

Intention to Publish Strategy



Historic Data Wash of
Police Workforce Nominal Records against the
Police National Database (PND)
V4 (January 2024)

Background

1. On 13th December 2022, a now former Metropolitan Police Service (MPS) officer pleaded guilty to 43 charges of rape and other serious sexual assault and domestic abuse offences relating to 11 victims. On 16th January 2023 he pleaded guilty to a further 7 such offences. On 7th February 2023, he was sentenced to life imprisonment with a minimum term of 30 years. David Carrick's convicted offending spans a 17-year period with offences dating from 2003 to 2020, with his admissions indexing to no less than 71 instances of serious sexual offending.¹
2. Those offences occurred whilst David Carrick was a serving MPS officer. Such was his un-convicted antecedence whilst holding the Office of Constable, concerns have been raised as to whether opportunities were missed to withdraw the vetting security clearance he held and subject him to the police complaints and misconduct regime.
3. Ultimately both the convictions set out at paragraph (para.) 1 above and the concerns highlighted at para. 2 above have had serious injurious effect on the public's trust and confidence in the police service. This has been consequential to extensive national and local mainstream media (MSM) reporting since 16th January 2023 that has resulted in significant reputational damage for the police service.
4. On 18th January 2023, the Home Office announced that police forces in England and Wales must check their workforce against national databases to identify if anyone had 'slipped through the net.' That phrase essentially means that forces need to provide assurance, by checking their workforce against national databases, to satisfy themselves that where police officers, staff and volunteers have (a) been convicted of a criminal offence and / or (b) been otherwise indexed to adverse information or intelligence e.g., as a suspect, both (i) an appropriate vetting security clearance decision has been made and (ii) proper criminal and / or disciplinary² investigations have been undertaken.
5. In response to the announcement by the Home Office, a decision was taken by the National Police Chiefs' Council (NPCC) that all police officers, staff and volunteers in England and Wales will be checked against the Police National Database (PND) to identify any intelligence or allegations that need further investigation. The PND includes information from Custody records, crime records, intelligence records, domestic and child abuse records and known criminal entity records (OCGS, County Lines Investigations and Modern Slavery Information). The following comments by National Police Chiefs' Council Chair Martin Hewitt, are relevant to this strategy:

"The confidence of women and girls in the police has been damaged further by the horrific and abhorrent details revealed in the David Carrick case. They

¹ <https://www.cps.gov.uk/thames-and-chiltern/news/david-carrick-police-constable-pleads-guilty-relentless-campaign#:~:text=On%2013%20December%202022%2C%20Carrick,assault%20of%20a%20further%20victim.>

² An investigation under schedule 3 of the Police Reform Act 2002 and Police (Complaints and Misconduct) Regulations 2020 or the Police (Conduct) Regulations 2020.

deserve better and they deserve to absolute trust in any officer they may deal with in their time of need.

“Words will not rebuild confidence, only action and the public seeing the results of that actions.

“Checks of all officers and staff will ensure we are turning over every stone in our efforts to rid policing of abusers and corrupt individuals. I know the dedicated, professional majority in policing will support this action.

Methodology of PND checks

6. What follows is not intended to be a detailed synopsis of how police workforce data will be checked against PND, given that is subject of an official sensitive on-boarding briefing sent to the forces involved (see Annex A).
7. By the 15th February 2023, the forces involved will have supplied their formatted workforce data to the PND service provider.
8. The details of all police officers, staff and volunteers (including the Special Constabulary) will then be subject of a historical data wash (HDW) check against the PNDs records to establish if there is any match. This process is to be managed nationally with no impact on the live service of PND.
9. On or before 31st March, HDW data returns (transacted against the PND) will be provided to forces. It is anticipated that a substantial number of false positives will be returned to forces.
10. Following receipt of the HDW data returns, every police force will have until the 29th September 2023 to research the returns provided to identify any member of their workforce who is of potential concern and where further criminal, disciplinary, security clearance vetting, or other local management intervention is required.
11. It is for all the reasons set out at paras. 6 to 10 above, that the checking of the police workforce against PND is not an instantaneous transaction, nor is the analysis of the information provided and it will take several months for forces to determine whether they have person serving with them who presents as a concern and who must be subject of further enquiry and where appropriate, intervention [as referred to at para. 10].

Purpose of this ‘Intention to Publish’ Strategy

12. Between 31st March and 29th September 2023 when forces will be engaged in the protracted checking of the HDW data returns, is anticipated that both the NPCC and individual forces will be subject of requests under section (s.) 1 of the Freedom of Information (Fol) Act 2000, that seek to establish the results of the action directed by the Home Office (as per para. 4). It is likely that these requests, will increase in their intensity during times when the behaviour of those serving in policing is subject of heightened national and local mainstream media reporting. That will inevitably occur

given some of the current serious and sensitive cases being prosecuted both in the Criminal Justice System (CJS) and regulated disciplinary regime, which will predictably and rightly be reported.

13. Forces, specifically their Information Management (IM) departments and Professional Standards Directorates (PSDs) have as result of the publication of the conviction of David Carrick, been subject to an extraordinary number of requests for data arising from applications submitted under s.1 FoI Act 2000. The volume of applications made to forces is such that it is overwhelming the resource capacity available within PSDs to service those requests i.e., meeting their statutory obligations under the Act, whilst at the same time delivering against operational matters that are focused on the purpose of the police disciplinary regime. That presents as a serious risk to public and workforce safety if PSDs are having to suspend operational activity to service concentrated demand driven by s.1 FoI Act 2000.
14. A similar situation of intense demand to service applications made under s.1 FoI Act 2000 was experienced immediately after the conviction of Wayne Couzens on 9th July 2021 for the murder of Sarah Everard and during the months that followed. That considerable demand not only impacted on forces, but it was similarly experienced by the National Police Freedom of Information and Data Protection Unit (NPFDU).
15. Given everything set out at paras. 12 to 13, it is the intention of the NPCC to publish nationally, data relating to the checking of the police workforce against PND.

The Law and FOI process

16. Freedom of Information Act 2000 (FOI)

The legislation gives the public an automatic right to request information from a public authority (PA). For the purposes of this strategy, the relevant PA will be the NPCC. It is important to note that any information held by a PA, regardless of its origins or author, will be subject to the legislation. **It is mandated that the information holder, receiving the request, will be solely responsible for decisions regarding disclosure.** However, there is a clearly defined requirement to consult with third parties who may be affected by any such disclosures.

17. The NPCC FOI publication strategy has been formulated to allow any public authorities to take advantage, when appropriate, of the exemption within FOI legislation found at Section 22.

18. Section 22 may not be used, and authorities may not take the decision to publish the information, **after the request for information is received.** The key to it is that the

decision to publish must have been made prior to any request for the information being received.

19. The NPCC decision to produce this intention to publish data means that the Section 22 exemption is engaged for **any** PA wishing to apply that exemption. That decision does not have to have been made by the PA receiving the request but can be made by any party who also holds the same information. **This publication strategy is therefore transferable between all relevant parties.**
20. The identified benefits of engaging this exemption are that dealing with requests for certain data whilst the negotiations are ongoing can be complex and resource intensive.
21. The application of this exemption also allows a sterile period, prior to publication, where all the stakeholders can engage, ensuring the final publication meets the full needs of the public and the authorities involved. This coordinated approach to publication mitigates any harm that may be caused by random incomplete information entering the public domain.

Data to be Published

22. The NPCC intend to publish in January 2024, the following data disaggregated to police officers, staff and volunteers:
 - (a) Total number of searches completed (number of individuals broken down to force level)
 - (b) Number of individuals with no concern (broken down to force level)
 - (c) Number of individuals of potential concern escalated to the appropriate authority (broken down to force level) and of those:
 - i) Number of individuals triggering further criminal investigation enquiries
 - ii) Number of individuals triggering a disciplinary investigation
 - iii) Number of individuals subject of vetting clearance review
 - iv) Number of individuals subject of management intervention or other action
 - v) Number of individuals subject of no action

ci) In relation to c(i) to (iv) above, further workforce data information will also be provided at a national level:

- i) Age (<25, <26-40, 41+, not recorded)
- ii) Sex (Male, female, intersex)
- iii) Ethnicity (as per CoP National Standard for Recording Workforce Data version 4.8)

In addition:

- iv) Officer Rank (categorised as federated, superintending and Chief Officer)
- v) Police staff (includes PCSO's and volunteers)
- vi) Length of service (<5, <10, < 20, 20+)

d) The nature of the allegations relating to those individuals subject to criminal investigations will also be published in broad terms using the Home Office Counting Rules (HOCR) definitions* set out below (*or equivalent for non-HO forces):

1. Violence against the person
2. Sexual offences
3. Robbery
4. Burglary
5. Vehicle offences
6. Theft
7. Arson and criminal damage
8. Drug offences
9. Public order offences
10. Possession of weapons
11. Miscellaneous crimes against society
12. Fraud
13. Multiple

di) For disciplinary investigations the NPCC will publish in broad terms the nature of the investigation relating to the overall categories in the '*IOPC Guidance on capturing data about police complaints**** (updated 2021) appendix A (*Definitions of categories for logging the nature of police complaints*). (**or equivalent for non-HO forces):

23. It is anticipated that there will be requests made for outcomes relating to those individuals who comprise the cohorts set out at para. 22c(i) to (iii). However, at the time of publication, it is probably that many investigations and reviews will be ongoing and therefore this likelihood should be made apparent on release of the data. That fact should be made clear on publication of the data by the NPCC and individuals seeking such information will be signposted to individual forces with applications to be made under s.1 Fol 2000.

24. Thereafter and in avoidance of servicing multiple applications submitted under s.1 Fol 2000 (all potentially with differing parameters), forces should consider a publication framework on their own force website, thus further engaging s.22 of the Act.

Annex A – Forces in the HDW

Avon and Somerset Constabulary
Bedfordshire Police
Cambridgeshire Constabulary
Cheshire Constabulary
City of London Police
Cleveland Police
Cumbria Constabulary
Derbyshire Constabulary
Devon & Cornwall Police
Dfyled-Powys Police
Dorset Police
Durham Constabulary
Essex Police
Gloucestershire Constabulary
Greater Manchester Police
Gwent Police
Hampshire Constabulary
Hertfordshire Constabulary
Humberside Police
Kent Police
Lancashire Constabulary
Leicestershire Police
Lincolnshire Police
Merseyside Police
Metropolitan Police Service
Norfolk Constabulary
North Wales Police
North Yorkshire Police * (note have previously completed HDW)
Northamptonshire Police
Northumbria Police
Nottinghamshire Police
South Wales Police
South Yorkshire Police
Staffordshire Police
Suffolk Constabulary
Surrey Police
Sussex Police
Thames Valley Police
Warwickshire Police
West Mercia Police
West Midlands Police
West Yorkshire Police
Wiltshire Police

British Transport Police
Civil Nuclear Constabulary
Police Scotland
Police Service Northern Ireland
Ministry of Defence
National Crime Agency