

Date: 8 October 2021

Our Reference: FOIA-2021-104

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

I write in response to your Freedom of Information Act 2000 ('FoIA 2000') request, dated 20/09/2021, in which you requested:

1. An NIE examination pass/fail breakdown rate per constabulary from 2019 until most recent. To include the amount of entries and the amount of passes and fails for each year.
2. Please confirm the current pass mark (i.e. 50%), time allowed and number of questions per NIE.
3. A breakdown of protected characteristics of officers who have sat and either passed/failed the NIE. Data on Ethnicity (all ethnic groups as I want to see if there is any disparity of white officers passing over BaME officers and Gender.

Decision

When a request for information is made under 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.

In line with section 1(1) of the FoIA, I can confirm the College **holds information** relevant to your request. For ease, we have dealt with each part of your request separately:

An NIE examination pass/fail breakdown rate per constabulary from 2019 until most recent. To include the amount of entries and the amount of passes and fails for each year.

Information held. Please see part 1 of disclosure document 1.

Please confirm the current pass mark (i.e. 50%), time allowed and number of questions per NIE.

Information held. The pass mark is 55.7%, which equates to 39 correct answers out of 70. The time allowed for a standard exam, where there are no reasonable adjustments agreed, is 2 hours. There are

80 questions per exam, including 10 validation questions which are not scored and do not form part of a candidates overall score. Consequently, each exam is marked out of 70 questions.

A breakdown of protected characteristics of officers who have sat and either passed/failed the NIE. Data on Ethnicity and Gender.

Information held. Please see part 2 and part 3 of disclosure document 1. Some redactions have been applied to the document under the section 40(2) – personal information exemption. Please see our reasoning for this below.

Please find our explanation for applying section 40(2) to the disclosure document, below. Your rights can be found at the end of this letter.

Yours sincerely,

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Section 40(2) – Personal information

Section 40(2) states that:

“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”.

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 consider that releasing low figures of special category data may lead to the indirect identification of an individual. The figures could be combined with other information in the public domain, which could lead to an indirect identification being made. This would breach data protection principles laid out in the Data Protection Act 2018.

We are committed to openness and transparency, and recognise the wider public interest in data on candidates being made available. However, we also have a legal duty to ensure that the right to privacy is protected. Consequently, we do not believe that it would be fair to provide all figures in the disclosure document. As a result, we have redacted all figures of 5 or less and the corresponding figures which would allow the figure of 5 or less to be worked out.

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

Part 1

	Mar-19	Jun-19	Sep-19	Nov-19	Mar-20	Sep-20	Nov-20	Mar-21	Jun-21	Sep-21
Total Metropolitan Attended	198	188	165	253	282	349	329	449	228	218
Number Metropolitan Successful	95	95	92	146	150	272	222	287	107	111
% Metropolitan Successful	48.0%	50.5%	55.8%	57.7%	53.2%	77.9%	67.5%	63.9%	46.9%	50.9%
Total Cumbria Attended	6	4	6	11	7	12	8	7	6	7
Number Cumbria Successful	4	4	3	7	6	12	7	6	4	5
% Cumbria Successful	66.7%	100.0%	50.0%	63.6%	85.7%	100.0%	87.5%	85.7%	66.7%	71.4%
Total Lancashire Attended	32	27	24	35	23	15	44	19	13	14
Number Lancashire Successful	25	17	16	24	18	11	39	11	6	9
% Lancashire Successful	78.1%	63.0%	66.7%	68.6%	78.3%	73.3%	88.6%	57.9%	46.2%	64.3%
Total Merseyside Attended	11	30	1	32	18	6	17	10	7	8
Number Merseyside Successful	8	16	0	22	10	6	12	6	6	4
% Merseyside Successful	72.7%	53.3%	0.0%	68.8%	55.6%	100.0%	70.6%	60.0%	85.7%	50.0%
Total GMP Attended	55	38	31	36	50	72	37	47	48	33
Number GMP Successful	34	21	18	27	34	61	32	29	32	16
% GMP Successful	61.8%	55.3%	58.1%	75.0%	68.0%	84.7%	86.5%	61.7%	66.7%	48.5%
Total Cheshire Attended	27	8	28	7	26	20	23	20	10	18
Number Cheshire Successful	19	3	18	4	17	13	15	14	6	14
% Cheshire Successful	70.4%	37.5%	64.3%	57.1%	65.4%	65.0%	65.2%	70.0%	60.0%	77.8%
Total Northumbria Attended	57	21	4	28	1	47	11	33	24	57
Number Northumbria Successful	37	6	2	21	1	33	7	17	17	19

% Northumbria Successful	64.9%	28.6%	50.0%	75.0%	100.0%	70.2%	63.6%	51.5%	70.8%	33.3%
Total Durham Attended	18	9	11	9	13	18	19	15	39	12
Number Durham Successful	10	6	7	6	8	12	11	10	22	6
% Durham Successful	55.6%	66.7%	63.6%	66.7%	61.5%	66.7%	57.9%	66.7%	56.4%	50.0%
Total North Yorkshire Attended	6	8	8	9	4	7	20	8	8	4
Number North Yorkshire Successful	4	6	7	6	3	5	16	4	5	2
% North Yorkshire Successful	66.7%	75.0%	87.5%	66.7%	75.0%	71.4%	80.0%	50.0%	62.5%	50.0%
Total West Yorkshire Attended	26	7	91	28	73	84	72	62	59	45
Number West Yorkshire Successful	10	2	62	15	55	75	58	43	37	23
% West Yorkshire Successful	38.5%	28.6%	68.1%	53.6%	75.3%	89.3%	80.6%	69.4%	62.7%	51.1%
Total South Yorkshire Attended	27	8	23	11	40	11	49	15	17	30
Number South Yorkshire Successful	20	4	11	6	26	7	33	11	7	21
% South Yorkshire Successful	74.1%	50.0%	47.8%	54.5%	65.0%	63.6%	67.3%	73.3%	41.2%	70.0%
Total Humberside Attended	42	5	14	10	26	19	37	12	39	12
Number Humberside Successful	26	0	7	4	15	18	25	5	24	3
% Humberside Successful	61.9%	0.0%	50.0%	40.0%	57.7%	94.7%	67.6%	41.7%	61.5%	25.0%
Total Cleveland Attended	29	24	8	27	6	17	24	37	18	22
Number Cleveland Successful	22	18	3	12	5	12	13	17	6	7
% Cleveland Successful	75.9%	75.0%	37.5%	44.4%	83.3%	70.6%	54.2%	45.9%	33.3%	31.8%
Total West Midlands Attended	18	29	12	70	40	11	14	12	135	37

Number West Midlands Successful	11	20	6	41	20	9	11	9	91	19
% West Midlands Successful	61.1%	69.0%	50.0%	58.6%	50.0%	81.8%	78.6%	75.0%	67.4%	51.4%
Total Staffordshire Attended	17	13	0	17	16	22	17	20	18	42
Number Staffordshire Successful	10	2	0	8	6	15	9	13	11	29
% Staffordshire Successful	58.8%	15.4%	#DIV/0!	47.1%	37.5%	68.2%	52.9%	65.0%	61.1%	69.0%
Total West Mercia Attended	13	13	12	14	18	23	10	21	25	29
Number West Mercia Successful	10	9	6	10	13	19	9	13	13	17
% West Mercia Successful	76.9%	69.2%	50.0%	71.4%	72.2%	82.6%	90.0%	61.9%	52.0%	58.6%
Total Warwickshire Attended	1	7	9	3	10	5	9	5	15	29
Number Warwickshire Successful	1	4	5	2	6	3	6	4	8	17
% Warwickshire Successful	100.0%	57.1%	55.6%	66.7%	60.0%	60.0%	66.7%	80.0%	53.3%	58.6%
Total Derbyshire Attended	33	33	5	7	25	40	14	6	26	4
Number Derbyshire Successful	17	21	1	6	20	34	14	3	18	1
% Derbyshire Successful	51.5%	63.6%	20.0%	85.7%	80.0%	85.0%	100.0%	50.0%	69.2%	25.0%
Total Nottinghamshire Attended	16	20	9	24	20	32	24	29	17	8
Number Nottinghamshire Successful	9	9	5	16	12	29	18	22	10	6
% Nottinghamshire Successful	56.3%	45.0%	55.6%	66.7%	60.0%	90.6%	75.0%	75.9%	58.8%	75.0%
Total Lincolnshire Attended	8	25	5	10	21	10	11	10	18	9

Number Lincolnshire Successful	6	18	1	4	15	8	8	3	13	6
% Lincolnshire Successful	75.0%	72.0%	20.0%	40.0%	71.4%	80.0%	72.7%	30.0%	72.2%	66.7%
Total Leicestershire Attended	14	15	3	15	20	13	6	19	26	21
Number Leicestershire Successful	11	10	3	11	18	12	5	10	15	12
% Leicestershire Successful	78.6%	66.7%	100.0%	73.3%	90.0%	92.3%	83.3%	52.6%	57.7%	57.1%
Total Northamptonshire Attended	18	12	9	7	18	7	4	3	11	3
Number Northamptonshire Successful	14	7	5	5	15	5	3	0	7	1
% Northamptonshire Successful	77.8%	58.3%	55.6%	71.4%	83.3%	71.4%	75.0%	0.0%	63.6%	33.3%
Total Cambridgeshire Attended	5	8	0	18	5	4	51	9	32	0
Number Cambridgeshire Successful	2	6		10	5	4	45	7	23	
% Cambridgeshire Successful	40.0%	75.0%		55.6%	100.0%	100.0%	88.2%	77.8%	71.9%	
Total Norfolk Attended	11	9	3	7	11	10	6	9	6	6
Number Norfolk Successful	8	4	1	4	10	10	6	8	4	5
% Norfolk Successful	72.7%	44.4%	33.3%	57.1%	90.9%	100.0%	100.0%	88.9%	66.7%	83.3%
Total Suffolk Attended	13	15	1	2	4	7	15	18	9	12
Number Suffolk Successful	12	12	1	2	2	6	13	12	4	8
% Suffolk Successful	92.3%	80.0%	100.0%	100.0%	50.0%	85.7%	86.7%	66.7%	44.4%	66.7%
Total Bedfordshire Attended	6	22	13	26	6	0	56	8	50	13
Number Bedfordshire Successful	3	8	3	15	3		41	5	27	8
% Bedfordshire Successful	50.0%	36.4%	23.1%	57.7%	50.0%		73.2%	62.5%	54.0%	61.5%

Total Hertfordshire Attended	23	17	8	51	55	37	24	14	30	12
Number Hertfordshire Successful	16	7	5	32	34	31	18	10	20	7
% Hertfordshire Successful	69.6%	41.2%	62.5%	62.7%	61.8%	83.8%	75.0%	71.4%	66.7%	58.3%
Total Essex Attended	32	22	29	27	56	45	22	51	58	28
Number Essex Successful	18	11	16	13	44	42	19	39	39	21
% Essex Successful	56.3%	50.0%	55.2%	48.1%	78.6%	93.3%	86.4%	76.5%	67.2%	75.0%
Total Thames Valley Attended	57	56	22	53	77	75	40	55	62	28
Number Thames Valley Successful	31	30	16	28	44	66	30	42	48	20
% Thames Valley Successful	54.4%	53.6%	72.7%	52.8%	57.1%	88.0%	75.0%	76.4%	77.4%	71.4%
Total Hampshire Attended	31	13	13	21	26	25	40	61	46	45
Number Hampshire Successful	14	6	8	11	16	18	23	28	23	26
% Hampshire Successful	45.2%	46.2%	61.5%	52.4%	61.5%	72.0%	57.5%	45.9%	50.0%	57.8%
Total Surrey Attended	10	9	9	9	8	13	10	6	45	13
Number Surrey Successful	6	6	5	6	4	10	8	4	33	11
% Surrey Successful	60.0%	66.7%	55.6%	66.7%	50.0%	76.9%	80.0%	66.7%	73.3%	84.6%
Total Kent Attended	21	29	19	44	67	58	66	49	78	33
Number Kent Successful	12	13	10	30	52	50	54	28	55	17
% Kent Successful	57.1%	44.8%	52.6%	68.2%	77.6%	86.2%	81.8%	57.1%	70.5%	51.5%
Total Sussex Attended	28	0	49	19	46	32	15	18	45	36
Number Sussex Successful	19		32	9	33	16	10	13	33	22
% Sussex Successful	67.9%	#DIV/0!	65.3%	47.4%	71.7%	50.0%	66.7%	72.2%	73.3%	61.1%
Total City of London Attended	0	2	1	0	1	8	4	4	4	6

Number City of London Successful		1	1		1	6	4	3	2	4
% City of London Successful		50.0%	100.0%		100.0%	75.0%	100.0%	75.0%	50.0%	66.7%
Total Devon & Cornwall Attended	18	8	1	17	2	22	46	11	8	38
Number Devon & Cornwall Successful	15	6	1	14	2	21	34	5	3	24
% Devon & Cornwall Successful	83.3%	75.0%	100.0%	82.4%	100.0%	95.5%	73.9%	45.5%	37.5%	63.2%
Total Avon & Somerset Attended	4	12	11	17	19	14	13	7	17	10
Number Avon & Somerset Successful	3	9	7	11	15	10	7	5	11	8
% Avon & Somerset Successful	75.0%	75.0%	63.6%	64.7%	78.9%	71.4%	53.8%	71.4%	64.7%	80.0%
Total Gloucestershire Attended	0	13	4	1	0	21	2	0	2	0
Number Gloucestershire Successful		10	4	1		20	2		2	
% Gloucestershire Successful		76.9%	100.0%	100.0%		95.2%	100.0%		100.0%	
Total Wiltshire Attended	2	21	8	9	6	7	16	1	17	16
Number Wiltshire Successful	0	11	5	3	3	6	13	0	9	12
% Wiltshire Successful	0.0%	52.4%	62.5%	33.3%	50.0%	85.7%	81.3%	0.0%	52.9%	75.0%
Total Dorset Attended	3	1	0	7	2	0	9	0	0	9
Number Dorset Successful	1	1		6	1		8			9
% Dorset Successful	33.3%	100.0%		85.7%	50.0%		88.9%			100.0%
Total North Wales Attended	12	14	15	5	21	21	12	21	2	9
Number North Wales Successful	11	12	12	3	17	16	9	19	1	8
% North Wales Successful	91.7%	85.7%	80.0%	60.0%	81.0%	76.2%	75.0%	90.5%	50.0%	88.9%

Total Gwent Attended	21	19	11	10	16	18	7	19	21	4
Number Gwent Successful	16	11	7	8	11	14	6	16	14	2
% Gwent Successful	76.2%	57.9%	63.6%	80.0%	68.8%	77.8%	85.7%	84.2%	66.7%	50.0%
Total South Wales Attended	30	28	15	27	43	53	9	71	16	33
Number South Wales Successful	13	14	6	12	26	44	3	49	13	24
% South Wales Successful	43.3%	50.0%	40.0%	44.4%	60.5%	83.0%	33.3%	69.0%	81.3%	72.7%
Total Dyfed Powys Attended	16	14	3	10	6	11	11	9	4	6
Number Dyfed Powys Successful	13	11	3	6	6	10	10	9	2	5
% Dyfed Powys Successful	81.3%	78.6%	100.0%	60.0%	100.0%	90.9%	90.9%	100.0%	50.0%	83.3%

White Attended	929
Number of White successful	582
Percentage White successful	62.6%
Other Attended	11
Number of Other successful	6
Percentage Other successful	54.5%
Not Disclosed Attended	37
Number of not disclosed successful	15
Percentage Not disclosed Successful	40.5%

White Attended	711	601	928	1015	1044	1042	1272	1134	858
Number of White successful	412	367	598	686	851	793	856	722	511
Percentage White successful	57.9%	61.1%	64.4%	67.6%	81.5%	76.1%	67.3%	63.7%	59.6%
Other Attended	11	11	11	11	76	74	11	0	11
Number of Other successful	6	6	11	6	60	49	6	0	0
Percentage Other successful	54.5%	60.0%	100.0%	16.7%	78.9%	66.2%	35.7%	0.0%	0.0%
Not Disclosed Attended	99	95	157	163	171	158	145	142	118
Number of not disclosed successful	44	58	83	100	146	126	104	92	72
Percentage Not disclosed Successful	44.4%	61.1%	52.9%	61.3%	85.4%	79.7%	71.7%	64.8%	61.0%

The ethnicity categories were changed after March 2019.

Part 3 – gender / sex data

	Mar-19	Jun-19	Sep-19	Nov-20	Mar-20	Sep-20	Nov-20	Mar-21	Jun-21	Sep-21
Total Number Females Attended	509	442	339	565	632	684	697	823	690	526
Number Females Successful	311	236	200	355	409	563	507	550	422	316
Percentage Females Successful	61.1%	53.4%	59.0%	62.8%	64.7%	82.3%	72.7%	66.8%	61.2%	60.1%
Number Females Unsuccessful	198	206	139	210	223	121	190	273	268	210
Percentage Females Unsuccessful	38.9%	46.6%	41.0%	37.2%	35.3%	17.7%	27.3%	33.2%	38.8%	39.9%
Total Number Males Attended	521	387	338	503	526	585	557	673	621	477
Number Males Successful	318	229	213	319	354	465	417	439	376	260
Percentage of Males Successful	61.0%	59.2%	63.0%	63.4%	67.3%	79.5%	74.9%	65.2%	60.5%	54.5%
Number Males Unsuccessful	203	158	125	184	172	120	140	234	245	217

Percentage Males Unsuccessful	39.0%	40.8%	37.0%	36.6%	32.7%	20.5%	25.1%	34.8%	39.5%	45.5%
Total Number Intersex Attended	Data not held	Data not held	Data not held	Data not held	Data not held	■	0	0	0	0
Number Intersex Successful						■				
Percentage of Intersex Successful						50.0%				
Number Intersex Unsuccessful						■				
Percentage Intersex Unsuccessful						50.0%				
Total Number Prefer not to Say Attended	15	53	73	97	110	123	122	97	110	79
Number Prefer not to say Successful	6	25	42	53	65	107	104	74	77	54
Percentage of Prefer not to say Successful	40.0%	47.2%	57.5%	54.6%	59.1%	87.0%	85.2%	76.3%	70.0%	68.4%
Number Prefer not to say Unsuccessful	9	28	31	44	45	16	18	23	33	25

Percentage Prefer not to say Unsuccessful	60.0%	52.8%	42.5%	45.4%	40.9%	13.0%	14.8%	23.7%	30.0%	31.6%
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