| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-2561  Responded to: 18 September 2025 |
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Your recent request for information is replicated below, together with our response.

**Thank you for your response to FOI request 25-2149 dated 6 August 2025.**

**I write in honour and lawful standing to respectfully seek further clarification regarding Police Scotland’s procurement practices, data protection oversight, and corporate governance.**

**1. Data Protection Impact Assessments (DPIAs)**

**Your response confirms that lower-value contracts are not routinely assessed for harm prior to publication. I respectfully ask:**

**Has Police Scotland conducted DPIAs for contracts involving:**

**- Surveillance technology (e.g. facial recognition, ANPR, biometric systems)**

**- Cloud platforms, data analytics, or third-party IT infrastructure**

**- Community engagement or training systems involving personal data**

We have conducted a search of our Data Protection Impact Assessment (DPIA) register using the following key words: Surveillance Cloud, Community, Facial Recognition, ANPR, Biometric Systems, Data analytics, Training and can confirm we have DPIAs registered against each term. This provides evidence that the examples quoted are subject to the same Data Protection governance as any other, and that the same Lawful Bases apply with regard to: [UK GDPR Article 6](https://www.legislation.gov.uk/eur/2016/679/article/6).

**If DPIAs have not been conducted, please confirm the lawful basis under GDPR Article 6 and Article 35 for processing personal data via these systems.**

Please note, the published guidance for the initiation of a DPIA makes no mention at all of the value of a Contract, but does mention risk to the data protection rights of any person whose data is being processed by Police Service of Scotland (PSoS), and adherence to the Data Protection Principles.  The published guidance may be seen here:

DPIAs - Section 7.6 of [Information Sharing SOP](https://spi.spnet.local/policescotland/guidance/Standard%20Operating%20Procedures/Information%20Sharing%20SOP.pdf)

DPIAs - Section 13 of [Data Protection SOP](https://spi.spnet.local/policescotland/guidance/Standard%20Operating%20Procedures/Data%20Protection%20SOP.pdf)

Data Protection Principles – Section 5 of [Data Protection SOP](https://spi.spnet.local/policescotland/guidance/Standard%20Operating%20Procedures/Data%20Protection%20SOP.pdf)

I should note that [UK GDPR Article 35](https://www.legislation.gov.uk/eur/2016/679/article/35) does not provide Lawful Bases for processing as it states the obligation and requirements to conduct a DPIA.

**2. Corporate Identity and Legal Personality**

**Please confirm:**

**Whether Police Scotland or the Scottish Police Authority holds a Legal Entity Identifier (LEI), D-U-N-S® number, or Companies House registration**

Neither Police Scotland nor the Scottish Police Authority hold a Legal Entity Identifier, nor are they registered on Companies House.

We do not hold any information in relation to this part of your request and section 17 of the Act therefore applies.

**Whether enforcement actions are carried out under statutory authority or delegated commercial contract**

Police Officers of Police Scotland conducting enforcement action such as arresting/ charging individuals, would do so under their common law or statutory powers depending on the nature of the offence.

In regards to enforcement action such as making an arrestment of funds / charging (presumably for services) then arrestment could be under statute by Police Scotland and charging for services would be by the Scottish Police Authority (SPA) under section 86 or 87 of the Police and Fire Reform (Scotland) Act 2012 or other relevant statute.

**Whether individuals engaging with Police Scotland are presumed to be interacting with a statutory body or a corporate entity operating under limited liability**

The Scottish Police Authority is a body corporate established under Section 1 of the Police and Fire Reform (Scotland) Act 2012.  It is also the contracting authority for itself and the Police Service of Scotland – as per section 4 of the 2012 Act and the Schedule to the Procurement Reform (Scotland) Act 2014. It is not a limited liability corporate entity.

The Police Service of Scotland (“Police Scotland”) is a constabulary established under section 6 of the 2012 Act. The Chief Constable and Scottish Police Authority’s liabilities for unlawful conduct are as defined by Section 24 of the 2012 Act.

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](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) 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.