



## Freedom of Information Request Reference N°: FOI 003668-20

I write in connection with your request for information received by Suffolk and Norfolk Constabularies on 3 November 2020 which you sought access to the following information:

1. *“Copies of training materials used to train officers on the use of stop-and-search powers since 27th September 2016.*
2. *Where possible, an indication of when these training materials were in use.*
3. *Names of any individuals or companies external to the force brought into provide training on the use of stop and search, along with dates they provided this training and number of officers who received it.*

*By ‘training materials’ I am referring to material such as:*

- *Powerpoint presentations or other slide shows*
- *Videos*
- *Written handouts*
- *Reading lists*

*(Not an exhaustive list)”*

## Response to your Request

The response provided below is correct as of 9 November 2020

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

1. Please find a PowerPoint attached which takes you through the best use of stop search (BUSS) training package as presented by the college of policing requirements and external representative groups. Please be aware that the videos within the presentation will not work due to file size limitations, but they are all available on YouTube.

The college of policing set out the requirements for BUSS and further information about the consultation and development of this package is available for the college of policing website.

Locally, this package went through external consultative groups including representatives from BAME communities to ensure that it met the requirements of stakeholders in this area of policing.

The package is a knowledge-based input with delegates required to pass a knowledge test at the end of the day. However, in doing so it does form part of local and central governance structures whereby local supervisors are required to supervise officers undertaking BUSS to see the transfer of learning. This also includes direction to supervisors surrounding scrutiny of grounds for the search.

Centrally, all BUSS submissions are part of a monthly dip sample to ensure lessons learned are fed back to officers and their supervisors.

2. This training package has been in use in Norfolk and Suffolk since 2018.
3. The Constabularies do not use external companies or individuals external to the force to provide this training.

The face of a person has been redacted from slide 21 as a result of exemptions within the Act.

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) are 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 40(2) – Personal Information**

Section 40 is an absolute; class based exemption and applies to third party personal data. This would not be released under the FOIA unless there is a strong public interest. This is because any release would breach the Principles contained within Article 5(1) of the GDPR and Part 2 of the Data Protection Act 2018.

One of the main differences between the Data Protection Act and the Freedom of Information Act is that any information released under FOI is released into the public domain, not just to the individual requesting the information. As such, any release that identifies an individual through releasing their personal data, even third party personal data, is exempted unless there is a strong public interest in its release. The public interest is not what interests the public but what benefits the community as a whole.

Personal data is defined under the Data Protection Act as data that is biographical in nature, has the applicant as its focus and/or affects the data subject's privacy in his or her personal, professional or business life.

Principle a of Article 5(1) states that information must be processed fairly, lawfully and in a transparent manner. In this case the individuals would have a reasonable expectation that information would not be processed if it resulted in their identification, or equally led to an individual being wrongfully identified as a suspect.

FOIA disclosures are to the world at large and will remain in the public domain indefinitely. Therefore, provision of this information would exceed the original Policing requirement for the processing of the information and would not be lawful or fair to the individuals in question.

It is for these reasons outlined above; that I feel the principle a would be breached by this disclosure and the Section 40 exemption remains in place. I am not obliged to consider any further principle in my arguments.

This is an absolute, class-based exemption and, as such, there is no requirement to consider the public interest test.

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