

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 29 August 2023

Public Authority: Chief Constable of Greater Manchester Police

Address: GMP Headquarters
Central Park
Northampton Road
Manchester
M40 5BP

Decision (including any steps ordered)

1. The complainant requested information from Greater Manchester Police (the public authority). By the date of this notice the public authority had not issued a substantive response to this request.
2. The Commissioner's decision is that the public authority has breached section 10(1) of FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires the public authority to take the following step to ensure compliance with the legislation.
 - The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.
4. The public authority must take this step within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Request and response

5. On 3 June 2023, the complainant wrote to the public authority and requested information in the following terms:

"Under the Freedom of Information Act, I would like to request the following information:

1. Where someone reports something to Greater Manchester Police (GMP), what percentage of cases are referred to the Crown Prosecution Service and how does this differ depending on which internal department/area in GMP decides whether to make the referral or not?
2. Where someone reports something to Greater Manchester Police (GMP), what percentage of cases are referred to the Crown Prosecution Service and please can this be broken down across each of the 10 constituent local authorities of Greater Manchester? The location is in reference to where the person making the report lives at the time of making the report.
3. Where someone reports something to Greater Manchester Police, what percentage of cases are referred to the Crown Prosecution Service and please can this be broken down by each council ward across each of the 10 constituent local authorities of Greater Manchester? The location is in reference to where the person making the report lives at the time of making the report.
4. Does Greater Manchester Police outsource any (operational) activities to private security firms and, if yes, what are these activities, what are names of the private security firms and how much is spent?
5. How many and what percentage of employees in Greater Manchester Police (GMP) have written contracts of employment? How does this percentage differ by the employees' functions and departments?
6. How many and what percentage of employees of Greater Manchester police need to view members of the public's social media profiles, pages, posts and presence as part of their work, how does this differ according to the employees' functions and departments and, lastly, provide estimates of percentages of these employees' time spent on such activities?
7. What percentage of GMP's employees work unpaid hours on top of their conditioned hours? Where this is greater than 0, please provide summary and descriptive statistics (e.g. range, mean, median, mode, percentiles/quartiles) for the past 5 financial years?

8. Where this is recorded, how many employees of GMP have been offered bribes (including how many bribes offered in total) over the past 30 financial years?

Please do not hesitate to contact me should any aspect of my request require clarification."

Reasons for decision

6. Section 1(1) of FOIA states that:

"Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him."

7. Section 10(1) of FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt".

8. On 9 August 2023 the Commissioner wrote to the public authority, reminding it of its responsibilities and asking it to provide a substantive response to the complainant's request within 10 working days.

9. Despite this intervention the public authority has failed to respond to the complainant.

10. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with FOIA. The Commissioner finds that the public authority has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with FOIA.

Right of appeal

11. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

12. 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.
13. 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

Michael Lea
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Wycliffe House
Water Lane
Wilmslow
Cheshire
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