

Our Ref: 008611/15



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

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

24 December 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 30/11/2015.

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 the information you have requested.

Please find below answers to your questions:-

FREEDOM OF INFORMATION ACT REQUEST

- 1. Since the introduction of the Child Sex Offender Disclosure Scheme, otherwise known as "Sarah's Law", up to 31.10.2015 how many requests has your force received asking if someone who has sufficient access to children has a sex offender's record?***
- 2. (i) In how many of the requests did the subject have a sex offender's record AND you disclosed the conviction to an interested party? (ii) Of these positive returns how many of the individuals were registered sex offenders.***
- 3. (i) In how many of the requests did the subject have a sex offender's record AND you did NOT disclose the conviction to an interested party? (ii) In how many of these cases was the subject a registered sex offender.***
- 4. Of the most recent ten cases up to 31.10.15 where you disclosed an offender's record please state the main/primary offence that caused concern?***

This information is not recorded in an easily retrievable format. Your request specifically asks for requests received under 'Sarah's Law' where the individual of potential concern had '**sufficient access to children**'. To extract the data in respect of those requests concerning individuals with such sufficient access to children, would involve manually reviewing all requests received under the scheme. Since the inception of the Child Sex Offenders Disclosure Scheme (2011 in Nottinghamshire) to the date specified within your request (31/10/2015) Nottinghamshire Police has received 319 requests. Not all these requests will relate to individuals who have 'sufficient access to children'. Each is required to be reviewed/researched to establish whether this access is sufficient enough to warrant further investigation and possible disclosure. In order to extract the data relevant to your specific request, we would have to manually review each record to establish whether it came within the scope of your request i.e. whether the sufficient level of access to children existed.

It is estimated that to research one record would take approximately 10 minutes which would equate to approximately 53.17 working hours. This takes the request over the cost threshold of 18 working hours and engages Section 12 (1) of the Act.

This letter constitutes a refusal notice under Section 17(5) of the Freedom of Information Act 2000 with Section 12(1) of the act being applied

12. – (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Should you wish for the Force to continue with your request, a more accurate figure will be provided within a fee's notice. The cost will need to be paid by you, prior to any further investigation. Please advise if you wish to proceed.

Alternatively you are invited to refine your request to bring it within the cost threshold – perhaps by reducing the number of years you require data for, and resubmitting the request or by simplifying to request to ask for data on the total number of all requests for disclosure under the scheme. However, such a request would include records pertaining to requests where spurious or potentially malicious requests are made and immediately closed. Should you wish to refine your request, I would be grateful if you could write to me at the above address.

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