



Freedom of Information Request Reference N^o: FOI 001719-18

I write in connection with your request for information received by Norfolk and Suffolk Constabularies on the 15 May 2018 in which you sought access to the following information:

“Please could you tell me the date you last purchased the following pieces of equipment, how many were purchased and the unit price you paid per item?”

1. *Riot Shields*
2. *Batons*
3. *Standard Issue Handcuffs*
4. *X26 Taser*
5. *Anti-riot leg guards”*

Response to your Request

The response provided below is correct as of 17 May 2018

Norfolk and Suffolk Constabularies have considered your request for information and our response is below.

The date the Constabularies last purchased the above mentioned equipment is provided below along with the quantity purchased and the unit price.

Please note that some of the information has been removed as a result of exemptions within the Act.

Equipment	Date last purchased	Quantity purchased	Unit Price
Riot Shields	08.01.2018	30	Section 43
Batons	FY 2013/14	Information Not Held	
Standard Issue Handcuffs	21.08.2017	125	Section 43
X26 Taser	04.12.2014	52	£782
Anti-riot leg guards	08.04.2014	Shin/knee guard – 25 Thigh guard – 18	£39 £25

Please note that prices quoted above are correct as at the date of purchase.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1 (1)(b) is to disclose information that has been confirmed as being held.

Section 17 of the Freedom of Information Act 2000 requires that Suffolk and Norfolk Constabularies, when refusing to provide such information (because the information is exempt) is to provide you, the applicant, with a notice which:

- (a) States that fact
- (b) Specifies the exemption(s) in question and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemption;

Section 43(2) – Commercial Interests

Section 43 is a Qualified Class-Based exemption and I am therefore required to produce a Public Interest Test.

Public Interest Test

(When applying a qualified exemption a public authority is required to consider whether 'In all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information'.)

Considerations favouring disclosure

Where Public funds are being spent, there is a public interest in accountability and justification. In this case to provide documented figures for unit prices will show we are open and transparent, one of the fundamental principles of the Act.

Considerations favouring non-disclosure

Third party interests might be jeopardised by the release of information that relates to sensitive commercial information and consequently could provide a competitive edge to other suppliers.

In this instance, to provide costs associated with individual unit costs that have been purchased within a few months of the request being submitted, would give competitors a significant and unfair commercial advantage over the current supplier, prejudicing the supplier's commercial interests.

Balancing test

The use of public funds is a strong factor favouring disclosure as it will identify that the Constabularies maintain effective centralised procurement to ensure the most cost effective process.

However, to disclose information regarding costs for individual items, will identify to other suppliers prices paid by the Constabularies providing an unfair advantage in the procurement process. This would impact on commercial relationships, impeding tried and tested procurement processes, which would not be benefited by disclosure of this information.

On balance, the Public Interest favours non-disclosure as to do so may have implications to the processes in place within the Constabulary to enable such discounts.

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700