

21<sup>st</sup> September 2017

**Freedom of Information Request – Reference No:20171427**

**REQUEST**

*Please can you provide the following information relating to your force.*

**1.**

***a) How many police officers, including special constables, were suspended on full pay in each of the last four financial years (April 2016- March 2017, April 2015 – March 2016, April 2014-2015, April 2013- March2014)? If a police officer's suspension crosses two financial years, please include them in every year the suspension was ongoing.***

***b) What was the overall sum paid by the force to the suspended officers whilst they were suspended during each of the financial years outlined above?***

***c) For each of the officers suspended during the period April 2013 – March 2017 please provide details of each officer's rank, reason for suspension, and outcome of suspension.***

**2.**

***a) What was/is the longest suspension during the period April 2013 – March 2017? Please give the figure in working days, if possible, or state whichever alternative measure you are using.***

***b) How much was paid to that officer during the suspension?***

***c) Please include details of the officer's rank, reason for suspension and outcome of suspension.***

**RESPONSE**

I contacted our Corporate Finance and the Professional Standards Department for assistance with your request. Whilst we hold the information, I cannot provide it to you in full at this time.

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire Police, 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 that would not otherwise be apparent) why the exemption applies).

The following exemption will be engaged:

**Section 31(2) (b) - Law Enforcement**

**HARM**

It would be harmful to release information into the public domain, of ongoing cases relating to alleged misconduct of employees. The release of further details at this stage may be likely to compromise such investigations and ultimately the right for a fair and transparent hearing.

## **PUBLIC INTEREST TEST**

### **Section 31 – Favouring non- Disclosure**

- The public would have a better understanding of the circumstances surrounding police complaints/misconduct/suspensions.

### **Section 31 – Favouring disclosure**

- If allegations are still being investigated, the disclosure of such information into the public domain may mean the investigation is prejudiced.
- Any disclosure of information relating to an ongoing investigation would compromise the right for an individual to have a fair hearing and more importantly the rights of a complainant for a resolution

### **Balance**

The principle of the Freedom of Information Act 2000 is to make public bodies more open and accountable and to help people to understand how public authorities carry out their duties. This must be balanced with the fact that we cannot take into account 'who' a requestor is. A response under Freedom of Information is essentially a response to the world as questions and responses are routinely published on our website

I am fully aware of the need for Public Authorities to demonstrate a level of openness and transparency, I am of the opinion that protecting information relating to any *ongoing* suspensions/cases is a more compelling argument. Therefore, at this time, the public interest favours the withholding of that information in full.

### **1c)**

Whilst this question would trigger the above exemption in regards to ongoing cases I have been able to provide the below closed case details for your research.

RANK	REASON	OUTCOME
CONSTABLE	DISCREDITABLE CONDUCT	DISMISSED
CONSTABLE	DISCREDITABLE CONDUCT	DISMISSED
CONSTABLE	DISCREDITABLE CONDUCT	DISMISSED
CONSTABLE	DISCREDITABLE CONDUCT	DISMISSED
CONSTABLE	DISCREDITABLE CONDUCT	DISMISSED
CONSTABLE	DISCREDITABLE CONDUCT/ORDERS & INSTRUCTIONS/HONESTY & INTEGRITY	DISMISSED
CONSTABLE	DISCREDITABLE CONDUCT	DISMISSED
CONSTABLE	HONESTY & INTEGRITY	DISMISSED
CONSTABLE	HONESTY & INTEGRITY/USE OF FORCE/AUTHORITY, RESPECT & COURTESY	DISMISSED
CONSTABLE	DISCREDITABLE CONDUCT	DISMISSED

CONSTABLE	DISCREDITABLE CONDUCT/ DUTIES & RESPONSIBILITIES	FINAL WRITTEN WARNING
CONSTABLE	AUTHORITY, RESPECT & COURTESY	FINAL WRITTEN WARNING
CONSTABLE	DISCREDITABLE CONDUCT	FINAL WRITTEN WARNING
CONSTABLE	NEGLECT OF DUTY	NO CASE TO ANSWER
CONSTABLE	ORDERS & INSTRUCTION	RETIRED
SERGEANT	DISCREDITABLE CONDUCT	DISMISSED
SERGEANT	DISCREDITABLE CONDUCT	RE-INSTATED TO FULL DUTIES
SPECIAL CONSTABLE	DISCREDITABLE CONDUCT/ORDERS & INSTRUCTIONS/HONESTY & INTEGRITY	DISMISSED
SPECIAL CONSTABLE	DISCREDITABLE CONDUCT	RE-INSTATED TO FULL DUTIES

I can however provide the following details:

Professional Standards have provided the below details:

1a)

*April 2016- March 2017- 4*

*April 2015- March 2016- 5*

*April 2014- March 2015 -9*

*April 2013- March 2014- 4*

2.a)

24 months is the longest suspension.

2c)

Constable.

Reason - Neglect of duty.

Outcome - No case to answer.

Questions 1b) & 2b)

The Payroll Manager was able to advise that they do not keep a register of suspended officers.

Therefore in this case under the FOI Act our response to these particular questions would be one of "No Information Held"