

**MPS response to requests 2009120000141,
2009120005050 and 2010010000030**

Thank you for your recent clarification in respect of 2009120005050. Having reviewed your request, I have determined that locating, retrieving and extracting the requested information would exceed the FOIA cost threshold. However, I have also become aware that you currently have two additional requests to the MPS which also ask for similar information, and I have therefore decided that all three requests should be aggregated in accordance with Regulation 5 of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. All three requests will therefore be refused by virtue of section 12(4) of the Freedom of Information Act. The formal refusal notice for these requests, including the specified sections of the legislation, can be found in the 'Legal Appendix' section below.

As part of the section 16 duty to assist, the following paragraphs provide a full explanation of the reasons for this decision. To avoid any confusion, I have included this explanation in the posted response to each of your three requests.

I have also identified relevant information in relation to the three requests that can be retrieved within the cost threshold; should you wish to proceed by narrowing your requests to these documents, they will be reviewed to determine if disclosure is possible. As an alternative, I have also provided you with links to a number of relevant documents providing information concerning the records management process within the MPS that may assist you to frame future requests. Details of this information are given below.

The 3 Requests you have made are as follows:

1. 2009120000141: CRIS system manuals - 01/12/2009

1. The instruction manual for the CRIS (Crime reporting Information System) used to make records of actions related to crime investigation/reports of crime etc

2. The training manual for the CRIS (Crime reporting Information System)

3. The user guide for the CRIS (Crime reporting Information System)

4. Any other manual's guides for the CRIS (Crime reporting Information System)

2. 2009120005050: Record Keeping Procedures - 30/12/2009

Please provide copies of all documents related to the making of records in relation to Police matters.

The request to include, but not exclusive to, procedures, practices, guidance, instructions and directions on Police record keeping.

This request was subsequently clarified to specify:

Record keeping related to operational matters in particular crime reports.

3. 2010010000030: Custody Suite Video Recording - 04/01/2020

1. *Any policies or procedures relevant to Custody suite video recordings.*
2. *Data retention policy in relation to to Custody suite video recordings.*
3. *Access requests policy/procedure in relation to to Custody suite video recordings.*
4. *Information on how the video recordings are stored/filed in relation to to Custody suite video recordings.*

It should be noted that, after redefinition, 2009120005050 focuses in particular on record keeping in relation to crime reporting; as the system on which reported crimes are recorded is the CRIS system, there is considerable cross-over between this request and 2009120000141, which asked for certain specific documents relating to CRIS as well as 'any other manual guides' for the system. Certainly, all information falling within the scope of 2009120000141 would also be relevant to 2009120005050 and can be considered to be 'similar information'. However, 2009120005050, while stating a particular interest in crime reporting, is more extensive still in scope, as it asks for all documents in relation to record keeping related to operational matters. In order to explain further how the 3 requests constitute similar information, I have included an extract from the MPS *Records Management Manual* which gives a definition of a 'record':

Section 3: Records Management

3.1 Definition of a record

3.1.1 A record is any recorded piece of information produced or received in the initiation, conduct or completion of an individual or organisational activity of the MPS. It comprises sufficient content, context and structure to provide evidence of the activity. It contains information that is worthy of preservation in the short, medium or long term.

3.1.2 MPS records fall into two categories:

- *Records containing police information for policing purposes which are: Protecting life and property, preserving order, preventing the commission of offences, bringing offenders to justice and any duty or responsibility arising from common or statute law*
- *Records containing other information such as staff personal files, contract, finance, policy files and other support functions.*

3.1.3 Information is collected in a number of ways such as routine collection, tasked information and volunteered information (see Guidance on the Management of Police Information Sec. 3).

3.1.4 Records can be held in a variety of formats and this policy applies to all types of medium, for example:

- *Paper – e.g. reports, statements, books and forms;*
- *Electronic/digital – e.g. e-mails, word processed documents, spreadsheets, data sets;*
- *Audio and video tapes - including interviews under caution and CCTV recordings;*
- *Photographs;*
- *Documented evidential material;*
- *Maps; and*
- *Models.*

Request 2009120005050 asks for all documents relating to record keeping in respect of operational matters in the MPS; from the definition above, your requests for documentation relating to the CRIS system and Custody Suite Video recording both fall within the scope of the wider request, as both requests relate to specific types of record kept by the MPS (electronic and video respectively; see 3.1.4. above). Your redefinition of 2009120005050 specified that you were only interested in record keeping relating to operational policing (or as per 3.1.2. above, police information for a policing purpose) rather than other information such as personnel, contract or finance; again, record keeping relating to recording on the CRIS system and video recording both fall within this definition and information relating to them would be information relating to record keeping in respect of operational matters.

All three requests therefore ask for information relating to record keeping within the MPS, in the case of 2009120005050 for all relevant documentation, and in the other two requests, in relation to specifically named systems used to create and keep records related to operational matters. The requests therefore all ask for similar information. All were received within a period of less than 60 working days. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 section (5) states that when two or more requests are made relating, to any extent, to the same or similar information within 60 consecutive working days, the public authority may "aggregate" the requests and take into account the total cost of complying with them all. I have therefore decided to aggregate the 3 requests you have made, and I regret to inform you that the cost of complying with the aggregated requests would exceed the appropriate limit £450, or 18 hours at £25 per hour, set out in The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. [Please see the Legal Appendix below for the formal refusal notice]

COST BREAKDOWN:

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 section (4) sets out that the public authority can

take account of the following factors in determining the costs incurred in relation to the request:

- (a) determining whether it holds the information,
- (b) locating the information, or a document which may contain the information,
- (c) retrieving the information, or a document which may contain the information, and
- (d) extracting the information from a document containing it.

With regard to 2009120005050, I can confirm that information relevant to your request is held. However, due to the wide scope of the request, it is in locating all the relevant information held, and in retrieving and extracting that information, that the cost threshold would be exceeded. 'Record keeping' is a term that includes the creation, retention, storage and disposal of records – as you ask for all documentation held by the MPS, this will include information relating to record keeping generally, but will also require the identification of all documentation generated in relation to each of the individual systems used for record keeping by the MPS. In addition to specific policies and procedures, your request would also capture training materials for each system, and any unspecified additional documentation (for example, information concerning any changes or updates to a system used to manage MPS records, or project work undertaken in respect of a record keeping system). I will provide an example that focuses on the CRIS system to demonstrate the extent of the information held. A search on the MPS intranet system on the word 'CRIS' generates 4350 'hits'. In order to begin determining the full extent of the information held, and the relevance of each document to your requests, each document would need to be viewed individually to identify whether it contains relevant information, and then either retrieve the document in its entirety or extract the relevant information. Even at a very conservative estimate of one minute per document to perform these tasks, the search for all records in relation to CRIS alone would require 4350 minutes, or in excess of 72 hours. Further searching and retrieval in relation to other information falling within the definition of the request would then be in addition to this.

However, as part of the duty to assist, I have identified certain information that it is possible to retrieve within the cost threshold. In doing so, I have attempted to identify the key document with regard to MPS record keeping at a general level, and also identify certain documents that provide further information in relation to the specific systems you have identified an interest in.

The key document governing record keeping in the MPS is the Records Management Manual. In relation to your specific request about CRIS manuals, it is possible to retrieve the CRIS User Guide and the CRIS Standard Operating Procedure. Please note that you have already been notified that work has been undertaken with regard to this request (2009120000141) and that a public

interest test was being conducted with regard to the disclosure of certain of the requested information. This work was undertaken prior to my realisation that you had submitted 3 related requests, and my decision to aggregate your 3 requests now replaces the previous steps taken. With regard to the Custody Suite Video Recording, I have located an MPS 'Notice' which provides instruction on general procedure including storage and access. If you wish to redefine and narrow a further request for these documents, please contact me; if you wish to proceed in this way, the documents will then be reviewed for disclosure.

In addition, I have located four relevant documents that are published on the MPS website; they provide further information outlining this business area and may assist you to identify relevant information for any future requests you may wish to make. The links to these documents are below:

Records Management Summary:

http://www.met.police.uk/foi/pdfs/other_information/corporate/records_management_summary.pdf

MPS Information Management Policy:

http://www.met.police.uk/foi/pdfs/policies/information_management_policy.pdf

Crime Recording:

<http://www.mpa.gov.uk/committees/x-ppr/2006/061109/10/>

Crime Reporting Policy:

http://www.met.police.uk/foi/pdfs/policies/reporting_crime_policy.pdf

Legal Appendix:

Your 3 requests have been aggregated as they all relate to the similar subject of record keeping relating to operational matters within the MPS.

Therefore, in accordance with the Freedom of Information Act 2000, this letter therefore acts as a Refusal Notice for requests 2009120000141, 2009120005050 and 2010010000030, by virtue of section 12(4) of the Act.

Section 17(5) of the Act provides:

(5) A public authority which, in relation to any request for information, is relying on a claim that section 12 or 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact.

Section 12 (4) of the Act provides:

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

(4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority —

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 section 5:

Estimating the cost of complying with a request - aggregation of related requests

5 (1) In circumstances in which this regulation applies, where two or more requests for information to which section 1(1) of the 2000 Act would, apart from the appropriate limit, to any extent apply, are made to a public authority -

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

the estimated cost of complying with any of the requests is to be taken to be the total costs which may be taken into account by the authority, under regulation 4, of complying with all of them.

(2) This regulation applies in circumstances in which-

(a) the two or more requests referred to in paragraph (1) relate, to any extent, to the same or similar information, and

(b) those requests are received by the public authority within any period of sixty consecutive working days.