

FOI ref no: 12489

29 October 2020

**Freedom of Information request: reference 12489, first notified to us by email on 29 September 2020**

Thank you for your recent request under the Freedom of Information Act 2000, as detailed below:

*The Government is strongly recommending that all citizens download and use the NHS COVID-19 app to assist the NHS Test and Trace. The advice suggests that downloading the app will help control the spread of the virus and will therefore save lives.*

*Police officers and police community support officers are on the front line when it comes to controlling the virus, and as such are at an increased risk of exposure to the virus and and therefore an increased risk of spreading the virus.*

*Could you please provide the following information under the Freedom of Information Act:-*

- 1. Does Staffordshire Police permit or encourage officers and staff to download the NHS COVID-19 app on mobile phones provided to them by Staffordshire Police .*
- 2. What advice or instructions have been issued to Staffordshire Police officers or staff in regards to downloading or using the NHS COVID-19 app on their personally owned mobile phones whilst at work. With regards to this request please include any advice or instructions which may have been issued by National Policing Bodies which was then circulated or reproduced by Staffordshire Police on the force Intranet or in any force bulletin, email or publication.*
- 3. Please provide the number of Officers and Police Staff that have reported to Staffordshire Police that they or a family member have tested positive for the COVID-19 virus from the start of the virus to the current date.*

**Staffordshire Police's response to your enquiry is as follows:**

**I can confirm that Staffordshire Police does hold some of the requested information.**

1. Does Staffordshire Police permit or encourage officers and staff to download the NHS COVID-19 app on mobile phones provided to them by Staffordshire Police.

**No**

*2. What advice or instructions have been issued to Staffordshire Police officers or staff in regards to downloading or using the NHS COVID-19 app on their personally owned mobile phones whilst at work. With regards to this request please include any advice or instructions which may have been issued by National Policing Bodies which was then circulated or reproduced by Staffordshire Police on the force Intranet or in any force bulletin, email or publication.*

**Please see the attached.**

**Please note redactions have been applied to the attached publications. I am therefore citing Section 31(1)(a)(b) - Law Enforcement and Section 40(2) - Personal Information. In relation to Section 40(2) this has been applied so as not to identify a member of staff involved in the administration process of this request.**

**Section 31 is a qualified exemption and as such there is a requirement to evidence any harm in disclosure as well as considering the public interest.**

**Section 31 Evidence of Harm**

**To release information with regard to law enforcement capabilities would make Staffordshire Police more vulnerable and would facilitate or encourage criminal activity and assist those persons intent on committing crime.**

**Section 31 Factors Favouring Disclosure**

**It would show openness and transparency by Staffordshire Police and provide knowledge of how public funds are spent.**

**Section 31 Factors Favouring Non-Disclosure**

**Although there is a call for openness and transparency this needs to be balanced against any harm in disclosure. The police service has a clear responsibility to prevent and detect crime.**

**Revealing information which could compromise law enforcement would not be in the public interest as it would jeopardise future policing and investigations. The public would lose confidence in the ability of Staffordshire Police to be able to deliver effective operational law enforcement.**

### **Section 31 Balancing Test**

The police service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The police service will never divulge any information which would undermine any investigation or be detrimental to operational law enforcement.

It is therefore my opinion that the balance lies in favour of non-disclosure of the information at this time.

### **Section 40(2) – Personal Information**

Section 40 is an absolute class based exemption, therefore there is no requirement to apply the public interest test, or evidence of harm in disclosure.

This is to ensure that it is not possible to identify any individual/s when combined with other information which may already be in the public domain.

Personal information cannot be released under the Freedom of Information Act as it would breach data principles, namely:

- Data is fairly and lawfully processed.
- Processed for limited purposes.
- Secure.

Information disclosed to an individual under the Act is considered as if being released to the world at large.

*3. Please provide the number of Officers and Police Staff that have reported to Staffordshire Police that they or a family member have tested positive for the COVID-19 virus from the start of the virus to the current date.*

**No information held**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this email and should be addressed to:

Central Disclosure Unit  
Staffordshire Police HQ  
PO Box 3167  
Stafford  
ST16 9JZ  
E: [foi@staffordshire.pnn.police.uk](mailto:foi@staffordshire.pnn.police.uk)

Please remember to quote the reference number in any future communications.

Freedom of Information  
Central Disclosure Unit