| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-1172  Responded to: 02 July 2025 |
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Your recent request for information is replicated below, together with our response.

## The emails which have been generated by divisional staff, global messages and the Resource Deployment Unit are all stored within my personal work outlook folder named Overtime and included within a sub folder named OT missed.

## 1. the date of the request

## 2. date of proposed overtime,

## 3. purpose of the overtime

## 4. amount of overtime hours

## 5. overtime rate.

In response to your request, please see the attached document - 25-1172 Attachment 01.

Please note that some of the information contained within the document has been redacted. That information is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the following exemptions apply:

**Section 30(b)(i)&(ii) Prejudice to the effective conduct of public affairs**

The exemptions in section 30(b) focus on the effect that disclosure of information would have (or would be likely to have) on the free and frank provision of advice or the free and frank exchange of views for the purposes of deliberation. The sharing of this content would likely have a negative impact on the effective conduct of public affairs.

**Section 30(c) Prejudice to the effective conduct of public affairs**

Where necessary some internal names/ telephone numbers/ reference numbers and email addresses have been redacted. To release these details publicly could negatively impact on the operational effectiveness of various departments and external partner agencies.

**Section 35(1)(a)&(b) Law Enforcement**

Disclosure would prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

To disclose resourcing details or crime detection strategies, particularly during a specified shift or operation, could allow those with hostile intent to calculate how and when resources are allocated.  This has the potential to provide a tactical advantage to those, if planning or perpetrating any unlawful activities allowing them to maximise the impact of destruction, harm and disruption that may be caused, whilst avoiding being brought to justice.

**Section 39(1) - Health, safety and the environment**

One of the main purposes of the Police Service is to protect individuals and members of the public, to disclose the requested information would be contrary to that purpose. To disclose information relating to resourcing has the ability to a have a detrimental impact on the business of operational policing, the officers themselves and members of the public.

## Public Interest Test

As you will be aware, the exemptions listed above are non-absolute and require the application of the Public Interest Test.

I would suggest that public accountability may favour disclosure, given the information concerns the efficient and effective use of resources by the organisation. Likewise, disclosure would also inform the public debate on the issue of policing and contribute to the accuracy of that debate.

However, any disclosure under FOI legislation is a disclosure to the world at large and any information identifying the focus of policing activity could be used to the advantage of criminals.

Consequently, in terms of the applicability of the exemptions listed above, the need to ensure the effective conduct of the service in relation to prevention and detection of crime and the public safety considerations involved in the delivery of operational policing clearly favour non-disclosure of the information requested.

​Accordingly, I would argue that the need to ensure the efficient and effective conduct of the service favours non-disclosure of the information requested and on balance is significantly in the public interest. I cannot identify any corresponding viewpoint in disclosing the requested information and therefore the exemptions are upheld.

I must advise you that it is doubtful it could ever be in the public interest to disclose information which would jeopardise the delivery of policing and the safety of individuals and prejudice the prevention or detection of crime.

In terms of contact information, it is acknowledged that disclosure would support transparency and better inform the public as to how Police Scotland conducts its business.

However, there are already established routes for the public to make contact with the police and the disclosure of these additional details would not support the effective conduct of public affairs.

**Section 38(1)(b) Personal Information**

Personal data is defined in Article 4 of the General Data Protection Regulation (GDPR) as:

‘Information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’.

Section 38(2A) of the Act provides that personal data is exempt from disclosure where disclosure would contravene any of the data protection principles set out at Article 5(1) of the GDPR which states that:

‘Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject’.

Article 6 of the GDPR goes on to state that processing shall be lawful only if certain conditions are met. The only potentially applicable condition is Article 6(1)(f) which states:

‘Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child’.

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information, I do not agree that disclosure could be considered necessary in the circumstances.

Notwithstanding, I am further of the view that your interests are overridden by the interests or fundamental rights and freedoms of the data subjects.

On that basis, it is considered that disclosure of the information sought would be unlawful.

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

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.