

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 16 June 2023

Public Authority: Commissioner of Police of the Metropolis

Address: New Scotland Yard
Broadway
London
SW1H 0BG

Decision (including any steps ordered)

1. The complainant requested copies of any purchase orders, contracts, and memorandums of understanding that relate to specific items listed in the Metropolitan Police Service expenditure logs . By the date of this notice, the Metropolitan Police Service ("MPS") had not issued a substantive response to this request.
2. The Commissioner's decision is that MPS has breached section 10(1) of FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires MPS to take the following step to ensure compliance with the legislation.
 - MPS must provide a substantive response to the request in accordance with its obligations under FOIA.
4. MPS must take this step within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Request and response

5. On 13 February 2023, the complainant wrote to MPS and requested information in the following terms:

"Please accept this request under the Freedom of Information Act. I'm seeking copies of any purchase orders, contracts, and/or memorandums of understanding that relate to the following items listed in the Metropolitan Police Service expenditure logs:

Supplier name: NEC Software Solutions UK Ltd
Supplier number: 11852
Invoice number: 91459339
Invoice date: 24/03/2022
Invoice amount: £1,004,135.52

Supplier name: NEC Software Solutions UK Ltd
Supplier number: 11852
Invoice number: 91455258
Invoice date: 13/12/2021
Invoice amount: £247,650.00

Supplier name: NEC Software Solutions UK Ltd
Supplier number: 11852
Invoice number: 91451741
Invoice date: 30/08/2021
Invoice amount: £92,610.00

Supplier name: SAS Software Ltd
Supplier number: 14285
Invoice number: 2200257
Invoice date: 22/02/2022
Invoice amount: £1,557,360

Supplier name: SAS Software Ltd
Supplier number: 14285
Invoice number: PI00015618
Invoice date: 20/05/2022
Invoice amount: £52,650.00

Supplier name: Deloitte LLP
Supplier number: 14056
Invoice number: 8002637480
Invoice date: 24/05/2022
Invoice amount: £468,000

Supplier name: QinetiQ Ltd
Supplier number: 12515
Invoice number: 117065443
Invoice date: 23/09/2021
Invoice amount: £141,791.09

Supplier name: Make Time Count Today Ltd
Supplier number: 63875
Invoice number: STAR002
Invoice date: 14/12/2021
Invoice amount: £295,575.00

Supplier name: Make Time Count Today Ltd
Supplier number: 63875
Invoice number: O OCD003
Invoice date: 31/03/2022
Invoice amount: £259,000.00

Supplier name: Dataminr UK Ltd
Supplier number: 27287
Invoice number: INV4012
Invoice date: 30/04/2021
Invoice amount: £240,000.00

Supplier name: Footprint Investigations LLP
Supplier number: 62349
Invoice number: 1951
Invoice date: 09/02/2022
Invoice amount: £54,372.00

Supplier name: BAE Systems Applied Intelligence Ltd
Supplier number: 16540
Invoice number: 1001047318
Invoice date: 30/3/2022
Invoice amount: £10,274.76

Supplier name: INNAXYS Ltd
Supplier number: 16120
Invoice number: SI-61
Invoice date: 27/07/2021
Invoice amount: £41,052.00

Supplier name: INNAXYS Ltd
Supplier number: 16120
Invoice number: SI-53
Invoice date: 01/04/2021

Invoice amount: £17,412.00

Supplier name: Imagebase Technology Ltd

Supplier number: 65180

Invoice number: IBT-21661

Invoice date: 03/02/2022

Invoice amount: £59,880.00

Supplier name: Babel Street Inc

Supplier number: 56562

Invoice number: 14894

Invoice date: 18/06/2021

Invoice amount: £40,710.00

Supplier name: Internet Investigation Solutions Ltd

Supplier number: 34264

Invoice number: INV-00853

Invoice date: 12/10/2021

Invoice amount: £204,891.30

Supplier name: LinkedIn Ireland Unlimited Company

Supplier number: 17836

Invoice number: 78111089779

Invoice date: 05/12/2021

Invoice amount: £401,904.00"

6. MPS acknowledged the request on 17 February 2023. To date, a substantive response has not been issued.

Reasons for decision

7. Section 1(1) of FOIA states that:

"Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him."

8. Section 10(1) of FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt".

9. On 16 May 2023 the Commissioner wrote to MPS, reminding it of its responsibilities and asking it to provide a substantive response to the complainant's request within 10 working days.
10. Despite this intervention, MPS has failed to respond to the complainant.
11. From the evidence provided to the Commissioner in this case, it is clear that MPS did not deal with the request for information in accordance with FOIA. The Commissioner finds that MPS has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with FOIA.

Right of appeal

12. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

13. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
14. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Michael Lea
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF