



College of
Policing

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Date: 30th June 2020

Our Reference: FOIA-2020-065

RE: Your request for information under the Freedom of Information Act 2000

I write in response to your Freedom of Information Act 2000 (FoIA) request dated **08/06/2020**, in which you requested:

- Please provide all information held in regards to the accuracy of the data provided in FOIA-2020-033, including the dates the data was inputted and how regularly it is maintained
- In regards to the 'positive action initiatives' run by the College, mentioned in response to question 6 (of FOIA-2020-033), please provide information held in regards to the type of initiatives that took place
- Please provide the total number of SEARCH candidates who passed and failed each assessment area (numeracy/literacy, written, interactives interviews) over the past three years (2017-2020), broken down by gender, ethnicity, and religious denomination.

Decision

When a request for information is made under the FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant.

Under section 1(1), I can confirm the College holds **some recorded information** within the scope of your request. We have dealt with each parts of your request below:

1. Please provide all information held in regards to the accuracy of the data provided in FOIA-2020-033, including the dates the data was inputted and how regularly it is maintained

No recorded information held.

However, for context, a bespoke SMART survey was sent out in February to College associates and wider selection and assessment associates, asking for biographical data. The date on which the data was exported to create the original response to FOIA-2020-033 was not noted, however we estimate it would have been the week commencing 16th March 2020.

The SMART survey is incomplete and currently remains open, as not all associates have responded to it. This means, theoretically, other associates may have responded since the previous FOIA-2020-033 response letter was issued to you. Once the pools are full, the survey will be closed and the data will be exported onto our College user area and stored in accordance with our data retention policy.

2. In regards to the 'positive action initiatives' run by the College, mentioned in response to question 6 (of FOIA-2020-033), please provide information held in regards to the type of initiatives that took place

Some information is held. This will be provided to you in the attachment titled 'FOIA-2020-065 disclosure document 1'.

For context, the College appointed an external consultancy to run an external campaign aimed at improving representation in certain groups. We consulted with diversity networks on the creative design and strategy, and monitored diversity outcomes carefully during the process and made changes to the campaign to specifically address lower representation in some areas. Disclosure document 1 is a small part of the agreement the external consultancy made with the College, in relation to improving representation.

3. Please provide the total number of SEARCH candidates who passed and failed each assessment area (numeracy/literacy, written, interactives interviews) over the past three years (2017-2020), broken down by gender, ethnicity, and religious denomination.

This information is partially held, and has been provided to you below. We do not have pass rates at each assessment area, as the Police SEARCH passing thresholds are based on cumulative performance across all of the exercises.

Assessment Centre Result		2017 - 2020		2017		2018		2019		2020	
		Frequency	Percent	Frequency	Percent	Frequency	Percent	Frequency	Percent	Frequency	Percent
Outcome	FAIL	14169	27.6	4482	26.6	4079	28.6	4304	27.3	1304	29.6
	PASS	37105	72.4	12378	73.4	10179	71.4	11452	72.7	3096	70.4

Biodata		2017 - 2020		2017		2018		2019		2020	
		PASS		PASS		PASS		PASS		PASS	
		Count	% pass rate	Count	% pass rate						
Ethnic group	not stated	11004	72.9%	2297	75.5%	3731	72.5%	3876	72.5%	1100	70.0%
	white	23770	74.0%	8884	75.8%	5924	72.3%	7067	74.0%	1895	71.6%
	minority ethnic group	2331	57.3%	1197	56.9%	524	56.6%	509	59.0%	101	56.1%
Total		37105		12378		10179		11452		3096	
Sex	Male	24907	70.8%	8390	72.0%	6812	69.1%	7667	71.4%	2038	69.4%
	Female	12198	75.7%	3988	76.5%	3367	76.5%	3785	75.3%	1058	72.3%
	Total	37105		12378		10179		11452		3096	
Religion	not stated	12016	73.3%	1920	78.8%	3441	72.6%	5036	72.4%	1619	71.8%
	Buddhist	█	74.7%	29	72.5%	22	84.6%	19	65.5%	5 or less	100.0%
	Christian	8623	71.9%	3720	72.5%	2241	70.4%	2167	73.0%	495	69.2%
	Hindu	111	54.4%	66	53.2%	31	62.0%	14	50.0%	0	0.0%
	Jewish	█	72.4%	38	77.6%	13	68.4%	11	61.1%	5 or less	100.0%
	Muslim	974	50.6%	472	50.8%	236	49.4%	223	52.6%	43	46.7%
	Sikh	█	60.1%	106	61.3%	30	56.6%	26	56.5%	5 or less	83.3%
	Other	145	62.5%	57	57.0%	33	64.7%	49	70.0%	6	54.5%
	None	12146	74.5%	5362	76.0%	3353	73.4%	2755	74.1%	676	70.1%
Prefer not to say	2786	74.2%	608	74.5%	779	71.5%	1152	76.7%	247	70.8%	
Total		37105		12378		10179		11452		3096	

An exemption under section 40(2) FoIA – personal information, has been applied to above data, allowing three figures to be redacted, and three figures to be changed to '5 or less' under. Please find our explanation for the use of this exemption below. Your rights are provided at the bottom of this letter.

Yours sincerely,

Kate Kaufman | Legal Researcher

Legal Services

College of Policing

Email: FOI@college.pnn.police.uk

Website: www.college.police.uk

Section 40(2) of the Freedom of Information Act 2000 – Personal Information

Section 40(2) FoIA states:

“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), and
- (b) Either the first or the second condition below is satisfied.”

Essentially, under section 40(2) FoIA (by virtue of section 40(3A)), personal data of a third party can be withheld if any of the data protection principles would be breached by disclosing that data. Personal data is defined in section 3(2) of the Data Protection Act 2018 (DPA) as being:

“Any information relating to an identified or identifiable living individual”.

Section 3(3) DPA defines an identifiable living individual as:

“a living individual who can be identified, directly or indirectly, in particular by reference to –

- (a) an identifier such as a name, an identification number, location data or an online identifier, or
- (b) one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual”.

The three figures which have been changed to ‘5 or less’, have been done so as the figures are extremely low and could lead to the risk of identification for the reasons listed below. The three figures which have been redacted, have been done so to prevent the ‘5 or less’ actual figures being worked out. As is stated above, the two main elements of personal data are: that the information must ‘relate’ to a living person and that the person must be identifiable. Information will relate to a person if it is: about them, linked to them, has some biographical significance for them, is used to inform decisions affecting them, and has them as its main focus or impacts on them in any way. We acknowledge that certain categories of personal data, such as providing the candidate figures in full, may not in itself, constitute personal data. However, when grouped with other categories of data, or combined with other information already in the public domain, it creates a substantial risk of an individual being identified.

As such, it is our view that the information you have requested is personal data, and should consequently be withheld or modified to '5 or less', under section 40(2) FoIA, as it may otherwise lead to the indirect identification of an individual.

For example, if we were to provide you with the full figures, you may be able to identify the identity of an individual through other information published by that force, or other sources. The data protection principles are provided under Article 5 of the General Data Protection Regulations 2018 (GDPR). Article 5(1)(a) states that personal data shall be: "**processed lawfully, fairly and in a transparent manner in relation to the data subject**".

We are committed to openness and transparency and recognise the wider public interest in information relating to candidate figures being available. However, we also have a legal duty to ensure that the rights to privacy of individuals are protected and we do not believe that it would be fair to disclose the requested information. We consider that the disclosure of the withheld information would not be fair, lawful or transparent and would therefore breach the first data protection principle under Article 5(1) (a) GDPR.

Your right of review

Under the Freedom of Information Act 2000 you have a right to request an internal review if you are dissatisfied with our handling of your request. Review requests should be made in writing (by email or post) within **40 working days** from the date of our original response. We will aim to respond to your review request within **20 working days**.

The Information Commissioner's Office (ICO)

If, after lodging a review request you are still dissatisfied, you may raise the matter with the ICO. For further information you can visit their website at <https://ico.org.uk/for-the-public/official-information/>. Alternatively, you can contact them by phone or write to them at the following address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113

- 6.2 The adverts should be written in a style aimed at generating applications from a diverse range of individuals with a broad range of backgrounds, from diverse communities, with a particular emphasis on reaching those currently under-represented in this area, in particular from women, individuals from BAME communities and individuals aged between 18 and 40.
- 6.4 Once written, these adverts will also be used and promoted by the service provider to media and attraction websites, particularly aimed at increasing representation of under-represented groups. The adverts will also be used by the College of Policing and shared by partner police forces’.
- 6.5 The College of Policing and local partner forces will facilitate consultation with diversity networks within policing to support the advert content and provide feedback and approval to the service provider before publication. Intellectual property rights for this material will remain with the College of Policing in order that it may be used for future on going campaigns.
- 6.6 There will be a requirement for the service provider to manage an application process (preferably on line) and sifting and pre-selection processes based upon an ‘essential & desirable’ pre-selection criteria, set by the college which is outlined in section 11, of this document. The outcome of this process will provide a proposed final selection list of applicants for approval by the College. This will also include biographical data on the number of successful and unsuccessful candidates, together with their diversity data by main diversity categories. Therefore the service provider should have a mechanism for requesting and collating biographical data on all candidate applications.