

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 5 December 2019

**Public Authority:** Police Federation of England and Wales

**Address:** Federation House  
Highbury Drive  
Leatherhead  
Surrey  
KT22 7UY

#### **Decision (including any steps ordered)**

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1. The complainant has requested information from the Police Federation of England and Wales statistics about suicides of police officers of federated rank. The Police Federation of England and Wales explained that it does not hold the requested information.
2. The Commissioner's decision is that, on the balance of probabilities, the Police Federation of England and Wales is correct to state that it does not hold the requested information. The Commissioner therefore considers that it has not breached section 1 (General right of access) of the FOIA.
3. The Commissioner does not require the Police Federation of England Wales to take any steps as a result of this decision.

#### **Background**

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4. The Police Federation of England and Wales (the Federation) is a staff association for police constables, sergeants and inspectors (including chief inspectors).
5. There are 43 police forces around England and Wales, all of which are their own data controllers. The Federation also has 43 branches throughout England and Wales and a national head office. The Federation is wholly separate from police forces.

6. The branches deal with day to day contact with members (serving and retired officers) which varies from advice on companies that offer deals to police on such things as mortgages, to assisting with applications for central funding for any legal claims made against them. The head office represents members' interests at a national level for example, with Government.

## Request and response

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7. On 29 April 2019, the complainant wrote to the Federation and requested information in the following terms:

*"Please disclose the following by way of the Freedom of Information Act, 2000:*

*Number of deaths by suicide of police officers of federated rank, broken down (i) year by year from 2010 to 2018 and (ii) by Federation Branch. For example, the response to the request should take the following form:*

*Branch A*

*2010 x, 2011 x, 2012 x, 2013 x, 2014 x, 2015 x, 2016 x, 2017 x, 2018 x.*

*(x can be zero, of course. If a particular Federation Branch holds retrievable records).*

*Branch B*

*No information held*

*(It is anticipated that not all Federation Branches hold any form of records relating to these incidents. Those that do not should be identified separately)."*

8. The Federation responded on 1 May 2019 and explained that it does not hold the information requested, but some of the requested information might be held by the Office of National Statistics. It provided the complainant with links to that website.
9. Following an internal review the Federation wrote to the complainant on 4 June 2019, upholding its original decision.

## Scope of the case

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10. The complainant contacted the Commissioner on 4 June 2019 to complain about the way his request for information had been handled. In his request for an internal review, he stated:

*"The information requested was from the Police Federation branches, not HQ. It is inconceivable that, in the time between the request was made [sic] and the response given, all branches have been contacted, responses subsequently provided to HQ and collated in the manner set out in my request.*

*Nevertheless, I am grateful for the weblinks provided. They are helpful, but, in the event, do not satisfy the core purpose of the request."*

11. The Commissioner will consider whether, on the balance of probabilities, the Federation is correct to state that it does not hold the requested information.

## **Reasons for decision**

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### **Section 1 – information held/not held**

12. Section 1 of the FOIA states that any person making a request for information is entitled to be informed by the public authority whether it holds the information and if so, to have the information communicated to him.
13. In cases where a dispute arises over the extent of the recorded information held by a public authority at the time of a request, the Commissioner will consider the complainant's evidence and arguments.
14. She will also consider the actions taken by the public authority to check whether the information is held and any reasons offered by it to explain why the information is not held.
15. The Commissioner is required to make a judgement on whether, on the balance of probabilities, the requested information is held or not.
16. The Commissioner asked the Federation what searches it had carried out. The Federation confirmed that it had contacted its research team as it holds statistical data used by both the Federation and the College of Policing and would be most likely to process such information. The team confirmed that it did not hold the requested information. The Federation also explained that it had contacted its communications team, as it has knowledge of the likely locations of data within departments. The team confirmed that it was unaware of any department or branch that holds any data in relation to police officer suicides and provided details of the

Federation Chairman, John Apter, quoted in an online news article<sup>1</sup> in which he acknowledged that this information is not held by the Federation. He also states that it will work with forces around the country to ensure that this information is collated in future.

17. The Federation also contacted its finance team on the basis that, where a member dies in service, their family is entitled to a death in service grant. That team confirmed that although records of such payments are retained, the cause of a member's death is not recorded.
18. The Commissioner asked what search terms had been used. The Federation explained that the searches across all its systems used the search terms "officer" and "suicide" (i.e. where both terms appear in the same document) for the time period of 2010 to 2018. It confirmed that this resulted in 86,257 documents being identified.
19. The Federation also explained that had the searches been carried out originally, it would have refused to respond under section 12 (Cost of compliance exceeds appropriate limit) of the FOIA, which may have given the impression that it held the data requested but that to comply would have been too costly or taken more than 18 hours to comply with the request. The Federation confirmed that it had carried out spot checks of the documentation within each year and that none of the documents enabled it to give an accurate account of the number of deaths by suicide of police officers by rank, year or Branch.
20. In addition, the Federation explained that each of the spot checks took between one and five minutes per document to complete and given the number of documents returned, it did not consider that it should be required to undertake a full review of the documentation.
21. The Commissioner asked the Federation for clarification given that the search it had carried out had identified 86,257 documents and it had only carried out spot checks.
22. The Federation contacted the Commissioner and confirmed that it had carried out another search, using the following terms: "police officer suicides" and "police officer committed suicide". It explained that this search had identified three news articles from 2010; at that time, its communications team would collate news pieces about anything affecting police officers and circulate them in weekly batches to all

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<sup>1</sup> <https://www.plymouthherald.co.uk/news/plymouth-news/top-cops-make-police-suicide-2893886>

staff. The news articles in question mentioned suicide bombers targeting police in Istanbul. The search also identified six statements made in 2017. These statements were made by officers in connection with internal misconduct matters and mentioned the following:

- suicide in relation to family members
  - suicide in relation to friends and
  - being first on the scene at suicides by members of the public.
23. The Federation reiterated that it does not hold the requested information. It also clarified that the IT searches conducted covered all data held in all of the 43 federated branches and the national head office. It also confirmed that all its systems are on the same network, which is administered centrally.
  24. The Commissioner asked whether, if it was held, the information would have been held as manual or electronic records. The Federation confirmed that if held, it would have been as electronic records.
  25. The Commissioner also asked whether any recorded information ever held within the scope of the request, had been deleted or destroyed. The Federation confirmed that it had not previously held the information in question.
  26. Furthermore, the Commissioner asked whether there was a business purpose for which the information should be held. The Federation explained that the collection and circulation of such data would assist police forces across England and Wales to establish and implement meaningful improvement to welfare support for mental health where it was required.
  27. The Commissioner also asked whether there were any statutory requirements upon the Federation to retain the requested information. The Federation confirmed that there were no statutory requirements for it to retain the requested information.
  28. Taking everything into account, the Commissioner does not consider that there is any evidence that show that the Federation (including individual branches) holds the requested information.
  29. The Commissioner is therefore satisfied that, on the balance of probabilities, the Federation does not hold any recorded information in relation to this request. Accordingly, she does not consider that there is a breach of section 1 of the FOIA.

## Right of appeal

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30. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

31. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
32. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Jon Manners  
Group Manager  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**