

Freedom of Information Act 2000 (Section 51)

Information notice

Date: 1 June 2022

Public Authority: Chief Constable of Bedfordshire Police
Address: Bedfordshire Police Headquarters
Woburn Road
Kempston
Bedford
MK43 9AX

Section 51

Under section 51 of the Freedom of Information Act 2000 (the "Act"), which is set out below, the Information Commissioner (the "Commissioner") has the power to serve a notice on a public authority requiring it to furnish him with any information he requires to enforce the requirements of the Act.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

he may serve the authority with a notice (in this Act referred to as "an information notice") requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

Application under section 50

1. The Commissioner has received an application under section 50, reference IC-138232-F4B0, for a decision whether a request for information made by the complainant to Bedfordshire Police on 4 August 2021, has been dealt with in accordance with the requirements of Part I of the Act.

Nature of complaint

2. On 4 August 2021, the complainant made the following request for information under the FOIA:

"[The Police and Crime Commissioner] frequently states in public that he has worked 400 hrs as a Special Police Officer, a claim he also made during his election campaign to be PCC.

Can Bedfordshire Police please provide:

- The number of hours worked by [the PCC] as a Special Police Officer after training by week and month?
 - The number of training hours spend [sic] by [the PCC] to become a Special Police Officer.
 - I would also appreciate it if the policing neighbourhoods [the PCC] policed could be included, if possible?"
3. Bedfordshire Police responded on 1 September 2021. It confirmed that it held the requested information but refused to disclose it, applying the exemptions at section 31(1)(a) & (b) (Law enforcement) and 40(2) (Personal information) of FOIA.
4. The complainant requested an internal review on 5 September 2021. Bedfordshire Police provided the outcome of the internal review on 5 October 2021. It upheld its application of sections 31 and 40(2) to withhold the requested information.
5. The complainant wishes to challenge the application of sections 31 and 40(2) of FOIA to refuse the request. The Commissioner wrote to Bedfordshire Police on 7 April 2022 and asked it a series of questions about its handling of the request. He asked for a response by 10 May 2022.
6. No response was received and the Commissioner wrote again to Bedfordshire Police on 12 May 2022, asking for a response by 19 May 2022. The Commissioner said that, in the continued absence of a response to his enquiries, he would issue an Information Notice.
7. On 13 May 2022, Bedfordshire Police acknowledged that letter and stated that the Commissioner's email of 7 April 2022 had "got stuck in our email system". It said it would respond in due course.
8. To date, no response has been received.

Information required

9. In view of the matters described above the Commissioner hereby gives notice that in the exercise of his powers under section 51 of the Act he requires that Bedfordshire Police shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information.
- A copy of the withheld information and answers to all of the questions in his letter of 7 April 2022.
 - If Bedfordshire Police decides to apply a new exemption, it should answer the questions in respect of the corresponding exemption, which can be found at: <https://ico.org.uk/for-organisations/key-questions-for-public-authorities-foi-act-2000/>.

Failure to comply

10. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of the Act, and may be dealt with as a contempt of court.

Right of appeal

11. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can be obtained from:

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

Tel: 0300 1234504

Fax: 0870 739 5836

Email: grc@Justice.gov.uk

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

12. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

Signed

Samantha Bracegirdle
Senior Case Officer
Information Commissioner's Office
Wycliffe House
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Wilmslow
Cheshire
SK9 5AF