

**Date:** 28 April 2022  
**Our Reference:** REV-2022-004

**RE: Freedom of Information Act 2000 Request**

I write in response to your request for an internal review of our response to your Freedom of Information request (our reference FOIA-2021-156).

Your original request was for the following information; do you have a list of warwickshire police staff and police officers dismissed for sexual offences?

We responded to your request by directing you to a previously published response to a request for information of a similar nature. In that request we confirmed the information was held but was exempt from disclosure under section 40(2) of the FoIA 2000. It was our position that the arguments set out in that response, given that your request was for the same principle information, would apply equally to your request.

**Decision**

An internal review provides the opportunity for us to reconsider your original request and review our response. In doing so I have concluded that we mis-interpreted your request in the first instance and as a result we mis-directed you to the previous response and failed to confirm whether the information was in fact held. Please accept our sincere apologies for this.

After undertaking the necessary searches I can confirm that there is no information held.

The College of Policing holds a list of all officers, special constables and staff who have been dismissed from policing, since 15 December 2017, for matters of either misconduct or performance under the relevant regulations or policy. This is known as the barred list. The College also holds the police advisory list, which

is a list of all officers, special constables and staff members who have resigned or retired during an investigation or who have left policing before an allegation comes to light.

Forces are required to provide the College with information as stated in the Police Barred List and Police Advisory List Regulations 2017. This includes, in relation to the barred list (i) the reasons for the relevant dismissal or the relevant finding, including (where applicable), the description of the conduct which led to the relevant dismissal or the relevant finding and (ii) any provisions of the Standards of Professional Behaviour. While information relating to the the committal of a sexual offence may be provided in the context of the conduct that let to the relevant dismissal or finding, it is not a specific category of information that is required or recorded.

Under the duty in section 16 of the FoIA to provide advice and assistance, please be advised that while we consider every request individually, it is likely that any request for personal information contained on either the barred list or the advisory list would engage the exemption under section 40(2) of the FoIA 2000. Under Section 40(2) of the FoIA 2000, personal data of a third party can be withheld if it would breach any of the data protection principles to disclose it. Our previous responses to requests for information on the barred list, an example of which was provided to you in our original response, have made clear that we consider section 40(2) to be engaged in relation to this information as we consider to disclose it would breach the data protection principles. As has been stated in our previous responses, while we do recognise the public interest in this information, we have to balance this with the privacy rights of the individuals concerned. As agreed with the regulator at the time of it's inception, providing a publically available barred list with the ability to search for an individual by entering their first and last name, was considered to be the best way to balance these interests. As part of our commitment to being open and transparent, annual figures are published and can be accessed on our website [here](#).

I trust this letter answers your questions. Your rights are provided in **Appendix A**.

Yours sincerely,

**Sarah Lawrence | Legal Advisor**  
**Information Management and Legal Team**  
**College of Policing**

Email: [FOI@college.pnn.police.uk](mailto:FOI@college.pnn.police.uk)

Website: [www.college.police.uk](http://www.college.police.uk)

## **Appendix A**

### **Rights**

#### **The Information Commissioner**

If, after lodging an internal review request with the College of Policing you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk/for-the-public/official-information/>.

Alternatively, write to:

**Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow**

**Cheshire**

**SK9 5AF**

**Phone: 0303 123 1113**