

From: S.40(2)
To: [NPCC CRU Mailbox](#)
Subject: Draft response to ICO - your ref: 740/16
Date: 13 May 2016 16:13:28
Attachments: [0002_5063_ICO_RESPONSE_DRAFT_01.DOC](#)
[0001_5063_HIGHLIGHTED_DATA.DOC](#)

S.40(2)

I hope you enjoy reading, S.40(2)

I've sent the data and my response. S31(1)

I also mention in the response the subsequent request sent in by S.40(2) That asks for dates and numbers of officers for this investigation, which I am planning on providing to S.40(2) I'm guessing that you don't need to see that either.

Ignore the different colour text, its just reminders for me. The green text is just factual stuff that I need to check with the OIC. The red text is to remind to attach files/do responses.

If you need anything more please let me know.

Thanks

S.40(2)

Freedom of Information Unit
Corporate Communications

To report crime and anti-social behaviour which does not require an emergency response, please call 101. In an emergency, dial 999.

Ext: S.31(1)

Website: www.west-midlands.police.uk
Twitter: www.twitter.com/wmpolice
Facebook: www.facebook.com/westmidlandspolice
YouTube: www.youtube.com/westmidlandspolice
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Corporate Communications
PO Box 52
Colmore Circus Queensway
BIRMINGHAM
West Midlands B4 6NQ

Telephone: 101
Our Reference: 007471/15
Your Reference:
Please Ask For: FOI Unit
Email: S.31(1)

S.40(2)

02 May 2025

Via email

casework@ico.org.uk

Dear S.40(2)

Your ref: FS50622295

Our ref: 5063/16

I am writing regarding the above complaint from S.40(2). Please find below my full response.

I note that an informal resolution is the ICO's preference. This is also West Midlands Police's approach to requests. In this instance however, previous experience with this requester rules this out as an option. Please refer to FS50607668 where we secured S.40(2) agreement that a summarised version of the data would satisfy S.40(2) request, only for S.40(2) to then insist on a formal decision by the ICO.

The timeline you provided was correct, but we have had an additional FOI request from S.40(2) regarding this investigation.

On 05/12/15 S.40(2) placed a very wide request in to West Midlands Police which exceeded the threshold provided by Section 16 of the Act.

On 08/01/16 S.40(2) agreed to a revised version of S.40(2) request

On 01/02/16 we replied, confirming the existence of such a list but refusing to provide it citing Section 30 and Section 40 of the Act.

On 08/02/16 S.40(2) requested an Internal Review of the refusal.

On 04/03/16 we responded to that request, again refusing citing Section 30 and Section 40.

On 24/03/16 S.40(2) sent in a related request.

On xxx we replied (copy of response attached).

Below I provide further information which I hope answers all of the questions and points raised in your letter.

In addition, during my review of the case, I noticed that we had overlooked that Section 44 (1) (c) is applicable to part of the requested information. Therefore, please find an explanation of why this is applicable at the end of this message. **S.31(1)**

I have written to the requester to explain this to **S.40(2)**

If you need anything further please do not hesitate to contact me.

A copy of the withheld information (clearly marked with which sections of the FOIA exemptions apply).

Please find a copy attached **S.31(1)**

Please note that I believe the Section 30 exemption applies to the whole document.

The information to which section 40 applies is highlighted.

The information to which Section 44 applies is in red.

Detailed explanations for the parts of the FOIA cited answering the questions above.

- **Please confirm which sub-section(s) of 30(1) the force is relying on to withhold information.**

West Midlands Police exempted the information by virtue of Section 30 (1) (a) (i) and Section 30 (1) (a) (ii).

- **With regard to sections 30(1)(a) and 30(1)(b) please confirm the nature of the investigation and explain why the withheld information relates to this specific investigation. Please also clarify whether this investigation was complete at the time of the request.**

Please note that references to Section 30(1) (b) in both our initial response and Internal Review were erroneous. We are not seeking to apply that particular subsection of the exemption.

Nature of the investigation

S.31(1), S.40(2)

Why the withheld information relates to the specific investigation.

S.31(1)

Whether this investigation was complete at the time of the request.

The request was received on 11/01/16. S.31(1)

Please explain why the withheld information is needed by the force to fulfil the investigatory functions set out in 30(1)(a) to (c). If not clear, please explain on what basis the force has the power to carry out such an investigation.

The information was specifically gathered for the purposes of investigating an allegation of criminal activity. I believe it is entirely clear that the Force has the power to carry out criminal investigations, but for the avoidance of doubt, Paragraph 17 of The Information Commissioner's Guidance on Investigations and proceedings (section 30) states "... the police are the most obvious users of section 30(1)(a)...."

- **Please confirm which of the sub-sections in 30(2)(a) the force is relying on to withhold the information and explain why the withheld information relates to the functions listed in 30(2)(a).**
- **And if using section 30(2)(b), please confirm why the force has concluded that the withheld information relates to the obtaining of information from a confidential source.**

West Midlands Police is not seeking to apply Section 30(2)(a) nor Section 30(2)(b).

I can find no reference to these subsections within either the original response, or within the response to the Internal Review. I am therefore unclear why I am being asked these questions.

In any case the answer is we are not seeking to apply either of these subsections.

Arguments as to why you believe the public interest in maintaining the procedural sections of the FOIA exemptions outweighs the public interest in disclosure.

- **In order to determine whether the public interest tests have been applied appropriately, the ICO will require answers to the following questions:**
- **What public interest arguments in favour of disclosing the information were taken into account?**

Original Response

Disclosing information concerning a current investigation would provide a greater transparency in the investigating process and the actions of a public authority. It is clear that there is a public interest in public authorities operating in as transparent a manner as possible, as this should ensure they operate effectively and efficiently.

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. This could promote public trust in providing transparency and demonstrating openness and accountability into how the investigations and complaints are

handled. It could also provide reassurance to the public that the police service take complaints seriously, conducts investigations appropriately and the appropriate protocols are followed.

Internal Review

Mr Townshend was a public official and is therefore held to a higher level of scrutiny/ conduct than other individuals. He occupied a position of trust and was responsible for making decisions that had considerable impact on the people of Coventry. The release of information about the investigation would satisfy the public interest that an investigation into any allegations of misconduct was conducted properly. This could help to promote public trust in the WMP by providing transparency, and demonstrating openness and accountability.

Disclosure of specific details about the case, in particular a summary of the disclosure schedule could allow the public to be satisfied that the investigation has been conducted efficiently and appropriately. It would also show that public funds were being used effectively.

The disclosure of information may encourage members of the public to come forward with information pertaining to the case. As outlined in your request for internal review, if this happened it could help establish the truth and further the interests of justice.

• **What public interest arguments in favour of maintaining the exemption were taken into account?**

Original response

West Midlands Police need to be allowed to carry out investigations effectively away from public scrutiny until such times as the details need to be made public, otherwise it will be difficult for accurate, thorough and objective investigations to be carried out.

Where current or future law enforcement role of the force may be compromised by the release of information, then this is unlikely to be in the interest of the public

The public should be reassured that if they have a complaint with the police that it is dealt with in a responsible manner respecting the individual's needs and therefore disclosure of this information would lead to members of the public losing confidence in the West Midlands Police Constabulary as revealing details of information contained within the complaint would reveal details about an investigation.

Internal Review

The factors against release, outlined in the previous response (299/16) are still relevant. West Midlands Police need to be allowed to carry out investigations effectively away from public scrutiny until such times as the details need to be made public. **S.31(1)**

We would not want to release information that could impede any future criminal proceedings. Where the current or future law enforcement role of the force may be compromised by the release of information, this is unlikely to be in the interest of the public.

It is the role of the Police to conduct investigations into allegations of criminal actions. We would not want to encourage members of the public to conduct their own investigation into this case. Revealing a summary of the disclosure schedule would release specific information collected for the purposes of an investigation and would undermine the role of the police.

As outlined in the previous response (299/16), revealing details pertaining to the investigation may harm the public confidence in WMP. We want to reassure the public that information gathered during the course of an investigation will be handled responsibly and not routinely

divulged into the public domain. We would not want to disclose relevant information that may result in individuals being less willing to co-operate in the existing proceedings or any future criminal proceedings.

- **Please explain why you consider that on balance the public interest in maintaining the exemption outweighs that in disclosing of the withheld information. Please include details of any particular weighting exercise that has been carried out.**

Original Response

I recognise that the public interest in being open and transparent is of great importance to all and release of information may assist in the public being more aware of the work that the police are carrying out.

However for a public interest test, issues that favour release need to be measured against issues that favour non-disclosure. Therefore, in considering the public interest in relation to Section 30(1) I have balanced the factors in relation to transparency and accountability against the public interest in maintaining the integrity of this investigation and any impact of release on future investigations.

The Police Service is charged with enforcing the law, the prevention and detection of crime and protecting the public. Whilst there is a public interest in the transparency of policing operations and providing assurance that the police service is appropriately and effectively investigating the case, there is a strong public interest in safeguarding the safety of the public and police operations. Therefore in this case the public interest favours withholding this information.

Internal Review

The reasons for the disclosure of information have been taken into consideration. Mr Townshend was a public official and his behaviour is subject to a higher level of scrutiny than a private individual. WMP have investigated the allegations of fraud and have concluded that no police action will follow. Therefore we acknowledge that there is a public interest in information regarding the investigation being released into the public domain.

S.31(1)

There is a strong and significant public interest in protecting police investigations. Do not believe that the public interest is served by disclosing information that makes it more difficult for WMP to command the public confidence it needs to carry out its work effectively.

Additional submission

I believe that the issues raised and discussed within the original response and, in particular, within the Internal Review response are still relevant.

I would particularly like to stress:

While there is a strong public interest in ensuring that West Midlands Police have investigated this matter in an appropriate manner, this particular information does not give any indication of why no further action was taken in this case. It therefore adds little to the public interest in this matter.

There is not the slightest hint that this matter has not been investigated appropriately.

S.31(1)

I would also like to add:

The information indicates precisely what information was gathered, which indicates what tactics were, or were not employed. It is important to protect this information, not only if this investigation is re-opened, but also to protect our tactics for other investigations of this type. If people who are being investigated in other investigations (or this one if it is re-opened) are able to accurately predict our tactics, they can attempt to hamper investigations by, for example, destroying or manipulating evidence.

This investigation **S.40(2)** West Midlands Police would always seek to protect the interests of such people and to encourage them (or people on their behalf) to come forward to report matters to the Police. The release of this information could undermine the trust of those involved and **S.40(2)**

The information contains a bank account number. If released into the public domain, this could be used fraudulently without the organisation's authority.

There are a number of firms mentioned in the information. To place this information into the public domain this could unfairly implicate those organisations. This may discourage organisations from co-operating with the police in the future.

Similarly the information could be used inappropriately to assume the guilt (or otherwise) of individuals who have – or have not - been investigated. As there is at no indication of guilt within the investigation this would amount to trial by media.

- **Please ensure that your submissions focus on the content of the information that has actually been withheld rather than simply being generic public interest arguments.**

While there is always a general public interest in release of information, I believe that the arguments articulated in the original response, in the Internal Review and in my additional arguments above relate directly to the withheld information and to the circumstances of this case.

- **Section 40(2) – Personal information**

In order to assist the ICO's consideration of the application of section 40(2) please explain whose personal data WMP considers the requested information to be and the fact that Mr Townshend was dead at relevant times.

The parts of the withheld information that West Midlands Police consider to be personal data are indicated within the information provided (5063_highlighted_data.doc). We are, of course, aware that Personal Data applies to living individuals. We are not, therefore, and have never been, trying to apply Section 40 to the data of Mr Townshend.

The specific sections which we believe to be personal data are below. I have numbered them for clarity.

S.40(2)

Please note that while (3) is personal data, we do not believe that it is exempt by virtue of section 40. That is why it is not highlighted within the document.

Is the WMP position that all of the withheld information is personal data? Has the WMP considered whether any of the withheld information also constitutes sensitive personal data?

As stated above, the parts of the document that we consider personal data are marked within the attachment. We consider that the name of the alleged victim (1) and the address of S.40(2) are both sensitive personal data.

I believe that (1) is sensitive personal data because, when joined with information already in the public domain (for example see website below), S.40(2)

<http://coventryobserver.co.uk/news/late-coventry-council-deputy-leader-phil-townshend-faced-oap-fraud-probe-amid-300k-tax-debt-11075/>

I believe that (4) is sensitive personal data because it relates to 'the commission or alleged commission by him of any offence' as it gives detail of a search of a property and therefore it could be construed that there is an implication of suspicion.

Please confirm which of the data protection principles you believe would be breached if the withheld information was disclosed.

The first data principle states that personal data should be processed fairly and lawfully. In this case release into the public domain would not be fair to the individuals who could be identified from the release of items (1), (4), (5) and (6).

In light of the **S.31(1)** release of the alleged victim's name would not be lawful

In assessing whether disclosure would be unfair and thus constitute a breach of the first data protection principle the ICO takes into account a number of factors such as:

Does the information relate to the individual's public life (i.e. their work as a public official or employee) or their private life (i.e. their home, family, social life)?

Items number (2) and number (3) refer to the public life of the two individuals concerned. Number 4 refers to both the public and private life of that person. All other references are solely to the private life of the individuals concerned.

What reasonable expectations do any relevant individuals have about what will happen to their personal data?

Any person involved in a criminal investigation would expect that information provided by them will only be used for appropriate purposes – that is the investigation of the facts and circumstances of any alleged crime. It is reasonable for any person involved, particularly if there is no implication of guilt, would expect that that the confidentiality of any information given will be maintained. It would be reasonable for them to expect that any disclosure would be dealt with according to accepted procedures and no differently to any other disclosure of this type.

Clearly where information relates to information in a professional sense, rather than in a personal sense, then expectations of privacy are reduced.

In the case of items (1), (2), (4), (5) and (6) it is reasonable for the people involved to expect that their personal information will only be used for appropriate purposes.

In the case of (1) and (6), as a victim of crime they would not expect their name (or information which would identify them) to be released without legitimate purpose. **S.31(1), S.40(2)**

Item (4) relates to a search of a property. Any person who has their home searched by the police would expect their personal data to be treated confidentially. It would be reasonable for them to expect that any disclosure would be dealt with according to accepted procedures and no differently to any other disclosure of this type. It would not be their expectation that their home address to be placed in the public domain. That is the case, even if it were fair to release their name - which in this case it is not.

Similarly to release item (5) would be to release the home address of people who have not been accused of any wrongdoing. It would be a reasonable expectation that this would not be placed into the public domain.

Clearly for item (3) the information relates to information in a professional sense, rather than in a personal sense. In this context there would be very little expectation of privacy.

Have the individuals named been asked whether they are willing to consent to the disclosure of their personal data?

None of the individuals concerned have been contacted for their views on release of the information.

Therefore in explaining why you believe that disclosure would be unfair and/or unlawful please consider the questions set out above.

In determining fairness I have used the ICO's guidance on Personal Data which lists a 'starting point' list of some of the issues to be considered. They are:

- whether the information is sensitive personal data;
- the possible consequences of disclosure on the individual;
- the reasonable expectations of the individual, taking into account: their expectations both at the time the information was collected and at the time of the request; the nature of the information itself; the circumstances in which the information was obtained; whether the information has been or remains in the public domain; and the FOIA principles of transparency and accountability; and
- any legitimate interests in the public having access to the information and the balance between these and the rights and freedoms of the individuals who are the data subjects.

- Sensitive personal data

As discussed above I consider that the name of the alleged victim (1) and the [S.40(2)] are both sensitive personal data.

With respect to the name of the victim I do not feel that the public interest would be served by disclosure to any significant extent. Certainly the weight to be attached in the context of this withheld information is not sufficient to outweigh the factors in this case [S.40(2)]

[S.40(2)]

[S.40(2)] I judge it unfair to release the information.

- Consequences

With respect to items (1) and (4), the unwarranted attention and speculation is discussed above.

Items (2) and (3) refer to the public life of the two individuals concerned. [S.40(2)]

[S.40(2)] However, as the information relates to their professional life, I do not feel that this attention is necessarily unwarranted. However, in judging fairness we need to consider all aspect of the case. Please see discussion below regarding reasonable expectations.

The name of the officer (3) refers to an officer with West Midlands Police. I do not feel that it would be unfair to release this information.

Item (5) I note ICO Decision Notice FS50558963 which states "The approach of the Commissioner is that addresses are the personal data of the occupiers." In this case to reveal where Mr Thompson's family live would be distressing to them and would amount to an

unwarranted intrusion into their private lives. I therefore feel it would be unfair to release this address.

Finally, I believe that in this case, the crime number is personal data. **S.40(2)** and it could be used by anyone in attempt to uncover more information about this case. It would therefore be unfair to release this into the public domain.

- Reasonable expectations

This is discussed in detail above.

- Legitimate interest in disclosure

As the information involves the investigation into allegations against someone who was in public office, there is a public interest generally in showing that this matter has been investigated appropriately. However I do not consider that disclosure of the specific information in question here is necessary in order to satisfy that public interest. **In addition there are no criminal matters to be taken forward S.31(1)** That satisfies this public interest without unfairly impinging on the rights of all the individuals concerned or revealing police tactics and methodology.

Even if it were to be judged fair, release into the public domain would not meet any schedule 2 or schedule 3 condition of the DPA. There is no condition that makes release into the public domain necessary.

Have the WMP considered whether any of the conditions in schedule 2 would allow the information to be disclosed, for example the sixth condition?

Information about this investigation has already been released into the public domain. I cannot identify any legitimate interest in releasing this specific information into the public domain. It would clearly however, as described above prejudice the rights and freedoms of a number of people.

Summary of Section 40 (2) arguments

S.40(2)

[Redacted]

[Redacted]

[Redacted]

S.40(2)

[Redacted]

[Redacted]

S.40(2)

Section 44 (1)(c)

S.40(2), S.31(1)

If you require any further information, then please do not hesitate to contact me.

Yours sincerely,

S.40(2)

Freedom of Information Unit

Folder 1 – Title Operation Blend **S.40(2)**

Contains;

- 1) Mortgage Papers from **S.31(1)**
- 2) Documents sent to **S.40(2)** from **S.31(1)**
- 3) Production Order for mortgage papers
- 4) **S.31(1)** for disclosure document
- 5) Crime report for Fraud non crime **S.40(2)**
- 6) Data Protection Forms
- 7) E mails from **S.40(2)** to various parties
- 8) Papers and records (copies) **S.31(1)**
- 9) Vulnerable/intimidated witness log
- 10) Experian search results
- 11) Letters from **S.31(1)**

Folder 2 – Title Operation Blend **S.40(2)** Misc Papers

Contains;

- 1) General misc. paperwork, letters, copies of e mails etc.

Folder 3 - Title Operation Blend **S.40(2)** Bank Accounts 2

Contains;

- 1) Bank Accounts relating to **S.31(1)**

Folder 4 - Title Operation Blend **S.40(2)** – Bank Accounts 1

Contains:

- 1) Bank accounts at **S.40(2)**
- 2) Bank accounts of P Townsend
- 3) Special Procedure Production Order for P Townsend
- 4) Special Procedure Production Order for **S.40(2)**

Folder 5 - Title Operation Blend **S.40(2)** – Bank Accounts 3

Contains;

- 1) Bank accounts for **S.31(1)**

Folder 6 - Title Operation Blend **S.40(2)** – Warrants

Contains;

- 1) Operational order for search of premises
- 2) Warrants application for **S.31(1)**
- 3) Search book for **S.31(1)**
- 4) Warrants application for **S.40(2)**
- 5) Search book for **S.40(2)**
- 6) Warrants for **S.40(2)**
- 7) Search book **S.40(2)**
- 8) Warrant application for Coventry City Council House

Further documents/information held

- 1) Electronic crime report and investigation logs crime number S.40(2)
- 2) Senior Investigating Officer (SIO) Policy books.
- 3) Minutes of Gold meetings held.

From: S.40(2)
To: [NPCC CRU Mailbox](#)
Subject: (Your ref: 740/16) FW: Complaint to ICO [Ref. FS50622295] WMP ref 001685/16 5063_/16
Date: 09 June 2016 13:52:29
Attachments: [draft schedule 6](#) S.40(2) 95 OFFICIAL SENSITIVE.doc

Hi

This was one of S.40(2) requests. I'm not sure who wants this one now!

Please see below and attached the ICO's response to our reply to them. I'm considering with the OIC and will let you know what I decide.

Thanks

S.40(2)

Freedom of Information Unit
Corporate Communications

To report crime and anti-social behaviour which does not require an emergency response, please call 101. In an emergency, dial 999.

S.31(1)

Website: www.west-midlands.police.uk
Twitter: www.twitter.com/wmpolice
Facebook: www.facebook.com/westmidlandspolice
YouTube: www.youtube.com/westmidlandspolice
Flickr: www.flickr.com/westmidlandspolice

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Our vision: *Preventing crime, protecting the public and helping those in need*

From: S.40(2)
Sent: 08 June 2016 10:47
To: S.40(2)
Cc: casework
Subject: Complaint to ICO [Ref. FS50622295] WMP ref 001685/16 5063_/16

Dear S.40(2)

I write further to the complaint from S.40(2) and your response of 24 May 2016.

Thank you again for your excellent and very detailed and helpful response.

We have now reached some initial conclusions from our investigation which are:

- We are minded to accept your proposed redactions relying on ss40, 44 FOIA following your reasoning
- We accept that s30(1) FOIA is engaged for all of the requested information

- However we are minded to judge the PI balance differently, essentially for the reasons given by the complainant – Mr Townshend was a public figure and public monies were spent on his funeral so there is a greater PI in openness. Also, the amended request was made on 8 January 2016, received on 11 January 2016 and the police investigation ended on 13 January 2016 so it was only just still in progress when the request was received.

I attach a draft schedule showing redactions that we are minded to conclude would comply with FOIA with the different PI balance. I note that in January, the force seemed minded to make some disclosures in this matter but decided against when the request was put formally.

Please say if you spot any errors or omissions in the attached; also please say if there are points on which you wish to make further representations on behalf of yourselves or indeed of others such as the Coroner. It is hard to see how making these fairly high level disclosures might have adversely affected any ongoing proceedings but please say, with your reasons, if that is a concern.

S31(1)

However The Law Partnership is mentioned in the Observer report and therefore does seem to be public knowledge; similarly the existence of the police fraud investigation also seems to be public knowledge.

We have left in the reference to S.40(2) but note that he seems to be a relatively junior officer so I am not sure what would be his reasonable expectation of privacy in this context but the force are best placed to make the first call on that issue.

Apologies for my reference to s30(2) which was an oversight on my part.

If you accept these draft redactions then I will invite you to disclose the amended document. You could I think make clear to the complainant that the s40 redactions all relate to living individuals. I would then seek informal resolution with the complainant. I note what you say about predilection for DNs but would be willing to try informal resolution. If did not want to accept this outcome then we would use the amended document and the above reasoning as the basis for a DN.

Another way forward might be for the force to disclose now informally what it might not have been prepared to disclose formally in January.

Happy to discuss of course.

Best wishes

S.40(2)

[REDACTED]
Senior Case Officer

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

F. S.31(1) [REDACTED] ico.org.uk M S.40(2) [REDACTED] twitter.com/iconews

For secure emails over the GSi, please use S.40(2) [REDACTED]

(Please note I am normally away from the office on Thursdays and Fridays)

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DRAFT SCHEDULE OF WITHHELD INFORMATION

Folder 1 – Title Operation Blend [reference redacted] S.40(2)

Contains;

- 1) Mortgage Papers from S.31(1)
- 2) Documents sent to S.40(2) [name redacted] from S.31(1)
- 3) Production Order for mortgage papers
- 4) S.40(2) [redacted] order for disclosure document
- 5) Crime report for Fraud non crime [reference redacted] S.40(2)
- 6) Data Protection Forms
- 7) E mails from S.40(2) to various parties
- 8) Papers and records (copies) from S.40(2) [redacted]
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- 11) Letters from Solicitors S.40(2) [name redacted]

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Folder 5 - Title Operation Blend [reference redacted] S.40(2) Bank Accounts 3

Contains;

- 1) S.31(1), S.40(2) redacted]

Folder 6 - Title Operation Blend [reference redacted] S.40(2) Warrants

Contains;

- 1) Operational order for search of premises

OFFICIAL SENSITIVE

- 2) Warrants application for S.31(1) [redacted]
- 3) Search book for S.31(1) [redacted]
- 4) Warrants application for S.40(2) [redacted] [address redacted]
- 5) Search book for S.40(2) [redacted] address redacted]
- 6) Warrants for S.40(2) [redacted] address redacted]
- 7) Search book for S.40(2) [redacted] address redacted]
- 8) Warrant application for Coventry City Council House

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- 2) Senior Investigating Officer (SIO) Policy books.
- 3) Minutes of Gold meetings held.

From: S.40(2)
To: [NPCC CRU Mailbox](#)
Subject: FOI ICO Appeal (your ref: 740/16)
Date: 14 June 2016 15:50:34
Attachments: [FOI request re Coventry City Council \(ref 168516 - FS50622295\).msg](#)

S.40(2)

As discussed today, please find attached my email, sent to S.40(2) today, regarding the ICO Appeal – your ref: 740/16.

The ICO agreed to back this up with a DN, if S.40(2) doesn't agree. I'll update you on progress.

If you need anything more please let me know.

Thanks

S.40(2)

Freedom of Information Unit
Corporate Communications

To report crime and anti-social behaviour which does not require an emergency response, please call 101. In an emergency, dial 999.

S.31(1)

Website: www.west-midlands.police.uk
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Our vision: Serving our communities, protecting them from harm

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From: S.40(2)
Sent: 14 June 2016 15:35
To: S.40(2)
Subject: FOI request re: Coventry City Council (ref: 1685/16 - FS50622295)
Attachments: 5063_response_01.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear S.40(2)

FOI Request Reference: 005063/16

As you know, you have referred the request below to the Information Commissioner.

REQUEST

A schedule or list of all information your organisation holds relating to investigations about late Coventry City Council deputy leader Phil Townshend
Under Section 16 of FOI, please advise and assist about what documentation is either held electronically or in paper form about investigations into Phil Townshend.
Please include file names and file types.

RESPONSE

We have discussed the matter with The Information Commissioners Office and have agreed with them to release a redacted version of the list.

Please find this attached.

The redacted information is exempt by virtue of:

Section 30 (1)
Section 40 (2)
Section 44 (1)

Please note that Section 40(2) only applies to living individuals. Further explanatory notes are shown here:

<https://www.app.college.police.uk/app-content/information-management/freedom-of-information/#freedom-of-information-exemptions>

If you require any further information, then please do not hesitate to contact me.

Yours sincerely,

S.40(2)

Freedom of Information Unit
Corporate Communications

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Our vision: Preventing crime, protecting the public and helping those in need

From: S.40(2)
To: [NPCC CRU Mailbox](#)
Subject: FW: ICO Appeal S.40(2) Your ref: 740/16
Date: 28 June 2016 11:14:12
Attachments: [RE FOI request re Coventry City Council \(ref 168516 - FS50622295\).msg](#)
[FOI request re Coventry City Council \(ref 168516 - FS50622295\).msg](#)

I'm re-sending this. Hopefully you've got this now.

Thanks

S.40(2)

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Our vision: *Preventing crime, protecting the public and helping those in need*

From: S.40(2)
Sent: 17 June 2016 09:25
To: S.31(1)
Subject: ICO Appeal S.40(2) Your ref: 740/16

Please find attached a revised response to S.40(2) and notification from the ICO that this is now informally closed.

So you can close this one too. I know I have.

Thanks

S.40(2)

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Corporate Communications
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To: S.40(2)
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Attachments: [5063_response_01.pdf](#)

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Our vision: *Preventing crime, protecting the public and helping those in need*

From: S.40(2)
To: S.40(2)
Subject: RE: FOI request re: Coventry City Council (ref: 1685/16 - FS50622295)
Date: 15 June 2016 17:43:11

Carl

I have now heard from S.40(2) that he is content to leave it there.

Thanks again for your help and work on this case.

Best wishes

S.40(2)

Senior Case Officer

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

F: S.31(1) ico.org.uk S.31(1) twitter.com/iconews

For secure emails over the GSi, please use S.40(2)

(Please note I am normally away from the office on Thursdays and Fridays)

From: S.40(2)
Sent: 14 June 2016 16:27
To: S.40(2)
Subject: RE: FOI request re: Coventry City Council (ref: 1685/16 - FS50622295)

Great, thanks S.40(2)

Thanks

S.40(2)

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From: S.40(2)
Sent: 14 June 2016 16:26
To: S.40(2)
Cc: casework
Subject: RE: FOI request re: Coventry City Council (ref: 1685/16 - FS50622295)

Thanks for doing this S.40(2). I will contact S.40(2) in a day or so and invite S.31(1) to accept informal resolution.

Best wishes

S.40(2)

Senior Case Officer

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

F. **S.31(1)** [ico.org.uk](#) **S.40(2)** [twitter.com/iconews](#)

For secure emails over the GSi, please use **S.40(2)**

(Please note I am normally away from the office on Thursdays and Fridays)

From: **S.40(2), S.31(1)**

Sent: 14 June 2016 15:46

To: **S.40(2)**

Subject: FW: FOI request re: Coventry City Council (ref: 1685/16 - FS50622295)

S.40(2)

Please find attached and below the response I have just sent to **S.40(2)**

Please update me on progress.

If you need anything more please let me know.

Thanks

S.40(2)

Freedom of Information Unit

Corporate Communications

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Sent: 14 June 2016 15:35

To: **S.40(2)**

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