

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 10 February 2015

**Public Authority:** Chief Constable of Leicestershire Police

**Address:** Police Headquarters

St Johns

Enderby

Leicester

LE19 2BX

### **Decision (including any steps ordered)**

---

1. The complainant requested information relating to the suspension of staff.
2. Leicestershire Police failed to respond to this request for information and the Commissioner's decision is that in doing so Leicestershire Police breached sections 1(1) and 10(1) of the Freedom of Information Act 2000 (FOIA).
3. The Commissioner requires Leicestershire Police to take the following steps to ensure compliance with the legislation.
  - Respond to request.
4. Leicestershire Police must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the FOIA and may be dealt with as a contempt of court.

### **Request and response**

---

5. On 4 December 2014, the complainant wrote to Leicestershire Police and requested information in the following terms:

*"The number of staff suspended from work from April 2011 onwards, identifying the number of police officers and the number of civilian staff;*

*The length of time those staff were or have been individually suspended for and how much each received or has so far received in terms of salary/wage during their suspension. Again, although the individual identity of the staff is not requested, whether the staff were/are police officers or civilian staff should be identified;*

*The reason for each suspension. For example, this might be alleged corruption, bullying, sexual harassment, fraud, theft, unauthorised absence, racial discrimination, misuse of computers or other equipment (eg phones) and so on;*

*The outcome of each suspension, ie returned to work, dismissed, resigned or remain suspended."*

6. At the time of writing Leicestershire Police had failed to respond substantively to the request.

### **Scope of the case**

---

7. The complainant contacted the Commissioner on 14 January 2015 to complain about the failure of Leicestershire Police to respond to his request.

### **Reasons for decision**

---

8. Section 1(1) of the FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them.
9. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "no later than the twentieth working day following the date of receipt".
10. In this case Leicestershire Police has breached sections 1(1) and 10(1) of the FOIA by failing to respond to the request within 20 working days.

## Right of appeal

---

11. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: <http://www.justice.gov.uk/tribunals/general-regulatory-chamber>

12. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Jon Manners**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**