



## FREEDOM OF INFORMATION REQUEST

### FOI Reference number: 23/2014 – Internal Review Determinations

The applicant sought an internal review of the Board's response following its initial consideration of this request for information.

An FOI Internal Review Panel consisting of the Board's Chief Executive and the Director of Partnership met on 31 July 2014 to consider the findings of the internal review.

As part of the Internal Review the Decision Maker provided the Complaint Reviewer with the following revised response:

*Further to your request for a review and clarification that the requested time period for information is the past 12 months. I have considered your request and conclude that the costs of complying with your request would exceed the £450 limit. I would however revise my response to take account of the shorter time period.*

*On the basis of a search of the number of cases refused in the past 12 months (June 2013 – May 2014) the Board estimates that a manual search through clerical files to extract the requested information would cost £2850. This is clearly above the appropriate limit of £450.*

*The following calculation is how the Board has estimated the cost of complying with your request:*

- 1. Estimate of time required to review a typical clerical file = 30 minutes*
- 2. There are approximately 228 clerical files held by the relevant Board branch (within the parameters of the search terms)*
- 3. Time required to manually search files is therefore  $228 \times 0.5 = 114$  hours*
- 4. Potential cost of compliance is therefore  $114 \text{ hours} \times £25 \text{ per hour (standard fee under FOIA)} = £2850$ .*

The Internal Review also considered the Board's obligations under Section 16 (1) of the FOIA to provide advice and assistance to an applicant in order that they might be able to refine their request and have it dealt with at a cost lower than the appropriate limit. Based on the estimate provided by the Decision Maker the Board could check a total of 36 files before the appropriate limit of £450.00 is reached. This represents approximately 16 per cent of the files falling within the date range specified by the applicant.

Following consideration of the case the panel agreed that:

- The revised estimate of complying with this request still exceeds the appropriate limit.
- Section 12 (1) of the FOIA was engaged ie that the Board is not obliged to comply with the request as the estimate of complying with the request exceeds the appropriate limit.
- A revised response should be issued to the applicant confirming that:
  - The use of Section 12 (1) is upheld and provide the new estimate for complying with the request, and
  - Offer advice and guidance to reduce the scope / range of the request so that it can be progressed within the appropriate limit of £450.00.



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** FOI 23/2014

**Date:** 24 June 2014

**Request:** Can I therefore request under the FOI legislation how many applications under the 2006 regulations have been unsuccessful where the applicant is in receipt of both DLA and has been awarded a disability percentage by IIB of NISSA. I would suggest the past 12 months as the suitable timescale for this FOI application.

**Answer** The Board does not hold the information requested in a readily accessible form.

Information regarding whether or not an individual is in receipt of the social security benefits named by you is not held centrally by the Board, but rather is held in individual case files. To provide this information would require a considerable amount of manual investigation; i.e. working through clerical files on an individual basis to determine whether or not they contained information relevant to your request.

In accordance with the provisions of section 12 (1) of the Freedom of Information Act (FOIA) 2000, a public authority is not obliged to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit, which in this case is £450.00.

The Board estimates that to manually search through clerical files to seek to extract the information you have requested would cost in excess of £115k. This is clearly significantly above the appropriate limit of £450.00.

The following calculation is how the Board has estimated the cost of complying with your request;

1. Estimate of time required to review a typical clerical file = 30 minutes
2. There are around 9240 clerical files held by the relevant Board branch
3. Time required to manually search files is therefore  $9240 \times 0.5 = 4620$  hours
4. Potential cost of compliance is therefore  $4620 \text{ hours} \times \text{£}25 \text{ per hour}$  (standard fee under FOIA) = £115,500.00

When the cost of complying with a request is estimated to be higher than the appropriate limit, a public authority has a duty under section 16 (1) of the FOIA to provide advice and assistance to a requestor in order that they might be able to refine their request and have it dealt with at a cost lower than the appropriate limit.

Unfortunately the Board feels that this is not possible in this instance. Even if you were to reduce the timeframe included within your request, or reduce the benefits in question to one, to comply with the revised request would still require a manual search of all clerical files, the cost estimate is therefore highly unlikely to reduce, *and would therefore still be substantially in excess of the appropriate limit of £450.00.* This is because, as stated above, information on whether or not an individual is in receipt of the social security benefits named by you is not held centrally by the Board, but rather is held in individual case files.

If you have queries about this request or the decision please contact the Board quoting the reference number above. If you are unhappy with the service you have received and wish to make a complaint or request a review you should write to the Board's Chief Executive at the following address:

Northern Ireland Policing Board  
Waterside Tower  
31 Clarendon Road  
Clarendon Dock  
Belfast BT1 3BG

Email: [foi@nipolicingboard.org.uk](mailto:foi@nipolicingboard.org.uk)

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner. Generally, the Information Commissioner's Office cannot investigate or make a decision on a case unless you have exhausted the complaints procedure provided by the Board. The Information Commissioner can be contacted at:-

The Information Commissioner's Office – Northern Ireland  
3rd Floor  
12 Cromac Place  
Gasworks  
Ormeau Road  
Belfast  
BT7 2JB.

Telephone: - 0303 1231114  
Email: - [ni@ico.org.uk](mailto:ni@ico.org.uk)

Please be advised that all Policing Board replies under Freedom of Information will be released into the public domain via our website @ [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk).

*Personal details in respect of your request have, where applicable, been removed to protect confidentiality.*