

WILTSHIRE POLICE



XXXXXXX
By email

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

Date 27th March 2024

Our Ref FOI 2024-311

Dear XXXXX,

I write in connection with your request for information dated 14th March 2024, concerning Officer and staff 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, 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:

- The number of police officers and police staff suspended with full pay due to misconduct allegations during the financial years 2018-19; 2019-20; 2020-21; 2021-22; 2022-23
- The total amount paid in wages to officers and staff who were suspended with full pay due to misconduct allegations during the financial years 2018-19; 2019-20; 2020-21; 2021-22; 2022-23
- The average time it took the force to investigate and close misconduct allegations during the five-year period mentioned above, including how long it took (in days) for the lengthiest investigation to conclude
- The number of officers and staff who were dismissed due to misconduct during the period and the number of staff and officers who left the force but would have been dismissed during the period

Our response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.

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Whilst I can confirm Wiltshire Police do hold the requested information, section 12(1) of the FOIA states:-

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.

The information you are requesting is not stored in a way which permits for easy retrieval. Our system does not have the capability to search by suspensions alone because of the way the documents are currently attached within the system. To provide a response to this request requires manually interrogating each case for the requested years and extracting the relevant information. Having said this, our Professional Standards Department have been able to provide a partial response for information extracted prior to the realisation that completing the request in its entirety would exceed the time obligations on us to respond. To provide further information would exceed the time obligations and therefore is exempt.

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 note:

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.

Forces may use different recording systems, therefore it may be possible some Forces can provide this information where others cannot.

Under our Section 16 obligation to provide advice and assistance, we would advise you to refine your request to a more manageable level. The second question relating to wages paid may be something that could be answered if submitted separately, as this would be sent to another department, however there is no guarantee that further exemptions will not be applicable.

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 can provide you with is documented below:

Please note: This information does not contain the financial years 2018/19 and 2019/20, as it was at this point when it was realised continuing would exceed the time obligations.

- The number of police officers and police staff suspended with full pay due to misconduct allegations during the financial years 2018-19; 2019-20; 2020-21; 2021-22; 2022-23

Officer or Staff	Suspended Year	Suspended Month
2022/2023		
PC	2023	March
Staff	2023	March
Staff	2023	March
Staff	2023	March
Staff	2023	Feb

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PC	2023	Feb
PC	2023	Feb
PC	2023	Jan
PC	2023	Jan
PC	2023	Jan
Staff	2022	Dec
PC	2022	Nov
Insp	2022	Nov
PC	2022	Oct
Spec	2022	Oct
PC	2022	Sept
PC	2022	Aug
PC	2022	July
PCSO	2022	May
Staff	2022	May
PC	2022	May`
PCSO	2022	May
PC	2022	May
2021/2022		
Staff	2022	Jan
Staff	2022	Jan
Staff	2021	Dec
Staff	2021	Nov
PC	2021	Nov
PC	2021	Nov
Staff	2021	Sept
Staff	2021	Aug
Insp	2021	July
PC	2021	July
Staff	2021	June
2020/2021		
PC	2021	March
Staff	2021	March
Staff	2021	Feb
PC	2020	Oct
Staff	2020	Oct
PC	2020	Nov
Staff	2020	Nov
Staff	2020	Sept
Spec	2020	June
PCSO	2020	June
PC	2020	April

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,

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



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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.

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

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