

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 22 December 2022

Public Authority: Chief Constable of South Yorkshire Police
Address: South Yorkshire Police Headquarters
Carbrook House
Carbrook Hall Road
Sheffield
S9 2EH

Decision (including any steps ordered)

1. The complainant requested information from South Yorkshire Police in relation to their conduct.
2. The Commissioner's decision is that South Yorkshire Police breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days. No steps are required.

Request and response

3. On 11 August 2022, the complainant made the following request for information:
" 1. How many times has South Yorkshire Police in the last 5 years upheld a complaint by the public.
2. How many times have SYP failed to dispose of the body cam footage after the 21 day period when no crime has been committed.
3. How many people have seen the bodycam footage taken illegally by [redacted]? On the date in question?"

4. How many officers in the last 5 years have been disciplined or sacked for misconduct?
 5. How many times has SYP responded to complaints to a member of the public with written acknowledgment of their complaint in the last 5 years?
 6. How many complaints have been made by members of the public in the last 5 years against serving officers?
 7. In the last 5 years how many officers have had complaints made against them?
 8. How many complaints have been made against [redacted] in the last 5 years?
 9. [redacted] later texted [redacted] " He had it all on his bodycam", this seems a strange thing to text. Is this the standard protocol? And how many times did [redacted] text [redacted]?
 10. A full transcript [redacted] illegally obtained bodycam footage to be released?
 11. Full disclosure of [redacted] text message to [redacted] and is this common police practice or did [redacted] take this course of action by himself or is the standard police policy?
 12. What percentage of complaints made by woman compared to those made by a male complainers are investigated?
 13. And what percentage calls do police respond to female callers compared to male complaints?"
4. South Yorkshire Police responded to the request on 8 December 2022.

Scope of the case

5. The complainant contacted the Commissioner on 29 October 2022 to complain about South Yorkshire Police's failure to respond to their request within the statutory time frame of FOIA.
6. The Commissioner has considered whether South Yorkshire Police has complied with its obligations in relation to the time for compliance at section 10(1) of FOIA.

Reasons for decision

7. Section 1(1) of FOIA states that:

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.”

8. Section 10(1) of FOIA states that a public authority must respond to a request promptly and “not later than the twentieth working day following the date of receipt”.

9. From the evidence provided to the Commissioner in this case, it is clear that South Yorkshire Police did not deal with the request for information in accordance with FOIA. The Commissioner finds that South Yorkshire Police has breached section 10(1) by failing to respond to the request within 20 working days.

Right of appeal

10. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

11. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
12. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Michael Lea
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Water Lane
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