| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-3170  Responded to: 4th January 2024 |
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Your recent request for information is replicated below, together with our response.

1. **How many times have Police Scotland breached the 1 month time limit for Subject Access Requests since the inception of Police Scotland**

SAR compliance data for the period prior to January 2020 is no longer held by Police Scotland in accordance with our record retention policies and section 17 of the Act therefore applies.

Data for the period January 2020 to 30 September is detailed below:

|  |  |  |
| --- | --- | --- |
| **Year** | **SARs received** | **SARs responded to late** |
| 2020 | 5,550 | 364 |
| 2021 | 5,905 | 471 |
| 2022 | 6,438 | 442 |
| 2023 (Jan - Sep) | 5,883 | 591 |

Data for the last quarter of 2023 will be available around February 2024.

Data regarding compliance with FOI timescales is available online if that is of interest:

[FOI and EIRs statistics | Scottish Information Commissioner (itspublicknowledge.info)](https://www.itspublicknowledge.info/statistics)

1. **How many times has the Information commissioners office had to contact Polce Scotland to force them to comply with a Subject Access Request**

ICO complaint data for the period prior to January 2019 is no longer held by Police Scotland in accordance with our record retention policies and section 17 of the Act therefore applies.

Since January 2019, Police Scotland has received notification of 208 complaints from the ICO.

These will relate to a variety of matters and not solely the handling of SARs.

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to read through the detail of all of these complaints and assess whether they related to a SAR and, if so, whether the ICO ordered Police Scotland to provide information to the applicant.

I am therefore refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

1. **How many Enforcement notices have the Information commissioner’s office issued to Police Scotland for failing to comply with FOI or SAR laws.**

Zero enforcement or information notices have been issued against Police Scotland by the ICO in relation to SARs since 2013.

FOI in Scotland is not regulated by the ICO and is instead regulated by the [Office of the Scottish Information Commissioner](https://www.itspublicknowledge.info/enforcement-notices) (OSIC). Zero enforcement notices have been issued against Police Scotland by OSIC since 2013.

1. **How many times has court action been taken against Police Scotland for failing to comply with FOI and SAR laws.**
2. **How many times have Police Scotland been fined for not complying with FOI or Sar Laws**
3. **What is the total amount of fines paid by Police Scotland (if any) for not complying with FOI or SAR Requests.**

The responses to the questions above are all zero and section 17 of the Act therefore applies.

Please note that the Office of the Scottish Information Commissioner do not issue fines in relation to FOI in Scotland.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.