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Information Rights Unit
PO Box 313
Sidcup
DA15 0HH

Email: foi@met.police.uk

www.met.police.uk

Your ref:
Our ref: 01/FOI/21/019709

Date: 30/06/2021

Dear Ms Chubb

Freedom of Information Request Reference No: 01/FOI/21/019709

I write in connection with your request for information which was received by the Metropolitan Police Service (MPS) on 08/06/2021. I note you seek access to the following information:

"I want the monthly numbers of reported thefts in care homes for the last three years."

Your request for information has been considered by the MPS in accordance with the right to access public information provided by the Freedom of Information Act 2000 (the Act).

Before I explain the reasons for the decisions I have made in relation to your request, I thought that it would be helpful if I outlined the parameters set out by the Freedom of Information Act 2000 (the Act) within which a request for information can be answered.

When a request for information is made under the Freedom of Information Act 2000 (the Act), a public authority must inform you, when permitted, whether the information requested is held. It must then communicate that information to you. If a public authority decides that it cannot comply with all or part of a request, it must cite the appropriate section or exemption of the Act, and provide you with an explanation.

SEARCHES TO LOCATE INFORMATION

To locate the information relevant to your request searches were conducted at the MPS.

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DECISION

This letter is to inform you that it will not be possible to respond to your request within the cost threshold. This response serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000 (the Act). For your information we are relying upon Section 12, subsection (2) of the Act to refuse disclosure in this case.

Please see the legal annex for further information on the exemptions applied in respect of your request.

REASONS FOR DECISION

I have been advised by our corporate analysts at HQ Information & Insight (I&I) that some of the information you are seeking is not held in a readily extractible format.

To explain: All crimes are recorded electronically on the MPS Crime Reporting Information System (CRIS). Flags are used to record regularly used and generic information when recording crimes on CRIS. The codes allow us to quickly locate that information when running analytical searches of the database.

It is possible to locate all crime records where the offence is theft as there is a code on the CRIS system specifically for crime theft. However, there is no specific location code to allow us to search for crimes that have been committed in care homes; there is only a generic code which is also applied for crimes occurring in hostels, residential homes, nurses' quarters, student homes, etc.

To identify whether any thefts have been committed in care homes over the last three years it would therefore be necessary for us to first locate all crime records where the offence was theft and the generic location code for hostel/residential home had been applied. It would then be necessary for a member of staff to access and review every record located in this search, to identify any records where the location was a care home. This work would take a minimum of 3 minutes per record.

To demonstrate the time it would take to locate wholly accurate information relevant to your request please be advised that our analysts have searched for all thefts over the last three years where the location was hostel/residential home. The search located in excess of 2500 records. Even using an extremely conservative estimate of it taking an individual only 3 minutes to review each record, it would nonetheless take a member of staff over 120 hours to read every record, which unfortunately far exceeds the appropriate limit under the Act.

We therefore estimate that the cost of complying with this request would exceed the appropriate limit. The appropriate limit has been specified in regulations, and for agencies outside central Government this is set at £450.00. This represents the estimated cost of one person spending 18 hours [at a rate of £25 per hour] in determining whether the MPS holds the information, and locating, retrieving and extracting the information.

Information Commissioners Office (ICO) guidance on the application of section 12 states that when the exemption is engaged a formal cost refusal notice will be issued and the applicant should be provided with help and advice on redefining their request.

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DUTY TO ADVISE AND ASSIST

Under Section 16 of the Act, there is a duty to advise and assist those making requests for information. In accordance with this duty I would like to provide you with advice as to how you may narrow your request so that it does not exceed the appropriate limit. Unfortunately however, due to the number of records that would need to be reviewed even for a six month period I am unable to think of any way of doing so.

This notice concludes your request for information. I would like to take this opportunity to thank you for your interest in the MPS.

Should you have any further enquiries concerning this matter, please contact me at Alyson.J.Parker@met.police.uk, quoting the reference number above.

Yours sincerely

Alyson Parker
Information Manager

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LEGAL ANNEX

Section 17(5) of the Act provides:

(5) A public authority which, in relation to any request for information, is relying on a claim that section 12 or 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact.

Section 12(1)&(2) of the Act provides:

(1) Section 1 does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

Section 16 of the Act provides:

(1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.

(2) Any public authority which, in relation to the provision of advice or assistance in any case, conforms with the code of practice under section 45 is to be taken to comply with the duty imposed by subsection (1) in relation to that case.

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 Metropolitan Police Service (MPS) to review their decision.

Prior to lodging a formal complaint you are welcome to discuss the response with the case officer who dealt with your request.

Complaint

If you are dissatisfied with the handling procedures or the decision of the MPS made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with the MPS to have the decision reviewed.

Complaints should be made in writing, within forty (40) working days from the date of the refusal notice, and addressed to:

FOI Complaint
Information Rights Unit
PO Box 313
Sidcup
DA15 0HH
foi@met.police.uk

In all possible circumstances the MPS will aim to respond to your complaint within 20 working days.

The Information Commissioner

After lodging a complaint with the MPS 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 www.ico.org.uk. Alternatively, write to or phone:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Phone: 0303 123 1113