

**Please ask for:** Andrea Gabbitas  
**Telephone Number:** 0121 626 6060  
**Our Reference:** 2023-00343  
[wmpcc@westmidlands.police.uk](mailto:wmpcc@westmidlands.police.uk)



Date: 02/06/2025

Dear FOI Applicant,

Thank you for your freedom of information request dated **4<sup>th</sup> April** 2025, in which you requested:

*'Any information held detailing Unite the Trade Union (and/or) the Birmingham Bin Dispute of 2024/25, including but not limited to: minutes of meetings (with attendee lists), direct correspondence from the PCC to West Midlands Police (including send on the PCCs behalf from officers of the OPCC) and correspondence between the PCC (and his office) and Unite the Trade Union.'*

The Office of the Police and Crime Commissioner (OPCC), has information in relation to your request. However, given that this request is the subject of an ongoing trade dispute, ongoing negotiations to settle that trade dispute, ongoing police operations and a claim for a civil injunction, we have decided not to release the information. This is because the withheld information is either not relevant to your request, or because exemptions have been applied, in accordance with the Freedom of Information Act 2000 ('FOIA').

The relevant sections of the FOIA, that we have relied upon, in order to apply these exemptions are:

- a) Section 31 (a) and (c): disclosure would, or would be likely to, prejudice the prevention or detection of crime and the administration of justice. Section 31 requires us to conduct a Public Interest Test (PIT), in order to determine whether the exemption is applicable. A copy of the PIT is enclosed with this letter.
- b) Section 36 (1) (b) (2) (b) (i) and (ii) and (c): disclosure of this information would or would be likely to inhibit the free and frank provision of advice, or the free and frank exchange of views for the purposes of deliberation, or would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs. Section 36 requires us to obtain a qualified persons opinion, in order for the exemption to be engaged. The qualified person for the OPCC for the West Midlands, is the Police and Crime Commissioner. The Commissioner has given his reasonable opinion, that disclosure of the information under Section 36, is exempt from being released. The reason for this, is that to release this information would, or would be likely to, inhibit the free and frank provision of advice, or the free and frank exchange of views for the purposes of deliberation, or would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs. Section 36 also requires us to conduct a PIT, in order to determine whether the exemption is applicable. A copy of the PIT and record of the qualified person's opinion, are enclosed with this letter.
- c) Section 40: personal data.

**Request for Review**

Any person who has requested information from the Office of the Police and Crime Commissioner (OPCC) and is unhappy with the way their request for information has been handled, can request a review.

A request for review must be made in writing by letter or email. You should include the reference number of your request if you have it, and outline why you are requesting the review to:

Office of the Police and Crime Commissioner  
Lloyd House  
Birmingham  
B4 6NQ

Telephone: 0121 626 6060

Email: [wmpcc@westmidlands.police.uk](mailto:wmpcc@westmidlands.police.uk)

All requests for review will be recorded. Receipt of a request for internal review, will be acknowledged and the person requesting the review, informed of an estimated date for determining the outcome. The OPCC will attempt to respond to internal reviews as soon as practicable and in any case within two months.

A review will be undertaken, by someone not involved in the original response.

The result of any internal review, will be communicated to the person requesting the review, outlining the decisions taken.

If you remain dissatisfied with the handling of your request for review, you have a right to appeal to the Information Commissioner at:

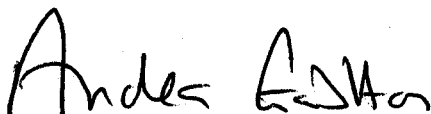
The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 08456 30 60 60 or 01625 54 57 45

Website: [www.ico.gov.uk](http://www.ico.gov.uk)

There is no charge for making a request for internal review or appeal to the Information Commissioner.

Yours sincerely,



Andrea Gabbitas  
Head of Business Services