

**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 E Mail

Date: 25th November 2022

Your ref: FOI

Our ref: FOI 2022 / 915

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 15th November 2022 concerning Utility usage and costs.

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 – having consulted our Facilities Management and Finance Teams - I am not obliged to supply the information you have requested.

You wrote:

I would like to know how much your organisation has paid for gas and electricity since 2018. I would like it to be broken down by your Police Force as follows:

1. The total amount of electricity used at your Police Force through the first 10 months for each year in a) 2018 b) 2019 c) 2020 d) 2021 e) 2022, measured in kWh.
2. The total amount of gas used at your Police Force through the first 10 months for each year in a) 2018 b) 2019 c) 2020 d) 2021 e) 2022, measured in cubic meters.
3. The total billed amount for electricity usage at your Police Force through the first 10 months for each year in a) 2018 b) 2019 c) 2020 d) 2021 e) 2022.
4. The total billed amount for gas usage at your Police Force through the first 10 months for each year in a) 2018 b) 2019 c) 2020 d) 2021 e) 2022.

I would like this data to be presented in an Excel or PDF spreadsheet with a new sheet for each year and a section on each point of information.



INVESTOR IN PEOPLE

Our response:

The information that you are requesting is not stored in a way which permits easy retrieval.

Our Finance and Facilities Teams have made efforts over the last few years to keep records of utilities usage and costs for comparative purposes. This has been done by manually entering the key information from each bill we have received into two separate excel files, one for Gas and one for Electric. Each of these files includes separate tabs for each of the 30+ Police Sites around the County.

However, having reviewed the contents of these two files it is apparent that there are significant issues with the quality of the data that has been recorded, for instance :-

- a) There have been a significant number of instances where the detail from the monthly bills we have received have not been recorded on to the spreadsheets
- b) There are a number of instances where data has clearly been entered into these files incorrectly (eg mis-keyed by a factor of 10 or more etc)
- c) In a number of instances, there are a high number of sites that we have yet to be billed for October 2022 so are missing key information that you are requiring for comparative purposes

In respect of a and b above, the only way of ascertaining the missing information and/or checking those records which I believe to have been incorrectly recorded would be physically locate and review each of the individual bills involved.

A number of these bills are now 4-5 years old and will be stored either on microfiche records or physically held in paper format in any one of our given archive facilities around the County.

Under the circumstances I am absolutely confident that to locate, retrieve and extract 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, particularly in light of the time I have already spent looking into this request. 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 under the FOIA there is no obligation on an Authority to physically create data where none currently exists, purely to answer an FOI request.

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request 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.



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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 Fol 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