



I am writing to request the following information under the freedom of information act 2000.

1. Details of how many social workers practising for Wigan council were suspended, and not fit to practise between 2022 and 2024. What were the reasons for suspension?

Two Social Workers were suspended pending investigation into gross misconduct between 2022-2024.
2. How many social workers practising for Wigan council were dismissed between 2022 and 2024?

Two social workers were dismissed between 2022-2024.
3. What were the reasons for dismissal?

One dismissal was due to ill health capability and one due to the end of a fixed term contract.
4. How many official complaints were made to wigan council about the conduct of practising social workers between 2022 and 2024?

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5. How many complains were made regarding social worker [REDACTED] during her employment for Wigan council?

The Council is neither confirming nor denying that it holds this information. Information relating to named members of staff is personal data as defined in UK GDPR. To confirm that information relating to complaints and misconduct about named members of staff was held by the Council would confirm that there had been such complaints and misconduct. Section 40(5B)(a)(i) of the Act states that the duty to confirm or deny does not arise ... if ... giving a member of the public the confirmation or denial would contravene any of the data protection principles. The Council does not have the consent of staff to disclose personal data about them to the world at large and their data protection rights outweigh any legitimate interest in confirming or denying that the Council holds information about complaints relating to the named staff. Therefore, the Council is neither confirming nor denying that it holds the information requested in line with Section 40(5B) of the Freedom of Information Act 2000.
6. How many misconduct processes were instigated for social worker [REDACTED] during her employment for Wigan Council?

[REDACTED]

7. How long was [REDACTED] employed by Wigan council?
8. Why did [REDACTED] leave Wigan council?

The Council confirms it holds this information. Information relating to named members of staff is personal data as defined by the UK GDPR as it relates to an identified person. Section 40(2) of the Freedom of Information Act 2000 (the Act) states that personal data is exempt from disclosure if one of three conditions is satisfied. The first such condition in section 40(3A) of the Act is that disclosure would contravene any of the data protection principles. The data protection principle in Article 5(1)(a) of UK GDPR states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject. The only possible lawful bases for disclosure under the Act would be consent or legitimate interests. The Council does not have consent to share this data to the world at large which is the effect of disclosure under the Act. Whilst somebody requesting this information might have a legitimate interest in a member of staff's employment, the data protection rights of those staff have to be taken into account and they outweigh the rights under the Act. As disclosure is to the world at large, it would also breach the fairness part of this principle. Therefore, the salary of the named members of staff is withheld under section 40(2) of the Freedom of Information Act 2000.