

FOI Disclosures January 2022

Index

This month we have responded to questions relating to the following topics:

- [IOPC staff who are ex police officers](#)
- [IOPC IT Security Strategy](#)
- [Downing Street lockdown parties](#)

If you require a full copy of any of the embedded attachments, please contact Requestinfo@policeconduct.gov.uk quoting the reference number from the relevant response.

<u>Ref</u> <u>5023195</u> <small>Back to top</small>	<u>IOPC staff who are ex police officers</u>
<u>Request</u>	<p><i>What is the total number of staff at the IOPC? What proportion of IOPC staff have worked in a policing role beforehand. How many staff work directly investigating police misconduct? What proportion of those who investigate police misconduct are ex-police officers?</i></p> <p><i>What checks are carried out to ensure investigators of police misconduct have no relationships with current serving police officers.</i></p> <p><i>Are you aware of any investigation where an IOPC staff member was investigating an officer that they had previously worked with?</i></p>
<u>Response</u>	<ol style="list-style-type: none">1. Information is published on <u>this page of our web site</u>. Please see the links to our reports under the heading 'Staff diversity information'. The <u>most recent staff diversity report</u>, which was published in late December, includes information about staff career background separated by role and IOPC directorate in the tables on pages 11 to 15.2. IOPC employees are required by the IOPC Code of Conduct to declare conflicts of interest in accordance with our Conflicts of Interest Policy. This policy is available here: <u>https://www.whatdotheyknow.com/request/574660/response/1377773/attach/8/Conflicts%20of%20Interest%20Policy.pdf?cookie_passthrough=1</u>

As stated in the Code of Conduct: “a persistent or significant failure to meet any aspect(s) of the code will be taken seriously and may lead to capability or disciplinary sanctions”.

Our Code of Conduct is available here:

https://www.whatdotheyknow.com/request/688065/response/165718/attach/3/IOPC%20Code%20of%20Conduct.PDF.pdf?cookie_pass_through=1

3. As stated under paragraph 5.1 of the Conflicts of Interest Policy:

“Timely and robust management of conflicts of interest is inherently reliant upon individual members of staff considering the delivery of their IOPC duties in the context of their personal circumstances and identifying matters where there exists the potential for a conflict to arise, or be perceived to arise”.

Therefore, if such a conflict of interest was not declared in breach of the Policy and Code of Conduct, it may remain undetected unless we became aware by some other means. While there may have been instances of such a breach being discovered in the absence of an appropriate declaration, there is no systematic way of finding a relevant example without carrying out extensive manual searches of investigation files and the personal files of our employees held by our Human Resources department. This would involve reading through the documents in many thousands of files.

Similarly, it is possible that a potential conflict arising from a previous working relationship has been properly declared under the policy but the line manager decided that the interest was not significant enough for any further steps to be necessary and/or that the individual should be separated from the investigation. Once again there is no systematic way of finding any such decisions without carrying out very time consuming manual checks on a large number of files.

The cost limit under section 12 of the FOIA creates an exception from compliance where the work involved in identifying, locating and retrieving the information would exceed the ‘cost limit’ which is set for the IOPC at £450 or 18 hours at £25 per hour. As the cost limit would be exceeded by these searches by a very significant margin, we have concluded that we are not obliged to comply with this part of your request.

Ref 5023198 Back to top	<u>IOPC IT Security Strategy</u>
<u>Request</u>	<ol style="list-style-type: none"> 1. Do you have a formal IT security strategy? (Please provide a link to the strategy) 2. Does this strategy specifically address the monitoring of network attached device configurations to identify any malicious or non-malicious change to the device configuration? 3. If yes to Question 2, how do you manage this identification process 4. Have you ever encountered a situation where user services have been disrupted due to an accidental/non malicious change that had been made to a device configuration? 5. If a piece of malware was maliciously uploaded to a device on your network, how quickly do you think it would be identified and isolated? 6. How many devices do you have attached to your network that require monitoring? 7. Have you ever discovered devices attached to the network that you weren't previously aware of? If yes, how do you manage this identification process 8. How many physical devices (IP's) do you have attached to your network that require monitoring for configuration vulnerability 9. Have you suffered any external security attacks that have used malware on a network attached device to help breach your security measures 10. Have you ever experienced service disruption to users due to an accidental, non-malicious change being made to device configurations? 11. When a scheduled audit takes place for the likes of PSN or Cyber Essentials, how likely are you to get significant numbers of audit fails relating to the status of the IT infrastructure?
<u>Response</u>	<ol style="list-style-type: none"> 1. We have an IT Security Strategy. We cannot provide a link to the IOPC IT security strategy because it has not been published and we have no plans to publish it. <p>We are refusing parts 2 to 10 of your request because the information engages the exemption under section 31(1)(a) and the public interest in maintaining this exemption outweighs the public interest in disclosure.</p> <p>We have decided that part 11 of your request engages section 31(3) of the FOIA, which provides an exemption from the duty to confirm or deny that the relevant information is held. We are refusing to state whether or not we</p>

	<p>hold the information after concluding that the public interest in refusal outweighs the public interest in complying with the duty to confirm or deny.</p> <p>Our decision under part 11 should not be understood as indicating that the IOPC does or does not hold any relevant information.</p>
<p>Ref 5023264 Back to top</p>	<p><u>Downing Street lockdown parties</u></p>
<p><u>Request</u></p>	<p><i>How many formal complaints have the IOPC received with regards to the alleged failure of the Metropolitan Police to investigate the “Parties” Plural at Number 10 Downing Street, during the Covid Lockdowns.</i></p>
<p><u>Response</u></p>	<p>Complaints about the conduct of police officers are normally received by the police force in the first instance, not by the IOPC. Any complaints or concerns made directly to the IOPC are redirected to the Appropriate Authority who must then decide whether to formally record the matter as a public complaint in line with the requirements of the Police Reform Act 2002 (PRA). Further information about making complaints is available on HYPERLINK "https://www.policeconduct.gov.uk/complaints-reviews-and-appeals/make-complaint" this page of our web site.</p> <p>Given the subject matter of your request we would refer you to the page headed HYPERLINK "https://policeconduct.gov.uk/complaints-reviews-and-appeals/make-complaint/raising-concerns-about-incidents-media" Raising concerns about incidents in the media. This confirms that persons who are not directly affected or were not present at the incident cannot use the police complaints system to make their concerns known, though this does not prevent them from raising their concerns with the police so that they can be noted. Our detailed guidance on who can make a complaint is on page 32 of our HYPERLINK "https://www.policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/2020_statutory_guidance_english.pdf" Statutory Guidance on the police complaints system</p> <p>Therefore any complaints or concerns we received about these matters from the public would be passed on to the Metropolitan Police Service (MPS) without any formal assessment by the IOPC and would not be recorded unless they met the eligibility criteria. The police do not confirm to the IOPC whether they have recorded a matter that we pass on to them and they do not routinely provide the IOPC with data in respect of very specific complaint categories such as this. Therefore we would recommend that you contact the MPS if you require data on the number of any such complaints they have formally recorded under the PRA.</p> <p>Our Customer Contact Centre has been keeping a record of correspondence from the public that refers to the MPS response to the Downing Street party allegations. We have received 11 items of correspondence in this category so far, all of which have been passed to the MPS under our usual procedure for complaints and concerns we</p>

	<p>receive directly from the public. We are not following up on this correspondence with MPS, who must consider it in accordance with their duties under the legislation. Please note that this does not include any complaints or concerns that have been notified via our online process for submitting a matter directly to the relevant police force (please see the form under 'Complain to the force directly' on the HYPERLINK "https://www.policeconduct.gov.uk/complaints-reviews-and-appeals/make-complaint" Make a complaint page of our web site). We do not retain any data about these contacts from which we could identify their subject matter.</p>
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