

Our ref: 01/FOI/24/012532/E

Please quote our reference
number when responding

Tuesday, 18 June 2024

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/012532/E

I write in connection with your request for information dated 24/04/2024, I note you seek access to the following information:

The Police Superintendents' Association (PSA) requests that the following information is provided in relation to misconduct cases within your force.

- 1. The number of police officers at superintendent and chief superintendent ranks, who were served with misconduct and gross misconduct papers for each calendar year from 2014-2023.*
- 2. The number of police officers at superintendent and chief superintendent ranks (as above), who were placed on restrictions as a result of the serving of a misconduct or gross misconduct notice for each calendar year from 2014-2023.*
- 3. The outcome of each misconduct and gross misconduct investigation launched against police officers at superintendent and chief superintendent ranks for each calendar year from 2014-2023. For clarity, please provide numerical data relating to the relevant instances of each outcome, ie the number of superintendents dismissed / receiving a written warning / receiving an outcome of 'no further action' etc, to cover all possible outcomes. Please ensure differentiation between 'final written warnings' and 'written warnings'.*
- 4. The demographic breakdown of the police officers at superintendent and chief superintendent ranks who received misconduct and gross misconduct notices in the calendar years 2014-2023, including numerical data relating to all protected characteristics including gender, ethnicity, sexual orientation and disability.*
- 5. The total number of outstanding misconduct and gross misconduct cases against police officers at superintendent and chief superintendent ranks as at 1st March 2024.*
- 6. Details of the length of time so far elapsed as part of the longest current live investigation into misconduct or gross misconduct and what allegations this relates to.*
- 7. The number of police officers at superintending ranks in your force who have been absent from work due to sickness as a result of being served misconduct or gross misconduct papers in the calendar years 2014 – 2023.*

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police to locate information relevant to your request. I can confirm that the information you have requested is held by Greater Manchester Police.

I have provided the data for finalised cases only as any data for proceeding & ongoing investigation is exempt by the virtue of the following exemption:

- **Section 30(1)(2)(a) – Investigations and Proceedings Conducted by Public Authorities**

Section 30 is a class based qualified exemption; there is a requirement to carry out a public interest test, which can be found below.

Public Interest Test

Factors Favouring Disclosure on Section 30

To disclose the exempt information, into the public domain, would show GMP's accountability, and satisfy the public, that investigations into such incidents are being conducted correctly. It would also show GMP's use of public funds investigating incidents of this nature.

Factors Favouring Non-Disclosure on Section 30

Conversely to the factors in favour of disclosure, to publicly release the data that is from an investigation that remains open may seriously undermine GMP's ability to complete the investigation to a full and correct conclusion.

Balancing Test

When balancing the public interest Greater Manchester Police has to consider whether the information should be released into the public domain. Arguments need to be weighed against each other.

The most persuasive reason for disclosing the information would be openness. This needs to be weighed against the strongest reason for non-disclosure which may seriously undermine GMP's ability to complete the investigations to full and correct conclusions.

Having considered all the factors for and against disclosure it is my belief that in this case, the reason against disclosure outweighs the reason for disclosure and so the decision at this time to maintain the above exemption and withhold the information from disclosure.

Please see the remainder of the requested information below.

Caveats

- The data provided for this request is what the systems currently hold and for finalised and closed cases only.
- Professional Standards Directorate do not hold the data requested for the years 2014 – 2019 as they were on a different system at the time which did not capture this data.
- We have provided the data from 01/01/2020 to 31/12/2023.

The information stated 'Exempt under S40' and yearly breakdown has been exempted from disclosure under **Section 40(2) Personal Information** – this information constitutes personal data of an identifiable living individual, and to disclose this information would breach the principles of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Personal data is defined by Section 1 of the Data Protection Act 1998 and means data that relates to an individual who can be identified directly or indirectly from that data.

The data provided is total for 2020 to 2023 and for finalised cases only.

Response

1. 4
2. 0
3. No Case to Answer – 2, RPRP – 2
4. Exempt under S40
5. Exempt under S30
6. Exempt under S30
7. No information held – we do record sickness however we do not record information specifically to "*sickness as a result of being served misconduct or gross misconduct papers*".