



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-03451

Keyword: Human Resources

Subject: Acting And Temporary Sergeants in PSNI

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

Question 1

Can you give me a list of all acting and temporary Sergeants throughout the PSNI with a breakdown of where they are serving and the length of time they have been acting or temporary? I need a further breakdown of each officer's gender, sexual orientation, age, marital status, religion and length of service. I also need details of how long each officer is expected to continue in their position.

Question 2

Re 1 above, can you please give me a list of whether or not each officer's position was advertised and whether or not each officer holds the exam for that rank?

Answer

Please see table below.

In relation to the breakdown of each officer's name, gender, sexual orientation, age, marital status, religion, length of service and details of how long each officer is expected to continue in their position, I am exempting this information under Section 40 and Section 38 of the FOI Act 2000.

Section 17(1) 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:

Section 38 (1) (a)(b) - Health & Safety

Section 40 (2) (a)(b) by virtue of Section 40 (3)(a)(i) - Personal Data

Section 40(2) (a) - Personal information is an absolute exemption which means there is no requirement on the Public Authority to consider whether there is a public interest in disclosure.

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.

Any disclosure under FOIA that could highlight the personal data relating to officers who have acted up/been temporary promoted may breach principles 1 and 2 of the Data Protection Act 1998.

Data that relates to an individual's sexual orientation and religion is classified under the Data Protection Act 1998 as sensitive. In essence, the Act places a higher level of importance on this type of information. If not handled appropriately it then has the potential to cause distress and alarm to the person to whom it's about.

Providing figures on their own may not constitute personal data but combined with other information such as gender, age, marital status, religion, length of service and details of how long each officer is expected to continue in their position, raises the potential to identify those officers.

Any requests processed under FOIA will be applicant blind but in this instance you have made the request from an internal PSNI email. As you are a member of the PSNI you may have access to further information that could be linked to this information and therefore those officers could be identified.

PSNI Officers will expect their personal details regarding their sexual orientation and religion be treated in a highly confidential manner. Only certain trained staff will have access to this information and they will not expect this information to be made available to the general public.

The information requested is for the personal data of those individuals who are in an acting or temporary Sergeants role. Officers who are in this position and work within specific departments or districts will be aware of who is acting up at a particular time within their small area of work but may not be aware of who is acting up throughout the organisation.

Acting up periods will vary due to a number of factors and will be managed by senior management and PSNI Human Resources Departments. Information of this nature is made available to internal PSNI staff via weekly bulletins etc. However, I believe to release the requested information into the public domain will identify and potentially have an impact on those officers in a professional capacity.

There is an expectation that personal details imparted and recorded relating to acting or temporary sergeants are only to be used for the purpose for which they have been provided, in this case for the purpose of Staff Administration - for appointments or removals, pay, discipline, superannuation, work management or other personnel matters in relation to the staff of the Chief Constable.

Sections 38 is a prejudice based and qualified exemption so it is necessary for a public authority to state the harm that would or would be likely to be caused by release and carry out a Public Interest Test.

Harm Test

Section 38

The disclosure of names and this level of personal detail into the public domain would be likely to endanger police officers as this level of detail may be used by terrorists gathering intelligence on officers.

Public Interest Test

Factors Favouring Release – Section 38

Releasing the information may assist in an understanding of the ‘acting up/temporary promoted’ process.

Factors Favouring Retention – Section 38

Release of this information would be likely to place at risk the lives of officers. This is because the detailed information in question would be useful to terrorists planning to carry out attacks on police officers. This may also endanger family members and the public.

Decision

The safety of Police Officers is paramount and the PSNI will not disclose information such as officers’ names and personal information which may put officers’ lives at risk. It is therefore considered that the need to withhold the information is greater than the public interest in disclosing it.

Question 3

Can you supply me with a risk assessment in relation to the ratio of response Sergeants to Constables and details of the agreed levels of supervision ratios agreed between the Federation, the Policing Board and Parliament and how, if at all, probationer numbers affect the ratios?

Answer

There is no supervision ratio agreement between the Federation, the Policing Board and Parliament. The PSNI endeavours to keep overall Sergeant: Constable ratios broadly in line with Great Britain Most Similar Forces (MSFs) as categorised by HMIC. Probationer Constables are counted as “Constables” for ratio purposes.

Question 4

Can you also attach to this list details of whether or not the area of Northern Ireland, or the threat or perceived threat, affects these ratios and any risk assessment around this?

Answer

Please see the response to question 3.

Question 5

Can you also give me details explaining why ratios vary around the country and how these ratios were agreed?

Answer

Please see response to question 3.

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 letter.

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.psni.police.uk

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

DISTRICT	ACTING SERGEANT	TEMPORARY SERGEANT	ADVERTISED	EXAMS HELD
A	0	7	5 yes 2 no	6 yes 1 no
B	0	8	8 no 2 filled from local A/Sgt select list	6 yes 2 no
C	-	-	-	-
D	2	2	No	2 yes 2 no
E	0	7	7 yes	6 yes 1 no
F	1	3	Not individually but advertised to those interested	1 yes 3 no
G	1	8	3 yes	4 yes

			6 no	5 no
H	0	1	Advertised locally	1 yes
Operational Support Dept	2	10	Not necessarily advertised register interest/volunteer	3 yes 9 no
Crime Ops	0	24	6 yes 18 appointed as per guidelines	9 yes 15 no
HR	0	1	1 no	1 no

With regards Part 2 of the Sergeant's exam, this was removed from the Promotion Criteria in December 2010.