



30th July 2018

Freedom of Information Request Reference N^o: FOI 002114/18

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 18th June 2018 in which you sought access to the following information:

Using your 18 hours at £25 per hour statutory FOI remit please access all documentation relating to the audit that the information commissioner carried out on data management with Norfolk Suffolk constabularies.

Only the fact of the recent audit- advisory visit etc. is mentioned on the ICO web with no other report, details or facts as attached.

<https://ico.org.uk/action-weve-taken/audits-advisory-visits-and-overview-reports/norfolk-and-suffolk-constabularies-follow-up/>

Response to your Request

The response provided below is correct as of 2nd July 2018.

Norfolk and Suffolk Constabularies have located the following information as relevant to your request.

Please see attached documents. Information has been redacted where disclosure would be harmful to the Constabularies' law enforcement ability and the exemption at section 31 engaged.

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

Section 17 of the Freedom of Information Act 2000 requires that Norfolk and Suffolk 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 in question, and
- (c) States (if that would not otherwise be apparent) why the exemption applies.

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

- **Section 31(1)(a)(b) – Law Enforcement**

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

Harm for Section 31

Whilst not questioning an applicant's motive for requesting information, a disclosure under the Freedom of Information is a disclosure to the world, as a whole, because responses are published on the disclosure logs on the Constabularies' websites. These can then be viewed by anyone with internet access. For this reason, the Constabularies have to carefully consider any disclosure under the Freedom of Information Act.

The Constabularies are charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The redacted sections relate to specific details of systems and locations where information is stored. The details which have been redacted from the documents, if disclosed, would be useful to individuals who may wish to disrupt policing by gaining access to force systems and buildings. This would make the locations more vulnerable and increase the risk of a security compromise. If this were to happen, the harm caused would include a disruption to force ICT systems which would potentially lead to direct harm to members of the public.

Factors favouring disclosure

Providing information under the Freedom of Information increases openness and transparency which is a fundamental part of the Act. Therefore providing these documents will give a full picture of the audit which was undertaken by the ICO. This would lead to more accurate public debate regarding the way in which the Constabularies are managing information and systems and where improvements could be made.

Disclosure would provide reassurance that the Constabularies are taking all appropriate steps to ensure that information is being appropriately stored and safeguarded.

There is a public interest in the use of public funds and how it is being allocated.

Factors against disclosure

A small number of redactions have been made to the documents, which relate to specific details of locations, systems and security. If this level of detail were to be released, persons who are intent on accessing police systems would have detailed knowledge and could use this to their advantage. It would allow them to plan and attempt to gain access to police assets.

If systems were to be compromised there is potential for sensitive information, such as personal data, security data and other data to be made public.

Any disruption or access to information would inevitably result in the requirement of additional resources and this would also have financial implications.

Balance Test

The points above highlight the merits for and against disclosure of the requested information. Disclosure would undoubtedly provide greater openness and transparency to the community and the majority of the information requested has been provided. A small amount of redaction has been made to the documents where disclosure would impact on the security and integrity of police information and systems.

Whilst there is a public interest in transparency and accountability, there is a very strong public interest in safeguarding information that may imply vulnerabilities which could be used by persons who try to access or disrupt the Constabularies' IT infrastructure.

The public entrust the Police Service to make appropriate decisions with regard to their safety and protection and therefore we have to be cautious with what information which is placed into the public domain. Public safety is of paramount importance and any information, no matter how

generic, which could place individuals at risk and compromise policing in Norfolk and Suffolk, would not be in the public interest.

Therefore, at this time, it is our opinion that the balance lies in non-disclosure and the exemption at section 31 is engaged. In accordance with the Freedom of Information Act, this letter serves as a refusal notice for these parts of your request.

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 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
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