

Freedom of Information request

Your e-mail requesting information using Freedom of Information Act 2000 legislation has been received in the office of the Police and Crime Commissioner. You specifically requested:

“ . . . the disclosure of financial sums relating to:

- 1. The salary payable whilst Mrs Mosquito was suspended.*
- 2. The total cost on hours spent and fees paid for the investigation, including the cost of assembling the reported Independent panel.*
- 3. The costs incurred of defending the initiated employment tribunal matter until its settlement (out of court)*
- 4. The actual out of court settlement figure.*
- 5. All other costs relating to this specific issue.”*

I can confirm that the information you seek is held by this office but is exempt by virtue of:

Section 40 (2): Personal information

This letter serves as a refusal notice under Section 17 of the FOI Act 2000.

Section 40 (2): The Police and Crime Commissioner’s office is withholding the information you have requested on the basis that the exemption contained in S40 (2) of the Freedom of Information Act applies. The information is personal data of a third party and the disclosure of that data would breach the first data protection principle of the Data Protection Act 1998 (“Personal data shall be processed fairly and lawfully, and in particular shall not be processed unless (a) at least one of the conditions in Schedule 2 is met . . .”)

S.6(1) of Schedule 2 of the Act specifies:

“The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.”

The Office of the Police and Crime Commissioner considers that the data subject’s realistic expectation of privacy is outweighed by any legitimate public interest.

Your attention is drawn to your right to request a re-examination of your request under the Police and Crime Commissioner’s review procedure (see attached). Please note that such an appeal must be received within 6 months of the date of this correspondence.

Yours sincerely

Jonathan Jardine
Chief Executive