



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-01348

Keyword: Human Resources

Subject: Specialist Posts - Inspector Rank

Request and Answer:

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

I have today decided to:

- disclose information in response to question 1 in full and;
- fully exempt information in response to question 2 pursuant to the provisions of Sections 41 & 44 of the Act.

Question 1

Please provide the following details:

A list of specialist posts to which Inspector ranks have been appointed between 1 December 2009 to 15 April 2011.

Answer

Please see the list of appointments to specialist posts from 1 December 2009 to 15 April 2011 at the end of this correspondence.

Question 2

Please provide a gender and community breakdown for those role holders at Inspector rank allocated to specialist posts during the period 1.12.09 to 15.4.11.

Answer

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 exemptions, as well as the factors the Department considered, are listed below:

Section 41 – Information Provided in Confidence

Section 44 – Information Covered by Prohibitions on Disclosure

Sections 41 and 44 are absolute exemptions and there is no requirement for the PSNI to consider whether the public interest favours disclosure.

Section 41 – Information provided in confidence

Information relating to gender, religion and ethnicity is requested under legislation from any person who wishes to be employed as a police officer or support staff member. This information is regarded as confidential and will be treated accordingly.

It embraces a high quality of confidentiality and this assurance was given at the outset. If used wrongly or inappropriately it would have a detrimental impact on the persons concerned.

The gender, religious and ethnic make up of the PSNI since its inception has been of public interest and also subject to media attention but any release of this type of data will usually be provided to District Command or full Service level. When large numbers are released it is extremely difficult to specifically highlight certain small groups or units, therefore the potential to breach the confidentiality of an individual officer or support staff member is greatly reduced.

Confidentiality can only be lawfully breached in three main areas: _

- 1) If there is an overriding public interest to do so,
- 2) The individuals concerned provide their consent or
- 3) The law dictates that it should be.

As none of these conditions can be met it is appropriate this information should not be disclosed.

Section 44 – Prohibitions on disclosure

In this instance the community background information of employees within the PSNI is gathered and retained for monitoring purposes only, in accordance with the Fair Employment (Monitoring) Regulations (NI) 1999. In particular Part III 16 (2) of the above Regulations states that it is an offence to disclose the community background determination of individual employees, and as a result the information requested cannot be provided.

In essence there is UK law in place that states this information cannot be disclosed and therefore the PSNI is exempt from the duty to communicate this information.

In conclusion, information initially gathered and further processed by the Police Service focusing on religion, gender and ethnic background is conducted with due regard to the confidentiality and the privacy of the individuals concerned. There is an expectation that personal details imparted 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.

This information is classified as sensitive within the Data Protection Act and each individual

concerned will have his or her own view on the level of sensitivity they place on it. As previously mentioned, how representative the PSNI is of the community it serves is very much in the public interest. Figures have and will be released into the public domain but will not be at a level that would highlight specific police units or small groups of officers.

This is purposely managed to ensure the following: -

- No one can be identified,
- There is no breach of a person's confidentiality,
- It does not place anyone under any harm or cause distress,
- It does detract from our core policing purpose and it does not break any UK law on disclosure.

The PSNI will not disclose information that is subject to confidentiality clauses where that release could result in the provider or third party taking the organisation to court. A release under the Freedom of Information Act is a release into the public domain and not just the individual applicant.

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.

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Appointments to Inspector Specialist posts - 1st December 2009 to 15th April 2011.

Q1

Dept	Branch	Unit
Crime Ops	Intelligence	Intelligence Branch
Criminal Justice	Criminal Justice	Criminal Justice
Ops Support	Operations	BRC
Crime Ops	Intelligence	Intelligence Branch
Criminal Justice	Criminal Justice	Criminal Justice
Criminal Justice	Criminal Justice	Criminal Justice
Crime Ops	Specist Ops	Specist Ops
Urban Region	A District	CID
Criminal Justice	Criminal Justice	Criminal Justice
Ops Support	Operations	TSG 5
Ops Support	Corp Support	Info Assure
Ops Support	Operations	Emergency Plan
Urban Region	Urban Region	Viper ID
Crime Ops	Specist Ops	Specist Ops
HR	Personnel	Police Posting
Ops Support	Operations	Close Prot
Ops Support	Operations	BRC
Ops Support	Corp Support	Ops Policy
Urban Region	A District	CID
Criminal Justice	Comm Safety	Public Prot
Crime Ops	Intelligence	Intelligence Branch
Criminal Justice	Justice Supt	CRO
Ops Support	Operations	BRC
Crime Ops	Intelligence	Intelligence Branch
Crime Ops	Intelligence	Intelligence Branch
Rural Region	F District	Tactical Crime
Crime Ops	Serious Crime	RCU
Urban Region	D District	CID
HR	Police College	Pub Order Training
Criminal Justice	Comm Safety	Public Prot
Urban Region	Urban Region	Research
Command	Legal Services	Legal Services
Crime Ops	Serious Crime	Remit
HR	Police College	Tact F'Arms
Urban Region	A District	CID
Crime Ops	Org Crime	Org Crime