

12th September 2018

**Freedom of Information Request – Reference No:20181162**

**REQUEST**

***Please provide, from 2013 to the present:***

- 1. Every case that a police officer in your force was convicted of a criminal offence, including the date of the conviction, and what the officer was convicted of.***
- 2. For each case, please state whether have you exercised your powers of pension forfeiture under regulation K5 of the Police Pension Regulations 1987. And if so, please state how much of the pension was forfeited***

**RESPONSE**

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire Police, when refusing to provide such information (because the information is exempt), to provide you the applicant with a notice which:

- a. states that fact,
- b. specifies the exemption in question and
- c. states (if that would not otherwise be apparent) why the exemption applies.

The following exemption applies to the disclosure of the information:

**Section 12(2) – Exemption where cost of compliance exceeds appropriate limit**

The Pensions Manager has been approached for similar requests in regards to Pension Forfeitures and they have advised the following:

*We do not hold that specific information, I'm aware of a few cases that we have had over the last few years and there are a couple ongoing but it would be the PCC office to comment on these as they apply for Forfeiture and pensions would be involved in calculating the loss when notified of any percentage.*

*We do not hold any details of Staff pensions either, these are administered by South Yorkshire Pensions Authority.*

*I cannot see any way in which we could find the answers to these questions without considerable investigation and interrogation of records and documentum, we would also need several departments involvement and information from another pension provider.*

*Therefore this is not achievable in the allotted hours for FOI.*

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provide that the cost limit for non-central government public authorities is £450. This must be calculated at the rate of £25 per hour, providing an effective time limit of 18 hours. . If you feel your endeavours can be achieved within the appropriate limit by refining your request, South Yorkshire Police would be more than happy to consider any further request.

Guidance from the Information Commissioner to public authorities is that where one part of a request is reasonably estimated to exceed the appropriate limit then the authority is not obliged to consider or comply with the remainder of the request up to the point at which the appropriate limit has been reached. Please note point 30 of the below link:-

[https://ico.org.uk/media/for-organisations/documents/1199/costs\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf](https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf)