

Our Ref: 005290/20



Freedom of Information Section
Nottinghamshire Police HQ
Sherwood Lodge, Arnold
Nottingham NG5 8PP

Tel: 0115 967 0999
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24 August 2020

Request under the Freedom of Information Act 2000 (FOIA)

I write in connection with your request for information, which was received by Nottinghamshire Police on 14/08/2020.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

RESPONSE

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested.

Please find below answers to your questions:-

How many known incidents have there been in the last 5yrs where staff members have used the siren and/or blue lights on an emergency vehicle when there was no legitimate reason for doing so

Answer: - 14 individual complaints

How many of the known incidents lead to any sort of formal disciplinary action or informal action

Answer: - 6

Please give me the first five examples in each year where a staff member has used the siren and blue lights where there was no reason for doing so

Some of the information requested relates to personal data and so is exempt from disclosure by virtue of Section 40(2) of the Freedom of Information Act 2000.

40. – (2) Any information to which a request for information relates is also exempt information if –

a) it constitutes personal data which do not fall within subsection (1),

This is an Absolute Class Based Exemption which means we do not have to consider the harm or conduct a Public Interest Test under the Freedom of Information Act.

Complaint Summary
That on Sunday 30th August 2015 you used the emergency equipment (blue light) to stop a vehicle. This is against force policy.
The officer has breached orders by failing to drive police vehicles under normal road traffic legislation by using blue lights whilst the vehicle was moving.
It alleged that on 7th June 2017, you drove a marked police vehicle VRM FJ13GWC at speed with blue lights activated on a number of occasions. Special Constables are not authorised to use blue lights whilst travelling.
It is alleged that on the 11/08/2019 you drove a police vehicle belonging to Nottinghamshire Police with its emergency warning equipment activated whilst en-route to an incident at [REDACTED]. This is in contravention of the Driver Standards and Police Pursuits Policy (PS198) whereby a "Basic Driver" cannot respond to emergency incidents using blue lights, or audible warning equipment, or claim exemptions to traffic legislation. "Basic Drivers" may use blue lights whilst stationary to protect the scene of an incident. Contrary to the Standards of Professional Behaviour as set out in Schedule 2, Police (Conduct) Regulations 2012.
It is alleged that on the 24/11/19 you drove a marked police vehicle and activated the blues and twos when you have no authority to do so.

- * Searched time period 14/08/2015 – 14/08/2020
- * Searched Professional Standards Directorate systems
- * Searched for complaints/conduct/misconduct
- * Keyword filter 'Blue' and 'Siren'
- * Provided first 5 summaries where some form of disciplinary action is taken.

Please Note: Police forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the crime data. **It should be noted that for these reasons, this force's response to your questions should not be used for comparison purposes with any other response you may receive.**

Complaints Rights

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

Copyright

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988.

However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9670999 Ext 318 0888 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. B.', written in a cursive style.

Electronically signed on behalf of Information Request Team

Are you dissatisfied with your response?

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

How do I appeal?

All appeals should be made in writing and sent to:-

Information Management
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Notts
NG5 8PP

or alternatively freedomofinformation@nottinghamshire.pnn.police.uk

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

Your request for review must be received within 28 calendar days your response. If your request for review is not received within this time period a review will not be considered.

What if I'm still not satisfied?

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: casework@ico.org.uk

Website: <https://ico.org.uk/>