

16 September 2025

FOI Ref 21795

Request - You asked us the following:

1. Current BWV policy/SOP, retention/deletion schedule, and DPIA in force on 11/09/2024, including the complaint/investigation retention provisions (NPCC 2024 alignment).

Further email from applicant on 01/09/2025:

Thank you for acknowledging FOI 21795. To confirm scope: I seek the BWV policy/SOP, retention/deletion schedule, and any DPIA in force on 11 September 2024 (or the nearest prior version), including provisions for complaint/litigation holds and default retention for non-evidential footage.

We received your request on 28/08/2025 and have processed this under the Freedom of Information Act (FOIA).

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

Staffordshire Police holds the requested information.

1. Current BWV policy/SOP, retention/deletion schedule, and DPIA in force on 11/09/2024, including the complaint/investigation retention provisions (NPCC 2024 alignment).

Further email from applicant on 01/09/2025:

Thank you for acknowledging FOI 21795. To confirm scope: I seek the BWV policy/SOP, retention/deletion schedule, and any DPIA in force on 11 September 2024 (or the nearest prior version), including provisions for complaint/litigation holds and default retention for non-evidential footage. – **Partially disclosed, please see the accompanying files entitled 'FOI 21795 Body Worn Video Policy and Procedure' and 'FOI 21795 BWV DPIA Stage 1'. Please also see the advice and assistance section below for the link to our retention schedule which starts on page 8 of our Privacy Notice on our website.**

Please note the Body Worn Video Policy and Procedure disclosed was the one in place on 11th September 2024 as requested.

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 parts of this particular request.

- Section 21(1) - Information reasonably accessible by other means.
Section 21 is an absolute, class-based exemption and as such there is no requirement to quantify the harm that may arise from the disclosure, nor is there a requirement to perform a Public Interest Test.
- 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 operation names could undermine existing or future investigations and police tactics. It would allow those with ill intent to cause disruption to operational policing and prejudice the prevention and detection of crime. Knowing operations and associated information for specific areas 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 aide criminals in disrupting events involving these areas.

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 which would inevitably lead to an increased likelihood of criminal activity and an increased danger to the public. Any disclosure of information which is likely to undermine the ability to serve the public in preventing and detecting crime can only be considered as being harmful to the public.

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, we believe when

weighed against the risk of disclosure undermining our ability to prevent and detect crime and hindering 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.

Advice and assistance

In order to comply with our obligations under Section 16 of the Act, the obligation to provide advice and assistance, please find below links to the information requested.

<https://www.staffordshire.police.uk/SysSiteAssets/media/downloads/staffordshire/privacy/retention-schedule.pdf>

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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:

Information Access Team
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 Information Access Team 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 a Supervisor who is independent from the original Decision Maker. The Information Access Team 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 Supervisor 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 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 Supervisor will reply to the appellant with the result of the review. If the appellant 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 link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Information Access Team