



**Serving our communities to
make them safer and stronger**

Humberside Police
Police Headquarters
Priory Road
Hull
HU5 5SF

Tel No:101

Your Ref:

Our Ref: F-2019-00979

12th September 2019

Dear K Martin

FREEDOM of INFORMATION ACT 2000 Reference No: F-2019-00979

Thank you for your request for Information in which you requested details of the following:

I have watched with interest the actions of Humberside Police officer and have a few serious concerns.

<https://www.hulldailymail.co.uk/news/hull-east-yorkshire-news/rathlin-west-newton-drilling-site-2739503>

Please could you, under the FOI Regulations provide me with the following;

Please provide a copy of the risk assessment involving officers "riding" a trailer delivering to the site under the HV power cables that are over the gates to the site?

Please provide any advice sought from the Health & Safety Executive/your Health & Safety Officers/Fed Officer with regard to officers riding a moving vehicle with respect to working at height and fall arrest and communications around this.

Please provide communications and advice sought from the Electricity Supplier with regard to Officers working at height under HV overhead cables.

Please provide the instructions given to officers while travelling at height under overhead cables while entering the gas site.

Please provide a copy of the Constabulary Whistleblowing Policy for serving and ex-officers

The Freedom of Information Act requires that this request is dealt with in a manner that is motive and applicant blind. A disclosure under this legislation is considered a disclosure to the world and is considered to be on the basis that it is in the public interest.

This response is unique to Humberside Police and you are advised not to compare this like for like with any other force's response you receive.



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Humberside Police Response

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of FOIA requires that we provide the applicant with a notice which:

- a) states that fact
- b) specifies the exemption(s) in question and
- c) states (if that would not otherwise be apparent) why the exemption applies.

This letter acts as that notice.

The risk assessment forms part of larger document which is exempt under S31 Law Enforcement which requires a public interest test.

Section 31

Harm

Disclosure would undermine the effective delivery of operational law enforcement.

Favouring Disclosure

The public have a right to know that the Police service is providing effective Policing.

Favouring Non Disclosure

It is the responsibility of the Police Service to protect the public and enforce the law. Disclosure would undermine the effective delivery of operational law enforcement.

Balancing Test

The Police will not divulge information if to do so would prejudice operations. Although it is argued that there is public interest, the ability to deliver effective law enforcement is of paramount importance therefore, it is our opinion that for these reasons the balance favours non disclosure at this time.

Please see attached Risk Assessment and Supporting Reporting Policy documents.

Should you need to discuss this further please contact Sian Boynton, Information Compliance Officer on the above details.

Yours sincerely,

Sian Boynton
Information Compliance Officer



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Humberside Police – Freedom of Information Complaints Review Procedure

Why Have A Complaints Process?

Humberside Police is committed to delivering an open and transparent service whenever possible and it is our intention to commit to the principles of openness embodied in the Freedom of Information Act. We will release information to the greatest extent possible, consistent with the public interest, however we may withhold information if we consider its release would cause significant harm.

If information within a document is withheld, it will be clearly marked to show where information has been removed and the legal exemption we have used. If we decline to supply all or part of any information you have asked for we will notify you in writing giving our reasons based upon legal exemptions contained within the Freedom of Information Act.

If you are not satisfied about the way in which your Freedom of Information request has been handled you have the right to appeal. This information has been designed to help you to understand how to complain to Humberside Police. Using this process will not affect your right to complain directly to the Information Commissioner if you feel we have not complied with our obligations under the Freedom of Information Act.

How Long Do I have to Raise A Complaint?

Once we have responded to your Freedom of Information Request you will have 40 working days in which to raise your complaint.

Who Can Complain?

Anyone who has made a Freedom of Information request in writing to the Force can complain. If you have requested information and you are not satisfied with the way we have dealt with it, you can use the complaints process to have it looked at again. If someone who requested information would like to complain but cannot do so themselves, you can complain on their behalf but it will help us if you make it clear that you are doing so.

What Can I Complain About?

If you are not satisfied with the way we have handled your request, with the fee we have charged, or with the reasons we have given for refusing to provide information, you have the right to appeal. You can complain about the range, amount and format of information we have sent following a request. You can also complain about the way a request was handled, for example, the time it took to respond.



How Do I Complain?

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To deal with your complaint as quickly as possible, it will help if you can give us as much information as you can about the original request made and the reason for your complaint. Please put your complaint in writing and address it to:

FOI Appeals
[Humberside Police Information Compliance Unit](#)
Police Headquarters
Priory Road
Hull HU5 5SF

What Happens To My Complaint?

Once we have enough details to identify the request, we will begin the review. The Head of The Information Compliance Unit will normally review your complaint. In the more complex cases a review panel consisting of a number of senior personnel from the Force will re-examine your complaint. We aim to complete the review process within 20 working days of receiving your complaint. Upon completion we will send you the findings.

How Will I Be Notified?

Where we have not followed procedures or have failed to provide acceptable quality of service, we will apologise and explain what we will do to ensure this doesn't happen again. If our original decision to withhold information is over-turned on appeal we will send you the additional information immediately. If we believe that our original response was correct we will let you know, and inform you of your options (see below).

What If I'm Still Not Satisfied?

If we have been unable to resolve your complaint and you are not satisfied you can approach the office of the Information Commissioner, who may investigate the matter on your behalf. This option is open to you at all times, but we will endeavour to address your complaint initially, as this may lead to a speedier resolution. It is the Information Commissioner who decides whether to investigate or not. We will co-operate fully with the Information Commissioner.

If you have any further questions about the complaints process, please contact the Information Compliance Unit on 01482 578039 or alternatively you can write to:



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*Head of Information Compliance Unit
Humberside Police Headquarters
Priory Road
Hull HU5 5SF
Email: Informationcomplianceunit@humberside.pnn.police.uk*

Requests for a review by the Information Commissioner should be made in writing directly to:

*The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF*

Phone: 01625 545 700

www.informationcommissioner.gov.uk