

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 15 October 2024

Public Authority: Chief Constable Cambridgeshire Constabulary
Address: Hinchingsbrooke
Park Huntingdon
Cambridgeshire
PE29 6NP

Decision (including any steps ordered)

1. The complainant has requested information relating to the theft of motor vehicles from 1 January 2022 to 31 January 2024 to be provided in Excel format. Cambridgeshire Constabulary (the constabulary) provided the information in PDF format rather than Excel format.
2. The Commissioner's decision is that it would not be reasonably practicable in the circumstances to expect the constabulary to provide the information in the preferred format and therefore it has complied with its obligations under section 11 (means of communicating information) of FOIA.
3. The Commissioner does not require further steps to be taken.

Request and response

4. On 22 March 2024, the complainant wrote to the constabulary and requested information in the following terms:

"I ask to be provided:

1. the records for theft of a motor vehicle from 01/01/2022 to 31/01/2024 (inclusive) month on month i.e. the number of vehicle thefts notified each month, in Excel format, detailing:
 - a. the make & model of the vehicle

- b. the vehicle categorisation i.e. car, HGV, moped etc
2. whether the vehicles concerned have been recovered
3. the month of recovery held against the record (if readily retrievable)
4. the age of the vehicle*

*I am only seeking characters 3 and 4 of the VRM; the two numbers (the age identifier. For example, 51 represents September 2001. The age identifier changes every six months in March and September”.

5. The constabulary responded and provided information in the form of attached documents labelled CAMBS Annex A FOI2024-02282.
6. On 24 May 2024, the complainant submitted a request for internal asking further explanation about the information they had received as well as reiterating their preference for the information to be communicated in the preferred format.
7. Following an internal review on 12 June 2024, the constabulary provided additional information and explained the information that was disclosed to the complainant. It advised that it was no longer the constabulary’s policy to provide data in Excel or CSV format.

Scope of the case

8. The complainant contacted the Commissioner on 14 June 2024 to complain about the way their request for information had been handled.
9. The Commissioner considers that the scope of his investigation is to determine whether the constabulary has complied with its obligations in relation to the complainant’s preference for a response to be supplied in accordance with section 11 of FOIA.

Reasons for decision

10. Section 1(1) of the 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.”

11. Section 11 of the FOIA allows a requester to express a preference for having the information communicated by a particular means, for example Excel format. The public authority must make the information available by the preferred means so far as it is reasonably practicable.
12. During the Commissioner’s investigation, the complainant stated that the constabulary had failed to provide the information requested in the preferred format and that other constabularies had not done so.
13. The constabulary has informed the Commissioner that it is no longer its policy to communicate requested information in Excel or CSV format. It states that whilst the original response was provided in Pdf format, at the internal review stage, the response was disclosed again in an Excel version but in Pdf documents. It adds that the complainant was also given instructions on how to convert the document to Excel.
14. The constabulary says that last year it had a significant data breach due to Excel documents that were released with hidden data. It explained that the breach happened across three forces and as a result it has had firm guidance from senior leaders across the three forces that any such requests for Excel or CSV documents will be denied. Therefore, it decided that it will provide information as a Pdf document with instructions on how to convert the information to Excel or CSV format.

The commissioner’s decision

15. The Commissioner has considered the constabulary’s position and believes it is not reasonably practical to expect the constabulary to communicate the information in the manner which is preferred by the complainant. This is because he considers that the security restrictions in place prevents the constabulary from disclosing the information that way. He has also considered that although the information was provided in Pdf and not Excel, the constabulary provided the complainant with instructions on how to convert the information into Excel.
16. The Commissioner is of the view that the constabulary provided advice and assistance to the complainant set out under section 16 of FOIA in accordance with the Code of Practice.

Right of appeal

17. 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

18. 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.
19. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
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SK9 5AF