



14th September 2018

Freedom of Information Request Reference N^o: FOI 003028/18

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 20th August 2018 in which you sought access to the following information:

- A
- (i) How many police officers have been caught using mobile phones while driving a service vehicle in each of the following years - 2015, 2016, 2017 and 2018 to date?
 - (ii) Of those officers caught using a mobile phone while driving, how many were given a fine and penalty points and how many had the offence cancelled by a manager or senior officer?
- B
- (i) How many police officers have been caught speeding by either a fixed or mobile safety/speed camera in each of the following years - 2015, 2016, 2017 and 2018 to date?
 - (ii) Of those officers caught speeding, how many were doing so for operational reasons and how many were not responding to an incident at the time?
 - (iii) Of those not speeding in response to an incident, how many have received penalty points and a fine, how many participated in a speed awareness course and how many had a ticket cancelled by a manager or senior officer?

Response to your Request

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

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.

With regard to FPNs issued for speeding offences, this would exceed the cost limit. If an unmarked vehicle is identified as activating a camera, the Notice of Intended Prosecution is sent to Transport Services. They will carry out enquiries to see which business area was using the vehicle at the time and will forward the NIP. It is the responsibility of the relevant department to carry out

the necessary enquiries to determine whether the driver was driving the vehicle in line with the force policy.

Therefore each department would need to be contacted to see what relevant information is held and this would exceed the cost limit.

This would 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 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 & Assistance

In respect of minor traffic offences, the force policy says:-

There is a requirement for all police personnel to report to the Chief Constable;

- *Any driving convictions which attract penalty points and/or a period of disqualification whether through court proceedings or otherwise, or*
- *Any other court conviction relating to the driving or use of a motor vehicle on a road.*

It is the responsibility of each authorised driver to report any conviction or endorsements as above to the Driving School via their line/departmental manager. In addition to this all authorised drivers are required to report any impending court proceedings/hearings that could result in a conviction or endorsement.

The Chief Inspector Response will on the basis of the specific incident, the driver history and where appropriate in consultation with the driver’s line management decide whether;

1. *To take any further action*
2. *To arrange a driving assessment*
3. *To refer the matter to Professional Standards Department for advice on misconduct proceedings.*

This would also exceed costs as any reports to the driving school are entered onto staff personnel records. There is no central record for this and each individual HR record will need to be reviewed to establish whether the individual has reported a minor traffic offence to either Constabulary.

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