

Our Ref: IM-FOI-2022-0642
Date: 16 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.

Can you please provide me with annual data on complaints made against Police Scotland between 2013 and 2022 with as much detail as is possible under the limitations set out by the Freedom of Information (Scotland) Act 2002.

Police Scotland aims to provide a high quality service to the people of Scotland, however recognise that the service can sometimes fall short of the expectations of the public and the police themselves.

To first provide some context to this subject matter, it may be helpful to outline how the complaints and conduct processes operate in Scotland.

The *complaint process* and the *conduct process* are distinct from each other and both have separate assessment and recording processes within the Professional Standards Department (PSD) database.

All complaints received by Police Scotland are managed in line with our 'Complaints against the Police' Standard Operating Procedures (SOP), details of which can be found at the following link:

<https://www.scotland.police.uk/spa-media/fifhh5vo/complaints-about-the-police-sop.pdf>

Once complaint matters are concluded, the circumstances may be referred for a separate Conduct Assessment. PSD manage conduct matters for Police Officers, whilst People & Development (P&D) manage conduct matters relative to Members of Police Staff.

In terms of Police Officers, their conduct is assessed, categorised and recorded on the PSD database in accordance with our Standards of Professional Behaviour, details of which can be found at the following links:

<https://www.scotland.police.uk/spa-media/2r3p0bsx/standards-of-professional-behaviour.pdf>

[Police Scotland's Conduct Regulations can be found at this link:](#)

<https://www.legislation.gov.uk/ssi/2013/60/contents/made>

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Police Scotland manage complaints and conduct matters for all police officers up to and including officers of the rank of Chief Superintendent only. Complaints and Conduct matters relative to Senior Officers (Assistant Chief Constable and above) are the responsibility of the Scottish Police Authority (SPA).

Turning to your request, I would note that the question posed is wide ranging and non-specific in nature.

I can advise you that related statistical information is routinely published and as such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, 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.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible: "Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information".

I can confirm that related information is available via the link(s) below:

In the first instance I would direct you to the SPA Complaints & Conduct Committee annual and quarterly reports which you may wish to review in the first instance:

[SPA Complaints & Conduct Committee 2020/21 Annual Report](#)

A wealth of associated information is also available in the SPA archive section - here's an example:

<https://www.spa.police.uk/meetings/archived-meetings-2019-2021/archived-complaints-and-conduct-committee-meetings/archived-complaints-and-committee-2021/25-november-2021/>

You may also be interested in information published on Police Scotland's disclosure log which can be searched by keyword, reference number, date etc.:

As an example, a previous request which details complaint cases recorded between 2014/15 and 2019/20 is available here:

<https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2020/september/20-1477-complaint-stats-by-type-outcome-nature-of-complainer-09-to-date/>

I would respectfully suggest that you review the public information available in the first instance as this may provide the data sought.

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In terms of the timescale sought, please note that data can only be provided from 1 April 2014 as prior to this date, complaint data was held on legacy force systems and subject to regional variations in recording methods.

Finally, Section 8(1)(c) of the Act endorses the validity of all requests by ensuring that the information sought is adequately described. To allow us to accurately respond, please ensure that the wording of any request is sufficiently detailed and specific in nature.

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.