

6<sup>th</sup> August 2021

**Freedom of Information Request - Reference No: 20211620**

**REQUEST**

*I am writing to you under the Freedom of Information Act 2000, to request the following information specifically in relation to the time period 1 March '20 - 1 March '21.*

**My request relates to applications under the Domestic Violence Disclosure Scheme (DVDs) – aka 'Clare's Law'. Please state:**

- 1.) The number of disclosures made to your force under the under 'Right to Ask' during this time period, broken down by time taken to complete disclosure in the following categories: a) 0-20 days, b) 21-35 days and c) 36+ days.**
- 2. The number of disclosures made to your force under the under 'Right to Know' during this time period, broken down by time taken to complete disclosure in the following categories: a) 0-20 days, b) 21-35 days and c) 36+ days.**
- 3. The three maximum lengths of time taken to complete 'Right to Ask' disclosure during this time period (i.e. completion times in the three cases that took the longest to disclose)**
- 4. The three maximum lengths of time taken to complete 'Right to Know' disclosure during this time period (i.e. completion times in the three cases that took the longest to disclose)**

*If possible, as a comparison, could the same data please be provided for the time period March 1 '19 - Feb 29 '20?*

**RESPONSE**

I approached our Performance & Governance Teams for assistance with your request.

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire 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 following exemption applies to the disclosure of the information:

**Section 12 – Exemption where cost of compliance exceeds appropriate limit**

The team have retrieved some figures for all RTA and RTK's for the years requested (19/20 and 20/21) including the how long it has taken to finalise groups. To identify however which are the three longest for each case (RTA/RTK) would involve individually reviewing all 529 records which in my view would take us over the 18 hour rule. To review each record properly would probably take around 4/5 minutes, which would get no-where near completing this within 18 hours. 2 hours has already been spent dealing with this.

In essence without a record level manual check we cannot extract this level of data to fulfil your request without exceed the 18hr rule.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provide that the cost limit for non-central government public authorities is £450. This must be calculated at the rate of £25 per hour, providing an effective time limit of 18 hours.

Guidance from the Information Commissioner to public authorities is that where one part of a request is reasonably estimated to exceed the appropriate limit then the authority is not obliged to consider or comply with the remainder of the request up to the point at which the appropriate limit has been reached. Please note point 30 of the below link:-

[https://ico.org.uk/media/for-organisations/documents/1199/costs\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf](https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf)

**Although excess cost removes the force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request neither does it bind South Yorkshire Police to any commitment that it will release information in such a manner in the future .**

Please see the below data retrieve before it was realised the request would exceed the 18hr rule.

*FOI Request Ref: LH20211620*

*Data extracted 30<sup>th</sup> July 2021, using incident created date 1<sup>st</sup> March 2020 to 28<sup>th</sup> February 2021, Category description of 'Right to ask' or 'Right to know' . Using the 'Finalisation date', the number of days between the incident being created and finalised can be calculated.*

*NOTE: this data is reliant on the incident being finalised on the date disclosure is given or not given and recording issues could be present.*

*Total number of Right to ask and Right to know requests*

	<b>2019 to 2020</b>			<b>2020 to 2021</b>		
	<b>Right to ask</b>	<b>Right to know</b>	<b>Total</b>	<b>Right to ask</b>	<b>Right to know</b>	<b>Total</b>
<b>Mar</b>	34	57	91	39	80	119
<b>Apr</b>	43	58	101	38	100	138
<b>May</b>	43	96	139	49	81	130
<b>Jun</b>	45	97	142	68	83	151
<b>Jul</b>	47	84	131	58	128	186
<b>Aug</b>	40	40	80	48	91	139
<b>Sep</b>	25	34	59	71	112	183
<b>Oct</b>	36	52	88	58	96	154

<b>Nov</b>	38	49	87	67	110	177
<b>Dec</b>	51	77	128	58	100	158
<b>Jan</b>	46	103	149	64	90	154
<b>Feb</b>	36	84	120	50	73	123
<b>Total</b>	<b>484</b>	<b>831</b>	<b>1315</b>	<b>668</b>	<b>1144</b>	<b>1812</b>

*Total number of Right to ask and right to know where disclosure was authorised*

	<b>2019 to 2020</b>			<b>2020 to 2021</b>		
	<b>Right to ask</b>	<b>Right to know</b>	<b>Total</b>	<b>Right to ask</b>	<b>Right to know</b>	<b>Total</b>
<b>Mar</b>	12	33	45	16	49	65
<b>Apr</b>	13	30	43	18	50	68
<b>May</b>	18	50	68	16	50	66
<b>Jun</b>	22	56	78	22	51	73
<b>Jul</b>	19	43	62	20	87	107
<b>Aug</b>	12	11	23	13	56	69
<b>Sep</b>	9	15	24	26	78	104
<b>Oct</b>	10	33	43	19	70	89
<b>Nov</b>	17	23	40	29	74	103
<b>Dec</b>	20	48	68	22	67	89
<b>Jan</b>	16	65	81	29	55	84
<b>Feb</b>	12	46	58	20	58	78
<b>Total</b>	<b>180</b>	<b>453</b>	<b>633</b>	<b>250</b>	<b>745</b>	<b>995</b>

*Number of days between incidents created date and finalisation date*

	<b>2019 to 2020</b>			<b>2020 to 2021</b>		
	<b>Right to ask</b>	<b>Right to know</b>	<b>Total</b>	<b>Right to ask</b>	<b>Right to know</b>	<b>Total</b>
<b>0 – 20 days</b>	54	145	199	107	462	569
<b>21 – 35 days</b>	37	109	146	64	122	186
<b>36+ days</b>	89	199	288	77	164	241