



Our Ref: 956.2018-19

Your Ref:

Date: 19 December 2018

Civil Disclosure

Joint Corporate Legal Services

Dear Applicant,

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 956.2018-19

I write in connection with your request for information which was received by North Yorkshire Police on 17 November 2018. Please accept our apologies for the delay in providing you with a response. I note you seek access to the following information:

1) In June I made a request for the Scheme of Delegation, It was held at that date of y request the document was not held.

2) I request now, six months later to know as of today's date if the document is still not held. If it is now held, please supply me with a copy of it.

Extent and Result of Searches to Locate Information

To locate the information relevant to your request searches were conducted within North Yorkshire Police.

I can confirm that the information you have requested is held by North Yorkshire Police.

Decision

I am exempting a response to your request pursuant to Section 22 Information intended for future publication.

Section 22(1)(b) – Information Intended for Future Publication

Section 22 is a qualified class based exemption, which means that consideration must be given to the public interest in disclosure or non-disclosure of the information, but there is no requirement to demonstrate any harm that may occur in the event of the information being disclosed. It is recognised that it must be reasonable in all the circumstances to withhold the information until the date of publication.

Information is exempt pursuant to Section 22 if, at the time when the public authority receives a request for it: the public authority holds the requested information; the public authority intends the information to be published at some future date, whether that date is determined or not; and in all the circumstances it is reasonable to withhold the information until its planned publication.

North Yorkshire Police now hold a Scheme of Delegation, but it is currently being finalised and is intend to be publish in the New Year.

Section 22

Factors favouring Disclosure

Disclosure now would allow immediate access to information in relation to the Scheme of Delegation in North Yorkshire Police.

Factors favouring Non-Disclosure

It would disrupt the finalisation of the document when future publication is intended.

Publishing any information in advance of proposed releases may not provide all the information being requested.

Balancing Test for Section 22

A decision has already been taken to publish this information prior to the request being received. Requesting earlier disclosure of the already accessible information would duplicate workload. Therefore it is my opinion that the reasons for non-disclosure outweigh the reasons for disclosure.

Please note that systems used for recording information are not generic, nor are the procedures used locally in capturing the data. It should be noted therefore that this force's response to your questions should not be used for comparison purposes with any other responses you may receive.

Complaint Rights

Your attention is drawn to the attached sheet which details your right of complaint.

If you have any queries concerning this request, please contact me quoting the reference number above.

Yours sincerely

Caroline Williams
Legal Officer (Civil Disclosure)
Joint Corporate Legal Services

COMPLAINT RIGHTS

Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to require the North Yorkshire Police to review their decision.

Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again –

The quickest and easiest way to have the decision looked at again is to telephone the case officer that is nominated at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision of the North Yorkshire Police made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with the North Yorkshire Police to have the decision reviewed. North Yorkshire Police must be notified of your intention to complain within 2 months of the date of its response to your Freedom of Information request. Complaints should be made in writing and addressed to:

Force Solicitor and Head of Legal Services
North Yorkshire Police
Alverton Court
Crosby Road
Northallerton
North Yorkshire
DL6 1BF

In all possible circumstances the North Yorkshire Police will aim to respond to your complaint as soon as practicable but within 20 working days.

The Information Commissioner

After lodging a complaint with North Yorkshire Police if you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk> Alternatively, phone: 0303 123 1113 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF