

**Police Headquarters**

London Road

DEVIZES

Wiltshire

SN10 2DN

disclosure@wiltshire.police.ukDate 3rd February 2023**Our ref** FOI 2023/101

Dear ***,

I write in connection with your request for information dated 19th January concerning Public Interest Disclosure Procedures resulting in disciplinary action against an officer.

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 you the information you have requested.

You wrote:

Between the 9th March 2021 and 18th January 2023 (1 year, 10 months, 9 days)

(A) How many officers between the above dates have used the Public Interest Disclosure Procedures which resulted in an officer having disciplinary action taken against them or an investigation being launched

(B) How many calls have been made to your confidential police hotline between the above dates which resulted in an officer having disciplinary proceedings taken against them or an investigation being launched

(C) How many officers between the above dates have faced misconduct proceedings for failing to challenge or report improper conduct?

FOR CLARITY

(A) I want to know how many cases of whistleblowing has there been in the force and how many of the cases resulted in an officer or officers facing disciplinary action or an investigation launched

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(B) How many calls have been made to your confidential police hotline between the above dates and how many of those calls resulted in a police officer facing action or an investigation launched

(C) I want to know how many officers had disciplinary action taken against them for failing to report improper conduct

NOTE: For the purposes of this FOI confidential police hotline should be taken to mean a phone number that police officers and staff can use to raise a concern in confidence and that is not available for public use

Response:

The information you have requested for majority of your request is not stored in a way that permits easy retrieval. We currently do not have the capability within our systems to flag for information on how many officers have used the Public Interest Disclosure Procedures which resulted in an officer having disciplinary action taken against them, which can then be analysed quickly and easily.

The ascertaining of this information would only be possible by a manual search of over 2,500 cases, to determine if any of them relate officers that have used the Public Interest Disclosure Procedures which resulted in an officer having disciplinary action taken against them.

In addition to this, in relation to question B, the calls to the hotline are managed by Crimestoppers Integrity Line and as a result we do not hold any information in relation to this question.

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.

Although excess cost removes the forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I am able to provide you are the answers documented below:

(C) How many officers between the above dates have faced misconduct proceedings for failing to challenge or report improper conduct? 0

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:

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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

Force 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

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.

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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.

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

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 you contact them, please visit <https://ico.org.uk/global/contact-us/>

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