

 WARWICKSHIRE POLICE		POLICY
Security Classification	Official	
Disclosable under Freedom of Information Act 2000	YES	

POLICY TITLE	Warwickshire Police Freedom of Information (FOI) Policy
REFERENCE NUMBER	WP014
Version	1.1

POLICY OWNERSHIP	
DIRECTORATE	Enabling Services
BUSINESS AREA	Legal and Disclosure

INITIAL IMPLEMENTATION DATE	October 2024
NEXT REVIEW DATE:	October 2027
RISK RATING	Low
EQUALITY ANALYSIS	Low
TIER	1

Warwickshire Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please e-mail policiesandprocedures@warwickshire.police.uk

1.0 POLICY OUTLINE

The Freedom of Information Act (FOIA) 2000 is an Act of the Parliament of the United Kingdom that creates a public "right of access" to information held by public authorities. Public authorities include government departments, local authorities, NHS, state schools and police forces.

The Freedom of Information Act 2000 covers non-personal information held by the authority. It should not be confused with personal information. Requests for personal information should be made as a Subject Access Request (SAR), see separate policy.

Under the act we must respond to requests made within 20 working days, although can be extended for a further 20 days to consider the public interest test.

The FOIA confers two responsibilities on public sector bodies:

- a. The duty to confirm or deny whether information requested exists
- b. The duty to communicate the information.

1.1 The two main instruments through which the release of information is achieved are:

- a. Creating and maintaining a publication scheme - The purpose of this is to make available a significant proportion of disclosable information routinely available and accessible without the requirement to request it.
- b. Providing a general right of access to all types of recorded information held by the public authority - Under the terms of the Act the public authority is required to make available requested information, subject to a range of exemptions, to any individual or organisation anywhere in the world.

1.2 This policy is designed to ensure that Warwickshire Police meets and implements the legal requirements of the FOIA.

2.0 PURPOSE OF POLICY

- a. The Freedom of Information Act 2000 sets out the legislative requirements that public authorities are obliged to comply with.
- b. The forces publication schemes have been prepared in accordance with the Information Commissioners Office (ICO) publication scheme model, and [guidance regarding this model](#) can be found on the NPCC website.

3.0 IMPLICATIONS of the POLICY

The FOI Act is applicable to anyone that works directly or indirectly for Warwickshire Police. It is a requirement that all police personnel in selected roles complete and pass the mandatory College Learning package entitled Freedom of Information.

The selected roles are:

- All disclosure and Compliance Staff
- All staff within Legal Services
- All POCS (Point of contacts) for information retrieval relating to FOI requests.
- Control Room Staff

All staff, police officers / Specials and volunteers of Warwickshire Police are responsible for familiarising themselves with this policy and the Freedom of Information Act 2000.

All FOI demand will be received by the Disclosure and Compliance Team within Warwickshire Police who are the subject matter experts for ensuring requests comply with legislation.

The Disclosure and Compliance Team officers are responsible for communicating with POCS (Point of Contacts) within the force to source the information that is required.

Warwickshire Police must ensure requests are recorded correctly and responded to within 20 working days. Unless a valid exemption applies and then the request may be extended by a further 20 days to undertake the Public Interest Test.

- 3.1 Section 77 of the FOIA makes it a criminal offence to alter deface, block, erase, destroy or conceal any record with the intention of preventing a FOIA disclosure to which the applicant would have been entitled and, depending on the nature of the incident, an authority or its individual members of staff could be charged with this offence.

Persons could also be found in contempt of court for failing to comply with a decision notice, enforcement notice, or information notice. This could lead to a fine, or prison for a senior officer of the authority.

- 3.2 This policy document is to be used in conjunction with the following information and Legislation:

LEGISLATION AND REGULATION

[Freedom of Information Act 2000](#)

[Data Protection Act 2018](#)

[General Data Protection Regulation \(GDPR\)](#)

[Government Protective Marking Scheme](#) – Manual of Protective Security

[Guidance on the Management of Police Information](#) (MOPI)

FURTHER INFORMATION AND LINKS

College of Policing (COP) Authorised Professional Practice (APP), Freedom of Information.

[Freedom of information | College of Policing.](#)

ICO Guidance on Disclosing Information Safely

[How to disclose information safely \(ico.org.uk\)](#)

RELATED PROCEDURES OR SOPS

Insert Warwickshire Police procedures when written and reviewed.

4.0 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the chart below:

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
June 2017	Rebecca Williams	Harmonisation	Chief Officers 31/07/2017
June 2020	Mike Fox	Warwickshire Standalone	30/06/2020
October 2024	Emma McCormick	Updating policy to reflect current practice – Section in yellow changed to improve and update the policy document	October 2024

5.0 PROCEDURE

National Guidance

7.0 ASSESSMENT AND ANALYSIS

- 7.1** Every policy and procedure will be subject of an Equality Analysis (EA), Health and Safety Assessment (HAS) and Risk Assessment (RA) to be completed by the policy writer and will be referred to if requested by the reader. There is a separate template for this purpose available in the Policy Writers' Pack in the force document search page.
- 7.2** It is compulsory to consult with, and receive a response from Risk Management, Health & Safety and Equality & Diversity as part of the Assessment form to be completed and also your Business Lead on every policy.