

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: **17 August 2023**

Public Authority: **Chief Constable of Greater Manchester Police**

Address: **GMP Headquarters
Central Park
Northampton Road
Manchester
M40 5BP**

Decision (including any steps ordered)

1. The complainant has requested information from Greater Manchester Police regarding its use of data, data-sharing, databases and risk assessment.
2. The Commissioner's decision is that Greater Manchester Police breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory timeframe of 20 working days.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - Greater Manchester Police must provide a substantive response to the request in accordance with its obligations under FOIA.
4. The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

5. On 13 April 2023, the complainant wrote to Greater Manchester Police and requested information in the following terms:

"I would like to submit a request for information under the Freedom of Information Act (FOIA) 2000 regarding your force's use of data, data-sharing, databases and risk assessment.

Specifically I would like the following information:

1. In relation to your force's Violence Reduction Unit (VRU), does your force carry out risk assessment, profiling or predictions within or working with the VRU? If yes, please provide

a. Are people assessed or profiled by the VRU who do not have criminal convictions?

b. What types of data are used to calculate risk assessments, profiles or predictions (e.g PNC criminal history data, custody images, nationality data, ethnicity data, education data, employment data, immigration status data, relationship status data, financial data)?

c. What are the types of operational outcomes that can occur in relation to individuals profiled by the Violence Reduction Unit (e.g monitoring, targeted interventions)?

2. In relation to your force's 'XCalibre' gangs unit:

a. Are people assessed or profiled by 'XCalibre' who do not have criminal convictions?

b. What types of data are used to calculate risk assessments, profiles or predictions (e.g PNC criminal history data, custody images, nationality data, ethnicity data, education data, employment data, immigration status data, relationship status data, financial data)?

c. What are the types of operational outcomes that can occur in relation to individuals profiled by XCalibre (e.g monitoring, targeted interventions)?

d. Do you hold an easily accessible and centrally held record of how many people have been profiled by XCalibre? If yes, please provide:

i. How many individuals have been assessed by XCalibre in the following years: 2022, 2021, 2020.

3. In relation to the Violence Reduction Unit 'pilot' project which involved watchlists of children allegedly involved in knife crime in Bury and Tameside in 2020:
 - a. Is this still in a 'pilot' phase or has it been rolled out operationally? i. If it has completed the pilot phase, please provide any reviews or reports in relation to the pilot.
 - b. Are people assessed or profiled by this project who do not have criminal convictions?
 - c. What types of data are used to calculate risk assessments, profiles or predictions (e.g PNC criminal history data, custody images, nationality data, ethnicity data, education data, employment data, immigration status data, relationship status data, financial data)?
 - d. What are the types of operational outcomes that can occur in relation to individuals profiled by this project (e.g monitoring, targeted interventions)?
 - e. Do you hold an easily accessible and centrally held record of how many people have been profiled by this project, either during the pilot or subsequently? If yes, please provide:
 - i. How many individuals have been assessed by this project in the following years: 2022, 2021, 2020."
6. Greater Manchester Police acknowledged the request on 6 July 2023, advising that it was "chasing a response from the relevant unit within the force".
7. To date, a substantive response has not been provided.

Reasons for decision

Section 10

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

"Any person making a request for information to a public authority is entitled to-

 - (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."

9. 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".
10. The Commissioner wrote to Greater Manchester Police on 18 July 2023, reminding of its responsibilities and asking it to provide a substantive response to the complainant's request within 10 working days.
11. On 2 August 2023, Greater Manchester Police contacted the Commissioner, asking for an extension to provide a response. The Commissioner granted the extension for a further 5 working days.
12. Despite the intervention and the additional extension, Greater Manchester Police has failed to respond to the complainant.
13. From the evidence provided to the Commissioner in this case, it is clear that Greater Manchester Police did not deal with the request for information in accordance with FOIA. The Commissioner finds that Greater Manchester Police has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with FOIA.

Right of appeal

14. 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

15. 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.
16. 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
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF