

7th February 2014

Dear Sir,

I write following your request dated 5th January 2014 to which I responded on 27th January 2014 and your subsequent reply to that, received on 28th January 2014. This request has been handled under the Freedom of Information Act 2000.

Your initial query was:

I am making a request for the name and rank of all police employee's past or present that have been charged or convicted of crimes from April 2012 until today's date 05/01/2014 also including but not limited to outstanding cases For the whole force of Cleveland. I am also making a request of all officers By name and rank that have had a complaint lodged against them through the independent police complaints commission (the IPCC) from April 2012 until today's date 05/01/2014 also including but not limited to outstanding cases For the whole force of Cleveland police so that's:

- 1. charged and or convicted Officers, ex officers and Retired officers*
- 2. Name the office with Complaints made Through the IPCC upheld and dismissed*

In my response to you I informed you that I had completed my enquiries and that my response on behalf of the Office of the Police and Crime Commissioner for Cleveland was that the Office of the Police and Crime Commissioner for Cleveland does not hold the information you sought. Your response was;

*Am i to understand that the Cleveland police and crime commissioner,
Has no information on Staff that act in dishonesty or in a criminal fashion?
Has no information as to crimes committed in Cleveland?
Has not sacked any staff for misbehaviour in the dates required?*

If I may be permitted to clarify the legal position, the FOIA provides the public with access to **recorded** information, held by public authorities subject to any exemptions under the Act. In this instance the Office of the Police and Crime Commissioner (PCC) is a public authority and has, as one would expect, its own private and specific ICT systems and other manual records.

To confirm my response to your further communication, the Office of the Police and Crime Commissioner does not hold any recorded information on its systems and records regarding the information you seek in your query.

In my reply to you, I sought to assist you by informing you that the information you wanted may be held by Cleveland Police, and indeed I furnished you with an e-mail address to make it easier for you to contact the Force.

For Freedom of Information requests Cleveland Police are also a public authority, separate and independent from ourselves and as such have their own private and specific ICT systems and records, some of which may have the information you seek.

For the FOIA, we are not required by law to provide an answer or find out information from elsewhere, if we do not already hold the information in recorded form ourselves.

Again, in an effort to assist you in your quest to find the information you seek, it is probable that departments with-in the Force such as Human Resources, Professional Standards (Complaints & Discipline), Legal, etc may hold the recorded information you seek, and as such, the reason why I suggested you should consider contacting them. I hope this further explanation provides you with greater clarification, if I can be of any further assistance please do not hesitate to contact me.

I can confirm that the Office of the Police and Crime Commissioner for Cleveland has a complaints procedure.

If you are unhappy with the way your request for information has been handled, you can request a review by writing to: Chief of Staff, Office of the Police and Crime Commissioner for Cleveland, Police Headquarters, Ladgate Lane, Middlesbrough, TS8 9EH or you can follow the complaints procedure found on our website at: www.cleveland.pcc.police.uk

If you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Telephone: 08456 30 60 60 or 01625 54 57 45 Website: www.ico.gov.uk

There is no charge for making an appeal.

John Bage
Office of the Police and Crime Commissioner for Cleveland