

18<sup>th</sup> May 2016

I write following your FOI request in which you request:

*Under the provisions of the Act, we request all information in the possession of the PCC and his office relating to how the civil claim against Sean Price was concluded, including all emails, reports, advice notes, correspondence, notes of telephone conversations, minutes of meetings, dates of meetings taken from diaries and electronic calendars where no record was kept, records of mobile telephone billing information of the PCC and his senior staff and advisers. This request covers advice from people whether directly employed by the PCC, self-employed or others from whom the PCC sought advice. I request this information from six-month period from August 1, 2014 to January 31, 2015.*

This request has been handled under the Freedom of Information Act 2000.

I can confirm that the Office of the Police and Crime Commissioner for Cleveland may hold some of this information.

### **Refusal Notice – Section 12 Freedom of Information Act 2000**

Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004:

*"s12 Exemption where cost of compliance exceeds appropriate limit  
(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit".*

The information that you have requested is not held in an easily accessible format by the Office of the Police & Crime Commissioner (OPCC). We have undertaken an assessment of the structured and unstructured sources of recorded information and believe that it would take a considerable amount of time to extract and collate the information requested. We would need to ask a large number of individuals to check their records to determine whether they hold any information falling within the scope of your request.

Taking into account the likely costs of searching the records and the number of people that would need to be involved, we believe that the cost of complying with your request would significantly exceed the appropriate limit of £450. We are unable to provide a more detailed cost estimate as we believe that the cost of doing so would, in itself, exceed the appropriate limit.

However s16 of the FOI Act requires me to provide the requester with advice and assistance while processing their request.

Following your request I considered the content of your request and having estimated that it would cost more than the appropriate limit to consider your request I wrote to you on the 3<sup>rd</sup> May 2016 with a view to asking you to consider refining your request and if agreeable, to extend you advice and assistance in so doing. Not having received a response I then contacted your office by telephone on 6 May 2016, 12 May 2016 and 13 May 2016. Notwithstanding the fact that messages were left on each occasion, I did not receive a return telephone call.

In accordance with the provisions of the Act I am declining your request under s12 of the Freedom of Information Act 2000 and this letter serves as a refusal notice accordingly.

I can confirm that the Office of the Police and Crime Commissioner for Cleveland has a FOI review and complaints procedure.

If you are unhappy with the way your request for information has been handled, you can request a review by writing to: Mrs Joanne Hodgkinson, Assistant Chief Executive and Deputy Monitoring Officer, Office of the Police and Crime Commissioner for Cleveland, Police Headquarters, Ladgate Lane, Middlesbrough, TS8 9EH

If, after the review stage, you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 08456 30 60 60 or 01625 54 57 45 Website: [www.ico.gov.uk](http://www.ico.gov.uk)

There is no charge for lodging and application for review, or making an appeal.

**John Bage**  
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for Cleveland.

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