

Freedom of Information Act 2000 disclosure log entry

Reference

23-24183

Date response sent

29/08/23

Subject

Police Subject Access Requests 2018-23,

Details of enquiry

I am making a Freedom of Information request for the following:

1. The number of requests the trust has received from a police force to access information about a service user's treatment in each of the following financial years: 2018/19, 2019/20, 2020/21, 2021/22, 2022/23
2. The number of requests the trust has received from a police force to access information about a service user's treatment where the trust has refused or declined to provide that information in each of the following financial years: 2018/19, 2019/20, 2020/21, 2021/22, 2022/23
3. If possible, the number of requests the trust has received from a police force to access information about a service user's treatment where the police have been investigating an alleged sexual offence in each of the following financial years: 2018/19, 2019/20, 2020/21, 2021/22, 2022/23
4. If possible, the number of requests the trust has received from a police force to access information about a service user's treatment where the police have been investigating an alleged sexual offence where the trust has refused or declined to provide that information in each of the following financial years: 2018/19, 2019/20, 2020/21, 2021/22, 2022/23

Response sent

Notes Applicable to our Responses Below:

- *** **Data Involving Low Numbers less than 5**
- You will appreciate that the above data involves low numbers, i.e. less than five, shown as >5. Were we to disclose the data requested it could potentially lead to identification or re-identification of the individual(s) concerned. Although year alone is not personal data, we have also to consider whether other information that is already available, or may become available, to any member of the public, could be combined with the data requested so as to enable identification of the individual(s) concerned. We are, therefore, withholding this information under S.40(2) Personal Information.

Section 40 is an absolute exemption under the FOIA and does not require us to carry out the public interest test.

- **** **Data Not Provided for Financial Years 2018/19 and 2019/20**

For Financial Years (FY) 2018/19 to 2019/20, we cannot run reports for the data requested as we do not hold SAR (Subject Access Request) Logs or indexation for this period, and requests and responses were filed unnumbered and separately.

We have estimated that to manually interrogate the 179 requests over this period (2018/19 and 2019/20) and to then manually interrogate all those having been identified as possibly relevant correspondence files, would require more resources than those provisioned under the FOIA for answering a whole request.

Section 12 of FOIA 2000 provides for a public organisation to refuse requests for information where the cost of dealing with the applicant's whole request would exceed the appropriate limit of 18 hours/£450.

We have already spent 2.5 hours dealing with the rest of this request, (years 2020/21, 2021/22, 2022/23, and quantifying the data held for 2018/19 and 2019/20, ie the previous 2 years). Were we to spend just 5 minutes per SAR received over the previous 2 years, this would take up the remaining 15.5 hours, at 5 minutes per SAR, and not leave any time to manually trawl for any relevant response files identified from the searches, and to then extract and record data as you have asked. Accordingly we are not obliged to process these questions for years 2018/19, 2019/20 any further.

1. The number of requests the trust has received from a police force to access information about a service user's treatment in each of the following financial years: 2018/19, 2019/20, 2020/21, 2021/22, 2022/23

* (see above notes)

* * (see above notes)

FY 2020/21 = 16 police requests for access re service user's treatment

FY 2021/22 = 14 police requests for access re service user's treatment

FY 2022/23 = 14 police requests for access re service user's treatment

2. The number of requests the trust has received from a police force to access information about a service user's treatment where the trust has refused or declined to provide that information in each of the following financial years: 2018/19, 2019/20, 2020/21, 2021/22, 2022/23

* (see above notes)

* * (see above notes)

FY 2020/21 = >5 police requests for access re service user's treatment were refused

FY 2021/22 = >5 police requests for access re service user's treatment were refused

FY 2022/23 = >5 police requests for access re service user's treatment were refused

3. If possible, the number of requests the trust has received from a police force to access information about a service user's treatment where the police have been investigating an alleged sexual offence in each of the following financial years: 2018/19, 2019/20, 2020/21, 2021/22, 2022/23

* (see above notes)

* * (see above notes)

FY 2020/21 = >5 police requests for access re service user's treatment for Police investigation of alleged sexual offence

FY 2021/22 = >5 police requests for access re service user's treatment for Police investigation of alleged sexual offence

FY 2022/23 = >5 police requests for access re service user's treatment for Police investigation of alleged sexual offence

4. If possible, the number of requests the trust has received from a police force to access information about a service user's treatment where the police have been investigating an alleged sexual offence where the trust has refused or declined to provide that information in each of the following financial years: 2018/19, 2019/20, 2020/21, 2021/22, 2022/23

FY 2020/21 = >5 police requests for access re service user's treatment for Police investigation of alleged sexual offence, where Trust declined to provide that information.

FY 2021/22 = >5 police requests for access re service user's treatment for Police investigation of alleged sexual offence, where Trust declined to provide that information.

FY 2022/23 = >5 police requests for access re service user's treatment for Police investigation of alleged sexual offence, where Trust declined to provide that information.