



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2018-02468

**Keyword:** Human Resources

**Subject:** Police Officers on Sick Leave

### Request and Answer:

Your request for information below has now been considered. In respect of Section 1(1)(a) of the Freedom of Information Act 2000 (FOIA) I can confirm that the Police Service of Northern Ireland does hold the information you have requested however it is estimated that the cost of complying with your request for information would exceed the “appropriate costs limit” under Section 12(1) of the Freedom of Information Act 2000.

### Request 1

During the period 01-01-18 & 31-07-18, how many police officers were on sick leave for a period of 28 or more days?

### Request 2

How many of these officers had their Personal Protection Weapon removed by P.S.N.I.?

### Request 3

How many officers, on sick leave, have their warrant card removed and long with access to police establishments?

### Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the “appropriate costs limit” under Section 12(1) of the Freedom of Information Act 2000. Section 12 of FOIA allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to either comply with the request in its entirety or confirm or deny whether the requested information is held. The estimate must be reasonable in the circumstances of the case. The ‘appropriate limit’ is currently £600 for central government and £450 for all other public authorities including PSNI. The relevant Regulations which define the appropriate limit for section 12 purposes are The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 SI 2004 No 3244. These are known as the ‘Fees Regulations’ for brevity.

Regulation 4(3) of the Fees Regulations states that a public authority can take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the

request:

- (i) determining whether the information is held;
- (ii) locating the information, or a document containing it;
- (iii) retrieving the information, or a document containing it; and
- (iv) extracting the information from a document containing it.

Under those regulations PSNI can calculate the time spent on each of these permitted activities at £25 per hour (thus if the activity(s) takes more than 18 hours PSNI will be in excess of the 'appropriate limit').

Your previous FOI request – F-2018-01853 was deemed over-cost and the refinement stated *it would be possible to answer Request 1, in relation to Request 4 and 5 it **may be possible** to provide this information also.*

Enquiries made in relation to your current request have identified that retrieval of all information would exceed the 18 hour cost limit set by the Secretary of State under the FOI Act.

In relation to Request 2 & 3, Human Resources (HR) have advised that this information is not recorded centrally. HR have confirmed that officers availing of 28+ days sick leave are attached to 25 separate districts/departments across the organisation. Therefore, the retrieval process would require each of those districts and departments to conduct a manual trawl of records. Although difficult to quantify, 1 district has confirmed that the retrieval process would involve a manual trawl of FAP (Firearm Access Procedure) records to identify officers who were subject to this process and then ascertain the reason for the FAP. It may be that the firearm has been removed as their training is out of date as opposed to being related to their sickness. The FAP records are all hard copy and it is estimated to take approximately 10 mins to examine each record, equating to 24 hours for this part of your request, for this 1 business area alone. This estimate together with the remaining 24 business areas would further exceed the 18 hour cost limit set under the FOI Act by the Secretary of State.

**Under Section 12 of the Freedom of Information Act 2000, if any part of the request exceeds the cost threshold then the whole request will be excess costs and there is no obligation to answer any part of the request.**

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit. Unfortunately, as a manual trawl of records would be required for retrieval of any relevant information, it is not possible to offer any refinement to assist your request.

Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

***However, on this occasion, I can advise you the following response for Request 1 below.***

#### **Request 1**

During the period 01-01-18 & 31-07-18, how many police officers were on sick leave for a period of 28 or more days?

#### **Answer**

Human Resources have confirmed that during the period 01-01-2018 to 31-07-2018, there have been 862 Police Officers availing of sick leave for 28+ days.

If you have any queries regarding your request or this 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](mailto: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](http://www.psnipolice.uk)

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