

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 9 January 2024

Public Authority: Chief Constable Cleveland Police

Address: St Marks House
St Marks Court
Thornaby
Stockton on Tees
TS17 6QW

1. Request and Response:

The complainant requested the following information from Cleveland Police on 9 September 2024:

" Under the FOIA please provide me with all the information that you hold regarding the following.

1. When Cleveland police fail to following the college of policing APP guidance in relation to the FOIA is this a matter for the ICO to determine and/or is it a matter for the college of policing to determine and/or is it a matter for the PSD of Cleveland police to determine.

2. You state " Having made enquiries within the Force we only hold information since 2021 and we have notified the NPFDU of two cases that have been proceeded by the ICO."

I have numerous decided from the ICO stating that the Cleveland Police have violated my information rights. I also have numerous ICO investigations on going.

Under the FOIA please provide me with all the information you hold that you have noticed the NPFDU about these violations of my information

rights.”

The following day, on 10 September, the complainant withdrew part 2 of their request.

Cleveland Police provided a valid response on 9 October.

2. Commissioner’s Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, the public authority did not provide a valid response within the statutory time frame. Therefore the Commissioner finds a breach of section 10.

3. Right of Appeal:

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

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
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**