



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

Date: 19th March 2024

Ref: FOI 2024/134

Dear,

I write in connection with your request for an internal review dated 12th March 2024.

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 now able to respond as follows.

Original Request:

1. 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.
2. The outcome of those matters listed in 1.
3. 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.
4. 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.

For clarity this information has been sought from your website and published information regarding misconduct hearings and has not been available. Internal matters of misconduct meetings, management advice, reflective practises would not be published as routine and therefore are requested as above under FOI.

Internal Review Request:

Thank you for your response.

Please accept this as a request for an internal review to be conducted into the response received.

I challenge the Section 40 non-disclosure as to the outcome of the sanction (if any) that was received by the officers found to have used a mobile telephone/device whilst driving and the outcome of the officer found to have used VA warning equipment whilst driving a police vehicle, whilst not authorised to do so, conducting a complaint stop.

Your explanation here is that it would likely identify the officers, which you consider personal information. I wholeheartedly disagree.

The Code Of Ethics has effect here, in that Fairness, Transparency and Accountability are fundamental to police disciplinary outcomes. This, to such an extent misconduct outcomes are published public information. The argument made here has no merit and therefore cannot stand.

It is absurd, that in releasing the information where the officer is simply able to be anonymous, being referred to as officer A, B, C, and notwithstanding good reason, which the explanation given simply does not meet, the information I claim should be provided without further hindrance or delay, unless of course reasons suitable of withstanding an investigation by the ICO in this matter can be met. I aver they cannot.

I point notes to similar challenges to other forces on the same note, that upon review have released the information sought.

Please therefore supply the outcome for officers A, B and C, and the sanction received for using a mobile telephone/device whilst using a police vehicle/using emergency warning equipment.

Our response:

Upon reviewing your original Freedom of Information request, the response provided to you as well as your request for an Internal Review – I do not uphold the original response provided to you whereby Section 40(2) was partially engaged. Please see below our amended response:

1. 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.
1.
2. The outcome of those matters listed in 1.
2-year written warning.
3. 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

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telephones) and the outcomes, i.e management advise, misconduct meeting/hearing and result.

2 complaints, both of which went no further action.

4. 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.

No information held.

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