



Our Ref: 004227/23
Address Correspondence to: Information Management
Date: 16 November 2023

Freedom of Information Act 2000

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 25/10/2023 in which you requested the following information:

For each year between 2020-2023:

- 1. How many police officers have completed a Job Related Fitness Test*
 - 2. How many Police Officers failed the Job Related Fitness Test*
 - 3. Of those who failed the Job Related Fitness Test, were any subsequently dismissed as a result*
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I can confirm, pursuant to s1(1)(a) of FOIA that this Force does hold the information you have requested.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire 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(s) applicable to the information are as follows.

Section 12 – Cost of compliance exceeds appropriate limit.

Section 12 of the act does not oblige a public authority to comply with a request for information should the authority estimate that the cost of complying with the request would exceed the appropriate limit.

All officers have to complete the fitness test annually, and the results of their tests will be contained within their Personal Development Record. The information is not recorded centrally, as such to obtain this information we would need to complete a manual review of the PDR of every officer in Force for each of the requested years. In order to retrieve the information you have requested would therefore be in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be

apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer any of your questions.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the "appropriate level" as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to the 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.

Yours sincerely,

Freedom of Information Officer
Leicestershire Police

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