

29 May 2025

FOI Ref 21353

Request - You asked us the following:

Hello sorry to trouble you just wondering if I can obtain the incident report regarding the ammonia leak from elks biscuits in uttoxeter from Saturday please if at all possible I'm a resident of sunnyside road behind the factory.

We received your request on 14/05/2025 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

Staffordshire Police does hold the requested information.

- Hello sorry to trouble you just wondering if I can obtain the incident report regarding the ammonia leak from elks biscuits in uttoxeter from Saturday please if at all possible I'm a resident of sunnyside road behind the factory. – **Disclosed, please see the accompanying file entitled 'FOI 21353 Incident Report Data'.**

The following exemptions have been applied:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

- Section 40(2) Personal Information

Section 40(2) is an absolute exemption which means that there is no need to quantify the harm that may arise from the disclosure; neither is it subject to a public interest test.

To release personal or third-party information held by Staffordshire Police, would breach the data protection principles; namely –

- Data is lawfully and fairly processed.
- Processed in line with an individual's rights.
- Data is secure.

Personal and third-party information cannot be released under the Freedom of Information Act.

Disclosure under Freedom of Information is a release of information to the world in general and not an individual applicant.

- Section 31 (1) (a) (b) - Law Enforcement.

Information is exempt from disclosure under section 31 (1) (a) (b) where the release of Information would, or would likely to, prejudice the prevention and detection of crime and/ or the apprehension or prosecution

of offenders. This exemption is qualified and prejudice-based and, as such, we are required to evidence the harm in disclosure and apply the public interest test.

Harm:

To provide the individual call signs for specific departments, along with other resourcing or tactical deployment information recorded within command and control logs, could undermine existing or future investigations and operations by exposing police resourcing protocols and tactics. It would arm those with ill intent with detailed information enabling them to cause disruption to operational policing and prejudice the prevention and detection of crime. Knowing call signs and associated tactical or procedural information for specific areas or incidents would allow individuals to speak on the policing network with a level of validity that could lead to major disruption to the force communications network. It would also aid criminals in disrupting similar incidents or gain an understanding of how best to circumnavigate or evade those tactics or procedures exposed.

Public Interest Test

Factors favouring disclosure under Section 31(1)(a)(b)

To disclose this information would adhere to the basic principle of being open and transparent, it would also lead to a better public awareness of the workings of the police force and the communications used with operations and during routine policing.

Factors favouring non-disclosure under Section 31(1)(a)(b)

Releasing such data would give those individuals with the intent to do so, the intelligence required to disrupt police activity. This knowledge would allow those with ill intent to target their offending more effectively or use this knowledge to evade detection or deploy countermeasures to mitigate the effectiveness of further Police responses. This would inevitably lead to an increased likelihood of further crime being committed or enhance the effectiveness of criminal activity therefore posing a heightened danger to the public. Any disclosure of information which is likely to undermine our ability to serve the public in preventing and detecting crime can only be considered as being harmful.

Balance test

When considering whether disclosure is appropriate, we must weigh the strongest reason for disclosure against the strongest reasons for non-disclosure. In this case, whilst the factors favouring disclosure are important in that it would adhere to the basic principle of being open and transparent; however, we believe that, when weighed against the risk of disclosure undermining our ability to prevent and detect crime and the hinderance to our ability to protect the public, then non-disclosure takes precedence.

Please be advised that all Freedom of Information request responses are published on the Staffordshire Police website although personal details are not included.

Please note that this data has been provided to the best of our ability, subject to the limitation of current recording protocols and systems/software. Additional incidents may have been recorded during these timescales but are awaiting finalisation and input onto these systems and would not be present within this dataset.

Every effort is made to ensure that the data presented is accurate and complete. However, it is important to note that this has been extracted from multiple sources, developed for specific policing purposes, for which data extraction methods have not been specifically designed to directly correlate with the terminology of this request. Therefore, the data presented is subject to the inaccuracies and idiosyncrasies inherent in any large-scale recording system.

As a consequence, care should be taken in the interpretation and presentation of this data, so as to not misrepresent the whole or any part of the data disclosed.

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Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt



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information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit