

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

Date: 17 May 2021

Your ref: FOI

Our ref: FOI 2021/340

Reply contact name is: Ellie James

Dear ****,

I write in connection with your request for information dated 12 April 2021 concerning Serving Police Staff with Criminal Convictions.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and having consulted our Professional Standards and Vetting Department I am now able to respond as follows.

You wrote:

1. How many people does your police force/constabulary have in each of the following roles?
 - a. Police Officer (Detective or Constable, including Specials)
 - b. PCSO
 - c. Other Police staff
2.
 - a. How many of your Police Officers (Detective or Constable, including Specials) have criminal convictions?
 - b. How many of your PCSOs have criminal convictions?
 - c. How many of your other Police staff have criminal convictions?
3. For each conviction, please provide the following information:
 - a. The person's role and/or rank
 - b. The offence
 - c. Whether the person received a custodial sentence (suspended or otherwise)
 - d. Whether the person was convicted before they joined the police

Our response:

The information that you are requesting is not stored in a way which permits easy retrieval.

Wiltshire Police follows the College of Policing Vetting Authorised Professional Practice (APP). This APP provides guidance to ensure both new joiners and existing staff (police officers, staff, volunteers and contractors) are vetted.



INVESTOR IN PEOPLE

This vetting includes a PNC/PND check which would identify criminal prosecutions, arrest etc. Not all offences would preclude someone from working within the police service, as an example someone arrested for a minor offence in 1980 as a teenager is unlikely to fail vetting in 2021 if they have been otherwise of good character.

Individuals are then reviewed at set periods as per the APP Vetting and the Vetting Code of Practice. This would identify any subsequent arrests/convictions if we were not made aware by the applicant/new joiner. There are internal processes in place whereby staff/officers must notify of arrests/convictions/speeding offences etc, in fact if they fail to do inform us, they would be subject to a misconduct investigation for honesty and integrity, as well as the likely discreditable conduct. There is also an annual Integrity Health Check at the point of annual performance reviews (ePDRs). The ePDR is completed for all officers and staff by the end of the financial year and allows for an opportunity to review the individual's personal circumstances.

What we do not hold is a list of officers/staff that do hold a prior conviction, it will be on PNC/PND still and it would be referred to within the Vetting report within our vetting database. If officers or staff become the suspect in a criminal investigation, there would be a parallel misconduct investigation and that would therefore hold the details of the crime. In most cases, officers or staff subject to a criminal investigation are suspended from the Force whilst that investigation takes place. Following the criminal matter being dealt, in most cases a misconduct investigation will follow.

In order to obtain the information you are requesting, we would need to perform a PNC/PND check of every individual on the Force to identify those with a criminal conviction, or open each personnel file and conduct a manual search.

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it.

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request to a more manageable level. However, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

I can however advise that in response to Q1: 1. How many people does your police force/constabulary have in each of the following roles?

a. Police Officer (Detective or Constable, including Specials) b. PCSO c. Other Police staff

Police workforce data is published by the Home Office in line with the Home Office publication Scheme [here](#). Therefore, the formal response to this question would be that it is exempt by virtue of S21 Information reasonably accessible by other means and S22 Information intended for future publication.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Ellie James
Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure, details can be found on the following page.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:
Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk