

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 28 January 2025

Public Authority: Commissioner of Police of the Metropolis
Address: New Scotland Yard
Broadway
London
SW1H 0BG

Decision (including any steps ordered)

1. The complainant has requested contact details from the Metropolitan Police Service (the "MPS"). The MPS disclosed some information but advised that the remainder was not held. Further information was disclosed during the investigation, which the complainant indicated satisfied the request. However, he remained unhappy with the MPS's general handling of the request.
2. The Commissioner has considered timeliness and how the MPS dealt with the request under section 16 (Advice and assistance) of FOIA.
3. In providing its initial response outside of the 20 working day time limit, the MPS breached section 10 (Time for compliance) of FOIA. However, although there has been confusion regarding the request, the Commissioner considers that the MPS's responses were reasonable and there was no failure to comply with section 16. No steps are required.

Request and response

4. On 10 June 2024, the complainant wrote to the MPS and requested the following information:

"Under the FOI-Act:

Can you please provide me with the job title (+ rank) + the contact details for the officer(s), in each of the various command-units in London, who is/are overall responsible for customer access + accessibility to the police, in that area/unit?

Can you please provide me with the job title (+ rank) + the contact details for the officer(s) with responsibility for customer access + accessibility to the police Met/London-wide?

By contact details, I mean primarily: a postal-address + an email-address.

If you have reservations about providing these under the FOI regulations, then I still require + request them under the Equality-Act as a reasonable adjustment to people who do not have a phone + have problems with online/e-forms.

(Secondarily, + only if appropriate, contact-details should also include: the physical location/station where the officer is based. Whether it is appropriate, I leave that for you to decide.

By 'customer' I mean, any member of the public who has business with the police or wants to contact the police.

By 'overall responsible' or 'responsibility' 'for customer access + accessibility' I mean, overall responsibility for methods + means by which customers can make contact with the police or report any incidents."

5. On 8 July 2024, the MPS responded. It advised that to ascertain whether the requested information was held would exceed the cost limit, citing section 12(2) of FOIA. It explained:

"Your request is extremely broad, and it is not possible to identify the information you are seeking within the appropriate cost limit under the Act due to the number of departments that we would need to engage with to locate wholly accurate information.

All Command Units within the MPS will have contact with members of the public to some degree and the MPS do not have any one department with total oversight and responsibility for how members of the public who have 'business with the police or want to contact the police', can do so, for every department and every possible reason.

When it comes to physical access to our buildings, this is information which our Property Services/Estates will hold, alternatively, Frontline Policing HQ (FLPHQ) would be responsible for the staff in the front counters and the experience of people

entering them. However, Met Operations (MO), Special Operations (SO) and HQ Professionalism, would all also have frequent public contact via Occupational Command Units (OCUs), e.g., via .Met Command & Control, Roads and Transport Policing, Custody, Royalty Protection, and the Diplomatic Protection Group, and each will have different mechanisms in place for public contact.

Secondly, a 'member of the public' could be anyone in the capital or beyond and they could require access to the police for a variety of reasons. For example, members of the public may want to report crime, provide intelligence, or set up a neighbourhood watch. They might be the victim of shoplifting, or human trafficking; they could be a suspect wanting property to be returned to them; they could be an Independent Advisory Group (IAG) member; they could be a journalist; this list is not exhaustive, and the reason for wanting to contact us will affect the manner and method in which they go about that contact.

This is all before we consider the implications of how we ensure that all protected characteristics are suitably accommodated within each of the options people have, to reach out to us.

To locate information relevant to your request, all the above would need to be considered and it would be necessary for a member of staff to contact every department in the MPS to ascertain how each facilitates contact with the public. All information located would then need to be retrieved extracted and collated to prepare it for disclosure. It is not possible to provide a wholly accurate estimate as to how long this work would take but it is apparent that it would take a single member of staff months and would far exceed the appropriate cost limit under the Act".

6. On 8 July 2024, the complainant requested an internal review. He wrote:

"Please conduct an internal review of your response...
Given that what I ask for is basic accessibility/contact data, you should have this readily available.

+ I do not accept that it would be too costly to provide".

7. On 15 July 2024, the complainant submitted a further related information request which is not under consideration in this notice.
8. On 4 September 2024, the complainant wrote to the MPS again and said:

"Since you have made no progress, + not provided anything further, neither on my original request for access nor on my limited

request for access to frontline policing, I hereby ask you to please reinstate (or use this as) my request for an internal review of my original request from 10-6-2024. + I ask you for an internal review of the decision to 'aggregate' the requests, + for both being late.

The requested information should be readily available. I do not accept the cost-exemption for either. While I have no interest in making you duplicate things, I have waited long enough.

This means that now both requests are up for review independently. If you decide to provide full disclosure for the original request, + I receive everything that I asked for in the first place, then there won't be any need for the limited request, but until that time, both shall stand.

I expect your response by tomorrow. Otherwise, I will have to refer the matter to the ICO.

Please note that the Publication-Scheme + its definitions specifically require you to provide email-addresses as a matter of course".

9. The MPS provided an internal review on 13 September 2024, in which it revised its position and removed reliance on section 12 of FOIA. It disclosed some information, directing the complainant to its website to show its structure and generic email addresses. It also gave the names of the Commanders for each of its Basic Command Units ("BCU"), advising that these officers had local responsibility for contact.

Scope of the case

10. The complainant contacted the Commissioner on 31 October 2024 to complain about the way his request for information had been handled. He said:

"1) The information that I requested was not disclosed, with the exception of 1 highly dubious email-address ('feedback@...').

2) I believe there is more information that falls within the scope of my request. While the names were not asked for, the job title + rank however were asked for.

+ a postal-address was asked for each role. + email-addresses were asked for.

If the MPS do not have a specialist Disability-Access-Officer a) in each unit, + b) London-wide, then I still require the email address of the officers, who do have that responsibility.

3) If the MPS rely on an exemption to refer me to a website, then they should have said so.

Anyway, the link does not provide the information that I requested.

4) As they failed to cite any exemptions, so did they fail to undertake the Public Interest Test (PIT), for the other email-addresses + locations that are in scope of my request.

5) I am absolutely not interested in their private email-addresses, + I am not asking for their names, but for their work I expect the relevant officers to have an official email address which they use. If this work email address contains their name, + they do not want their name to become public, then it is for them to request a neutral email address from their employer (i.e. from MPS). This is between them + their employer, + has nothing to do with me.

However, if they have failed to request a neutral email-address + only use one that contains their name, then MPS should not misuse the data-protection regulation to hide information from requestors.

Because the responsibility of a public service to serve the public + be accessible to the public is greater than to an employee who failed to request a neutral email-address.

As I said. I am not interested in names, I am interested in access by email.

+ Eforms (online-forms) are not email".

11. During the Commissioner's investigation, further liaison was made between the parties in an effort to informally resolve the case.
12. On 14 January 2025, the MPS wrote to the complainant and provided him with the job titles, ranks, contact details and addresses of all 12 BCU's where he could directly write to the Chief Superintendent. It explained that it had no identifiable individual that a member of the public could contact directly (other than when they were a victim of crime, in which case they may be given an individual officer to liaise with). It also provided alternative means of contact, especially were a member of the public to require additional assistance, such as local Safer Neighbourhoods Teams or its "contact us" webpage which could be used - this would automatically send a request or concerns to the relevant area in the MPS to ensure it was dealt with most efficiently.
13. It also said:

"For any member of the public who may require reasonable adjustments and is unable to use the standard contact process, the MPS has in place alternative communication methods for their specific needs such as hearing or speech impairment with remote interpreters or text messages.

For completeness, I also enquired with our Property Services regarding physical access to police buildings. The means of physical access for the public to police buildings are maintained and refurbished through construction project activities, as and when required. Where public access elements of a police property are in the scope of a project, the works are required to comply with the requirements of Approved Document M "Access to and use of buildings" which are part of the UK's Buildings Regulations. I can confirm we do not have one point of contact responsible for accessibility under the Equalities Act.

The final part of your requests relates to ownership of access to the police Met/London wide. Sir Mark Rowley, the Commissioner of the police of the Metropolis has overall responsibility for the MPS. His postal address is New Scotland Yard, Victoria Embankment, London, SW1A 2LJ. His office email is Comm.PO@met.police.uk".

14. The MPS also advised the Commissioner that with over 46,000 police officers and police staff it does not have specific individuals for each area of the MPS that members of the public can contact directly.

15. In response, the complainant asked:

"It is not 100% clear to me, whether the Communications+EngagementTeam + the Diversity+EngagementTeam have team-email-addresses, as I would expect these (also) to be the relevant officers.

Can you confirm whether they do?"

16. The MPS advised that it did not have any specific contact for these teams and that whilst there were team addresses, these were internal addresses rather than public-facing ones, which were what he had requested.

17. In subsequent correspondence with the Commissioner it further clarified:

"I can confirm we do not have a Diversity and Engagement Team, however we do have a new Culture, Diversity & Inclusion Directorate (CD&I).

The London Race Action Plan (LRAP) is part of the Culture, Diversity & Inclusions Directorate and they do have a public facing Inbox Professionalism HQ Mailbox - LRAP LRAP@met.police.uk

The rest of CD&I is not public facing, and any enquiries are routed through local policing teams who will be able to consult with CD&I if required.

With regards to Community Engagement, we do not have a public enquiries mailbox".

18. On 22 January 2025, the complainant wrote to the Commissioner and advised:

"My complaint is now (limited to +) about the substantive delay, + the need to take my case to the ICO to get more substantial answers, + the absence of clear exemptions.
+ I hope you can uphold my complaint, even if no further steps need to be taken.

Regarding individual email-addresses:

I appreciate that they have now clarified that they hold personal email-addresses that contain a name but are unable to identify any specific individual who could be contacted this way as per my request.

For the moment I accept this explanation under FOI rules. I don't accept it under law in general. I still believe it to be their responsibility under law to set themselves up in such a way that it is possible to contact them by email as per my request.

I understand that you can only look at the FOI rules. So this falls outside of the scope of the investigation.

In any case they have provided the email-address for the officer with overall responsibility

Comm.PO@met.police.uk

Regarding team-email-addresses:

If these are in scope, then the team-email-addresses for the Engagement teams".

19. Regarding the team emails referred to, the Commissioner does not consider these to be in scope as they are purely for internal purposes and are not public-facing addresses. The exception is the LRAP address which is now included at paragraph 17 (the complainant has not previously been advised regarding this particular address).
20. As asked by the complainant, the Commissioner will now consider timeliness below as well as advice and assistance. No exemptions were

ultimately relied on, so this will not be considered. Comments regarding the time taken to undertake an internal review can be found in "Other matters" at the end of the notice.

21. The Commissioner's duty is to decide whether a request for information made to a public authority has been dealt with in accordance with the requirements of Part 1 of FOIA. FOIA is concerned with transparency and provides for the disclosure of information held by public authorities. It gives an individual the right to access recorded information (other than their own personal data) held by public authorities. FOIA does not require public authorities to generate information or to answer questions, provide explanations or give opinions, unless this is recorded information that they already hold.

Reasons for decision

Section 1 – general right of access **Section 10 – time for compliance**

22. Section 1(1) of FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them.
23. Section 10(1) of FOIA provides that a public authority should comply with section 1(1) within 20 working days. Section 1(1)(a) initially requires a public authority in receipt of a request to confirm whether it holds the requested information.
24. The request was submitted on 10 June 2024 and the complainant did not receive a response until 8 July 2024, 21 working days later. The Commissioner therefore finds that the MPS has breached section 10(1) by failing to comply with section 1(1)(a) within the statutory time period.
25. The Commissioner has made a separate record of this breach, for monitoring purposes.

Section 16 – Advice and assistance

26. Section 16(1) of FOIA provides that a public authority is required to provide advice and assistance to any individual making an information request, so far as it would be reasonable to expect it to do so.
27. In this case, when initially citing the cost limit, the MPS explained to the complainant about the information it held and why compliance would exceed the limit. This gave some indication of the type of information held and the Commissioner considers it to have been a reasonable

interpretation of what was a wide-ranging request for information that is, ultimately, generally not held.

28. When seeking an internal review of that response, the complainant only stated that he believed what he wanted was basic accessibility/contact data which should be readily available. This, unfortunately, did not assist with the locating of any further information that may be held, or reduce the scope of the request, as it was worded.
29. Whilst the Commissioner understands that the complainant may be disappointed in his findings, under section 16, a public authority is only required to provide "reasonable" advice and assistance. In this case, the Commissioner considers that the advice and assistance offered by the MPS regarding his request was reasonable, in the circumstances. He therefore finds no failure to comply with section 16(1) of FOIA.
30. It may be helpful for the complainant to consider the Commissioner's tips on how to make a clear request, if he wishes to make further requests in the future¹.

Other matters

31. Although they do not form part of this notice, the Commissioner wishes to highlight the following matters.

Internal review

32. The Commissioner cannot consider the amount of time it took a public authority to complete an internal review in the main body of a decision notice because such matters are not a formal requirement of FOIA. Rather, they are matters of good practice which are addressed in the code of practice issued under section 45 of FOIA.
33. Part VI of the section 45 Code of Practice states that it is desirable practice that a public authority should have a procedure in place for dealing with complaints about its handling of requests for information, and that the procedure should encourage a prompt determination of the complaint. The Commissioner considers that these internal reviews should be completed as promptly as possible. While no explicit timescale is laid down by FOIA, the Commissioner considers that a reasonable time for completing an internal review is 20 working days from the date of the request for review. In exceptional circumstances it may take

¹ <https://ico.org.uk/for-the-public/official-information/>

longer, but in no case should the time taken exceed 40 working days; it is expected that this will only be required in complex and voluminous cases, which this request was not. The Commissioner is therefore concerned that it took the MPS over two months to conduct an internal review in this case.

34. The Commissioner would like to remind the MPS that he routinely monitors the performance of public authorities and their compliance with the legislation. Records of procedural breaches are retained to assist the Commissioner with this process and further remedial work may be required in the future should any patterns of non-compliance emerge.

Right of appeal

35. 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

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

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