



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-02195

Keyword: Human Resources

Subject: LOCAL ABSENCE REVIEW PANEL

Request and Answer:

Question 1

Firstly, could you tell me the total number of LARP hearings there have been in PSNI since the process was introduced

Answer

Please note, a Local Absence Review Panel (LARP) hearing is convened to consider many officers' cases at a single hearing. There have been 2318 individual cases heard by panels since the introduction of the process.

Question 2

From those hearings, how many have been mitigated?

Answer

1237 have been fully mitigated and 50 partially mitigated. Please note, mitigation can be granted in respect of one or a number of absences incurred by an individual, and even after mitigation being granted, an individual may remain in breach of the trigger used in monitoring absences and further management action occurs as a result.

Question 3

I would like access to any information relating to the LARP that was done regarding me and my sick leave record.

Answer

In accordance with the Act, this letter represents a Refusal Notice for this particular request. 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 the request is held. The second duty at S1 (1) (b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon section 17 of FOIA requires that we provide the applicant with a notice which a) states that fact b) specifies the exemption(s) in question and c) states (if it would not otherwise be apparent) why the exemption applies.

The Police Service of Northern Ireland (PSNI) can Neither Confirm Nor Deny that it holds the information relevant to your request, as the duty in Section 1(1) (a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 40(5) Personal Information.

A disclosure under the Freedom of Information is a release of information to the world in general and not an individual applicant. Therefore, simply confirming or not that such information were held would disclose personal information about an individual thereby breaching the Data Protection Act.

Neither confirm nor deny is needed to protect any harm, which may arise if the Police Service of Northern Ireland has to confirm or deny it holds particular information. In some situations, simply to confirm or deny whether a particular category of information is held could in itself disclose sensitive or damaging information.

Personal data if held by a police service should not be disclosed into the public domain and privacy must be respected.

Any information released under the Freedom of Information Act in response to requests is deemed to be released into the public domain.

I can, however, advise you, as required by Section 17(4) of the Act that such information, if it were to exist, would be reasonably expected to be exempted under Section 40(5) - Personal Data.

However, this should not be taken as conclusive evidence that the information you requested exists or does not exist.

For your information, I have attached a link below to the subject access form which should be completed when requesting personal data. However, it should be noted that the provision of this form is not confirmation that any relevant information is held and that if any is held it may be subject to exemptions under the Data protection Act.

http://www.psnipolice.uk/index/support/support_subject_access_requests.htm

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 @ www.psnipolice.uk

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