

WILTSHIRE POLICE



Force Disclosure Unit

Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 2nd February 2024

Ref: FOI 2024/086

Dear,

I write in connection with your request for information dated 21st January 2024 concerning individuals who have applied to have their name removed from the College of Policing Barred List.

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 Counter Corruption Unit of Wiltshire Police.

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

You wrote:

Dear Wiltshire Constabulary,

From 23 January 2021, individuals can apply to have their names removed from the College of Policing Barred List:

<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.college.police.uk%2Farticle%2Fdismissed-police-officers-barred-list-name-removal-process&data=05%7C02%7Cdisclosure%40wiltshire.police.uk%7C38e70e763b7e472eaa308dc1aa44e6b%7C4e5729cf852d4510921251157ca27e3e%7C0%7C0%7C638414540492358594%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQljoiv2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=iHZeZb3awX%2BPKZxYEaGCopVasqQ8pJtOgWZ1WcmwOB0%3D&reserved=0>

The procedure:

"2.2. The application will then be forwarded to the force [head of professional standards department (PSD)/appropriate authority]."

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<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fassets.college.police.uk%2Fs3fs-public%2F2021-01%2Fguidance-for-forces-on-barred-list-review.pdf&data=05%7C02%7Cdisclosure%40wiltshire.police.uk%7C38e70e763b7e472eaaf308dc1aa44e6b%7C4e5729cf852d4510921251157ca27e3e%7C0%7C0%7C638414540492358594%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQljoiv2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=MQjmFEJ05obLDy%2B4r4g9TXUVbaDC09Jj4l4xWCJ9xDI%3D&reserved=0>

1. Please provide the total number of applications forwarded to you by the College of Policing. Specify the number of applications relating to (i) officers, (ii) staff and (iii) volunteers.
2. Specify the number of these applications received in each calendar year ie 2021, 2022, 2023 and 2024.

Paragraph 4. explains the action to be taken regarding applications:

"4. Providing a recommendation to the College

4.1. At this stage, and within 20 days, the [head of PSD/appropriate authority] will recommend to the College either of the following, along with a clear rationale to inform the subsequent decision made by the College:

- i. recommendation (along with rationale) to the College that the name is removed from the Barred List
- ii. recommendation (along with rationale, outlining concerns) that the name is not removed from the Barred List."

3. Please provide anonymised information to show the number of recommendations for i. and ii above relating to (i) officers, (ii) staff and (iii) volunteers.

Our response:

1. Please provide the total number of applications forwarded to you by the College of Policing. Specify the number of applications relating to (i) officers, (ii) staff and (iii) volunteers.
1 application – PCSO.
2. Specify the number of these applications received in each calendar year ie 2021, 2022, 2023 and 2024.
1 application – 2023.
3. Please provide anonymised information to show the number of recommendations for i. and ii above relating to (i) officers, (ii) staff and (iii) volunteers.
Due to the level of detail you require, your request is exempt; as to provide you with these details would provide you with information, which in itself may identify individuals, or do so when put together with other information, which you may be able to obtain. This would then be a disclosure of that person's personal information in breach of the Data Protection Principles and therefore, exempt under Section 40(2) of the Freedom of Information Act 2000.

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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. 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

Section 40 is an absolute exemption and there are no requirements for any consideration of potential harm, or public interest in its application.

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.

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