



Mae'r ddogfen hon ar gael yn Gymraeg yn ogystal â Saesneg.

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COMISIYNYDD  
HEDDLU A THROSEDDU  
DYFED-POWYS  
POLICE AND CRIME  
COMMISSIONER

FOI Ref: OPCC 25-16

### Request

Please provide information on the financial position, for 2014/15 and 2015/16 for your police force and whether it is in surplus or deficit and the level thereof. Please set out the gross assets and liabilities of the force.

### **Response:**

Section 1 of the Freedom of Information Act 2000 places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

Where exemptions are relied upon, Section 17 of the Freedom of Information Act 2000 requires the Police & Crime Commissioner for Dyfed Powys, when refusing to provide such information (because the information is exempt), to provide you the applicant with a notice which:

- (a) states that fact
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies

I can confirm that the Police & Crime Commissioner for Dyfed Powys does hold the information requested.

In respect of the 2014/15 financial year, this information can be accessed via the following hyperlink:

2014/15: <http://www.dyfedpowys-pcc.org.uk/wp-content/uploads/2015/09/PCC-for-Dyfed-Powys-Statement-of-Account-2014-15-Group-Accounts.pdf>

However, the following exemption has been applied to the 2015/16 financial year information thereby exempting its release:

### **Section 22 (1)(a)(b)(c) Information Intended For Future Publication**

*“(1) Information is exempt information if –*

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),*
- (b) the information was already held with a view to such publication at the time the request for information was made, and*
- (c) it is reasonable in all circumstances that the information should be withheld from disclosure until the date referred to in paragraph.”*

Section 22 is a qualified class-based exemption and considerations must be given as to whether there is a public interest in providing the information prior to the anticipated publication.

### **Public Interest Test**

#### ***Considerations favouring disclosure:***

This is a response under the Freedom of Information Act 2000 and disclosed on the 27<sup>th</sup> May 2016

The Police & Crime Commissioner for Dyfed Powys is committed to demonstrating an ethos of openness, transparency and accountability and to disclose the information would be seen as providing updated budgetary information to enhance awareness of this subject matter. Recent budgetary information would enhance public knowledge of the subject, by providing information that may better inform public debate around this subject.

***Considerations favouring non-disclosure:***

The information requested in respect of the 2014/15 financial year is located within the Annual Statement of Accounts routinely published by the Police & Crime Commissioner for Dyfed Powys: <http://www.dyfedpowys-pcc.org.uk/wp-content/uploads/2015/09/PCC-for-Dyfed-Powys-Statement-of-Account-2014-15-Group-Accounts.pdf>.

To disclose the information regarding the 2015/16 financial year, requested under the Freedom of Information Act would pre-empt this disclosure. Publication processes are in place and disclosure outside of those arranged processes will render such processes obsolete. Such processes are in place to ensure the proactive publication of information, which is in line with the ethos of openness and transparency found within the Freedom of Information Act 2000.

**Balancing Test**

Factors need to be balanced to see if they favour disclosure or non-disclosure of the information. In this case the strongest consideration for disclosure is demonstrating an ethos of openness, transparency and accountability, being weighed against the consideration for non-disclosure which in this case is that the requested data is proactively produced and published. Proactive publication of information assists in meeting the public interest test, disclosure at an earlier date would render such processes obsolete and the Force would continuously have to furnish Freedom of Information requests when there is a process in place which ensures that the Force is open and transparent in regard to such information. Therefore, at this moment in time, the balancing test for disclosure is not made out.

Therefore, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.