



YORK AND NORTH YORKSHIRE COMBINED AUTHORITY - POLICE

Freedom of Information Requests

Final Internal Audit Report: 4.25/26

3 March 2026

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AUDIT OUTCOME OVERVIEW

In line with our scope, included at Appendix C, the overview of our findings is detailed below.

Background / Why we did the audit

We have undertaken a review of Freedom of Information (Fol) requests at the Force to ensure that there are processes and controls in place to comply with the Freedom of Information Act and guidance produced by the National Police Chiefs' Council (NPCC) and the Information Commissioner's Office (ICO).

The Fol Act provides any person, anywhere in the world, the right to access information held by public authorities, subject to a number of exemptions. Under the Fol Act any information, documentation or records that are created by, or in the possession of a public authority may be covered by the scope of a request and are liable for disclosure. The Fol Act confers two obligations on public authorities:

- The duty to confirm or deny whether the information requested is held.
- The duty to communicate the information.

Fol requests are managed by the Civil Disclosure Unit (CDU), which is part of Evolve. CDU deal with the Fol requests for the Force along with a range of other duties such as management of subject access requests, court and common law police disclosures, C2 applications, Cafcass and section 7 and 37 requests along with other ICO matters. As such, resource for Fols must be managed in line with other duties required.

The Force had received 990 Fol requests in the nine months between the 1 April 2025 to the date of the audit for 2025/26 and 19 Internal review requests in the same period. The Force have implemented measures to reduce the number of overdue requests since 2019. At the 31st July 2019, the compliance rate had fallen to 27% for the Chief Constable and 11% for the PFCC and there were 795 overdue requests. At the time of the current audit the backlog of requests for the Chief Constable for 2025/26 was 152 with 49 being overdue.

Conclusion: There are a number of controls in place in relation to the Fol process to ensure they are recorded on the log on receipt, assigned to a specific officer and responded to. However our testing has identified that there are occasions for both Fol requests and Internal reviews where the 20 working day requirement has not been met. This was due to both a lack of resource within the CDU to chase and review the cases but there were also delays from the business areas to supply the required information. As a result of the review we have agreed **two medium** and **one low** priority actions with management. The medium priority actions are in relation to implementing ways to ensure the 20 day deadline is met for both Fol requests and internal reviews.

Internal audit opinion:


Minimal Assurance


Partial Assurance


Reasonable Assurance


Substantial Assurance

Taking account of the issues identified, the board can take reasonable assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied and effective.

However, we have identified issues that need to be addressed in order to ensure that the control framework is effective in managing the identified risk(s).

Audit themes: Our review identified the following findings:

Policies and Procedures

There is an FOI procedure document in place that is available to all staff via The Source (Force's intranet). The procedure outlines the details of the current process and roles and responsibilities, however it still refers to the OPFCC which should not read as the Combined Authority. There is also an FOI process map which shows the various steps of the process and who undertakes each task. On review the map reflects the current process. **(Low)**

FoI requests

For a sample of 20 FOI requests (10 closed and 10 open) testing found that requests are logged and assigned in a timely manner. Responses to requests clearly state the reasons for rejection where information is not provided.

However there was one closed request and six open requests that had passed the 20 day response requirement. On review we confirmed this was both due to a lack of information being provided by the relevant business area but there were also delays due to lack of resource within the Civil disclosure unit. **(Medium)**

Internal Reviews

For a sample of 10 Internal reviews, seven had been responded to within the required timeframe, one had been responded to two days late and the remaining two had not yet been responded to. The outstanding reviews had both exceeded the 20 day requirement without any notification of delay to the requestor. **(Medium)**

FoI Tracking

Review of the FOI log confirmed the Force track their requests in line with the FOI Act as the log is reviewed on a daily basis. The log contains all of the relevant information that is required to monitor whether the FOI requirements are met.

Training

The Force have six have designated FOI Officers in place to coordinate and manage FOI requests, all staff have received decision maker training from the NPCC. There are also booklets provided by the NPCC, in house FOI guidance, and other inhouse information.

All new officers and members of staff at the Force attend corporate induction days which contain a session about FOIs and communication about FOIs is sent out on an ad hoc basis.

Reporting

Reports are presented at the Legal services quarterly performance management meetings. The reports contain FOI data and resourcing information. Reports are presented at the Information Assurance Board (IAB) which takes place on a six monthly basis. Reports include FOI data, including numbers and timescales. All reports follow the same format so comparisons made and trends can be identified.

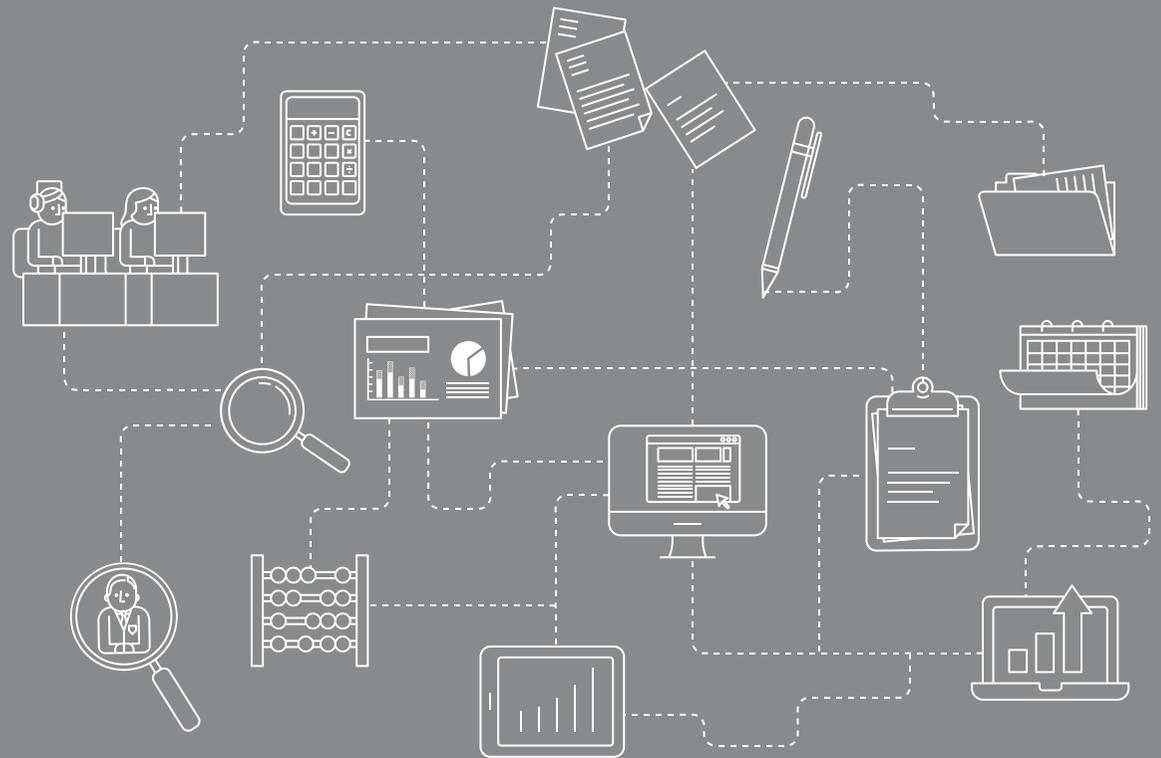
Monthly statistics are provided to the National Police Chiefs Council who upload these onto their website.

Website Publication

For the sample of 10 closed FOI requests it was confirmed that all of the requests had been published on the Forces website. All required information for a sample of five website publication requirements was available on the Force's website.

Summary of Actions for Management

01



SUMMARY OF MANAGEMENT ACTIONS

The action priorities are defined as*:

High

Immediate management attention is necessary.

Medium

Timely management attention is necessary.

Low

There is scope for enhancing control or improving efficiency.

Ref	Action	Priority	Responsible Owner	Date
1	The procedure will be updated to remove references to the Office of the Police, Fire and Crime Commissioner for North Yorkshire. This will be replaced where necessary with the York and North Yorkshire Combined Authority or removed if not required.	Low	Team Leader (Civil Disclosure)	28 February 2026
2	Where delays are due to business areas not responding these will be monitored fortnightly and escalated by the Team Leader (Civil Disclosure). Where delays are due to the Civil Disclosure team these will be reviewed on a weekly basis and any outstanding or backlogged cases will be assigned to a specific person to follow up and complete where possible.	Medium	Team Leader (Civil Disclosure)	31 March 2026
3	The Force will review the resources able to undertake internal reviews and if possible identify any additional resources to undertake these. Once identified these resources will undertake the appropriate training to carry out internal reviews.	Medium	Team Leader (Civil Disclosure)	31 December 2026

* Refer to Appendix B for more detail

Detailed Findings and Actions

02



DETAILED FINDINGS AND ACTIONS

This report has been prepared by exception. Therefore, we have included in this section, only those areas of weakness in control or examples of lapses in control identified from our testing and not the outcome of all audit testing undertaken.

Area: Policies and Procedures				
Control	<p>There is a FoI procedure in place that is up to date and available to relevant staff on The Source.</p> <p>There is also an FoI flow chart in place that is available to the Civil Disclosure Unit (CDU) via the shared drive.</p>	Assessment:		
		Design		✓
		Compliance		×
Findings / Implications	<p>The Force has an FoI procedure document in place that is available to all staff via The Source which is the Force's intranet. The procedure is next due for review 31 January 2026. The FoI procedure outlines the requirement for the Force to adhere to the FoIA 2000 and how it would do this to ensure that the legal requirements are met for the release of information.</p> <p>The document details the process including the publication scheme, monitoring and reviewing the publication scheme, defining a freedom of information request, including what makes it a valid request. It also outlines what requests are classed as business as usual (BAU) and those that are not BAU, how to decide if a fee is appropriate and how the fee is charged. There is a section for the process to be undertaken if there is a complaint and how an internal review is undertaken. Key responsibilities are also detailed within the document.</p> <p>Although the review confirmed that the processes in place are reflected in the procedure it still refers to the Police, Fire and Crime Commissioner for North Yorkshire, which is now York and North Yorkshire Combined Authority. Discussion with the Team Leader confirmed that this will be updated as part of the next review due this month.</p> <p>There is also an FoI process map which shows the various steps of the process and who undertakes each task. It shows the tasks that are allocated to the following roles:</p> <ul style="list-style-type: none"> • Disclosure Assistant; • Legal Officer - setting off Fols; • Team Leader; • Legal Officer - drafting response; and • Internal review process. 			
Management Action 1	<p>The procedure will be updated to remove references to the Office of the Police, Fire and Crime Commissioner for North Yorkshire.</p> <p>This will be replaced where necessary with the York and North Yorkshire Combined Authority or removed if not required.</p>	Responsible Owner:	Date:	Priority:
		Team Leader (Civil Disclosure)	28 February 2026	Low

Area: FoI testing - Responding and extensions to the 20 day limit

Control	<p>The requestor receives a response to the FoI within 20 days of the receipt of the request. The response to each FoI is supported by clear rationale on the decision to disclose or not disclose the requested information in line with NPCC guidelines.</p> <p>An extension to the deadline can be applied of up to an additional 20 working days, if the Force requires more time to consider the public interest test. However, in all cases the Force must give the requestor a written response within the standard time for compliance.</p>	Assessment:	
		Design	✓
		Compliance	×

Findings / Implications

Once a request for information has been sent to the business area a 7 day deadline is given and recorded on the FOI log, along with a five day chaser due date. These are automatically calculated through formulas in the spreadsheet. The FoI guidelines require a response to be provided to the requestor within 20 working days. Where an extension is needed the requestor must be notified with details of this.

We reviewed a sample of 20 Fols, 10 open and 10 closed, to ensure they had either been responded to within 20 days or an extension was in place:

- Of the 10 closed cases, eight had been responded to within 20 days, one had been withdrawn but the remaining request did not meet the 20 day deadline.
- Of the 10 open cases there were three that had not yet reached the 20 day deadline, one where clarification was sought from the requestor so a further 20 days was allowed and it had not yet reached this stage, the remaining six cases had not been responded to within the 20 day deadline.

On review of the cases that had not met the deadline it was evident that the legal officers had requested the information from the relevant areas of the Force, but they had either not responded or there were delays in receiving the information required to respond to the FoI. There was also evidence that a number of chasing emails had been sent to the relevant business areas to chase the information.

Where FOIs are not responded to within 20 working days and an extension is not applicable under the FoI Act, there is a risk that the Force is in breach of the FOI Act and could receive a complaint by the requestor.

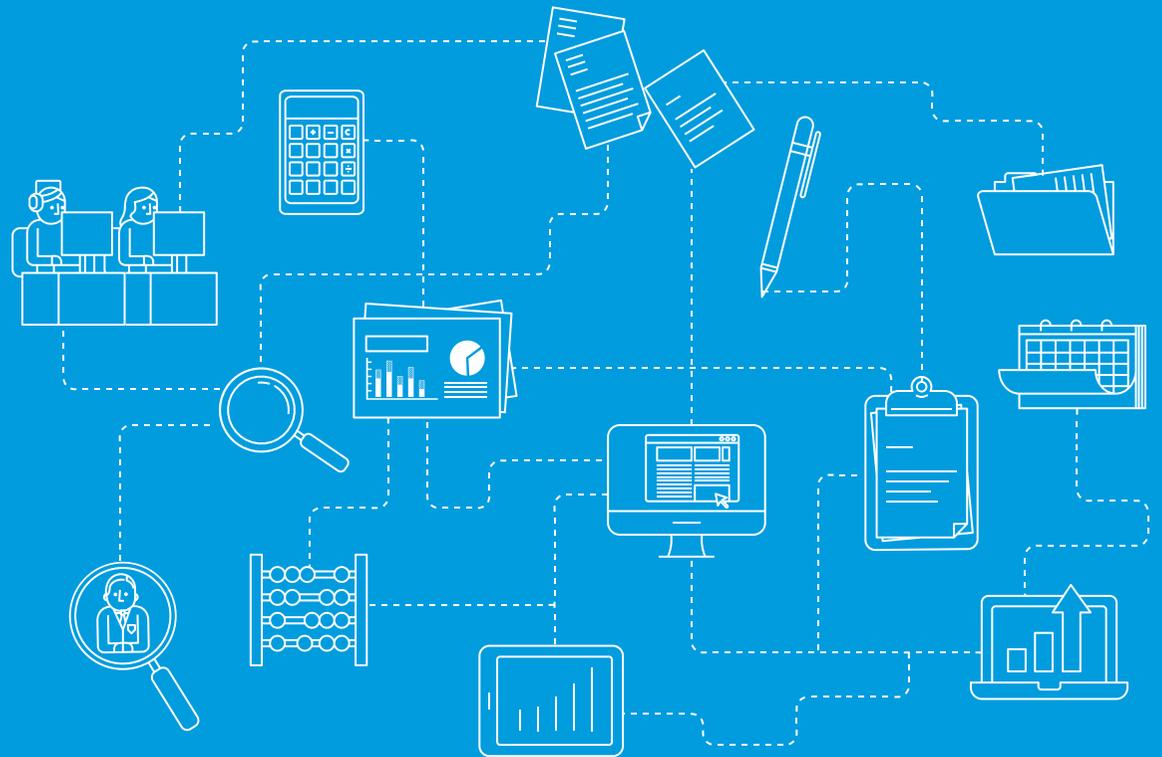
Management Action 2	Where delays are due to business areas not responding these will be monitored fortnightly and escalated by the Team Leader (Civil Disclosure).	Responsible Owner: Team Leader (Civil Disclosure)	Date: 31 March 2026	Priority: Medium
	Where delays are due to the Civil Disclosure team these will be reviewed on a weekly basis and any outstanding or backlogged cases will be assigned to a specific person to follow up and complete where possible.			

Area: Internal Reviews

Control	<p>The Police Lawyer completes the internal review process for all complaints and this includes undertaking independent reviews of the responses and decisions made.</p> <p>The internal review process for a complaint is completed within 20 days.</p>	Assessment:		
		Design	✓	
		Compliance	×	
Findings / Implications	<p>If a requestor is not happy with the response, they receive for an FoI request they are able to make a complaint and request for an internal review to be undertaken. The required response time for an internal review is also 20 working days.</p> <p>When the force receives a complaint and request for internal review, this is logged on a FoI spreadsheet but in a separate tab. Details such as date received, due date, enquirer details and the request are recorded on the spreadsheet.</p> <p>At the time of our review there had been 19 requests for an internal review in 2025/26, we selected a sample of 10 to review.</p> <p>Of the 10 reviews, seven had been responded to within the required timeframe, one had been responded to two days late and the remaining two had not yet been responded to. The outstanding reviews had both exceeded the 20 day requirement without any notification of delay to the requestor.</p> <p>Through discussion with the Team Leader for Civil Disclosure we were advised there is currently only one Police Lawyer that conducts internal reviews, this is because of other work demands / capacity for one and also the other being in court for the majority of the time. The Team Leader therefore tries to help out with the workload and undertake some reviews where possible. There are no other members of staff at the Force that have been adequately trained to undertake the internal reviews.</p> <p>Where internal reviews are not undertaken in a timely manner and the complainant is not informed there is a risk the Force is not compliant with the FoI Act and is not addressing issues to ensure transparency with the public.</p>			
Management Action 3	<p>The Force will review the resources able to undertake internal reviews and if possible identify any additional resources to undertake these. Once identified the these resources will undertake the appropriate training to carry out internal reviews.</p>	Responsible Owner: Team Leader (Civil Disclosure)	Date: 31 December 2026	Priority: Medium

Appendices

03



APPENDIX A: CATEGORISATION OF FINDINGS

Categorisation of internal audit findings

Low

There is scope for enhancing control or improving efficiency.

Medium

Timely management attention is necessary. This is an internal control risk management issue that could lead to: Financial losses which could affect the effective function of a department, loss of controls or process being audited or possible reputational damage, negative publicity in local or regional media.

High

Immediate management attention is necessary. This is a serious internal control or risk management issue that may lead to: Substantial losses, violation of corporate strategies, policies or values, reputational damage, negative publicity in national or international media or adverse regulatory impact, such as loss of operating licences or material fines.

The following table highlights the number and categories of management actions made as a result of this audit.

Area	Control design not effective*	Non-compliance with controls*	Agreed actions		
			Low	Medium	High
Freedom of Information requests	0 (11)	3 (11)	1	2	0
		Total	1	2	0

* Shows the number of controls not adequately designed or not complied with. The number in brackets represents the total number of controls reviewed in this area.

APPENDIX B: INTERNAL AUDIT ASSIGNMENT OPINIONS



Minimal Assurance

Taking account of the issues identified, the board cannot take assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied or effective.

Urgent action is needed to strengthen the control framework to manage the identified risk(s).



Reasonable Assurance

Taking account of the issues identified, the board can take reasonable assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied and effective.

However, we have identified issues that need to be addressed in order to ensure that the control framework is effective in managing the identified risk(s).



Partial Assurance

Taking account of the issues identified, the board can take partial assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied or effective.

Action is needed to strengthen the control framework to manage the identified risk(s).



Substantial Assurance

Taking account of the issues identified, the board can take substantial assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied and effective.

Debrief held	22 January 2026
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Final report issued	3 March 2026

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