



Your reference:

Our reference: FOI_25_0431

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 14/05/2025

Dear

Gloucestershire Constabulary Freedom of Information request 2025_0431

On 16/04/2025 you sent an email constituting a request under the Freedom of Information Act asking the following:

Thanks for your response to my request (25_0356), would it be possible to tell me the nature of the misconduct for each of the officers (i.e. did they access information improperly, behave inappropriately when communicating with a crime victim etc)? I trust this would not be exempt under S40. Plus there is a huge public interest in disclosure, as I am sure you appreciate.

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

Unfortunately providing the nature of the misconduct would still engage section 40. There is no expectation that the reason of an individual's misconduct circumstances would be made available to the public.

Section 17 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.

With regard to the disclosure of the final warning letters, the following exemption applies:

Section 40(2) Personal Information

Section 40(2) applies to third party personal data. This would not be released under the Freedom of Information Act unless there is a strong public interest. The disclosure of any information which could lead to the identification of an individual would breach the Data

Protection Principles contained with the Data Protection Act 2018, namely the first principle which states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals

This exemption is absolute and class based therefore I am not required to apply either the public interest test or harm test in disclosure.

In accordance with the Act, this letter represents a Refusal Notice for this part of 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