

Our Ref: 004483/15



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

Tel: 101
Ext 800 2507
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3 August 2015

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 06/07/2015.

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 some of the information you have requested.

Please find below answers to your questions:-

1) A copy of your mobile/agile working strategy policy (use of mobile devices whilst working in the community)

A live strategy is not currently held.

2) The name and contact details of the person responsible for your mobility strategy

Assistance Chief Constable Simon Torr, Nottinghamshire Police, Sherwood Lodge, Arnold, Nottingham.

3) Your budget for any mobile working strategy developments for 2015/16

4) Your budget specifically for mobile application development

This information is exempt from disclosure under Section 43(2) of the Act: Commercial Interests.

Section 43 is a qualified class based exemption and therefore I am required to consider whether the public interest lies in favour of disclosing the information or in maintaining the exemption.

Section 43(2) of the FOIA provides a qualified exemption on the disclosure of information where the information would be likely to prejudice the commercial interests of any person. The information Commissioners guidance indicates that commercial interests for the purpose of applying Section 43(2) includes information held by public authorities in the context of procuring goods and services which include information regarding the budget made available by the public authority for obtaining goods or services.

Factors Favouring Disclosure

The public have an interest in knowing how public funds are spent in respect of procurement/provision of services. This would demonstrate an openness and transparency and would give the public the opportunity to judge whether the force was using public funds appropriately and would allow them to debate any issues.

Factors Favouring Non-Disclosure

Companies compete by offering something different from their rivals. The difference will often be reflected in their price and may also relate to the quality or specification of the product or service they offer. Disclosure of the requested information would allow other companies to use this knowledge to undercut rivals which, could then impact on the future quality and service the force receives.

Information identifying this unique element is commercially sensitive as it may reveal information regarding forward spending plans which would be likely to prejudice future contract negotiations with suppliers.

Balance Test

Giving due consideration to all the points above, whilst I feel that the public have a right to know how public monies are spent, there is potential harm to both the companies that supply this service to the force and the Force itself as well as potential breaches of confidentiality also being a significant consideration. Therefore, on balance I feel that non-disclosure of the information outweighs disclosure and it is therefore in the public interest to withhold this information under Section 43(2).

This letter constitutes a refusal notice under Section 17 (1) of the Freedom of Information Act 2000 with Section 43(2) of the act being applied.

43. – (2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

5) If you currently have a software solution, which application you currently use to manage your corporate mobile devices and officer owner devices (BYOD)?

BlackBerry BES 5 for corporately owned devices. BYOD is not permitted.

6) If you currently do not have a software solution enabling community policing on mobile devices, do you intend to implement such a solution in the next 24 months? If yes, please provide your budget.

N/A we currently have a solution in place.

7) Do you have any mobile application development resource in house? If so how many.

No

8) If no, who do you outsource your application development to?

Capita

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