



FREEDOM OF INFORMATION REQUEST



Request Number: F-2013-04145

Keyword: Human Resources

Subject: Police Officer and Civilian Staff Suspensions

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 questions 1 to 5 in full;
- disclose information in response to question 6 withholding the rank of the staff member, pursuant to the provisions of Section 40(2)(a)(b) by virtue of Section 40(3)(a)(i) of the Act.

Question 1

By rank the number of police officers presently suspended from the Police Service of Northern Ireland.

Answer

Inspecting rank - 1
Sergeant - 3
Constable (inc. part-time constables) -16

Question 2

By rank the length of suspensions of police officers currently suspended.

Answer

Please see the table detailed below:

Rank	Number of Days
Inspecting Rank	78
Sergeant Rank	421
	420
	37
Constable Rank (inc Part-time)	727
	524
	707
	665

	616
	545
	491
	462
	331
	293
	280
	213
	167
	140
	134
	77

Question 3

By rank the length of suspensions of police officers currently suspended under criminal investigation.

Answer

All of the above are suspended under criminal investigation with the exception of one Constable (293 days).

Question 4

By rank the number of civilian support staff currently suspended from the Police Service Of Northern Ireland.

Answer

Civilian Support Staff are categorised as Police Staff.

Administrative Support Assistant/Analogous - 1

Administrative Support Officer/Analogous - 1

Question 5

By rank the length of suspensions of civilian staff currently suspended.

Answer

Administrative Support Assistant/Analogous - 236 days

Administrative Support Officer/Analogous - 3 days

Question 6

By rank the number of civilian staff suspended currently under criminal investigation.

Answer

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, as well as the factors considered are listed below:

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

Section 40 is a Class – based exemption, therefore it is not necessary to evidence the harm caused by disclosure. The data protection rights of a third party would be breached by disclosure. Section 40(2) is an Absolute exemption and therefore 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.

Some of the requested information has resulted in the retrieval of low level data and disclosure of the staff member's rank has the potential to identify an individual from the data either through a comparison of what is already known or as an incidental consequence.

Releasing this information would be a breach of the Data Protection Act and is catered for within Freedom of Information under Section 40(2). To explain this further; 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. This data is held for the purpose of personnel administration and to process this information for any other purpose i.e. by releasing it under Freedom of Information would be unfair to the individuals concerned and therefore a breach of the principle.

I can advise that 1 civilian member of staff is under criminal investigation.

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.