



**STAFFORDSHIRE
POLICE**

FOI ref no: 15350

27 March 2023

Freedom of Information request first notified to us by email on 1st March 2023.

Thank you for your recent request under the Freedom of Information Act 2000, as detailed below:

1) *The number of police staff reported for social media activity/ had complaints made against social media activity since March 2018, to now (1/03/2023), including their job title and rank and year-on-year comparative figures.*

2) *The breakdown of the nature of the complaint, the social media used (e.g. Facebook/Twitter) and whether it was made by an internal member of staff or a member of the public from March 2018 to now (1/03/2023).*

3) *How many faced subsequent proceedings, and what were these proceedings (investigation, suspension, expulsion, etc.)?*

Please can I specify this refers to police staff employees and police officers.

Staffordshire Police's response to your enquiry is as follows:

Staffordshire Police does hold the requested information.

1) *The number of police staff reported for social media activity/ had complaints made against social media activity since March 2018, to now (1/03/2023), including their job title and rank and year-on-year comparative figures.*

2) *The breakdown of the nature of the complaint, the social media used (e.g. Facebook/Twitter) and whether it was made by an internal member of staff or a member of the public from March 2018 to now (1/03/2023).*

3) *How many faced subsequent proceedings, and what were these proceedings (investigation, suspension, expulsion, etc.)?*

Please can I specify this refers to police staff employees and police officers.

Please see the attached Excel spreadsheet 'FOI 15350 Complaints Against Police for Social Media Use Data'.

Please be advised that the data has been provided in uncorrelated tables to avoid identification of any individuals. Please note that the social media used has only been given where it has been recorded.

In accordance with Section 17(1) of the Freedom of Information Act, I am declining to provide any further information relating to ongoing cases as I am citing the following exemptions:

Section 31(1)(g) Law Enforcement by virtue of (2)(b) for the purposes of ascertaining whether any person is responsible for any conduct which is improper.

Section 40(2) – Personal Information.

Section 31 is a qualified, prejudiced-based exemption and there is a requirement to provide evidence of harm and conduct a public interest test.

Harm

To release details of cases which are currently ongoing could potentially undermine them. It is important that public authorities are allowed to fully investigate any allegations of improper conduct without fear of any speculation entering the public domain and undermining the investigation. Staffordshire Police is accountable in ensuring that any conduct matters are investigated and dealt with thoroughly and fairly.

Factors favouring disclosure for Section 31

There is a general public interest in disclosure and openness concerning police misconduct matters. There is a public interest in giving assurance to the public that effective arrangements are in place for preventing and detecting improper conduct.

Factors against disclosure for Section 31

Investigations into any breach of standards of professional behaviour rely upon the willing participation and cooperation of people in the investigation process. The effectiveness of the investigation process is maintained by the understanding among those who participate in it that any information which they provide about the circumstances surrounding any breach of standards of professional behaviour is kept in confidence, unless there is a lawful reason to do otherwise. It is vital that participants provide their information freely and openly and in an environment where they can trust that their information will not be prematurely disclosed, or released simply upon request.

If participants did not trust that their information would be kept in confidence then it would deter them from cooperating with investigations. This would be likely to prejudice the exercise of Staffordshire Police's function in investigating allegations of misconduct and, it follows, would undermine its maintenance of the various legal requirements about confidentiality of information. The value of investigations, such as those which are conducted into alleged breaches of standards of professional behaviour, rely on discretion, full cooperation and frankness from individuals involved.

Any release of information relating to ongoing investigations could prejudice and undermine those investigations. In addition the right to a fair trial could be undermined.

Balance Test

Staffordshire Police take all matters of misconduct very seriously and thoroughly investigate all instances reported to allow appropriate and proportionate punishment to be enforced or any parties to be identified and exonerated. Although the assurances that release of this information would provide are important, it is of paramount importance that the integrity of these investigations

are not jeopardised. Release of any information that may interfere or prejudice investigations of this kind would not be undertaken. Therefore, on balance it is my opinion that the factors supporting release of this information are outweighed by those opposing and this information will not be released.

Section 40(2) Personal Information

To release personal or third-party information held by Staffordshire Police, would breach the data protection principles; namely –

- Data is lawfully and fairly processed.
- Processed in line with an individual's rights.
- Data is secure.

Personal and third-party information cannot be released under the Freedom of Information Act.

Disclosure under Freedom of Information is a release of information to the world in general and not an individual applicant.

Please note that these figures have been provided to the best of our ability, subject to the limitation of current recording protocols and systems/software.

Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that data is extracted from multiple sources, developed for specific policing purposes, for which data extraction methods have not been specifically designed to directly correlate with the terminology of this request. Therefore the data presented is subject to the inaccuracies and idiosyncrasies inherent in any large scale recording system.

As a consequence, care should be taken in the interpretation and presentation of this data, so as to not misrepresent the whole or any part of the data disclosed.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this email and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

Please remember to quote the reference number in any future communications.

Freedom of Information
Central Disclosure Unit