

Independent Police Support Group

request-68543-4966bd0a@whatdotheyknow.com

Our Reference: FO 065/11

17th May 2011

Dear Independent Police Support Group,

I am writing with reference to your request for information regarding the 30+ scheme, dated 13th April 2011, made under section 1(1) of the Freedom of Information Act.

You asked for the following information:

'[1] Please supply copies of any correspondence regarding the future and any reviews of the 30+ scheme

[2] Please supply details of forces who are no longer going to use the scheme.

The Metropolitan Police have apparently decided to no longer retain officers under this scheme unless they have specialist skills requires for the Olympics. [3] Can you confirm that this is the case and supply copies of any relevant communication between the MPS and the NPIA in this regard.'

In answer to question 1, I can confirm that we hold the information you have requested and the majority is included as email attachments to this response. Some of the information has been redacted under Section 40(2) Personal information.

The NPIA undertook a review into the 30+ in 2008 and the result of that review together with the questionnaires received by the forces is attached, the personal information has been removed.

However, not all of the information we hold can be provided at this time as the NPIA requires further time to evaluate the public interest in disclosure. Disclosure may harm the free and frank exchange of view between the relevant parties, and therefore Section 36 (Disclosure Prejudicing the Effective Conduct of Public Affairs) is engaged.

NPIA (headquarters)
Fry Building
2 Marsham Street
London
SW1P 4DF

T 0203 113 6000
www.npia.police.uk

The Freedom of Information Act obliges us to respond to requests promptly and in any case no later than 20 working days after receiving your request. However, when a qualified exemption applies to the information, the Act allows the time for response to be longer than 20 working days so that the balance of public interest can be considered, although, a full response must be provided within such time as is reasonable in all circumstances of the case.

We do, of course, aim to make all decisions within 20 working days, including in cases where we need to consider where the public interest lies in respect of a request for exempt information. In this case, however, we have been obliged to consult a number of other stakeholders to establish the public interest considerations and we have not yet reached a decision on where the balance of the public interest lies.

On this basis, we are extending the response timescales by a further 20 working days to ensure that we provide you with as much information as possible, but also consider the wider public interest and harm that may be caused by the release of any information.

Therefore, we plan to let you have a response by 15th June 2011. If it appears that it will take longer than this to reach a conclusion, we will keep you informed.

In answer to questions 2, our search has established that the information you requested is not held by the NPIA. Please note that for question 2, the questionnaire contains details on the future of the 30+ scheme relative to that force. This can only be considered as historical data and not indicative of the forces current position regarding the 30+ scheme.

Regarding question 3, the NPIA does not hold any further correspondence with the MPS on this issue apart from the MPS Questionnaire of 2008. Again, this is historical data and not indicative of the MPS current position. Following the decision of the Police Negotiating Board the 30+ Scheme was closed to all entrants on the 1st April 2010. Ultimately it would be for individual forces to decide whether to continue to retain 30+ appointments beyond this point depending on the business need of the force.

Application of Exemptions

Section 40(2) Personal Information

This exemption is a class based, absolute exemption and there are no requirements to establish the harm or the public interest. The NPIA believes that this exemption applies as the information contains the names of more junior NPIA staff and members of the police forces who have an expectation that their details are not release under FOI. The questionnaire also contains information regarded as

sensitive personal information, which under Schedule 3 of the Data Protection have a high degree of protection from disclosure under FOI. Therefore, it would contravene the first principle of the Data Protection Act, namely – ‘Fair and lawfully processed’, if these details were released into the public domain.

Section 36 Disclosure Prejudicing the Effective Conduct of Public Affairs

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.

Harm under Section(s) 36

Section 36 is considered engaged for the communications between the Home Office, Treasury and ministers regarding the Police Force questionnaire and the resulting 30+ review, where advice on the creation and implementation of these documents has been given.

Public Authorities require a private space for the full and frank exchange of views and information about the developing of the 2008 force questionnaire and the final review. While the NPIA recognises that the review and questionnaire has been complete, some information may be disclosed (e.g. statistical or factual information), and this does not however apply to advice supplied by other agencies or ministers. Advice or comment may not be so forthcoming if it were known that this information was made routinely publically available.

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 20 working days. You should write to:

Anne Taylor
Head of Secretariat and Policing Portfolio Unit

C/O FOI Team
National Policing Improvement Agency
10th Floor (East),
New King's Beam House,
22 Upper Ground,
London,
SE1 9QY

E-mail: NPIAFOI.InternalReviews@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