



Our Ref: 002484/21

Your Ref:

Date 16 August 2021

Freedom of Information Act 2000

I write further to your request for information received 21/07/2021.

I note you seek access to the following information:

I am seeking all your policies and documents on data breaches, information standards etc. I am particularly interested in your document/policy for scoring/measuring data breaches and their impact. I am concerned that instead of measuring and scoring breaches, the organisation 'sticks it's finger in the air' to decide the severity of such a breach.

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Please see the attachments to the Email.
Information Management/ Information Security Procedure Document
Reporting Tool (Form)

With reference to the Information Security Procedure Document redactions have been made.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire Constabulary, 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(s) applicable relate to your request are as follows:

- Section 31 – Law Enforcement

Reason for Decision

The information consists of detailed technical and procedural information with reference to the chart above the redactions.

As the request has been processed under the Freedom of Information Act 2000 legislation consideration has to be given to the fact that the legislation is applicant blind. As a result, any disclosure has to be treated as if it was being sent to the public at large as opposed to a specific individual when considering the harm in disclosure.

I am satisfied that the above exemption is engaged on this occasion for that particular part of the document.

I will now turn to the application of this exemptions to your request in order to provide the reasoning behind my decision.

Section 31 is a prejudice based, qualified exemption and there is a requirement to articulate the harm that would be caused as well as carrying out a public interest test.

Public Interest Test

The public interest is not what interests the public, but what will be of greater good if released to the community as a whole. It is not in the public interest to disclose information that may compromise Leicestershire Police's ability to fulfil its core functions. Detailed information pertaining to the Force's full processes is rarely disclosed so that the procedures, tactics, resources used do not become public knowledge thereby rendering them ineffective.

Section 31 – Evidence of Harm

Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate.

However, in disclosing information to one applicant, we are expressing a willingness to provide it to anyone in the world. This means that a disclosure to a genuinely interested and concerned person automatically opens it up for a similar disclosure, including those who would use the information to gain an advantage over the police.

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure.

If a disclosure was made under the Act, it would impact on the process of law enforcement.

Furthermore, the process will contain technical information as well as other information that would demonstrate how we investigate breaches of this nature. To release this information into the public domain would therefore clearly impact on our law enforcement capabilities with regards to future cases.

Section 31 – Considerations favouring disclosure

There is a public interest in disclosure of the requested information as it would allow the public to discuss the conduct of the Force and would therefore raise the Force's accountability. It would also aid transparency and allow any failings to be discussed in the public domain.

Section 31 – Considerations favouring non - disclosure

I am of the opinion that it is not in the public interest to disclose the Force's processes and procedures on this occasion. The information requested contains information that if disclosed, would reveal police techniques along with other information which is vital to Law Enforcement.

If this was released into the public domain, it would allow persons to be aware in detail as to how the process in relation to breaches is conducted. It would therefore give them an added advantage should they wish to impede a future investigation and would significantly weaken our law enforcement capabilities.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Freedom of Information Officer
Leicestershire Police

Leicestershire Police in complying with their statutory duty under sections 1 and 11 of the Freedom of Information Act 2000 to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law.

Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to The Information Manager, Leicestershire Police Headquarters, St. Johns, Enderby, Leicester LE19 2BX.