**Freedom of Information - Humberside Fire and Rescue Service**

**2025/26 061 Misconduct Cases**

**The request is:**

**Question 1** - In the last five years, how many misconduct cases has the service dealt with? (Broken down by years 2020-21, 2021-22, 2022-23, 2023-24 and 2024-25, by gender and by type of misconduct i.e. discriminatory behaviour (sexual, racial, etc..) harassment, bullying

**Question 2** - Of those, how many were categorised as gross misconduct?

**Question 3** - Of those, can you provide the outcomes of the cases – e.g. dismissal, written warnings or no case to answer

**Question 4** – of those, how many were awarded compensation?

**Question 5** – How much compensation has been awarded in total?

**The response is:**

I can confirm that Humberside Fire and Rescue Service hold this information.

Due to technical reasons, we are only able to access data back to 2022.

**Question 1**

2022-23

18 total

We are unable to disclose the breakdown by males and females as the number of females is too low to disclose as this is likely to identify the individuals concerned and is therefore deemed personal data which is exempt under Section 40(2) of the Freedom of Information Act 2000. Personal data is information that relates to an identified or identifiable individual. Please see further information on Section 40(2) below.

Reasons included:

* Conduct and Behaviour
* Criminal charges
* Social Media Use
* Other

2023-24

74 total

We are unable to disclose the breakdown by males and females as the number of females is too low to disclose as this is likely to identify the individuals concerned and is therefore deemed personal data which is exempt under Section 40(2) of the Freedom of Information Act 2000. Personal data is information that relates to an identified or identifiable individual. Please see further information on Section 40(2) below.

Reasons included:

* Breach of Service Policy
* Bullying and Harassment
* Conduct and Behaviour
* Criminal Charges
* Failure to Follow Procedure
* Other

2024-25

16 total

We are unable to disclose the breakdown by males and females as the number of females is too low to disclose as this is likely to identify the individuals concerned and is therefore deemed personal data which is exempt under Section 40(2) of the Freedom of Information Act 2000. Personal data is information that relates to an identified or identifiable individual. Please see further information on Section 40(2) below.

Reasons included:

•             Bullying and Harassment

•             Conduct and Behaviour

•             Criminal Charges

•             Drugs and Alcohol

**Question 2**

2022-23 – 13

2023-24 – 15

2024-25 – 15

**Question 3**

2022-23 – 13

No case to answer – 3

Case to answer – 10

2023-24 – 15

No case to answer – 2

Case to answer - 13

2024-25 – 15

No case to answer – 3

Case to answer – 12

**Question 4** – of those, how many were awarded compensation? 0

**Question 5** – How much compensation has been awarded in total? £0

**Section 40 of FOIA:**

(2) Any information to which a request for information relates is also exempt information if—

1. it constitutes personal data which does not fall within subsection (1), and
2. the first condition below is satisfied.

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

1. would contravene any of the data protection principles

Section 40(2) is an absolute exemption where if the first condition is satisfied, then a public interest test is not necessary, however, public interest must be considered when judging lawfulness under principle (3A(a)).

To judge whether disclosure would contravene principle (3A(a)), consideration must be given to whether it is it lawful, fair and transparent. The most relevant lawful basis in this case would be legitimate interest and have therefore considered the public interest on this basis:

**Public interest in favour of disclosure:**

1. There is a legitimate public interest in the number of individuals who have been involved in misconduct cases.

**Public Interest in favour of withholding:**

1. Disclosing small numbers could lead to the identification of individuals, which would be an unwarranted invasion of their personal privacy.
2. Identifying of individuals through the disclosure could expose them to harm, distress, or discrimination.
3. Ensuring that personal data is protected helps maintain public trust in public authorities and encourages individuals to engage and provide accurate meaningful information to the organisation.

We then considered whether disclosure is necessary to meet the legitimate interest.

We believe there is a legitimate interest for the requester in the information withheld, however, do not believe that detailed numbers are required to meet this interest.

**Balancing Test:**

It is necessary to balance the factors above whilst maintaining transparency and privacy. Withholding the number of individuals who been involved in misconduct cases would not wholly satisfy the request, however, would satisfy the wider legitimate interest, and disclosure of the detailed information is likely to cause harm to the individuals concerned as outlined above in the public interest reasoning. It is our belief that the legitimate interest does not outweigh the interests and rights of the individuals who have a right to personal privacy.

On balance, the public interest in withholding the requested information outweighs the public interest in disclosure and the information requested is exempt under Section 40(2) Personal Information of the Freedom of Information Act.

If you are unhappy with the handling of your request, you have the right to ask for an internal review. A request for an internal review should be made within 40 working days of the date of this email. If you are not happy with the outcome of the internal review, you have the right to apply direct to the Information Commissioner at [www.ico.org.uk/foicomplaints](https://newsletter.ico.org.uk/c/1lULiJldYNwfIFlCf3c4BKJdO). The postal address is: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.