which confirms information pertinent to this request is held, or conversely, stating 'no information is held') which may aid a terrorist should be disclosed. To what extent this information may aid a terrorist is unknown, but it is clear that it will have an impact on a force's ability to monitor terrorist activity.

Irrespective of what information is or isn't held, the public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain.

The cumulative effect of terrorists gathering information from various sources would be even more impactful when linked to other information gathered from various sources about terrorism. The more information disclosed over time will give a more detailed account of the tactical infrastructure of not only a force area, but also the country as a whole.

Any incident that results from such a disclosure would, by default, affect National Security.

Section 31(3) Law Enforcement

Factors favouring complying with Section 1(1)(a) confirming that information is held

Confirming that information exists relevant to this request would lead to a better informed public which may encourage individuals to provide intelligence in order to reduce the risk of police networks being hacked.

Factors against complying with Section 1(1)(a) neither confirming nor denying that information is held

Confirmation or denial that information is held in this case would suggest Nottinghamshire Police take their responsibility to protect information and information systems from unauthorised access, destruction, etc., dismissively and inappropriately.

Balancing Test

The points above highlight the merits of confirming or denying the requested information exists. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As part of that policing purpose, information is gathered which can be highly sensitive relating to high profile investigative activity.

Weakening the mechanisms used to monitor any type of criminal activity, and specifically terrorist activity would place the security of the country at an increased level of danger.

In order to comply with statutory requirements and to meet NPCC expectation of the Police Service with regard to the management of information security a national policy approved by the College of Policing titled National Policing Community Security Policy has been put in place. This policy has been constructed to ensure the delivery of core operational policing by providing appropriate and consistent protection for the information assets of member organisations. A copy of this can be found at the below link:

<http://library.college.police.uk/docs/APP-Community-Security-Policy-2014.pdf>

In addition, anything that places that confidence at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service. Therefore, at this moment in time, it is our opinion that for these issues the balance test favours neither confirming nor denying that information is held.

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 9670999 Ext 318 0888 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. B. R.', written in a cursive style.

Electronically signed on behalf of Information Request Team

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.

Your request for review must be received within 28 calendar days your response. If your request for review is not received within this time period a review will not be considered.

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

Website: <https://ico.org.uk/>