

Our Ref: IM-FOI-2022-0535
Date: 17 March 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.

I would like to submit a request for some information from the organisation, in relation to their contract's register.

The FULL contract register should display all the organisations existing/live contracts I would like the register to display the following columns/headings:

- 1. Contract Reference -Unique reference number associated with the contract.**
- 2. Contract Title**
- 3. Procurement Category –Please state the category name of the contract, I wish to know the category the contract is under.**
- 4. Supplier Name**
- 5. Spend (Total, Annual or contract value)**
- 6. Contract's Duration**
- 7. Contract's Extensions**
- 8. Contract's Start Date**
- 9. Contract's Expiry Date**
- 10. Contract Description [Please provide me with as much detail as possible.]**
- 11. Contact Owner (Person that manages the contract register)**
- 12. CPV codes/Pro-Class**

Having considered your request I can advise that the information requested for regulated contracts between the value of £50,000 to £2m is publicly accessible and accordingly, the following exemption is applicable:

Section 25(1) – Information otherwise accessible

This is an absolute exemption and does not require consideration of the public interest test.

Please see the link below to Public Contracts Scotland (PCS) website.

Please search for Scottish Police Authority (SPA) for any **regulated contracts** (>£50,000 for goods/service contracts and >£2m for works contracts.)

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA19762

In relation to information requested for all contracts, please see the attachment which contains all live **unregulated** contracts which we do not publish on PCS as they do not meet the requirements for publication.

Some of the information requested by you is, however, considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies. Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

Section 30(c) Effective conduct of public affairs

Specifically, this exemption relates to email addresses of the Service and other agencies that are not in the public domain. These have been redacted in terms of Section 30(c) in order to protect the effective internal and external communications within the Service.

This is a non-absolute exemption and requires consideration of the public interest test.

Public Interest Test

The above exemption is non absolute and requires the application of the Public Interest Test. Some internal email addresses are not for public use and have not been disclosed as these are for operational purposes only. This information has been removed in order to ensure that internal processes are protected and abuse of the telephone numbers or email addresses does not occur. Disclosure of this information would be likely to adversely affect internal processes of the Service or other agencies.

Section 33(1) (b) – Commercial Interests

Any relevant information supplied by a company is provided in the expectation that whilst remaining relevant, is commercially sensitive, will be held by Police Scotland and not disclosed to another organisation which may gain a competitive advantage in receiving this information. However, if the information was disclosed this may, in the future, reduce the number of companies tendering for the supply of goods and services, they being aware that the Police will disclose commercially sensitive information. This is likely to negatively impact on the tendering process used by the service to ensure it purchases the most efficient and cost effective services in the future, and prejudice the commercial interests of Police.

This is a non-absolute exemption which requires the application of the Public Interest Test.

Public Interest Test

Police Scotland is a publicly funded organisation and therefore the Service has an obligation to obtain best value for money with particular services. Further, in order to do this, it is essential to maintain working relationships with these companies that tender their services.

As such, Police Scotland will not disclose any information that would impact on the ability to do both. The public interest would not be served if it were no longer possible to engage companies in a tender offer if they believed that conducting business with Police Scotland would result in their confidential financial information being released.

Contract Data/API Contact Details

1. Can you also provide me with contact details of the person responsible for the actual contract's register or someone responsible for API? [Name, Job Title, Telephone, Email Address] At the very least provide me with their actual job title.

(Meaning of API "a set of functions and procedures that allow the creation of applications which access the features or data of an operating system, application, or other service.")

I can advise you that Police Scotland does not hold the information requested. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, in relation to regulated contracts, Police Scotland utilise the Scottish Government PCS service to publish notices and host our live regulated contract register.

PCS provide all technical support and should be contacted if any information is required on APIs. Please see the link below to Information & Support – Public contracts Scotland.

<https://www.publiccontractsscotland.gov.uk/HelpAndResources>

Police Scotland do not have a publicly accessible API for its internal contract register for unregulated contracts.

Should you require any further assistance concerning this matter please contact Information Management – Glasgow at foiglasgow@scotland.police.uk quoting the reference number given.

If you 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.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.