



Force Disclosure Unit

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.uk

disclosure@wiltshire.pnn.police.uk

Date: 8th June 2022

Your ref: FOI

Our ref: FOI 2022 / 387

Dear ***,

I write in connection with your request for information dated 3rd May 2022 concerning Force Tribunal Cases.

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 Insurance and Litigation Unit and our HR I am now able to respond as follows.

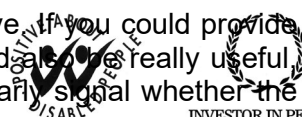
You wrote:

I would like to request the following information under the Freedom of Information act. I am looking to find out information about cases of racial, sexual and homophobic discrimination which have been brought against the force by officers, staff, PSCO's and all other police force members.

I would like the following information:

1. In how many racial, sexual, homophobic discrimination cases which have gone to employment tribunal have the claimants (officers, staff, PSCO's etc) had their claim upheld?
2. When the claimant has had their claim of racial, sexual, homophobic discrimination upheld by the tribunal, how much, in each instance, has the force had to pay in damages, compensation and legal costs? If you could provide an overall total for the amount of money, as well as breaking it down for each case.
3. How many racial, sexual, homophobic discrimination cases have been settled in an out of court settlement?
4. In the cases where a settlement has been reached, how much was the settlement? If you could provide figures for each individual settlement as well as an overall total for all the settlements which have occurred?

I would like to request these figures for the time period 2017-2021 inclusive. If you could provide any information about cases which have occurred during 2022, that would be really useful, but please clearly date each case for clarity. In each instance, please clearly signal whether the



case is for racial, sexual or homophobic discrimination or if the case involves more than one of the forms of discrimination (e.g. racial and sexual discrimination).

Our response:

Question 1: 1 case.

Question 2, 3 & 4: Under the Freedom of Information Act 2000 (FOIA), these questions are exempt by virtue of the following exemption:

Section 40(2) Personal Information

Section 40 is an absolute exemption and therefore there is no requirement to articulate the harm or conduct a Public Interest test.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide 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.

Exemptions applied: Section 40(2) – Personal Information

In accordance with Section 17 of the Act, this letter acts as a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered. I would like to apologise for the delay in answering your 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