



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-01607

Keyword: Finance

Subject: PSNI BONUS SCHEME

Request and Answer:

Your request for information has now been considered and the decision has been taken not to supply the information you have requested.

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, 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 not otherwise apparent) why the exemption applies.

The exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Question 1

Under the Freedom of Information Act 2000, I ask for a disclosure of information about PSNI bonuses. I understand from previous requests that PSNI officers partake in a bonus scheme. I wish to apply for disclosure on bonuses paid to officers in F District in the last three financial years (2006/07, 2007/08 and 2008/09).

Please outline details on the PSNI's bonus scheme, including instances on where or why a bonus may be paid to officers.

Answer

Pursuant to the provisions of Section 21 of the Freedom of Information Act 2000 it has been decided not to supply the information you have requested. Section 21 of the Act provides that information, which is reasonably accessible to the applicant by other means, is exempt information. The information you have requested is available from the Police Service of Northern Ireland's Publication Scheme. To access the information please visit our website at:

http://www.psnipolice.uk/bonus_reward_system.pdf. This document provides information on the Bonus Reward System. The following published document on the same subject may also be of interest to you; PNB Circular 02/9 (Advisory) <http://www.lge.gov.uk/lge/aio/53364>

Bonus payments are also available to District Commanders and these may be relevant to your request as question 3 asks for bonus payments to the District Commander in F District; PNB Circular 06/02 contains details of this scheme and is available here, <http://www.lge.gov.uk/lge/aio/53799>. A previous request also contains information on this same subject and is available here, http://www.psnipolice.uk/bonuses_district_commanders.pdf

Question 2

Detail each instance where a bonus was issued to a member of the PSNI's staff in F District. Please state the monetary value of the bonus, the area where it was issued (for example Dungannon, Cookstown), the reason it was issued (for example moving a dead body), and the rank of the officer who received the bonus.

Answer

Pursuant to the provisions of Section 40(2)(a)&(b) by virtue of Section 40(3)(a)(i) of the Freedom of Information Act 2000 it has been decided not to supply the information you have requested. To do so would require me to release personal details about individuals other than the applicant. This is due to the level of detail requested in this question. To release the monetary value of bonuses, the area where they were issued, the reason it was issued and the rank of the officer who received the bonus is personal information relating to those individuals who were in receipt of bonuses and from this information and other information that may be available in the public domain would allow identification of those individuals. This would be a breach of the Data Protection Act and is catered for within Freedom of Information by the exemptions under Section 40(2) as outlined below.

Section 40(2) is a Class-based exemption, therefore it is not necessary to evidence the harm caused by disclosure. The data protection rights of third parties would be breached by disclosure, therefore Section 40(2) is an Absolute exemption and a Public Interest Test is not necessary. This is so because personal data is governed by other law (The Data Protection Act 1998).

All requests made under FOIA are applicant blind. A request must be treated as such and a public authority will always view any disclosure as into the public domain and not just to an individual.

Personal Data is regulated under the principles of the Data Protection Act 1998 and when information contains personal data about a third party it can only be released if disclosure would not breach any of the data protection principles.

Principle 1 is that personal data must only be processed lawfully and fairly. The consideration of fairness is made by balancing the public interest in disclosure of the information against the rights and legitimate interests of the data subjects. To process this information for any other purpose, i.e. by releasing it under Freedom of Information at this level of detail would be unfair to the individuals concerned and therefore a breach of this principle. The public interest in disclosure can however be satisfied by release of information at a lesser level of detail.

In the last three years the PSNI in F district have made bonus payments to three officers. The total value of these bonus payments is £1,250.

Question 3

Please specify any bonus payments issued to Mr Michael Skuce (F District Commander) in each of the last three financial years, including its value and the reason for issuing a bonus.

Answer

Pursuant to the provisions of Section 40(2)(a)&(b) by virtue of Section 40(3)(a)(i) of the Freedom of Information Act 2000 it has been decided not to supply the information you have requested. To do so would require me to release personal details about individuals other than the applicant. This is due to the level of detail requested about a specific individual in this question. This would be a breach of the Data Protection Act and is catered for within Freedom of Information by the exemptions under Section 40(2) as outlined below.

Section 40(2) is a Class-based exemption, therefore it is not necessary to evidence the harm caused by disclosure. The data protection rights of third parties would be breached by disclosure, therefore Section 40(2) is an Absolute exemption and a Public Interest Test is not necessary. This is so because personal data is governed by other law (The Data Protection Act 1998).

All requests made under FOIA are applicant blind. A request must be treated as such and a public authority will always view any disclosure as into the public domain and not just to an individual.

Personal Data is regulated under the principles of the Data Protection Act 1998 and when information contains personal data about a third party it can only be released if disclosure would not breach any of the data protection principles.

Principle 1 is that personal data must only be processed lawfully and fairly. The consideration of fairness is made by balancing the public interest in disclosure of the information against the rights and legitimate interests of the data subjects. To process this information for any other purpose, i.e. by releasing it under Freedom of Information would be unfair to the individual concerned and therefore a breach of this principle.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this email.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ <http://www.psni.police.uk/>

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.