



## **Freedom of Information Request Reference N°: FOI 004643-19**

I write in connection with your request for information received by Suffolk and Norfolk Constabularies on 28 December 2019 which you sought access to the following information:

1. *“Please can you send me a copy of the current subject access request acknowledgment AND response letter that you use*
2. *A copy of the last 5 DPIAs completed*
3. *A copy of any internal mandatory information governance training that you give to staff which was written in the last 2 years including presentation slides and videos and any other media*
4. *A copy of any instructions given to staff members to reduce data security breaches, for example double checking work*
5. *A copy of any policies implemented in the last 2 years within the organisation to help reduce the environmental impact that the organisation has?*
6. *Please can I have a copy of the risk rating that you use to evaluate data security incidents?”*

## **Response to your Request**

The response provided below is correct as of 20 January 2020

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

1. The current subject access templates for acknowledging and responding to requests, are attached.
2. The Constabularies have completed 3 DPIAs and a copy of these is attached.
  - a. DPIA – IOM
  - b. DPIA – TELEMATICS
  - c. DPIA – RURAL WHATSAPP

Certain aspects of the telematics DPIA have been redacted from the document as a result of exemptions within the Act.

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 31(1) – Law Enforcement**

Section 31 is a qualified and prejudice-based exemption and I am therefore obliged to consider the harm in providing the information and conduct a public interest test.

3. The Constabularies do not have any internal training that was written in the last two years, the training we hold was written a number of years ago.

The Constabularies are also required to undertake NCALT training, however this is provided to us by the College of Policing.

4. Instructions given to staff members regarding data security breaches, is embedded within the training documents and adhoc force announcements.
5. There have not been any policies implemented in the last 2 years regarding the environmental impact.
6. The breach reporting matrix is attached.

### **Harm and Public Interest Test – Section 31**

Provision of information concerning the storage and security of the telematics data would provide actual knowledge of the manner in which such data is held and could enable individuals to establish vulnerabilities regarding the system. This could result in the loss of Police and personal information.

The Constabularies have a duty to enforce the law and protect the public. Disclosure under the Freedom of Information Act (FOIA) could be used to identify where there are potential weaknesses in systems and target specific areas leading to a security risk to systems. This would consequently undermine the Police Service's law enforcement capability.

In order to comply with statutory requirements and to meet National Police Chiefs' Council 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 construed 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.

### Public Interest Test

#### Factors favouring disclosure

Provision of the information would allow a greater understanding of where public funds are being allocated. For the Police Service to be fully transparent and open, it is appreciated that there is a public interest in providing information that infers where public money may be spent.

Providing information relevant to this request, would lead to a better-informed public encouraging openness and transparency, a fundamental principle of the Act.

#### Factors against disclosure

The IT infrastructure is vital to the ability of the Constabularies to effectively prevent and detect crime, share data and maintain a proficient law enforcement capacity. Information will not be disclosed if it would compromise that capability in any way and expose the Constabularies to attack. Any disruption to Constabulary systems would result in the need for additional resources and increased expenditure to ensure that policing activities are not compromised or data lost. There would also be a requirement for additional funds to carry out repairs and system recovery.

Policing resources and the police capability would be negatively affected, and manipulated by those with criminal intent, to obtain an advantage over any potential police tactics and capabilities. In a world where cybercrime is ever increasing it is of paramount importance to protect such sensitive information.

Provision of the information would suggest that Norfolk and Suffolk Constabularies take their responsibility to protect information and information systems from unauthorised access, destruction, etc, dismissively and inappropriately.

### Balance Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Whilst there is a public interest in the transparency in how the Police Service delivers effective law enforcement and ensures information security, there is a strong public interest in safeguarding police systems and information generally.

Any disclosure that places the confidence of the Constabularies ICT infrastructure at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service. The security of force systems is of paramount importance and this should not be jeopardised by the release of information under the Freedom of Information Act.

Therefore, at this moment in time, it is our opinion that the balance test for the information requested is not provided and the exemption at Section 31 is engaged.

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](mailto: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 40 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](http://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