



STAFFORDSHIRE
POLICE

Our Ref: FOI 22403
Your Ref: FOI 22277
Date: 23 January 2026

Internal Review

Re: Request for internal review of response to application for information under the provisions of the Freedom of Information Act 2000, original request first notified to Staffordshire Police on 23/12/2025.

We refer to the above request which was expressed in the following terms:

Please provide all recorded information (internal emails, decision logs, policy references, guidance, memoranda, referrals, escalation notes, complaint logs, Professional Standards records, crime-recording entries and related documentation) held by your force concerning the following:

1. Crime Recording & Investigation of Corruption Allegations
 1. Any internal policy or guidance governing how allegations of corruption, collusion, or regulatory misconduct are to be recorded and investigated, including any linked to:
 - Professional Standards Department (PSD)
 - Anti-corruption units
 - Economic Crime Units
 2. Any records of training, guidance, or policy documents referring to the duty to record and investigate serious allegations, including those involving public officials, regulated professionals, or persons of special status.
 3. Any records relating to the handling of credible allegations of corruption submitted by members of the public, including:
 - Correspondence acknowledging receipt;
 - Initial assessments;
 - Decisions not to record a crime;
 - Records of rationale for not progressing to investigation; and
 - Any referrals, internal or external, arising from such allegations.
 4. Any records of cross-force information or referrals relating to allegations of corruption or regulatory misconduct involving this force.

If any part of the requested information is held but you claim it is exempt from disclosure under FOIA, please cite the specific exemption and provide a public-interest justification for its application.

2. Legal & Professional Obligations

I am also writing to remind your force of the fundamental obligations placed upon all UK police forces to record and investigate allegations of criminal conduct when credible information is presented.

A. Duty to Investigate Crime

Under the Police Act 1996, the Code of Practice for Ethical Policing (issued under section 39A, Police Act 1996) requires chief officers to lead their forces in upholding ethical and professional behaviour, including actively identifying and responding to misconduct and corruption when it occurs. While specific statutory text does not contain a single “duty to investigate corruption” clause, it is inherent in UK policing law that:

- Police forces have a duty to prevent and detect crime under relevant legislation and common law principles, and to record reported offences in accordance with national standards.
- The Criminal Procedure and Investigations Act 1996 and associated College of Policing guidance make clear that police officers are obliged to conduct investigations where there is reasonable cause to suspect a criminal offence, to record information and retain relevant evidence.

B. Professional Standards and Accountability

The College of Policing’s Ethical Code specifically places responsibility on chief officers to ensure necessary action is taken when staff become aware of misconduct or corruption, not to ignore or suppress reporting.

C. Investigation of Allegations Impacting Public Confidence

Serious allegations of corruption — particularly where they implicate professionals, regulators, or oversight bodies — may engage public confidence and trust obligations. UK policing professional practice contemplates escalation of serious internal or external allegations to Professional Standards Departments and appropriate investigative units.

D. Information Sharing & Crime Recording Standards

Guidance such as the Police Information and Records Management Code of Practice promotes consistent recording and availability of information for policing purposes across UK forces.

3. Request for Action

I respectfully request that:

1. You confirm in writing whether your force has received any credible allegation of corruption or related misconduct submitted by me (or associated individuals) and whether it has been:
 - logged as a crime,
 - recorded in your systems,
 - or otherwise considered for investigation.
2. If not, please explain the legal basis upon which your force has declined to record or investigate such credible allegations.
3. Your response must include:
 - whether or not your force holds the information requested under FOIA;
 - any internal policies or guidance applicable to this domain;
 - and confirmation that procedures have been followed lawfully.

Clarification received on 15/01/2026:

I am not requesting statistical figures.

For the avoidance of doubt, my request relates to rationale, decision-making, policies, guidance, records, and documented assessments, not numerical data.

Specifically, I am requesting recorded information concerning:

- how allegations of corruption and misconduct are assessed;
- how decisions are made to record (or not record) such allegations;
- how decisions are made to investigate (or not investigate);



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- and how such matters are escalated internally or externally.

This includes, but is not limited to:

- decision logs;
- internal correspondence;
- professional standards records;
- policy documents and guidance;
- referrals, assessments, and recorded rationales;
- records explaining why matters were not progressed, recorded, or investigated.

Date range

Please apply the following date range for searches:

1 January 2015 to 31 December 2025.

This timeframe is reasonable, proportionate, and aligned with the period during which the relevant issues arise.

Clarification on scope

To be clear, this request does not seek:

- personal data disclosure beyond what FOIA lawfully permits;
- intelligence assessments;
- or speculative analysis.

It seeks documented governance and accountability records demonstrating how Staffordshire Police discharges its statutory duties when credible allegations of corruption or misconduct are received.

Further to the above, we also note the following comments made within your request for Internal Review.

I am writing to formally **request an internal review** of Staffordshire Police's handling of this request and, in parallel, to seek clarification on several **material inconsistencies and errors of law** within the refusal notice.

1. Inconsistent and Implausible “No Information Held” Assertions

Your response asserts that Staffordshire Police holds:

- No information relating to:
 - the handling of credible allegations of corruption submitted by members of the public;
 - decisions not to record corruption allegations;
 - rationales for not progressing such allegations;
 - or cross-force referrals relating to corruption.

Given the existence of:

- a Professional Standards Department;
- statutory duties under the Police Reform Act 2002;
- IOPC statutory guidance;
- crime-recording obligations under the Home Office Counting Rules; and
- counter-corruption obligations imposed on all forces,

it is **not credible** that no recorded information whatsoever exists in these domains over a ten-year period. If Staffordshire Police maintains that no such information is held, please confirm explicitly whether this reflects:

- a failure to record such matters, or
- an assertion that no credible corruption allegations were received at all during the stated period.

Either position has serious governance implications and must be clearly articulated.

2. Misapplication of Section 21 FOIA

Section 21 (information reasonably accessible by other means) has been applied to withhold **internal force-held records** by substituting links to **generic national guidance**.

Section 21 **does not permit** a public authority to refuse disclosure of:

- local policies,
- internal guidance,
- training records,
- or force-specific procedures,

merely because national frameworks exist publicly elsewhere.

If Staffordshire Police holds **no local policies, guidance, or training materials whatsoever**, this must be stated plainly. Otherwise, Section 21 has been applied unlawfully.

3. Improper Use of “Neither Confirm Nor Deny” (NCND)

The reliance on Section 40(5) to neither confirm nor deny whether Staffordshire Police has received any **allegation submitted by me** is misplaced.

My request sought:

- confirmation of whether information is held,
- and the procedural basis for any non-recording decision,

not disclosure of personal data.

ICO guidance is clear that Section 40(5) must be **necessary and proportionate**. It cannot be used to avoid confirming whether statutory procedures were followed, particularly where the requester is the data subject and seeks confirmation of administrative handling rather than content disclosure.

4. Failure to Properly Apply the Duty to Advise and Assist (Section 16)

While links were provided to national guidance, Staffordshire Police did not meaningfully assist by:

- explaining how my request could be refined to obtain force-held information;
- identifying what categories of internal records are held;
- or clarifying what information could be disclosed within FOIA limits.

This falls short of the Section 16 obligation.

5. Formal Internal Review Requested

Accordingly, I request an internal review addressing:

1. Whether Staffordshire Police genuinely holds **no recorded information** concerning the receipt, assessment, or handling of public corruption allegations over the stated period.
2. Whether Section 21 has been lawfully applied to substitute national guidance for force-held records.
3. Whether NCND under Section 40(5) is necessary and proportionate in the specific context of this request.
4. Whether Section 16 FOIA has been complied with in substance, not form.

If the internal review upholds the current position, please ensure the review response:

- clearly documents the searches undertaken;
- identifies the systems queried;
- and explains how statutory duties can be discharged in the absence of recorded information.

Failing satisfactory resolution, I will refer the matter to the **Information Commissioner’s Office** without further notice.

Our Response

Upon review of your request for information under the Freedom of Information provision referenced above and all corresponding communication, Staffordshire Police (SP) are of the opinion that the response issued, alongside all clarification provided, did not adequately address questions 3 and 4 of your initial request.

Having further reviewed these questions, we now provide the following response.

3. Any records relating to the handling of credible allegations of corruption submitted by members of the public, including:
 - Correspondence acknowledging receipt;
 - Initial assessments;
 - Decisions not to record a crime;
 - Records of rationale for not progressing to investigation; and
 - Any referrals, internal or external, arising from such allegations.

Withheld.

4. Any records of cross-force information or referrals relating to allegations of corruption or regulatory misconduct involving this force.

Withheld.

Noting the timescale indicated in your request, between which data is requested - namely:

Date range

Please apply the following date range for searches:

1 January 2015 to 31 December 2025.

The data for the above two question has been withheld.

The following exemption has been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit.
- Section 12(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 prescribed limit'.

The above information has been withheld for the following reasons:

There is no method by which SP can readily retrieve information from our systems to answer this request. Within the time period requested, there have been more than 200 such possible cases recorded. In order to assess and retrieve the relevant data requested, all documents held within each case file would need to be manually reviewed. From dip sampling an average file, it has been established that review and extraction of the relevant data would take approximately 20 minutes per case, this equates to upwards of

66 hours for the period requested. To achieve this task would therefore exceed the 18-hour time and cost threshold of the FOI Act by a considerable margin.

Further to the above, regarding the remainder of our initial response, SP confirm that the application of all exemptions outlined within this response are fully justified, and that the explanations and rationale for their application conveyed clearly and unequivocally.

However, in order to provide some clarification in relation to our rationale for their application, please see below.

Regarding question 1 and 2 of your request and the application of exemption under Section 21(1) - Information reasonably accessible by other means, no internal policies, procedures, or associated training records are held. This is due to the fact that all such matters are assessed on a case-by-case basis using national guidance, to which links were provided.

Regarding the application of Section 40(5), disclosure under Freedom of information is a disclosure to the world at large and not to a single applicant, to therefor confirm or deny whether information is or is not held in relation to specific individuals would breach the data protection principles, namely:

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

Please be advised that all FOI requests and response letters are published on the Staffordshire Police website although personal details are not included.

If you are not content with the outcome of the review, you may apply directly to the Information Commissioner to investigate. The Information Commissioner can be contacted at:

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

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