



Home Office

Corporate Services  
Directorate  
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London SW1P 4DF

020 7035 4848  
(switchboard)

[www.GOV.UK](http://www.GOV.UK)

Mr Wayne Pearsall  
[request-199309-  
ff4bc0d4@whatdotheyknow.com](mailto:request-199309-ff4bc0d4@whatdotheyknow.com)

16 May 2014

Dear Mr Pearsall

**Freedom of Information request (our ref. 30871): internal review**

Thank you for your e-mail of 24 April 2014 about your request for an internal review of our response to your Freedom of Information (Fol) request about the Port of Liverpool Police and Holyhead Port Police.

I have now completed the review. I have examined all the relevant papers and have consulted the policy unit which provided the original response. I have considered whether the correct procedures were followed and assessed the reasons why information was withheld from you. I confirm that I was not involved in the initial handling of your request.

My findings are set out in the attached report. My conclusion is that you were correctly informed of the departments position, the only fault being that the department did not explicitly state that the information was not held.

Yours Sincerely

M Riddle  
Information Access Team

Switchboard 020 7035 4848  
E-mail [FOIRequests@homeoffice.gsi.GOV.UK](mailto:FOIRequests@homeoffice.gsi.GOV.UK)

# Internal review of response to request under the Freedom of Information (Fol) Act 2000 by Wayne Pearsall (reference 30871)

## Responding Unit: Information Management Services (IMS)

### Chronology

Original Fol request:	25 February 2014
Acknowledgement:	25 February 2014
IMS response:	24 April 2014
Request for internal review:	24 April 2014

### Subject of request

1. On 25 February 2014 Mr Pearsall submitted a Freedom of Information (FOI) request about the Port of Liverpool Police and Holyhead Port Police. The request asked the following questions:
  - a) *Who are the responsible bodies for answering foi requests.*
  - b) *How much public funding do they receive.*
  - c) *Who is the most senior police officer at the port.*
  - d) *Please provide badge number and rank of current serving officers.*
  - e) *Do the home office communicate home office circulars with these port police.*
  - f) *Can you please provide a copy of the last three communication notices. Policy notices. And home office circulars which have been sent to the port police.*

### The response by IMS

2. Mr Pearsall was advised that the information requested for parts (a) to (d) were not held by the Home Office. In response to parts (e) and (f), Mr Pearsall was informed that the Home Office does not directly send circulars to port police, as they are accessible on the GOV.UK website.

### Request for an internal review

3. Mr Pearsall sought an internal review. He argued that the response did not include the information requested in answer to parts (e) and (f) and failed to confirm if the information was held, cite an exemption or provide suitable links.

### Procedural issues

4. The request was received on 25 February 2014 and a response was issued on 24 April 2014. This represents a period of 40 working days between receipt of the request and the response being issued. This means that the response was outside the target deadline of 20 working days as specified in section 10(1) of the Act.
5. Mr Pearsall was informed in writing of the right to request an independent internal review of the handling of the request, as required by section 17(7)(a) of the Act. The response also informed Mr Pearsall of the right of complaint to the Information Commissioner, as set out in 17(7)(b) of the Act.

## **Consideration of the response**

6. Mr Pearsall's internal review request appears primarily concerned with the quality of the response rather than whether or not he was provided with the information he sought. However, Mr Pearsall does argue that the department failed to confirm if the information was held, cite an exemption or provide suitable links.
7. The response informed Mr Pearsall that the information requested for parts (a) to (d) were not held. I should point out that, while the Port of Liverpool has its own police force, the Port of Holyhead does not (it is policed by North Wales Police). In reply to points raised in his internal review request, this clearly addressed whether or not the information was held. We therefore assume that Mr Pearsall objects to the answer provided in answer to questions (e) and (f).
8. Mr Pearsall's question (e) was for confirmation whether the department communicates Home Office circulars with the port police. In response Mr Pearsall was informed that "The Home Office does not directly send circulars to port police, as they are accessible on the GOV.UK website." As such the question was answered in full.
9. Mr Pearsall's sixth question (f) was for copies of the last three communication notices, policy notices and Home Office circulars which have been sent to the port police. As the answer to the above question was that the department does not send circulars to the port police directly, the department therefore does not hold any information for this part of the request. Circulars do exist and are available on the Home Office GOV.UK website, but they are not specifically communicated to the ports. The only fault that could be construed here is that the department failed to state explicitly that the information to answer this question was not held although this was clear from the answer to the previous question.

## **Advice and assistance**

10. In line with our obligations under section 16 (advice and assistance) the information that is held on the GOV.UK website is available to Mr Pearsall via the following link:  
<https://www.gov.uk/government/collections/home-office-circulars-2014>

## **Conclusion**

11. The department was in breach of section 10(1) of the Act in relation to the timeliness of the response.
12. The department correctly informed Mr Pearsall that the specific information he requested is not held.
13. I am satisfied there was no procedural breach of section 17(7) (a) and 17(7) (b).

**Information Access Team**  
**Home Office**  
**16/5/2014**

## **Annex A – Original Request**

Dear Home Office,

I am requesting the following information...

please answer in relation to the 'port of Liverpool police' and holyhead port police.

under the terms of the foi act. Who are the responsible bodies for answering foi requests.

how much public funding do they receive.

Who is the most senior police officer at the port.

please provide badge number and rank of current serving officers.

Do the home office communicate home office circulars with these port police.

can you please provide a copy of the last three communication notices. Policy notices. And home office circulars which have been sent to the port police.

Yours faithfully,

## **Annex B – Response in full**

Dear Mr Pearsall,

Thank you for your e-mail of 25th February 2014 in which you ask:

*In relation to the port of Liverpool and Holyhead port police:*

- (a) Who are the responsible bodies for answering FOI requests?*
- (b) How much public funding do they receive?*
- (c) Who is the most senior police officer at the port?*
- (d) The badge number and rank of current serving officers.*
- (e) Does the Home Office communicate Home Office circulars with these port police?*
- (f) Please provide a copy of the last three communication notices, policy notices and Home Office circulars which have been sent to the port police.*

Your request has been handled as a request for information under the Freedom of Information (FOI) Act 2000. Your full request can be found in Annex A.

The Home Office does not hold the information requested in parts (a) to (d). You may wish to re-direct these parts of your request to the police.

The Home Office does not directly send circulars to port police, as they are accessible on the GOV.UK website.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 30871. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team  
Home Office Ground Floor, Seacole Building  
2 Marsham Street  
London SW1P 4DF  
e-mail: [info.access@homeoffice.gsi.GOV.UK](mailto:info.access@homeoffice.gsi.GOV.UK)

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

## **Annex C – Internal review request in full**

RE: 30871

I assume you have neglected to include links to the HOC / Comms ETC which are available on the home office website? (Response to E and F) - as you have not outlined an exemption under the FOI Act and have not confirmed whether or not you hold such information.

Not only that, but your response appears to be a little tardy...

Should I assume that the Home Office are purposefully creating instances in which I am required to request an Internal Review (and in so doing being vexatious to myself)?

Either:

provide links to information available (as required by the act so as to provide assistance)  
specifically state that you do not hold such information provide a copy of the information requested.

FAO: FOI Manager

Please conduct the Internal Review of my request...

## **Annex D – Complaints procedure**

This completes the internal review process by the Home Office. If you remain dissatisfied with the response to your Fol request, you have the right of complaint to the Information Commissioner at the following address:

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