



2nd April 2019

Freedom of Information Request Reference N^o: FOI 000922/19

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 6th March 2019 in which you sought access to the following information:

- I The number of calls for officers to attend where "mental health" was flagged and/or cited as a factor in the call in the 12 months to 1st September 2018.
- II The number of recorded cases where section 136 of the Mental Health Act was used to detain a member of the public in the 12 months to 1st September 2018.
- III Number of police officers attending each recorded incident if that number is held and in an easily retrievable format for question ii.

Response to your Request

When responding to a request for information under the terms of the Freedom of Information Act, a public authority is not obliged to provide information if the authority estimates that the cost of the retrieval of the information requested would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve *all* of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

The Norfolk and Suffolk Constabularies estimate that to retrieve all the information you have requested would exceed cost in excess of £450 per force.

Research has been undertaken regarding calls for officer attendance where mental health has been identified as a factor. Please see figures below:-

NORFOLK	
Description	Requests for Service
Mental Health - Other	11,541
Mental Health - S.136	421
Mental Health - MCA	66
Total	12,028

SUFFOLK	
Description	Requests for Service
Mental Health - Other	4,261

Mental Health - S.136	278
Mental Health - MCA	28
Total	4,567

You will note from the above figures that these are not used consistently between Norfolk and Suffolk Constabularies.

The above figures suggest that section 136 has been used in 699 cases, although it would be necessary to review the incident records above to confirm this. This in itself would be an enormous task which would exceed 36 hours for both Norfolk and Suffolk Constabularies. In order to confirm the number of officers attending each incident, it would also be necessary to review the incident reports.

Based on the numbers of incident reports, this would significantly exceed the appropriate limit for dealing with a Freedom of Information request, in terms of cost, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act states that a public authority is not obliged to:

“...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit”.

The Freedom of Information (Appropriate Limit and Fees) Regulations 2004, defines the ‘appropriate limit’ for the Norfolk and Suffolk Constabularies as £450 each, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

Advice and Assistance

Although excess cost removes Norfolk and Suffolk Constabularies obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relevant to your request, which was retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Figures relating to detentions under section 136 of the Mental Health Act are published and can be accessed via the link provided below:-

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/654469/detentions-mental-health-act-police-powers-procedures-mar17-hosb2017-tables.ods

This response will be published on the Constabularies web-site under the Freedom of Information pages:-

<https://www.norfolk.police.uk/about-us/our-data/disclosure-log>
<https://www.suffolk.police.uk/services/freedom-information/disclosure-logs>

Should you have any further queries concerning this request, please contact Amanda Gibson, 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 40 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
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW
OR
Email: freedomofinformation@norfolk.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