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05/05/2022

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 106/2022**

Thank you for your request for information regarding January 2021 Chief Constables' Council; which has now been considered.

**Applicant Question:**

Please could you supply in an electronic format in response to this FOIA request the following 3 items:-

(i) the agenda for the Chief Constables' Council meeting that took place in January 2021,

(ii) the minutes for the Chief Constables' Council meeting that took place in January 2021 and

(iii) the "Diversity Within the Executive Report" which was an academic study presented to the Chief Constables' Council meeting in January 2021 (for clarity as it may be useful Northumbria Police led on it)?

I remind you of your section 16 duty to provide advice and assistance.

**NPCC Response:**

The NPCC does hold information captured by your request.

I have attached the agenda for Chief Constables' Council January 2021 and the 'Diversity Within the Executive Report' requested in parts one and three of your request, in full, to this response letter.

The information in relation to question two of your request has been withheld under Section 21 Reasonably Accessible by Other Means as it can be found and downloaded from the NPCC website.

The NPCC has a legal obligation to try and advise and assist you further with your request; for more information on the legislation please see Annex A.

In wishing to assist your further with this question, I have provided the relevant link below:

<https://www.npcc.police.uk/2022/Jan%202021%20Minutes%20CCC.pdf>

Yours sincerely

**Fiona Greenlees**

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## **COMPLAINT RIGHTS**

### Internal Review

If you are dissatisfied with the response you have been provided with, in compliance with the Freedom of Information legislation, you can lodge a complaint with NPCC to have the decision reviewed within 20 working days of the date of this response. The handling of your request will be looked at by someone independent of the original decision, and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

If, after lodging a complaint with NPCC, you are still unhappy with the outcome, you may make an application to the Information Commissioner at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## Annex A

Section 17 of the Freedom of Information Act 2000 requires the NPCC, when refusing to provide information by way of exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a refusal notice to those aspects of your request.

### **The legislation: Section 21 Information reasonably accessible to the applicant by other means**

- (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.
- (2) For the purposes of subsection (1)—
  - a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
  - b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

S21 is an absolute exemption and there is no requirement to conduct a public interest test.

### **Legislation – Section 16**

- (1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.