

27 September 2024

FOI Ref 17133

Request - You asked us the following:

How many times, since January 2020, has the force used the Common Law Police Disclosure mechanism to disclose to an individual's employer they have been arrested?

Please do not name the individual, and if the employer is likely to identify the individual, then please use a generic term – for example 'media company', or 'building firm'.

Please also state the year contact was made with the employer, and the nature of the allegation – for example 'fraud' or 'sexual offences', rather than the specific crime which could identify the alleged suspect.

For example:

2020 - Media company – Allegation of sexual offences

2022 – Construction firm – Allegation of theft

Please reduce the timeframe of this request accordingly (working backwards from the date it is received to the maximum possible timeframe) in the event that this request exceeds the amount of time an FOI is legally allowed to spend investigating.

We received your request on 08/08/2024 and have processed this under the Freedom of Information Act (FOIA).

Please find below our response.

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

Staffordshire Police discloses/withholds the following information.

How many times, since January 2020, has the force used the Common Law Police Disclosure mechanism to disclose to an individual's employer they have been arrested?

Please do not name the individual, and if the employer is likely to identify the individual, then please use a generic term – for example 'media company', or 'building firm'.

Please also state the year contact was made with the employer, and the nature of the allegation – for example 'fraud' or 'sexual offences', rather than the specific crime which could identify the alleged suspect.

For example:

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STAFFORDSHIRE
POLICE

The above information has been withheld for the following reasons:

There is no method by which we can easily retrieve information from our systems to answer this request. Furthermore, Staffordshire Police only hold data from 2021 onwards. Therefore from 2021 onwards, there have been over 500 occurrences relating to the Common Law Police Disclosure mechanism. In order to ascertain whether Common Law Police Disclosure mechanism was used to disclose to an individual's employer and if they have been arrested. Each record for each offence would require a manual review. To extract this data would therefore require a very labour-intensive manual trawl through each record. From dip sampling, it has been estimated that it would take approximately 10 minutes to review each record to answer this request, this would equate to over 83 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the FOI Act by some considerable margin.

The following exemptions have been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit.
Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the prescribed limit'.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.

In order to assist in refining your request, data can be provided for the last six months. However, further exemptions may apply.

Next steps

You can ask us to review our response.

If you would like us to carry out a review of our response, please let us know within two months of the date of receipt of this email, review requests 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