

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 28 May 2025

**Public Authority:** The Mayor's Office for Policing and Crime  
**Address:** Ground Floor  
169 Union Street  
London  
SE1 0LL

### **Decision (including any steps ordered)**

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1. The complainant has requested copies of the full accounts for Police Crime Prevention Initiatives Ltd ('PCPI'). The Mayor's Office for Policing and Crime ('MOPAC') provided links to publicly available information and stated that it did not hold any further information within scope of the request. At internal review it asked PCPI to provide a copy of its accounts and stated that no further information was held within scope of the request.
2. The Commissioner's decision is that PCPI held the requested information on behalf of MOPAC for the purposes of FOIA, but, on the balance of probabilities, no further information was held within scope of the request. He also finds that MOPAC breached section 1(1)(b) and 10(1) of FOIA by providing information to which the complainant was entitled outside the statutory timeframe.
3. The Commissioner does not require further steps.

## **Request and response**

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4. On 15 October 2024, the complainant wrote to MOPAC and requested information in the following terms:

“Please provide a copy of the full accounts of Police CPI Ltd which is a private company wholly owned by MOPAC so falls apparently within the Freedom of Information Act.”
5. MOPAC responded on 12 November 2024. It provided a link to information available on Companies House and a link to information available on the MOPAC website.
6. Following an internal review, MOPAC wrote to the complainant on 26 November 2024. It stated that it did not hold any further information within scope of the request, but advised the complainant that PCPI would contact them separately to provide the requested information.

## **Scope of the case**

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7. The complainant contacted the Commissioner on 2 December 2024 to complain about the way their request for information had been handled.
8. The Commissioner considers that the scope of his investigation is to determine whether the requested information is held by PCPI on behalf of MOPAC for the purposes of FOIA and whether further information is held within scope of the request.

## **Reasons for decision**

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### **Section 1 of FOIA – general right of access to information**

### **Section 3 of FOIA – information held on behalf of**

9. Section 1(1) of FOIA provides 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.
10. In scenarios where there is some dispute between the amount of information located by a public authority and the amount of information that a complainant believes may be held, the Commissioner, following

the lead of a number of First-tier Tribunal (Information Rights) decisions, applies the civil standard of the balance of probabilities.

11. Section 3(2) sets out the two legal principles that establish whether information is held for the purposes of FOIA:

“For the purposes of this Act, information is held by a public authority if— (a) it is held by the authority, otherwise than on behalf of another person, or (b) it is held by another person on behalf of the authority.”

### **The complainant's position**

12. The complainant has expressed dissatisfaction with MOPAC's internal review response that it did not hold any further information within scope of the request, and that PCPI had agreed to provide its accounts to the complainant as a 'gesture of good will.'
13. In their internal review request, the complainant pointed out that MOPAC's own website stated: “MOPAC is the member of, and the sole owner of, the Police Crime Prevention Initiatives' Ltd (PCPI) which is a company limited by guarantee without share capital.”
14. The complainant has confirmed that they did receive some information from PCPI, but they maintained that the full accounts hadn't been provided so further information was held.

### **MOPAC's position**

15. MOPAC has explained that PCPI is not for profit company and is guaranteed by its members to the value of £1. MOPAC is its sole member. MOPAC's representative is a registered PCPI director and sits on the board and scrutiny panel. It added that, under the articles of association for PCPI, MOPAC is an organisation with significant interest and by default has the right to veto board decisions.
16. The Commissioner notes that in MOPAC's 2023/24 Statement of Accounts it states:

“MOPAC is the member of, and the sole owner of, the Police Crime Prevention Initiatives' Ltd (PCPI) which is a company limited by guarantee without share capital. The MOPAC Head of Operational Oversight is director of the Company and has influence over the operation and running of the company. Police Crime Prevention Initiatives' Ltd main operation is through 'secure by design' which supports the principles of 'designing out crime' through physical security and processes. MOPAC spent £0.332 million (£0.478 million in 2022/23) and owed £0.002 million with Police Crime Prevention Initiatives Ltd in 2023/24 (£0.032 in 2022/23). Police Crime Prevention Initiatives' Ltd is

a not-for-profit company, run for the national good with all money made supporting crime prevention. MOPAC does not receive any financial benefit from this company.”

17. MOPAC explained that while it doesn't have significant day to day engagement with PCPI, MOPAC has one member of staff member who sits on the Board of directors and who applies one signature to the accounts when required. It added that this is done internally at PCPI, and no copy is sent to be held or stored by MOPAC directly.
18. MOPAC explained that its staff member who sits on the PCPI board was emailed and called directly to search their systems to check if they held any information within scope of the request. MOPAC explained that this staff member searched all their electronic records and confirmed no information was held. It explained that during the signing off process for the accounts information, the MOPAC staff member may temporarily hold a copy, but this is then returned to PCPI for wider sign off.
19. MOPAC also confirmed that it carried out searches on its systems using the terms 'accounts' and 'full' and 'Police-CPI.' This included all personal and shared areas on MOPAC systems. It added that due to the light touch nature of MOPAC's relationship to PCPI, it considers that there is very high confidence that this information was held by PCPI and not on MOPAC systems.
20. The Commissioner is satisfied that MOPAC does not hold the requested information itself. However, due to the relationship between MOPAC and PCPI, he finds that PCPI holds the requested information on behalf of MOPAC for the purposes of FOIA. While MOPAC referred to PCPI as a third-party in its responses to the complainant, in its submission to the Commissioner it acknowledged that the requested information is “deemed to fall under FOIA via MOPAC who de-facto owns the organisation by guarantee.”
21. The Commissioner will now go on to consider, whether on the balance of probabilities, PCPI has provided all the information it holds on behalf of MOPAC within scope of the request.
22. MOPAC explained that, in carrying out its internal review, it contacted PCPI, and it was agreed that the full accounts were to be released by PCPI directly to the complainant.
23. MOPAC explained that a public copy of PCPI's accounts is held on the Companies House website, and that a fuller set of accounts was provided to the complainant by PCPI on 27 November 2024. It explained that the accounts were prepared under the Financial Reporting Standard 102 Section 1A for small companies and therefore meet the

requirements for everything that must be contained within accounts information. It added that PCPI confirmed the information provided in the response to the complainant had also been verified by external auditors.

24. MOPAC explained that the PCPI staff consulted would have worked very closely on the accounts requested, so MOPAC considers that retrieval of this information would have been simple and unlikely to miss anything believed to be in scope.
25. MOPAC explained that it also asked PCPI to use the same search terms it had used on its own systems and that PCPI confirmed that no further information was held within scope of the request.
26. In its submission for the Commissioner, MOPAC confirmed it had repeated its searches and asked PCPI to do that same. It confirmed that no further information was held within scope of the request. MOPAC has provided the Commissioner with copies of correspondence with PCPI that shows its approach to responding to the request, and to checking if any further accounts information was held.

### **The Commissioner's view**

27. The Commissioner has considered MOPAC's submission and finds its explanation as to why it doesn't hold the requested information itself to be reasonable. However, he understands the complainant's frustration that MOPAC didn't initially recognise that the requested information would be held on its behalf by PCPI.
28. The Commissioner has viewed the accounts information provided by PCPI and finds that it does fall in line with the requirements of the Financial Reporting Standards for small companies. The Companies House website provides guidance on what a company's full accounts should include: a 'balance sheet', which shows the value of everything the company owns, owes and is owed on the last day of the financial year, a 'profit and loss account', which shows the company's sales, running costs and the profit or loss it has made over the financial year notes about the accounts and a director's report. Organisations that are classed as small companies can submit a simpler or abridged version of their accounts.
29. The Commissioner notes that the complainant has mentioned that the information provided by PCPI does not contain any purchase ledgers. He considers that although this type of information would be used to compile an organisation's full accounts, it wouldn't usually be included in the document the company files as its full accounts.

30. The Commissioner is satisfied that MOPAC and PCPI have carried out adequate searches to identify any information within scope of the request. He therefore concludes that, on the balance of probabilities, PCPI does not hold any further recorded information on behalf of MOPAC within the scope of the request.

### **Procedural matters**

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31. Under section 1(1) of FOIA a public authority must (a) confirm whether it holds information that has been requested and (b) communicate the information to the applicant if it is held and is not exempt information.
32. Under section 10(1) a public authority must comply with section 10(1) promptly and within 20 working days following the date of receipt of the request.
33. By not providing all the information to which the complainant was entitled within the statutory timeframe MOPAC breached sections 1(1)(b) and 10(1) of FOIA.

## Right of appeal

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34. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

35. 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.
36. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Keeley Christine**  
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**Information Commissioner's Office**  
**Wycliffe House**  
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