



Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: March 8, 2024

Our ref: FOI 2024/134

Reply contact name is:

Dear,

I write in connection with your request for information, dated 31st January 2024, concerning police driver misconduct.

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, searches were conducted with the Professional Standards Department of Wiltshire Police.

Your request for information has now been considered and it is not possible to meet your requirements in full.

You Wrote:

The number of basic police drivers who between 1st January 2020 and 1st January 2024 who have been subject of misconduct matters regards using police emergency equipment, commonly referred to as V&A equipment, to stop vehicles when not authorised to do so. Specifically relating to stops only, not pursuits nor other misuse.

The outcome of those matters listed in 1.

The number of police drivers between 1st January 2020 and 1st January 2024 who, on duty have been reported for using a mobile device (incorporating mobile telephones) and the outcomes, i.e management advise, misconduct meeting/hearing and result.

If available in relation to (3) the number of those uses for a policing purpose, for example using a police issued mobile device to conduct a PNC check whilst driving and again the outcome.

Response:

Question One

One

Question Three

Two complaints

Question Four

No Information Held

Due to the very low numbers as per Questions One and Three, part of your Freedom of Information request is exempt from disclosure. To clarify, Questions Two and part of Question Three is exempt from disclosure by virtue of the following exemption:

Section 40(2) – Personal Information

Section 40 is a class based absolute exemption, for that reason there is no requirement to articulate the harm in disclosure or a requirement for the public interest test. However, disclosing this information would breach the Data Protection Act 2018, specifically Principle One (Fairness).

Section 17 of the Freedom of Information Act 2000 requires Wiltshire Police, 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. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemption applied:

Section 40(2) – Personal Information

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

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

Keeping Wiltshire Safe



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.

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:

Keeping Wiltshire Safe

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/>