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Your ref: SAR/MCKAY/DYER
Our ref: 01/ROA/24/091391/T

05/09/2024

Dear Ms Sheeva Vahid-Ashrafi,

Data Protection Act 2018 – Right of Access Reference: 01/ROA/24/091391/T

I am writing with regards to your Right of Access application in which you requested information under the Data Protection Act 2018 (DPA), which may be held about your clients Mr Mark Dyer, Ms Dianne McKay and Mr Ian McKay by the Metropolitan Police Service (MPS).

I am currently working on progressing your request and I note that you have requested the following information:

Please specifically disclose any, and all, communications between your organisation and their appointed representatives, with any others named within this data request and/or others that have shared this data with. This data includes but is not limited to: - Electronic Mail; - SMS messaging; - messaging platforms (e.g. WhatsApp messaging); - paper files; - letters; - memorandums; and - attendance notes.

We specifically request communications between the following individuals (including to and from third parties): - Detective Superintendent Katherine Goodwin - Detective Chief Inspector Mark Cranwell - Detective Constable Karen Langley - Detective Sergeant Susan Stansfield - Commander Stephen Clayman - Detective Anne-Marie Long - Commissioner Sir Mark Rowley - Assistant Commissioner Louisa Rolfe OBE - Detective Superintendent Rebecca Reeves - Former Commissioner Dame Cressida Dick - Detective Chief Superintendent Treena Fleming.

The MPS have a right to refuse to process a request if we feel that it is manifestly excessive in line with DPA 2018, Part 3, Chapter 3, Section 53(1)(b). Having conducted preliminary searches, we believe that the retrieval and preparation of the information you have requested may be manifestly excessive and thus will not be in the public interest.

We are a public funded organisation and your request would likely require a dedicated caseworker a prolonged period of time to work on this request which will have an adverse impact on other applicants and our department's ability to carry out its core functions.

For us to determine what data is held in respect of your client, we needed to contact each named individual directly. Three of the 11 named individuals no longer work for the MPS and thus we have, at present, not included any data they may have held in this calculation.

Based on your request, the specifics you have mentioned and the timeframe provided by yourselves, we have established that there are approximately 6260+ emails and approximately 590+ documents located which may contain the personal data of Mr Dyer, Ms McKay and Mr McKay.

When calculating the time the above would take to process and prepare for disclosure, we have applied the below timings:

- One email equals one page – 5 minutes to review and redact
- One document – 30 minutes to review and redact (this is an average timing based on previous Right of Access requests of a similar nature and volume)

Without reviewing all 6260+ emails and all 590+ documents, we cannot determine how many pages each of these are. Therefore the above calculation is a basic determination of the time it would take to process the documents located; in reality it may take considerably longer.

We have determined based on the above that it would take a dedicated caseworker approximately **522 hours** to process the located email data and a further **296 hours** to process the located documents. These timings do not take into consideration the hours which have already been spent searching and locating the above data.

The data you are requesting may also be held in unstructured files. Under Article 2(1A) of the UK GDPR, unstructured manual information that public authorities process constitutes personal data; this includes paper records that public authorities do not hold as part of a filing system. Therefore, public authorities may have to search such information to comply with a SAR. However, they are not obliged to do so if:

- the request does not contain a description of the unstructured data; or
- they estimate that the cost of complying with the request would exceed the appropriate maximum.

An amendment to Section 69(2) of the Freedom of Information Act 2000, states that there is a limit on cost and time (18-hours) taken regarding the searching of non-structured material, when responding to applicants. When estimating the cost of compliance, we consider the cost of determining whether we hold the information, finding the requesting information or the records containing that information, retrieving the information, and extracting the relevant data from those records. For further information, please see the Fees Regulations made under Section 12(5) of FOIA 2000. These regulations apply to all public authorities in England, Scotland, Wales, and Northern Ireland, for the purposes of estimating the costs of responding to SARs for unstructured manual records.

Further guidance on this can be found on the ICO's website: [ICO - Are there any special cases?](#)

We therefore invite you to narrow down the focus of our searches to more specific personal data that you require; such as a particular investigation, reduction in what parts of the CCTV you want or a reduction in the time frame of searches.

Although this is not our final response to your request at this moment, I would like to point out, as previously stated that the MPS have a right to refuse to process a request if we feel that it is manifestly excessive in line with DPA 2018, Part 3, Chapter 3, Section 53(1)(b). Therefore, should you choose not to provide clarification on what data you are interested in seeing then it is likely that we may consider sending you a refusal notice in your final response.

Please send your response to this correspondence by **Friday 13th September**. Should you provide further information, we may find it necessary to extend our statutory response time by a further two months. You can find more information about this on the ICO's website: [ICO - What should we consider when responding to a request?](#)

The MPS privacy notice with details about the personal data we collect, purpose, categories and retention can be viewed at <https://www.met.police.uk/privacy-notice/>.

Yours sincerely,

Danielle Purchase
Data Rights Lead
Data Rights – Metropolitan Police Service