

Our Ref: IM-FOI-2022-0292
Date: 28 February 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

Under FOI legislation I would like to know the number of police officers, in any role, across the whole of Police Scotland, who have been paid any form of back pay relating to being on-call. This time period I am requesting this information about is from the commencement of PSOS, 01/04/20213 to the current date, 31/01/2022.

In response to your request, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

To first explain that 'back pay' isn't recorded on SCoPE as it would be calculated by Payroll when identified and paid directly.

Payroll have also confirmed there is no systemic way of distinguishing between what was 'back pay' and what were *ordinary* payments.

Furthermore, any undertaking to identify all such payments would include interrogating multiple payroll systems for the legacy forces (i.e. pre-iTrent).

In summary, without a largely manual exercise we would have no way of answering this question, and this is true even across a much reduced timescale.

As the details requested are not held in a retrievable format identifying the requested information would take a significant period of time. Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so your request would breach the cost threshold.

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If you require further assistance or are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.