

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: **5 December 2025**

Public Authority: **Police Federation of England**

Address: **Federation House
Highbury Drive
Leatherhead
KT22 7UY**

Decision (including any steps ordered)

1. The complainant has requested information about staff management structure and salaries within the public authority. The Police Federation of England ("the Federation") provided an organisational chart, salary bands and job titles but declined to provide the CEO's salary under section 22 (information intended for future publication).
2. The Commissioner's decision is that the Police Federation is not entitled to rely on section 22 to withhold the information. It also breached section 10 of the FOIA by failing to respond to the request within twenty working days.
3. The Commissioner requires the Federation to take the following steps to ensure compliance with the legislation.
 - Disclose the information withheld under section 22.
4. The public authority must take these steps within 30 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 the Act and may be dealt with as a contempt of court.

Request and response

5. On 27 February 2025, the complainant wrote to the Federation and requested information in the following terms:

"Please provide a complete list of the non-elected staff management structure within PFEW HQ. This starts from the CEO position downwards. Only include those who have line management responsibility for someone else and/or whose job title includes the words 'director', 'manager' or 'supervisor'.

Please include the specific job title, date of creation of role and the salary/renumeration of that position (to include any bonuses / performance related pay / compensation).

When providing the information it should be clear who an individual role reports to. Please provide this in a 'family tree' style, if possible."

6. The Federation responded on 10 April 2025. It provided the requested 'family tree' style management structure but declined to provide specific job titles and salaries for individual posts, instead providing a series of salary bands, redacting the top three levels.
7. The complainant requested an internal review, which the Federation responded to on 14 May 2025. It stated that it considered specific salaries for individual posts to be exempt under section 40 (personal data), and the CEO's salary to be exempt under section 22 (information intended for future publication).

Scope of the case

8. The complainant contacted the Commissioner on 17 May 2025 to complain about the way their request for information had been handled.
9. During the course of the investigation, the Federation disclosed further information regarding salary bands. However, the complainant wrote to the Commissioner to advise they were not satisfied with the continued reliance on section 22. They did not challenge the application of section 40(2) to specific salaries.
10. The Commissioner considers that the scope of his investigation is to consider whether the Federation has appropriately applied section 22 to withhold its CEO's salary.

Reasons for decision

11. Section 22(1) of FOIA says that 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 when the request for information was made, and
 - (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in (a)."
12. For section 22 to apply, the public authority must, at the time it received the request, have had a settled expectation that the information would be published at some future date, even if no precise date has been set, and it must be reasonable, under the circumstances, to withhold the information until this date.
13. Section 22 is a qualified exemption which means it's subject to the public interest test.
14. In its internal review response on 14 May 2025, the Federation stated it intended to publish its CEO's salary in the future, although no specific date had been set. In its further response on 10 November, the Federation stated it was currently finalising its 2023 accounts with a view to publication at the end of summer 2025, with its 2024 accounts to follow by the end of the year.
15. The Commissioner is concerned by the Federation's statement that the 2023 accounts are to be published by the end of summer given that this correspondence was dated 10 November 2025, and it has as yet neither published its accounts nor the CEO's salary as stated. However, even if it had published this information, this would relate to the salary in 2023, and the request is for salary details at the date it was made – 27 February 2025.
16. Given that the Federation has not yet published its accounts for 2023 according to its own timeframe, explained why it has missed this, or published the accounts for 2024, the Commissioner is not persuaded there was a settled intention to publish the salary of the CEO at the time of the request. The Commissioner notes the Federation also failed to consider the public interest in its application of section 22.
17. The Commissioner therefore does not believe section 22 is engaged, and has not gone on to consider the public interest test. The Federation is

not entitled to rely on section 22 and must disclose the requested information to the complainant. This figure must be the salary at the time the request was made.

Procedural matters

18. 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”.
19. The complainant made his request for information on 27 February 2025, but the Federation did not respond until 5 April 2025. Therefore, the Commissioner finds the Federation also breached section 10(1) of the FOIA.

Right of appeal

20. 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)
General Regulatory Chamber
PO Box 11230
Leicester
LE1 8FQ

Tel: 0203 936 8963
Fax: 0870 739 5836
Email: grc@justice.gov.uk
Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

21. 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.
22. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Joanna Marshall
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