

22 July 2026

FOI Ref 23138

Request - You asked Staffordshire Police (SP) the following:

Thank you for confirming that Staffordshire Police holds governance records, policy-development documents, briefing papers and consultation records relating to equality considerations and the implementation of Section 4 powers.

However, the response does not identify whether these documents have already been disclosed, whether they are intended to be disclosed, or whether any exemption under Part II of the Freedom of Information Act is being relied upon to withhold them.

Could you therefore clarify:

Which specific documents are held?

Which have already been disclosed?

If any have been withheld, which exemption(s) apply?

Could suitably redacted versions be provided where appropriate?

SP received your request on 16/07/2026 and have processed this under the Freedom of Information Act (FOIA).

SP's response to your enquiry is as follows:

SP holds the requested information.

Thank you for confirming that Staffordshire Police holds governance records, policy-development documents, briefing papers and consultation records relating to equality considerations and the implementation of Section 4 powers.

However, the response does not identify whether these documents have already been disclosed, whether they are intended to be disclosed, or whether any exemption under Part II of the Freedom of Information Act is being relied upon to withhold them.

Could you therefore clarify:

- Which specific documents are held? – **Disclosed, Code of Conduct, Joint-Protocol-for-Managing-Unauthorised-Encampments, Illegal Trespass Unauthorised Encampments Briefing Note.**
- Which have already been disclosed? - **Disclosed, Code of Conduct, Joint-Protocol-for-Managing-Unauthorised-Encampments**
- If any have been withheld, which exemption(s) apply? – **Withheld, Section 21, Section 31 and Section 40.**



- Could suitably redacted versions be provided where appropriate? – **Partially disclosed, please see the accompanying file entitled 'FOI 23138 Illegal Trespass Unauthorised Encampments Briefing Note'.**

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 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 31 (1)(a)(b) Law Enforcement

Information is exempt from disclosure under S31(1)(a)(b) where the release of Information would, or would be 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.

- 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 SP, 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.

Harm:

Disclosure of information relating to police procedures relating to residing on land without consent in or with a vehicle could prejudice the prevention and detection of crime and the police's ability to effectively manage such incidents.

The release of this information would provide insight into how SP assesses, responds to, and enforces legislation relating to unauthorised encampments. Disclosure may also undermine the effectiveness of future operations and place additional demands on police resources. This would reduce SP's ability to

prevent crime, maintain public order, protect communities and respond proportionately to incidents involving unauthorised encampments.

Public Interest Test

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

Disclosure would promote openness and transparency regarding how Staffordshire Police responds to reports of individuals residing on land without consent in or with a vehicle. It would assist public understanding of the force's decision-making processes and provide reassurance that such incidents are dealt with appropriately and in accordance with legislation.

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

Disclosure would reveal information that could be used to identify police tactics or enforcement thresholds. Individuals wishing to evade police action could use this information to alter their activities, thereby reducing the effectiveness of policing operations.

Releasing information that could assist individuals in avoiding detection or enforcement would be likely to prejudice the prevention and detection of crime and undermine SP's ability to maintain public order. Effective law enforcement relies on certain operational information remaining confidential to ensure that police tactics remain effective and resources are not unnecessarily compromised.

Balance test

When considering whether disclosure is appropriate, SP 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, SP believe when weighed against the risk of disclosure, undermining the ability of the force, to prevent and detect crime and to protect the public, then non-disclosure takes precedence.

Please be advised that all Freedom of Information request responses are published on the SP 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.

- [foi-22732-code-of-conduct.pdf](#)
- [Joint-Protocol-for-Managing-Unauthorised-Encampments.pdf](#)
- [Unauthorised encampments: a summary of available powers \(accessible version\) - GOV.UK](#)

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STAFFORDSHIRE
POLICE

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from SP, 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:

IAT@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



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