

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

XXXXXX – by email

Date: 28th April 2022

Your ref: FOI

Our ref: FOI 2022 / 356

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 21st April 2022 concerning Stonewall.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am not obliged to supply the information you have requested in full.

You wrote:

1. Any application you made (or intend to make) in 2021 or 2022 to be a "Stonewall Diversity Champion" or to be included on Stonewall's "Workplace Equality Index," including any attachments or appendices to those applications. Please redact personal details if necessary.
2. Any feedback you received in 2021, or to date, from Stonewall in relation to either application or programme.
3. Any other communication you have received from Stonewall in 2021 or 2022 unless privileged or otherwise exempt from disclosure (but if you claim privilege or exemption in relation to any material, please say in broad terms what the material is and the basis on which you claim to be entitled to withhold it).
4. Full details of any equality impact assessment you carried out connected with any of these applications (including any equality impact assessment carried out prior to an earlier application of the same kind, if no further assessment was done).
5. Details of the total amount of money you paid to Stonewall (i) in 2021; (ii) in 2022, whether or not as payment for goods or services.
6. Whether you intend to continue your membership of any Stonewall scheme in the future, and if so which.



INVESTOR IN PEOPLE

Our response:

The information that you are requesting for Question 3 of your request is not stored in a way which permits easy retrieval.

We do not currently have a trustworthy and reliable method by which we can search historic E mails that are saved on our servers that have been sent in to us from a particular E mail address, individual or organisation.

The only searches we are able to undertake are for those E mails that contain a particular keyword (eg Stonewall).

For the time period you have requested, there are more than 12,000 individual E mails on our system(s) that mention the keyword word "Stonewall". The vast majority of these are internal E mails sent between different individuals within our organisation, with many being duplicate copies (where more than one recipient is copied in).

In order to locate the specific E mails that we have received during this time period from Stonewall (or their various personnel) we would need to download all 12,000 E mails and then go through each individually to determine whether or not they were sent from Stonewall or their employees. Once these were identified, we would then have to copy each and every one into a pdf document and read the content, before determining whether disclosure could be made to you or not.

Given the sheer volume of E mails involved, I am absolutely confident that to locate, retrieve, extract, review and redact the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it.

It also needs to be noted that large amounts of the content of any E mails received from Stonewall would likely attract other specific exemptions precluding disclosure, such as -but not necessarily limited to – the following :-

- S21 Information available by other means
- S22 Information intended for future publication / research purposes
- S31 Law Enforcement
- S38 Health & Safety
- S40 Personal Information
- S43 Commercial Interests

Although excess cost removes the forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I am able to provide you are the answers documented below :-

Question 1

No applications made.

Question 2

Not applicable – no applications made.

Question 3

I have spoken to the Equality and Diversity Team concerning the recent communications they have had with Stonewall.

They have advised that in 2021, Wiltshire Police made the decision not to renew the membership that they have held with Stonewall since 2017.

The only communication that Wiltshire Police have received from Stonewall in 2021/22 has concerned either the lapsing of our membership or advice regarding the structure and content of our Equality and Diversity Policy (which has still not been updated and details of which would have been exempt from disclosure anyway).

Question 4

Not applicable – no applications made.

Question 5

Financial Year	2020/21	£ 2,500
Financial Year	2021/22	£ 0

Please note, we do not hold financial information by calendar year, only by fiscal year. There is no obligation on an authority to create information that does not already exist, simply in order to answer an FOI request.

Question 6

Not at this moment, but this will remain under ongoing review.

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of question 3 to a more manageable level. However, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

- (1) Section 1(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.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Nick Penny
Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk