



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

Reply to: Claire Buckley

Tel No: 01953 424455

24th November 2017

Dear Member of the Public

Freedom of Information Request FOI/OPCCN/128

I am writing in connection with your email dated 1st November 2017 in which you requested the following information:

“Can I please ask for the following information for over the last three calendar years?:

How many sexual harassment complaints have been made by staff?

How many sexual harassment complaints have been made against senior officers?

What were the claims?

How many sexual harassment complaints were upheld? What were the sanctions?

How many sexual harassment complaints were dismissed?

What training does the force offer to reduce sexual harassment complaints? ”

Response to your Request

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at section 1(1)(b) is to disclose the information that has been confirmed as being held. Where exemptions are relied upon, section 17 of the FOIA requires that we provide the applicant with a notice which: a) states that fact, b) specifies the exemption(s) in question and c) states (if that would not otherwise be apparent) why the exemption applies.

The Office of the Police and Crime Commissioner for Norfolk (OPCCN) can neither confirm nor deny that it holds any information relevant to your request, as the duty in section 1(1)(a) of the FOIA does not apply by virtue of the following exemption:-

- Section 40(5) Personal Information

The duty to neither confirm nor deny under this section of the Act arises where the disclosure of the information into the public domain would contravene any of the principles of the Data Protection Act 1998.

Irrespective of what information OPCCN may or may not hold, any request which has potential to identify a third party, by citing an exemption, would attract a neither confirm nor deny response by virtue of section 40(5) as it constitutes personal data of an individual other than the applicant and disclosure would contravene the first data protection principle which states in part that personal data shall be processed fairly and lawfully.

No inference should be taken from this response that information is or is not held.

Yours sincerely

CBuckley

Claire Buckley
Freedom of Information Officer
Office of the Police and Crime Commissioner
For Norfolk.

Internal Review

If you think we have not supplied information in accordance with Section 1 (the General Right of Access) of the Freedom of Information Act 2000, or you are dissatisfied with the way in which your request has been handled, then you should write, in the first instance, to:

Mark Stokes
Chief Executive
Office of the Police and Crime Commissioner for Norfolk
Building 8
Jubilee House
Falconers Chase
Wymondham
Norfolk
NR18 0WW

Telephone: 01953 424455
Fax: 01953 424462
Email: opccn@norfolk.pnn.police.uk

If you are dissatisfied in any way with our response or the way we have handled your request, you can contact us by phone, email or in writing. We may, in the first instance, try and resolve your complaint informally. However, at any stage you can request or we may decide to treat your complaint formally under our internal review process.

An internal review is conducted by the Chief Executive who will review the request and response, taking account of your complaint(s), and will respond in writing as soon as possible. The Information Commissioner's Officer recommends that a response should be made in 20 working days. If we are unable to respond in this timeframe we will inform you and provide a date by which you should expect to receive our response.

If, after the internal review, you remain dissatisfied then you can complain to the Information Commissioner's Office, the government regulator for the Freedom of Information Act. Details of how to contact the Information Commissioner's Office can be found at www.ico.gov.uk