

Freedom of Information request reference number: 6124.1

Date of response: 24 November 2021

Request:

I would like to be provided with the following information per calendar year from 2017, up to and including 2020, regarding sexual misconduct allegations against members of your force.

- A summary of the allegation*
- The year the allegation took place*
- If the case was not upheld, the reason it was not upheld*
- If the case was upheld, the disciplinary action taken. Please specify whether the perpetrator is still a member of your force.*
- If it does not push the request over the cost limit, please provide the race and gender of both the person making the allegation and who the allegation was against.*

Response:

In response, our People Services team have confirmed that the LFB do not have a specific category of 'sexual misconduct allegations' recorded within the LFB disciplinary system. We can break down cases into certain categories for reporting purposes. Categories on the disciplinary system include:

*Assault, etc.
Breach Auth Pol/Proc
Breach of CoPUC
Breach of H&S regs
Bring Auth. Disreput
Criminal Charge/Conv
Damage Auth Equip
F Drug/Alc Test/Proc
Fail Notify Crim.
Fail/refuse LMI
Financial irregular.
Fraud
Harassment, etc.
Inap. Behaviour
Lateness
Misuse Auth Facil's
Negligence*

The categories are chosen by the individual HR Adviser dealing with the case. It is possible that allegations of sexual harassment could be recorded under 'inappropriate behaviour', 'assault', 'Harassment, etc' or one of several of the other categories, depending on the nature of the

complaint. The only way to confirm would be to check each individual record and review the allegations.

The outcome of all discipline (conduct or performance) cases are published online via the London Datastore. This information can be accessed via the following link to the LFB HR Statistical Abstract: <https://data.london.gov.uk/dataset/hr-statistical-abstract?q=hr>

Further information about the discipline cases may be held in the discipline record for each case. You will see from the HR Abstract that the LFB have a record of 222 discipline (conduct) cases between 2017 and 2020.

Should every case in the discipline categories need to be reviewed to gather the information you have requested, due to the way our systems are set up and the data is held, our People Services Department consider this would be a lengthy exercise, likely to take at least some time to complete. For each case, the detail we need to respond to your request would be held in individual record files. As such we would have to manually review some 222 discipline records as we do not hold the information you asked for in a database.

The only way to identify each case where sexual misconduct allegations was the subject of the discipline would exceed the relevant time limit set out under the FOIA. This 'fees limit' is calculated by taking the cost limit appropriate to the Brigade (i.e. £450) divided by the standard rate at which a local authority (including the Brigade) can charge for this work (£25 an hour). This equates to 18 hours.

Using an average of 10 minutes for each discipline record (222 cases), it will take 37 hours (10 minutes times 222 discipline cases, divided by 60 minutes equals 37 hours) to review all of the relevant records. I therefore confirm that the cost of providing the information you have requested is in the cost range of £925 which is greater than the "appropriate limit" of £450 as defined the FOIA fee regulations. In setting this out in full this now serves as a formal 'refusal notice' based on section 12 of the FOIA. As you are aware, if the cost exceeds the appropriate limit to comply with a request, a public authority is not obliged to comply with it.

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request [on our website](#).