

# WILTSHIRE POLICE



XXXXXXX  
By email

**Force Disclosure Unit  
Police Headquarters**  
London Road  
DEVIZES  
Wiltshire  
SN10 2DN

**Date** 6<sup>th</sup> December 2022

**Our Ref** FOI 2022/952

Dear XXXXX,

I write in connection with your request for information dated 29<sup>th</sup> November 2022, concerning IOPC referrals and reasons.

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.

Following receipt of your request, research was conducted by the Professional Standards Department at Wiltshire Police. Your request for information has now been considered and I am not obliged to supply the information you have requested.

## **You wrote:**

I'm writing to you under the Freedom of Information Act (2000) to ask that you please disclose to me how many IOPC referrals have been sent from your force between Jan 1 2017 and 31st August 2022.

I'd also like to know what percentage of these were 1) complaints 2) DSI referrals, or 3) RCMs. I would specifically (you may have to ignore DSI referrals for this) like to know how many of these were relating to matters of potential misconduct, and the amount of them that were upheld, and what action this resulted in. If you are unable to achieve this within the cost limit, then I would like the same but for the last three years up to the end date (2020, 2021, 2022).

I've already received information from the IOPC regarding the amount of referrals there have been overall during this timeframe, and they've instructed me that the best way to find out more information as to the nature and status of them would be to contact the individual forces, which I am now doing.

## **Our response:**

Section 1(1)(a) of the Freedom of Information Act 2000 (FOIA) requires Wiltshire Police to confirm or deny whether the requested information is held. To establish whether the information is held - namely IOPC referrals and reasons - would in itself exceed the time obligations placed upon the authority to comply (18 hours) and therefore engages section 12(2).

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If a referral is made to the IOPC, the information regarding this referral will be held in the file type it relates to (complaint, conduct, DSI etc) and is attached to the file as a document. It is not input into the system manually. To establish the information required to respond to this request would require manually reviewing every file type between 2017 and 2022. I have sought advice from our Professional Standards Department as to whether narrowing the timeframe would be of assistance, however it would not be. For example, in 2022 alone there would be in excess of 1500 cases to manually review.

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. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

Please also note that if one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Ordinarily under our Section 16 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. Due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved.

Section 17 of the Freedom of Information Act 2000 requires 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.

Please contact me if you would like to discuss the withheld information.

Yours sincerely,

Abigail Standidge

Phone: 01722 547081

Email: [abigail.standidge@wiltshire.police.uk](mailto:abigail.standidge@wiltshire.police.uk)

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



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# 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.police.uk](mailto:disclosure@wiltshire.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)

**Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.**

**If you should wish to contact them, please visit <https://ico.org.uk/global/contact-us/>**

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