

Mr John Walker

By e-mail to: request-21400-1a1c85f4@whatdotheyknow.com

Our Reference: 46932

20th November 2009

Dear Mr Walker,

I am writing with reference to your request for information regarding Common Purpose, dated 20th October 2009, made under section 1(1) of the Freedom of Information Act, and further our e-mail dated 16th Nov 2009

You asked for the following information:

a copy of the invoice for each Common Purpose course paid for by your organisation.

I can confirm that the NPIA holds the information you have requested, however some of the details are being withheld as we consider it to be exempt from the right of access in accordance with sections 31(1)(a) (Law Enforcement), and Section 40(2) by virtue of Section 40(3)(a)(i) of the Freedom of Information Act.

Application of Exemptions

Section 31 (Law Enforcement)

This exemption is a prejudice based, qualified exemption and therefore the legislators accept that there may be harm if information falling within the scope of the exemption were to be released. However, we are required to evidence the harm and consider the balance of public interest in releasing the information.

Section 40 – (Personal Information)

This exemption is a class based, absolute exemption and there is no requirement to establish the harm or the public interest. The NPIA believes that this exemption applies as it contains personal details of individuals, who are not members of the NPIA, and have an expectation that their details would not be released. The

invoices also contain personal information on junior NPPIA staff, which is also considered personal information and exempt from disclosure. Therefore it would contravene the first principle of the Data Protection act, namely – 'Fair and lawfully processed', if these details were released.

Harm under Section (31) (Law Enforcement)

The requested information contains bank details which may be used to commit fraud.

Public Interest Test under Section 31 (Law Enforcement)

Section 31 of the Freedom of Information Act is a qualified exemption and the Public Interest Test is assessed below. This considers whether or not it would be beneficial to the community at large to disclose the requested information.

Consideration favouring disclosure:

I am unable to find any solid considerations for the disclosure of bank details that cannot be explained by other information release with these invoices.

Considerations favouring non-disclosure:

The disclosure of an individual's or corporate bank details would aid any determined or opportunistic attempt to commit fraud or identity theft. There have been some high profile cases where, bank details were published and money removed from those accounts.

Balancing Test:

On balance there seems little or no justification to disclose the bank details of any company or individual, while if there are factors involving the reduction or prevention of crime these should always be considered carefully.

Decision:

In this case I have decided that the bank details in these invoices should not be disclosed as part of this request.

Your right to complain

We take our responsibilities under the Freedom of Information Act seriously but, if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have the right to complain. We will investigate the matter and endeavour to reply within 3 – 6 weeks. You should write to:

David Horne
Director of Resources
National Policing Improvement Agency
10-18 Victoria Street
London
SW1H 0NN

E-mail: david.horne@npia.pnn.police.uk

If you are still dissatisfied following our internal review, you have the right, under section 50 of the Act, to complain directly to the Information Commissioner. Before considering your complaint, the Information Commissioner would normally expect you to have exhausted the complaints procedures provided by the NPIA. The Information Commissioner can be contacted at:

FOI Compliance Team (complaints)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Further information about the NPIA is routinely published on our website at www.npia.police.uk or through our publication scheme. If you require any further assistance in connection with this request please contact us at our address above.

Yours sincerely,

Andy Woodgate
IKS Advisor
National Policing Improvement Agency