

Dear Rachel Macleod,

**Our Ref: FOI 174/18**

Thank you for your email to the Electoral Commission dated **09 November 2018**.

The Commission aims to respond to requests for information promptly and regrets that it has not done so within the statutory timeframe of twenty working days.

Your request is in bold below followed by our response.

- 1. Please could you provide details of candidate expenditure for the 2016 Police and Crime Commissioner Elections? It would be helpful if this data could be identical to the one released for the 2012 police and crime commissioner elections**

Our response is as follows:

**We do hold the information you have requested.**

We do hold copies of the individual returns of election expenses from the candidates provided to us by the Police Area Returning Officers for the 2016 Police and Crime Commissioner elections. We do not however hold a collated record of headline data of candidate expenditure for those elections, of the sort we published on our website for the 2012 Police and Crime Commissioner elections.

The Commission published headline data for the 2012 elections in part because these were the first elections of their type and we felt there was likely to be general interest in the information. However, the Commission regularly reviews its use of resources, and since 2015 has only published headline data for candidates in UK Parliamentary elections and elections to the Scottish Parliament, National Assembly for Wales, and Northern Ireland Assembly (though in that last case recent data has not yet been published). As we did not intend to publish the material we did not produce a collated summary of the information either. As you may be aware, public bodies are not required to create information under the Act.

In order to respond to your request we have provided you with the copies of the individual returns.

**Use of Section 40(2).**

Section 40(2) provides for an exemption where the information requested constitutes personal data as defined by the Data Protection Act 2018 (DPA), and where release of the information requests would breach one of the data protection principles. The information contained in the requested information falls within the description of personal data as defined by section 1 of the Data Protection Act 2018 (DPA) because the information relates directly to an identifiable living individual.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, but in some circumstances we cannot responsibly release requested information, and we ask for your understanding in this regard.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: <http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-i-make-an-foi-request>

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <https://ico.org.uk/>

Yours sincerely,  
Daniel Howard

The Electoral Commission