

13 March 2026

FOI Ref 22572

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

This request is made under the Freedom of Information Act 2000 (England and Wales), Freedom of Information (Scotland) Act 2002, and the Freedom of Information Act (Northern Ireland) 2000. I request the following information for the period 1 January 2016 to 31 December 2026, where centrally recorded and retrievable without exceeding the statutory cost limit.

For the purposes of this request, special category data includes data revealing or relating to gender, gender identity, legal gender recognition, gender history, and any previously used names.

1. Policy, Procedure & Guidance (Special Category Data)

Please provide copies of any:

- Written force policies
- Standard Operating Procedures
- Internal guidance
- National guidance
- Instruction documents that govern the rectification, amendment, or updating of gender marker data on the Police National Computer (PNC) following a person's legal gender recognition, including guidance specific to special category data.

2. Staff Guidance & Training (Special Category Data)

Please provide copies of any guidance, training materials, briefings, or internal instruction provided to:

- Professional Standards Teams
- Data Protection Officers / IG Teams
- Records/PNC administrators
- Custody and detention staff
- Vetting or Disclosure teams
- that covers processing requests to correct gender marker or special category data on PNC.

3. Statistical Information (2016–2026)

Where centrally recorded, please provide in computer readable format (e.g., CSV, Excel, database export):

- a. Number of requests received to rectify or amend gender marker / special category data on PNC.
- b. Number of requests actioned and rectified.
- c. Number of requests refused or not actioned.
- d. Any recorded reasons for refusal or non action.

If these requests are recorded but not coded specifically as “gender marker” requests, please advise how they are recorded and provide equivalent statistics.

4. Complaints & Legal Escalations

For the period 2016–2026:

- a. Number of formal complaints received relating to failure to rectify gender marker or special category data on PNC.
- b. Number of times your force has engaged in specialist legal action or formal legal review to address gender marker/special category data correction requests.
- c. Any recorded outcomes of such actions.

5. Recording & Categorisation

Please confirm whether your force records requests for gender marker/special category data correction as a distinct category or code in case management, CRM, records, or reporting systems, and provide details of how these are categorised.

6. Operational & Safeguarding Guidance

Please provide:

- a. Policies or guidance that officers, custody staff, and other personnel must follow when encountering a person whose PNC gender marker does not reflect their legal gender.
- b. Any training or guidance on handling such discrepancies safely and respectfully.
- c. Records, summaries, or statistics of incidents where discrepancies between an individual's legal gender and PNC gender markers resulted in safeguarding concerns, operational errors, or harm.
- d. Current mechanisms for urgent correction or override of gender marker data to prevent harm.
- e. Escalation protocols or processes followed when systemic failures in PNC gender marker or other special category data are identified.

Please provide this information in electronic, computer readable form where possible.

7. Information Not Held

If your force does not hold any of the requested information, please confirm this in writing and advise whether the information is held centrally by another policing body (e.g., NPCC, ACRO).

8. Response Timeframe & Acknowledgement

In accordance with the applicable Freedom of Information legislation, I request a response within the statutory timeframe of 20 working days. If I receive an automated acknowledgement, I will accept this as the formal receipt date for the purposes of calculating the statutory response period.

If any part of this request is refused, please cite the precise exemption under the Freedom of Information Act and provide reasons for refusal.

SP received your request on 23/02/2026 and have processed this under the Freedom of Information Act (FOIA).

SP's response to your enquiry is as follows:

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

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 question 4 of this request. For question 4a there has been over 1,350 complaints which would need to be reviewed to determine if this related to failure to rectify gender marker or special category data on PNC. Likewise, to determine question 4b there have been in excess of 350 legal files which would need to be reviewed to ascertain if SP has engaged in specialist legal action or formal legal review to address gender marker/special category data correction requests. To extract this data would therefore require a very labour-intensive manual trawl through each record.

From dip sampling, it has been estimated that it would take approximately 5 minutes to determine the complaint and a further 15 minutes to determine if this engaged in specialist legal action, this would equate to over 199 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the FOI Act by a considerable margin.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, to comply with this obligation please see below.

In order to assist in refining your request data could be provided for the three gender categories recorded on the SP case management system and the guidance SP follow. Please note, no information is held for questions 1,2,3,6c,6d,6e,7 and parts of question 5 and 6a. In relation to 6b exemptions may apply.

The FOI Act 2000 only extends to requests for recorded information. It does not require public authorities to create information to answer questions generally; only if the information is already held in recorded form. The Act does not extend to requests for information about policies or their implementation, or the merits or demerits of any proposal or action - unless, of course, the answer to any such request is already held in recorded form.

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

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review



STAFFORDSHIRE
POLICE

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, considering 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