

10 May 2018

**Freedom of Information Request - Reference No: 20180663**

**REQUEST**

1. What is the current minimum staffing level for a) weekdays b) weeknights c) weekend nights in your force?
2. If you do not have an overall one, what are the minimum staffing levels for each division / custody unit / police station in your force area?
3. Have any improvement notices been issued against your force (likely by the local Police Federation branch) for failing to ensure safe staffing levels, since January 1<sup>st</sup> 2017?

**RESPONSE**

In accordance with Section 1(1)(a) of the FOI Act I can confirm that South Yorkshire Police holds information in relation to your request, but I am not prepared to disclose this to you.

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire 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 are:

**Section 31(1) Law Enforcement**

- (a) the prevention or detection of crime
- (b) the apprehension or prosecution of offenders

S31 is a qualified and prejudice based exemptions which require me to articulate the harm and carry out a public interest test.

**Harm**

The release of information under the terms of the Freedom of Information Act is effectively a disclosure to the world not just to the individual making the request, and as such any request can be published on a public facing disclosure log. Releasing information around the minimum staffing levels can therefore be viewed by anyone wishing to carry out a criminal act, terrorist(s) or any person wishing to carry out illicit activities.

With this in mind, a detailed disclosure of the information you are requesting could equip criminals with the valuable knowledge regarding the force's capability to prevent or detect these activities. This would clearly assist these individuals or groups to plan and execute their activities with a greater expectation of success, assist them in avoiding detection and capture and therefore enable them to achieve increased gain in whatever

activity they execute. To disclose this information may also highlight vulnerabilities in where the police focus their efforts and attentions. Information that undermines the operational integrity of these activities will adversely affect public safety and would be detrimental to the law enforcement strategy.

#### Public Interest in Favour of Disclosure

The release of information will enable the public to have a better understanding of the efficiency and effectiveness of the police service. Better awareness of law enforcement strategies and tactics could reassure the public of the effective use and planning of police resources. It could also equip members of the public with knowledge of when at what times to protect themselves when the police are working with minimum staffing levels.

#### Public Interest in Favour of Non-Disclosure

Disclosure would compromise law enforcement tactics, alert criminals to times and locations where the police service is potentially at its weakest. This would increase crime, where criminals know when they are less likely to be detected. The safety of the public is of paramount importance to the policing purpose, and an increase in crime would place the public at risk of harm.

#### Balance

Disclosure of any information would have a serious negative impact on the ability of the Police to carry out policing, weakening the strategy and mechanisms used to monitor any type of criminal activity. Whilst there is a public interest in the transparency of policing and providing assurance that policing is conducted at appropriate levels, there is strong public interest in safeguarding the integrity of law enforcement.

A series of disclosures of this information across all forces would mean that criminals would be able to build up a picture of which forces are more vulnerable and at what time thereby increasing the opportunities for more crime to be committed.

The fact that disclosure would make the general public better informed, does not outweigh the fact that disclosure would have a negative impact on policing. Having considered all the factors, it is my opinion that at this moment in time, the balance test favours non-disclosure of this information.