

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

[www.wiltshire.police.uk](http://www.wiltshire.police.uk)[disclosure@wiltshire.pnn.police.uk](mailto:disclosure@wiltshire.pnn.police.uk)

XXXXXX – by email

Date: 28<sup>th</sup> April 2022

Your ref: FOI

Our ref: FOI 2022 / 378

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 27<sup>th</sup> April 2022 concerning Harm and Abuse in Residential Care Settings.

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 can you provide relevant data for the following:

The total number of cases regarding resident-to-resident harm/abuse in residential care settings reported to your police force between 2018-2021 (please provide a breakdown per year).

Of these concerns/complaints, please provide:

- A brief description of the nature of the case (i.e sexual abuse)
- The outcome of the case (i.e whether there was a police investigation, and the result of said investigation.)

Please could you provide the information in an electronic format, more specifically, datasets in Excel format.

**Our response:**

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



INVESTOR IN PEOPLE

Whilst our crime recording systems are sophisticated we do not record resident-to-resident abuse or harm in a care setting in a unique (searchable) crime group or category.

Generally we record crimes under specific Home Office Crime Codes or “generic” offence categories such as Violence Against The Person, Theft, Burglary and so on.

The types of resident-to-resident abuse or harm you are referring to is likely to be reported under Violence or Sexual Offences, but depending on the specific incident in question, they could also be classified under other crime types such as Theft, Criminal Damage or Robbery.

Whilst we do have a number of specific fields on our database upon which we can undertake specific searches, the fields for Business and/or Address Type (eg Care Home) are not mandatory fields for users and are often left blank or the information is not necessarily known. As a consequence, we cannot rely on any searches of those fields to generate results that can be trusted.

Similarly, we are unable to undertake searches for the word “Care Home” specifically as a number of those homes are known by other Unique names not necessarily featuring those two given words.

We are also unable to undertake searches based on either the Victim or Suspect Role as – once again – they are not mandatory fields, are seldom used or the information is not known at the time the offence is recorded. Searches of this nature could also not be trusted for accuracy.

The only way to ascertain the information you require would be to review each and every relevant crime occurrence and determine whether initially, it occurred in a care home setting and secondly, whether it was resident-on-resident and then record the details.

Given that for the time period you have requested, Wiltshire Police have recorded in excess of 62,000 individual Violence Crimes and 6,000 Sexual Offences alone, 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.

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,

Nick Penny  
Disclosure Decision Maker

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



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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](mailto: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](mailto:mail@ico.gsi.gov.uk)