



Your reference:

Our reference: FOI_24_0732

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 02/09/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0732

On 08/08/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

How many times, since January 2020, has the force used the Common Law Police Disclosure mechanism to disclose to an individual's employer they have been arrested?

Please do not name the individual, and if the employer is likely to identify the individual, then please use a generic term – for example 'media company', or 'building firm'.

Please also state the year contact was made with the employer, and the nature of the allegation – for example 'fraud' or 'sexual offences', rather than the specific crime which could identify the alleged suspect .

For example:

2020 - Media company – Allegation of sexual offences

2022 – Construction firm – Allegation of theft

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary may holds some relevant information.

Unfortunately there is no central register for this information and no way to retrieve the information by way of electronic searches.

The information you have requested may be held by Gloucestershire Constabulary however, as stated above, we do not record such instances statistically, nor are they held in a format that would allow extraction within the permitted time constraints. Providing a definitive response would require all officers and staff to search both personal and departmental records to establish if any such disclosures have been made, and how many. Even by narrowing this request down to the most likely department to potentially hold this information, we have estimated that the request would far exceed the permitted

time constraints, therefore Section 12 of the Act is applicable. This section does not oblige a public authority to comply with a request for information if the authority estimated that the cost of complying with the request would exceed the appropriate limit of 18 hours, equating to £450.00

You should consider this to be a refusal notice under Section 17 of the Act.

When applying Section 12 exemption our duty to assist under Section 16 of the Act would normally entail that we contact you to determine whether it is possible to refine the scope of your request to bring it within the cost limits. However, from the information we have outlined above I see no reasonable way in which we can do so.

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1)– Fee Regulations states:

Section 1(1) of the Act does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

In accordance with the Act, this letter represents a Refusal Notice for your request.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary