

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.ukDate: 20th October 2021

Your ref: FOI

Our ref: FOI 2021 / 813

I write in connection with your request for information dated 11th October concerning sexual offences in care and nursing homes.

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 I am not obliged to supply the information you have requested.

You wrote:

Please provide the figures per calendar year for each of the following years: 2018, 2019, 2020 and 2021 (1 Jan to 31 Sep).

1) How many alleged sexual offences have been recorded at residential care homes and nursing homes for adults in your force area over the requested period?

For Q1, can you please distinguish the totals between care homes and nursing homes, provide a breakdown of the type of alleged sex offences recorded by your force at residential care homes and nursing homes for adults, and tell me the number of the allegations where the alleged perpetrator of the offence was a member of staff at that care establishment when the alleged offence was committed.

Alleged sexual offences can include but are not limited to: abuse of position of trust of a sexual nature, exposure and voyeurism, sexual activity etc. with a person with a mental disorder, sexual assault on a female aged 13 and over, rape of a male aged 16 and over, rape of a female aged 16 and over, sexual assault on a male aged 13 and over.

1b) How many alleged sexual offences recorded at residential care homes and nursing homes for adults resulted in charges/ summons being made?

Can you please break down Q1b in the same way as you did Q1.



Our response:

The information that you are requesting is not stored in a way which permits easy retrieval. The location of the incidents are not categorised where a 'care home' or any variant would be used as a mandatory field. This means in order to accurately find the data you have requested, we would have to manually sift through some 3500 different logs from 2018 to present, to see if the assault/offence was conducted within a care home.

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.

Under our section 16 duty to provide advice and assistance, we advise you how to refine your request to a more manageable level.

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.

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

Yours sincerely,

Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



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