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Our Ref: FOI2018/04540

**REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/04540**

I write in connection with your request for information received on 14th August. I note you seek access to the following information:

**I am requesting the following information under the freedom of information act**

**Please tell me how many employment tribunals claims have been made against the force since August 2013, the nature of the complaint (ie harassment, bullying, inequality), the outcome, and whether the claim is ongoing.**

**Please tell me how many of these claims involved/cited officers above inspector rank (I am NOT asking for how many claimants were senior officers but rather how many claims referred to the behaviour of an officer of greater rank than inspector).**

**Please break the information down year by year (taking the year in which a claim was lodged).**

**Please indicate where one claimant has made multiple claims.**

**If this request exceeds the time limit I would appreciate the opportunity to discuss how it can be refined.**

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Following enquiries within the Constabulary please see our response below.

**Response –** Please see the below table detailing the information you have requested.

No. of claims	Year	Has the claimant made multiple ET claims during the relevant period?	Nature of claim	Involved/Cited Officers above rank of Inspector	Outcome	Claim Status
1	2014	No	Disability discrimination and unfair dismissal	N/A – there are no direct allegations against individual officers/staff	Withdrawn subject to COT3 but without a financial settlement	Closed
2	2014	No	Disability discrimination and unfair dismissal	N/A – there are no direct allegations against individual officers/staff	Judgement for the Respondent (i.e. in favour of the Chief Constable)	Closed
3	2014	No	Disability discrimination	Yes	Claim withdrawn by the claimant	Closed

4	2014	No	Whistleblowing – suffered detriment as a result of protected disclosure	Yes	Withdrawn subject to COT3 but without a financial settlement	Closed
5	2015	No	Race and disability discrimination	Yes	Withdrawn subject to COT3 but without a financial settlement	Closed
6	2015	Class action with 23 claimants	Non-payment of holiday pay and arrears of pay	N/A – there are no direct allegations against individual officers/staff	Withdrawn subject to COT3 but without a financial settlement	Closed
7	2015	No	Disability discrimination	Yes	Withdrawn subject to COT3 but without a financial settlement	Closed
8	2015	Yes – see entry (9) – these two claims were eventually consolidated by the Tribunal	Disability discrimination and victimisation	Yes	Withdrawn subject to a Compromise Agreement which included a financial settlement	Closed
9	2015	Yes – see entry (8) – these two claims were eventually consolidated by the Tribunal	Disability discrimination	Yes	As above – these proceedings were consolidated	Closed
10	2015	Yes – see entries (12) & (13) – these 3 claims were eventually consolidated by the Tribunal	Race and disability discrimination	Yes	Claim withdrawn by the claimant	Closed
11	2015	No	Disability discrimination	N/A – there do not appear to be any direct allegations against individual officers/staff	Settled by way of a Settlement Agreement, which included a financial settlement	Closed
12	2017	Yes – see entries (10) and (13) – these 3 claims were eventually consolidated by the Tribunal	Race discrimination and victimisation	Yes	Refer to entry at (10) above – these claims were consolidated	Closed
13	2017	Yes – see entries (10) and (12)	Race and disability discrimination and victimisation	Yes	Refer to entry at (10) above – these claims were consolidated	Closed
14	2017	No	Disability discrimination	Yes		Ongoing
15	2017	No	Sex discrimination	Yes	Withdrawn subject to a COT3 which included a financial settlement	Closed
16	2017	No	Discrimination	Yes	Withdrawn	Closed

			on grounds of race, religion or belief		subject to a COT3 which included a financial settlement	
17	2017	No	Unfair dismissal	No	Withdrawn by the claimant	Closed
18	2017	No	Race discrimination	No	Withdrawn by the claimant	Closed

In regard to on-going investigations, Hertfordshire Constabulary can neither confirm nor deny whether it holds any information, by virtue of the Section 30(3) – Investigations exemption.

Section 30 is a class based qualified exemption and consideration if the public interest test must be given as to whether neither confirming nor denying that any information exists is the appropriate response.

**Section 30(3) Investigations**

**Factors favouring complying with Section 1 (1) (a) – confirming information is held**

Confirming or denying that any information exists relevant to this request would lead to a better informed public which may encourage individuals to provide intelligence in order to assist investigations and reduce crime.

**Factors against complying with Section 1 (1) (a) – neither confirming nor denying that information is held**

Confirmation or denial that information is held in regards to specific investigations in progress, especially if covert operations were in place. This would prejudice the force’s ability to effectively investigate and as such law enforcement tactics would be compromised.

**Balancing Test**

The Police Service relies heavily on the public providing information to assist in criminal investigations and has a duty to protect and defend vulnerable individuals. The public has an expectation that any information they provide will be treated with confidence. Anything which places that confidence at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service.

In addition, the effective delivery of operational law enforcement is of paramount importance to Hertfordshire Constabulary, so that through our duty to effectively investigate crime, we can ensure the apprehension or prosecution of offenders is maintained.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for confirmation or denial that information is held is not made out.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson  
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.