

WILTSHIRE POLICE



Via Email



Police Headquarters

London Road

DEVIZES

Wiltshire

SN10 2DN

disclosure@wiltshire.police.uk

Date 21/04/2023

Your ref: FOI

Our ref: **FOI 2023/398**

Reply contact name is:

Dear ,

I write in connection with your request for information dated 05/04/2023 concerning officers re-hired or transferred from other forces and retired officers written to about potential re-employment.

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:

1. How many police officers has the force re-hired in the past five years who have previously been disciplined at police misconduct proceedings during their career, or previously retired while under investigation for misconduct? Please could this information be broken down by category and by year (including 2023 until present date, 2022, 2021, 2020, 2019)? If it is the case that any individual police officer in these categories has been re-hired more than once during this period, please could this be flagged with details provided.
2. How many police officers has the force employed in the past five years who have been transferred from another force and have previously been disciplined at misconduct proceedings during their career, or previously retired while under investigation for misconduct? Please could this information be broken down by category and by year (including 2023 until present date, 2022, 2021, 2020, 2019)? If it is the case that any individual police officer in these categories has been employed more than once after being transferred, please could this be flagged with details provided.
3. How many retired police officers has the force written to in the past five years asking them to consider applying for jobs as police officers? Of those it has written to in this category, how many had previously retired while under investigation for misconduct or had previously been disciplined at police misconduct proceedings

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during their careers? Please could this information be broken down by category and year-by-year (2023 to present date, 2022, 2021, 2020 and 2019). If the same police officer has been written to more than once during the period, please could this be flagged with details provided of how many times they have been written to and when.

Response:

The type of information you require is not stored in a way which allows for easy retrieval. To provide the information for point 1, Wiltshire police would have to create or obtain a report of the police officers that left and been rehired, then cross check each individual against centurion and their personal files, to ascertain if there were any misconduct proceedings during their careers. We would be unable to provide any details as requested, as this is personal to the individual.

For Point 2, Wiltshire police would have to identify all transferees that have been employed over that period, and go through all documentation that has been supplied. It is not guaranteed that their previous Force would have given us all the information regarding misconducts throughout their career. Again, we would not provide any personal information

For point 3, Wiltshire police would have to go through all recruitment files to understand who we have written to, and we may not have kept records of individual letters sent. We would then have to cross check against centurion and personal files to understand if there were any misconduct proceedings. Again, no details would be provided

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 falls under the exemption of section 12 of the Freedom of Information Act 2000.

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. However, 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 the Constabulary, 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.

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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

Force Disclosure Decision Maker



The 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.

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.

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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/>