

## Request

Over the past 15 years, how may council officers have been reported for:-

## Response

For the purposes of this response we have interpreted 'council officers' to be those who are directly employed by the Council.

We do not hold the information that you have requested in an easily retrievable format. Section 12 of the Freedom of Information Act 2000 (FoIA) relieves a public authority from the obligation to comply with a request for information where the estimated time required to locate, review and extract the information exceeds a certain threshold set out in Regulations.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI 2004/3244) set out the rules in relation to the cost limit (otherwise called the "appropriate limit"). These Regulations are published by the Office of Public Sector Information (OPSI) and are viewable on their web site from this link:

[http://www.opsi.gov.uk/si/si2004/uksi\\_20043244\\_en.pdf](http://www.opsi.gov.uk/si/si2004/uksi_20043244_en.pdf)

The Regulations set out the cost limit for Government departments and for other public authorities. For local government, Regulation 3 states that the cost limit is £450 and Regulation 4(4) states that the prescribed hourly rate is £25. Regulation 4(4) further provides that where the local authority estimates the time taken to gather the information would exceed this limit (which based on the prescribed hourly rate, equates to 18 officer hours), it may refuse the request under section 12 of FoIA.

I am satisfied the cost limit applies to your request and will explain why this is the case.

\*As information pre June 2017 is not held in an electronic database, we are unable to provide the data requested for the 15 year period as all information pre dating June 2017 would require a manual check of all files which would far exceed the 18 hour time limit for dealing with FOI requests, considering also some of this information will have been destroyed in accordance with our retention schedules.

### 1) Misconduct in public office

In relation to the legal definition of 'misconduct in a public office', we are not the public body to whom such reports would be made. These reports would be made to the Police and/or relevant professional agency.

We do of course investigate any allegations of misconduct through to gross misconduct relating to an employee of the Council but not under the definition of 'misconduct in a public office' and we are therefore unable to provide the data you request.

### 2) Abuse of position etc.

As above\*