



Our Ref: FOI 21820
Your Ref: FOI 21777
Date: 11 September 2025

Internal Review

Re: Request for internal review of response to application for information under the provisions of the Freedom of Information Act 2000, original request first notified to Staffordshire Police on 21st August 2025

We refer to the above request which was expressed in the following terms:

I am writing under the Freedom of Information Act 2000 to request the following information covering the past 12 months (from the date of this email):

1. Misconduct Referrals

- * *The total number of misconduct referrals received in the past 12 months*
- * *A breakdown of those referrals by ethnicity of the subject officer or staff member*

2. Active Misconduct Investigations

- * *The number of currently active misconduct investigations*
- * *A breakdown by ethnicity of the officers or staff under investigation*

3. Regulation 12 Notices

- * *The number of Regulation 12 notices issued in the past 12 months*
- * *A breakdown by ethnicity of the recipients*

4. Regulation 13 Notices

- * *The number of Regulation 13 notices issued in the past 12 months*
- * *A breakdown by ethnicity of the recipients*

Please use standard UK policing ethnicity categories (e.g. White British, Black, Asian, Mixed, Other, Prefer not to say). If exact categorisations differ, please provide the definitions used.

Further to the above, we also note the following comments made within your request for Internal Review which was received on 4th September 2025.

I am writing to request an internal review of the decision to withhold information under Section 40(2) of the Freedom of Information Act 2000 in response to my request (FOI Ref 21777, dated 3 September 2025).

Specifically, I am appealing the refusal to disclose a breakdown by ethnicity of officers/staff who were recipients of Regulation 12 and Regulation 13 notices in the past 12 months.

Grounds for Appeal

1. Aggregated Data Is Not Personal Data

o The information requested relates to anonymised, aggregated statistical totals. It does not identify individuals by name, role, or any other unique characteristic.

o The Information Commissioner's Office (ICO) guidance makes clear that aggregated ethnicity data can usually be disclosed unless there is a real and substantial risk of identification.

2. Consistency with Other Disclosures

o Ethnicity breakdowns have been disclosed for misconduct referrals (section 1 of my request). This demonstrates that aggregated ethnicity data is capable of being released lawfully. The same reasoning should apply to Regulation 12 and Regulation 13 notices.

3. Risk of Identification Is Low

o While the numbers may be relatively small, the likelihood of individuals being identified from ethnicity breakdowns alone is low. In particular, no names, ranks, locations, or other identifiers have been requested.

o Where numbers fall below a reasonable threshold (e.g. fewer than 5 in a category), suppression or grouping into broader categories (e.g. "White", "Black, Asian and Minority Ethnic", "Other") would provide a proportionate means of disclosure without risking identification.

4. Public Accountability and Equality Monitoring

o There is a strong public interest in understanding whether there are disproportionalities in the use of Regulation 12 and 13 notices, particularly given national concerns about fairness and consistency in police misconduct processes.

o Disclosure of aggregated ethnicity data supports transparency, equality monitoring, and confidence in the service, aligning with the commitments set out in the Police Race Action Plan.

Request

I therefore ask that the refusal under Section 40(2) be reconsidered and that an ethnicity breakdown for Regulation 12 and Regulation 13 notices be disclosed, with appropriate suppression or aggregation where necessary to mitigate any residual risk of identification.

Thank you for your reconsideration. I look forward to your response.

Our Response

We have reviewed the handling of your request for information under the Freedom of Information provision referenced above and we are of the opinion that the application of the exemptions outlined within the response letter including the citing of s40(2), were fully justified.

Please be advised that all FOI requests and response letters are published on the Staffordshire Police website although personal details are not included.

If you are not content with the outcome of the review, you may apply directly to the Information Commissioner to investigate. The Information Commissioner can be contacted at:

<https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Information Access Team Management
Staffordshire Police