

Date: 19th September 2024
Our ref: FOI/24/013265/I

I write in connection with your request for information dated 13/09/2024, received by Greater Manchester Police (GMP) for the following information:

What is your policy of police officers smoking/vaping whilst at work?

What is the punishment for an officer who has violated this policy?

In the calendar year of 2023 and the most recent data that you have for the calendar year of 2024, how many police officers have violated this policy?

In the calendar year of 2023 and the most recent data that you have for the calendar year of 2024, how many police officers have faced punishment for violating this policy?

Result of Searches

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

However, GMP does not hold the information that you have requested in an easily retrievable format or centrally. In relation to how many officers have faced punishment for violating the policy would require a manual review of all employees' personal records. GMP have over 13,000 employees so it would be an extensive task to review each personal file. As such, it is anticipated it would take in excess of 18 hours to provide the requested information.

Therefore as per section 12(1) of the Freedom of Information Act 2000, the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the 'appropriate level' as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice.

In accordance with Section 16(1) – the duty to provide advice and assistance – of the Freedom of Information Act 2000, Greater Manchester Police will be unable able to provide advice for you to reduce the request in order for the force to keep this within the fees limit.

Should you wish to refine and resubmit your request in line with the advice above please respond to freedomofinformation@gmp.police.uk

Although excess costs remove GMP's obligations under the Freedom of Information Act 2000, as a gesture of goodwill I have supplied some information relative to your request that was retrieved before it was realised that the fees limit would be exceed (see below information). I hope that this is of use to you, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Relevant extracts from GMP's 'No Smoking Policy and Procedure' for question 1 and 2:

The use of e-cigarettes in GMP

GMP acknowledges the evidence from Public Health England that suggests e-cigarettes have the potential to improve public health and be a route out of smoking. As a result GMP will allow vaping to take place in any outside area of GMP buildings away from public view and open windows, during authorised breaks.

Vaping will not be permitted within GMP buildings or fleet.

3. Roles & Responsibilities

We are all responsible for ensuring that the No Smoking Policy is observed. There is a legal responsibility on GMP to prevent staff, specials, contractors, volunteers and visitors from smoking in our buildings and police vehicles and whilst on GMP business.

All staff should comply with the policy. If any member of staff does not comply with the policy they will be subject to disciplinary action and may also be liable to a fixed penalty fine and possible criminal prosecution.

Smoking in open spaces

- *These areas will be designated by the Divisional/Branch Commander/Head/Site Controller.*
- *Smoking will be allowed in suitable outside areas within police premises not in the public view.*
- *Appropriate bins will be located at all open space smoking areas.*
- *Smokers using this facility must only do so during their authorised breaks.*
- *It will be the responsibility of local managers to supervise these arrangements.*
- *When selecting an outside location it should be far enough away from the building so that smoke does not re-enter through windows and doors. It should also be away from fuel pumps and combustible materials.*