



Scottish Information
Commissioner

Decision 070/2007 Mr Sandy Smith and the Chief Constable of Grampian Police
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<i>Request for telephone numbers of police stations</i>

Applicant: Mr Sandy Smith
Authority: Chief Constable of Grampian Police
Case No: 200600550
Decision Date: 15 May 2007

Kevin Dunion
Scottish Information Commissioner

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Decision 015/2007 Mr Sandy Smith and the Chief Constable of Grampian Police

Request for telephone numbers of police stations – whether information held section 17(1) – information exempt under section 30(c) – public interest considered

Relevant Statutory Provisions and Other Sources

Freedom of Information (Scotland) Act 2002 (FOISA) sections 1(1) (General entitlement); 2(1) (Effect of exemptions); 17(1) (Notice that information is not held); 30(c) (Prejudice to effective conduct of public affairs)

The full text of each of these provisions is reproduced in the Appendix to this decision. The Appendix forms part of this decision.

Facts

Mr Sandy Smith (Mr Smith) requested the direct dial telephone numbers of Grampian Police stations from the Chief Constable of Grampian Police (Grampian Police). Grampian Police responded by supplying information from the Police and Constabulary Almanac. Grampian Police explained that since November 2003 Grampian Police had provided a single point of contact number for non-emergency calls. This number was provided. Mr Smith was not satisfied with this response and asked Grampian Police to carry out a review. Grampian Police carried out a review and, after providing further explanation, upheld its original position. Mr Smith remained dissatisfied and applied to the Commissioner for a decision.

Following an investigation, the Commissioner found that Grampian Police had partially dealt with Mr Smith's request for information in accordance with Part 1 of FOISA but should offer to supply Mr Smith with the old police station (non-operational) numbers.



Background

1. On 23 October 2005, Mr Smith wrote to Grampian Police requesting 17 items of information. This included a request for the following information:
 - The direct dial telephone number of all police stations & departments of Grampian Police
2. On 23 November 2005, Grampian Police wrote to Mr Smith in response to his request for information. Grampian Police advised that this information was available in the Police and Constabulary Almanac and enclosed the entry for Grampian Police in the 2004/5 edition.
3. Grampian Police explained that since November 2003 Grampian Police had provided a single point of contact number (0845 600 5 700) for all non-emergency calls. Grampian Police explained that these calls were handled by the Service Centre which used a purpose built Customer Relationship Management system that was directly linked to critical Force systems such as command and control, crime recording, accident recording and found property systems. Grampian Police provided more information about the Service Centre and how calls would be transferred to the appropriate individual.
4. On 12 December 2005, Mr Smith wrote to Grampian Police requesting a review of their decision. In particular, Mr Smith indicated that the information supplied gave the direct dial of the Departments but only the call centre number in respect of the stations. Mr Smith explained that he had requested the direct dial numbers of the stations because he had had to wait five to ten minutes on three occasions to get a reply from the call centre. Mr Smith also stated that if a mobile phone was used there was no guarantee that the call would be routed to the Grampian Police call centre.
5. Grampian Police sent a letter on 19 December 2005 which attempted to address some of Mr Smith's concerns. Grampian Police advised that the telephone number was not a national number and was exclusive to Grampian Police. Grampian Police acknowledged that delays might be experienced when calling the Service Centre but pointed out that as police stations were not all continuously manned, there would be no guarantee of making contact with Grampian Police by telephoning a particular station.
6. Grampian Police asked whether in view of this clarification Mr Smith still wanted to proceed with his request for review.



7. Having received no response to this letter, on 17 January 2006 Grampian Police responded to Mr Smith's request for a review. Grampian Police advised that it did not have a comprehensive telephone list showing a contact number for each police station. It explained that the Force telephone list, which was held electronically, showed a contact number in respect of all personnel in the Force but did not show a generic number for each location. Grampian Police concluded that the information that had been supplied to Mr Smith (including its letter of 19 December) was accurate and reflected the Force's position.
8. On 8 February Mr Smith responded to the letter from Grampian Police dated 19 December 2006. He challenged the assertion that the 0845 600 5700 number was not a national non-emergency number. Grampian Police responded to this letter on 13 February 2006. I have referred to its contents in my analysis and findings below.
9. In a letter dated 9 February 2006, but received on 8 March 2006, Mr Smith wrote to my Office, stating that he was dissatisfied with the outcome of Grampian Police's review and applying to me for a decision in terms of section 47(1) of FOISA. Mr Smith submitted that Grampian Police had supplied incorrect information. He challenged the statement that the Grampian Police number was not a national number. Mr Smith argued that as police forces bordering Grampian Police set up call centres there would be more calls going to the wrong police force call centre. Mr Smith argued that it was in the public interest for Grampian Police to release the telephone numbers of the local police offices.
10. The case was allocated to an investigating officer.

The Investigation

11. Mr Smith's application was validated by establishing that he had applied to me only after making an information request to a Scottish public authority and asking the authority to review its decision.
12. On 30 March 2006 the investigating officer contacted Grampian Police advising them that an application from Mr Smith had been received and inviting their comments on the matters raised by the application. The investigating officer sought certain information from Grampian Police to assist with the investigation.
13. Grampian Police responded on 11 April 2006. They supplied the information requested and also set out their position on the matters raised by the application.



Information held by Grampian Police

14. Grampian Police explained the information they held relevant to Mr Smith's request for information. The authority explained that at the time of Mr Smith's request, Grampian Police maintained two main internal lists of extension numbers to contact individual members of staff or police offices. These were as follows:
 - a) An internal telephone directory for use by Service Centre staff when directing incoming calls. This directory was integral to the electronic customer relationship management system used by the Service Centre.
 - b) An internal telephone directory for use by all members of staff who were authorised to use the Force network. This database was made accessible to staff via the Force intranet. Grampian Police explained that on the introduction of the new Force intranet in February 2006, a new telephone directory was substituted in place of the database in use on the date of Mr Smith's request.
15. Grampian Police supplied my office with excerpts from both lists. Grampian Police advised that the directory in use at the time of Mr Smith's request was no longer available. The Police advised that the internal telephone directories did not give the area code and full telephone number for direct dial purposes. To convert the numbers given, one of the twenty one area codes in the Grampian area would have to be prefixed, one number deleted from the internal version of the number and a further two numbers added to form a direct dial number. Grampian Police argued that it did not hold this information and that therefore section 17(1)(b) of FOISA applied.
16. Grampian Police advised that it did hold the area code and full telephone number of police offices in other records, such as billing records. However, they indicated that many of these numbers did not function as direct dial telephone numbers for external callers. Grampian Police advised that these numbers were being replaced by the Service Centre number. In cases where this had been implemented a caller from an external number would either be automatically diverted to the Service Centre, be advised to call the Service Centre by a recorded message or hear the number unobtainable tone.
17. With hindsight, Grampian Police indicated that the response to Mr Smith could have been fuller by disclosing that the Force did hold direct dial telephone numbers for police offices, but that the numbers were no longer operational or were in the process of being withdrawn. However, Grampian Police advised that it still would not have disclosed the direct dial telephone numbers. Grampian Police argued that this information was exempt by virtue of section 30(c). I will set out the submissions from Grampian Police in respect of section 30(c) in my analysis and findings below.



Submissions from Mr Smith

18. Mr Smith has set out a number of reasons why he is seeking the direct dial numbers of police stations in the Grampian area. He indicated that:
 - a) He had experienced delays when contacting the Service Centre number
 - b) There was no guarantee that a telephone call from a mobile phone would be routed to the Grampian Police Service Centre
 - c) The Service Centre number was the national non-emergency number and not for the exclusive use of Grampian Police.
19. I will address the matters raised by Mr Smith and Grampian Police in my analysis and findings below.

The Commissioner's Analysis and Findings

Scope of Mr Smith's request

20. Mr Smith had requested the direct dial telephone number of all police stations and departments of Grampian Police. In his request for review he indicated that Grampian Police had supplied the departmental departments but had not supplied the direct dial numbers for police stations.
21. In correspondence between my office and Grampian Police, there seemed to be some disagreement as to the exact information being sought by Mr Smith. Grampian Police appeared to be interpreting Mr Smith's request as a request for the direct dial numbers of all personnel within each Grampian Police station, whereas it seemed to me that Mr Smith was seeking only the direct dial number of each police station.
22. In a telephone conversation on 20 February 2007, Mr Smith confirmed that he was seeking the telephone numbers of the police stations rather than the individual telephone numbers of personnel within each station. As a result, I have not gone to consider whether Grampian Police hold the telephone numbers of individual personnel as set out in paragraphs 14 -15 above.
23. Further, Mr Smith did not query the supply of departmental numbers in his request for review or in his application to me. Therefore I have considered only the supply of the telephone number for each police station in the Grampian area.



Information held by Grampian Police relevant to Mr Smith's request

24. The telephone system used by Grampian Police is fairly complex and I have spent time determining the information held by Grampian Police relevant to Mr Smith's request. I have not included the detail of this system within this decision notice to avoid disclosing potentially exempt information.
25. As stated in their responses to Mr Smith and their submissions to my office, Grampian Police decided to introduce a single non-emergency number in 2003. Grampian Police still holds the original individual Police station numbers but has advised that these numbers are no longer operational.
26. Under the current system, Grampian Police have a specified number of BT both way circuits connected to Queen Street for DDI (Direct Dialling Inwards) and access to whole force from the outside.
27. All non-emergency calls are answered by the Service Centre. The calls are then processed at this point and if necessary passed on to the relevant person or office.
28. Most remote Grampian Police stations have been allocated one or more of the BT lines and telephone numbers. None of the numbers of the remote Police stations are published but extension numbers (translating to the BT numbers) have been allocated to allow internal access to these sites. I understand that the internal phone directories contain a 5 digit number that the Service Centre will use to transfer calls to the appropriate individual or office. I understand that the 5 digit extension number bears no correlation to the BT number(s) assigned to each remote station.
29. The Service Centre has a disaster recovery plan in place which is controlled by BT. The plan allows all incoming calls to be redirected to the main stations in the event of a loss of service at the Service Centre. Grampian Police explained that when a member of the public dials the non-emergency number the BT equipment reads that number and recognises the location from which they are dialling and directs them to the most convenient Police Office. The BT numbers are therefore only used for emergency purposes.
30. Grampian Police have advised that the new BT lines and numbers are different to the original police station numbers referred to in paragraph 25 above.
31. I understand from discussions with Grampian Police that the only information held by Grampian Police relevant to Mr Smith's requests is:
 - a) The original police station numbers that are no longer operational
 - b) The BT lines and numbers allocated to each remote station



32. I will consider each item of information in turn.

a) Original police station numbers

33. Grampian Police indicated in its submissions to my office that it still held the original numbers for each Grampian Police station. In its bundle of correspondence supplied to my office this list was included (appended to Document 4). I understand that where an individual uses the direct dial (DD) telephone numbers for the police station the caller will:

- Be automatically diverted to the Service Centre; or
- Be advised to call the Service Centre by a recorded message; or
- Hear the service unobtainable tone

34. Grampian Police has a list of all police stations on its website and I was interested to see whether any of the numbers were available to members of the public via the internet. By using the name of the police station as a search term e.g. "Buckie Police Station" I was able to find the original DD telephone number of 23 of the police stations listed; that is, the number other than the new 0845 600 5700 number. Some of these numbers appeared on community websites but others appeared on yell.com (the website for the yellow pages).

35. I understand that the numbers are no longer operational but this in itself would not be a reason for refusing to supply the information. Members of the public do sometimes request information which, in itself, is historical and/or has been subsumed by more recent policy. In such cases, it is for the authority to put the information in context. However, I am aware that this information will be of little use to Mr Smith given that the numbers are no longer operational. In the circumstances, I consider that Grampian Police should offer to supply this information to Mr Smith if he so requires it.

b) BT lines and numbers

36. Grampian Police also hold the BT lines and numbers currently allocated to each police station. As explained above, each station has been allocated one or more BT line(s) and numbers. Grampian Police is refusing to supply this information to Mr Smith on the basis that it is exempt under section 30(c) of FOISA. Grampian Police made a number of submissions as to why they considered the individual numbers should not be released.



37. Grampian Police submitted that prior to the establishment of the Service Centre, call handling in Grampian Police had been fragmented in approach and delivery. On average, 22% of calls were not answered, response times were poor and significant numbers of calls were forwarded on without satisfactory fulfilment or were “dumped” to convenient locations. As a result of a Best Value review, Grampian Police decided to implement a Service Centre with a single non-emergency contact number to provide a gateway to the force. Grampian Police supplied my office with a copy of the Best Value Review and a copy of the business case on which the decision to implement the Service Centre had been based.
38. Since establishing the Service Centre, Grampian Police advised that they had spent some time publicising only that number.
39. Grampian Police indicated that it had gone to considerable lengths to provide the public with a professional and effective response when they called the Force with non-emergency matters. Grampian Police submitted that this had resulted in the redeployment of police officers to operational duties and had generated significant savings for the Force. Grampian Police argued that release of the direct dial telephone numbers into the public domain would prejudice substantially the service which Grampian Police provided to the public and defeat the whole ethos behind the introduction of the Service Centre.
40. Grampian Police also argued that it might be possible for any individual to continually place calls to a police station/department, thereby effectively blocking that stations/department to communicate and perform their core function of providing a service to the public.
41. I have considered carefully the submissions made by Grampian Police and the documents supplied in support of these submissions. I accept that disclosure of the BT number(s) allocated to each Police station under FOISA would effectively mean that they would be in the public domain, given that I cannot impose conditions on what Mr Smith does with this information.
42. Section 30(c) states that information is exempt if its disclosure would (otherwise than provided for under sections 30(a) and (b)) prejudice substantially the effective conduct of public affairs. There is no definition of "substantial prejudice" in FOISA, but my view is that in order to claim this exemption, the damage caused by disclosing information would have to be real or very likely, not hypothetical. The harm caused must be significant, not marginal, and it would have to occur in the near future not in some distant time. Authorities should therefore consider disclosing the information asked for unless it would cause real, actual and significant harm.



43. I accept that Grampian Police has gone to considerable lengths to set up a system for dealing with non-emergency enquiries. This system requires individuals to contact the Service Centre in the first instance where they will then be transferred to the relevant department or individual. Disclosure of the BT numbers into the public domain would effectively negate this whole system as individuals could simply bypass the Centre and contact the station directly. Grampian Police have set out the reasons for introducing the Service Centre in its submissions above; a key factor was the inefficiency of the old system whereby phone calls went unanswered or were transferred to the wrong department. Grampian Police have pointed out that not all remote stations are manned all the time. I have further noted the submission from Grampian Police that disclosure of the numbers could enable an individual to block the lines going to any one remote station.
44. Having considered all of the submissions and evidence in this matter, I am satisfied that disclosure of the current BT numbers under FOISA would prejudice substantially the ability of Grampian Police to provide a non-emergency phone service. In the circumstances, I am content that this information falls within the scope of section 30(c).
45. However, section 30(c) is subject to the public interest test required by section 2(1)(b) of FOISA. Therefore I must go on to consider whether the public interest in disclosing the information requested is outweighed by the public interest in withholding it. In his correspondence with Grampian Police and my office, Mr Smith raised a number of points which he considered justified release of the direct dial telephone numbers of police stations. I consider these arguments to be relevant to my consideration of the public interest and have set these out below.
46. Mr Smith argued that he had experienced delays when contacting the Service Centre and on three occasions had had to wait between 5 to 10 minutes to get a reply. Mr Smith pointed to newspaper articles in which individuals had reportedly experienced the same difficulties with the Service Centre. In its responses Grampian Police accepted that delays might be experienced with the Service Centre and indicated that this was attributable to the volume of calls received at the Service Centre and the nature of the calls. Grampian Police submitted that the vast majority of the calls made to the Service Centre were answered relatively quickly. Grampian Police pointed out that as not all police stations were continuously manned there would be no guarantee of making contact with Grampian Police by telephoning a particular station or of a response within a certain time.



47. Mr Smith further argued that the 0845 600 5700 number was a national non emergency number and that there was no guarantee that the call would be routed to a Grampian Police call centre. Mr Smith indicated that if someone was using a line on a voice over IP (an internet based call provider) or a mobile phone on the boundary of the Grampian Police area, there was higher than 90% chance that it would be picked up by the wrong police force. In a telephone conversation with my office, Mr Smith also raised concerns about individuals phoning from abroad or where a message had been left by a police officer and an individual was asked to return the call.
48. In its responses, Grampian Police advised that the 0845 600 5700 number was both the Grampian Police Service Centre number and the proposed national non-emergency number for Scotland. Owing to technical difficulties with its implementation across all eight Scottish police forces, however, the number had not been publicised. A national working group was considering how to resolve these issues in order to implement a single non-emergency contact number that would reach the relevant police force. In the meantime, the other Scottish police forces publicised their own numbers to reach their Force communication centres or police stations.
49. Grampian Police have explained that only calls made to the 0845 600 5700 number from a landline within the Lothian & Borders Police area would be directed anywhere other than the Grampian Police Service Centre. They referred Mr Smith to a letter from Lothian & Borders Police which stated that:
 - a) Anyone dialling the number from a mobile phone anywhere would be directed to Grampian's Service Centre
 - b) Anyone dialling the number from outwith Lothian & Borders Police area from a landline would be directed to Grampian's Service Centre
 - c) Anyone dialling the number from within Lothian and Borders Police area from a landline would be directed to the Lothian and Borders Police Force Communication Centre.
50. That letter also indicated that a protocol existed whereby calls could be transferred between the two forces by the use of a single key stroke.
51. Grampian Police further advised that if a call was made using voice over IP the call would be presented at Lothian & Borders Police only if the internet call provider joined the Network in the Lothian area. All other calls using this method would be presented at the Grampian Police Service Centre. Likewise, an individual phoning from abroad will obtain the Grampian Police Service Centre. In cases where an officer leaves a message, it will be up to that officer to decide whether they provide their direct line or ask the individual to contact them via the Service Centre.



52. I have already accepted that disclosure of the BT numbers allocated to each station would substantially prejudice Grampian Police's ability to respond to non-emergency telephone calls. I have accepted that disclosure of these numbers would effectively allow individuals to bypass the Service Centre thereby negating the whole system that Grampian Police has established to deal with non-emergency calls from members of the public. In these circumstances, the public interest arguments in favour of disclosure would have to be compelling.
53. I have considered carefully Mr Smith's concerns. Grampian Police have attempted to provide reassurances on the points he has raised. Nonetheless, I do accept that some individuals, including Mr Smith, may have experienced difficulties in contacting the Service Centre.
54. However, I do not consider that the difficulties that Mr Smith has experienced or the potential problems he considers might occur in specific scenarios to be sufficiently compelling to justify disclosure on public interests grounds. The only solution available under FOISA is simple disclosure of the BT telephone numbers. It seems to me, however, that if an individual has expressed concerns about the effectiveness of the Service Centre then the focus should be on improving that service rather than on simply bypassing it by means of FOISA. I have considered all submissions made in this case and in the circumstances, I am satisfied that the public interest in disclosure of the BT telephone numbers is outweighed by the public interest in withholding this information.

Decision

I find that Chief Constable of Grampian Police (Grampian Police) partially failed to comply with Part 1 of the Freedom of Information (Scotland) Act 2002 (FOISA) in responding to the information request made by Mr Smith by failing to indicate it held the old police station numbers. I find that this information should be released to Mr Smith if he wishes to receive it.

I therefore require Grampian Police to contact Mr Smith within 45 days of receipt of this decision notice and offer to provide him with the list of old police station numbers (appended to Document 4). If Mr Smith contacts Grampian Police within a further month to confirm that he wishes to receive this information, Grampian Police shall release it to Mr Smith within a further two weeks.



I find that Chief Constable of Grampian Police acted in accordance with Part 1 of FOISA in withholding the current BT lines and numbers from Mr Smith in that they are exempt information under section 30(c) of FOISA.

Appeal

Should either Mr Smith or Grampian Police wish to appeal against this decision, there is an appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days of receipt of this decision notice.

Kevin Dunion
Scottish Information Commissioner
15 May 2007



Appendix

Relevant statutory provisions

Freedom of Information (Scotland) Act 2002

1 General entitlement

- (1) A person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority.

2 Effect of exemptions

- (1) To information which is exempt information by virtue of any provision of Part 2, section 1 applies only to the extent that –
 - (a) the provision does not confer absolute exemption; and
 - (b) in all the circumstances of the case, the public interest in disclosing the information is not outweighed by that in maintaining the exemption.

17 Notice that information is not held

- (1) Where-
 - (a) a Scottish public authority receives a request which would require it either-
 - (i) to comply with section 1(1); or
 - (ii) to determine any question arising by virtue of paragraph (a) or (b) of section 2(1),

if it held the information to which the request relates; but

- (b) the authority does not hold that information,

it must, within the time allowed by or by virtue of section 10 for complying with the request, give the applicant notice in writing that it does not hold it.



30 Prejudice to effective conduct of public affairs

Information is exempt information if its disclosure under this Act-

...

- (c) would otherwise prejudice substantially, or be likely to prejudice substantially, the effective conduct of public affairs.