

Our Ref: IM-FOI-2021-2856  
Date: 15 February 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.

### **Clarification from applicant**

**Please provided information for the following divisions:**

**North East, Highland & Islands, Tayside, Forth Valley, Edinburgh, Fife, Lothians & Scottish Borders, Greater Glasgow, Renfrewshire & Inverclyde, Argyll & West Dunbartonshire, Lanarkshire, Ayrshire, Dumfries & Galloway**

**What was the police officer base operational level within the local Divisions on 16 August 2021?**

**Within local Divisions, what steps are taken to address police officer base operational levels when they are below what is considered safe, and how routinely has each step been deployed in the last 12 months?**

**How many times in the last 12 months there has been a police officer base operational level in this Division that has been below what is considered safe?**

The information requested is 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.

I can confirm that Police Scotland holds the information that you have requested.

The exemptions that I consider to be applicable to the information requested by you are as follows:

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

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Release of the information requested would adversely impact on the operational effectiveness of the Service. Being aware of the numbers of officers on duty on a specific day would allow persons or groups intent on committing offences, or causing disorder, with the means to make a reasonable assessment of the number of officers on duty at anytime and thus to make an assessment of the capacity of the Service.

Disclosure of this information would compromise any tactical advantage the police may have over such persons or groups when dealing with any crime or disorder.

Disclosure of this information would, or would be likely, to prejudice substantially the prevention or detection of crime.

This is a non-absolute exemption which requires the application of the public interest test.

### **Section 39 (1) – Health and safety**

Information is exempt information if its disclosure under this Act would, or would be likely to; endanger the physical or mental health or the safety of an individual.

Police Scotland has a duty of care to all individuals, including members of the public police officers and police staff members. The safety of the community at large would be compromised by disclosure of the information, enabling offenders to target their criminal activities to areas identified as vulnerable, which could lead to members of the community suffering from stress, anxiety or physical injury.

Release of the information therefore would, or would be likely to, endanger the physical or mental health or the safety of an individual.

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

### **Public Interest Test**

Public awareness and accountability would favour a disclosure on this subject as it would contribute to the public debate surrounding the efficient and effective use of resources by the Service. However, in contrast, there is no public interest in disclosing information which is likely to damage the efficient and effective conduct of the police service in relation to its law enforcement role, or which is likely to have an adverse impact upon public safety.

As explained above, this would allow those intent on wrong-doing to gauge, with some accuracy, the level of specific police resources utilised, thus affording them the opportunity to take steps to circumvent the ability of the Police to deliver effective law enforcement provision, and placing themselves, members of the public and the police force at increased risk.

I consider that the decision must fall in favour of preventing crime and safeguarding the health and safety of the public. Accordingly, on balance, the public interest in disclosing the information requested is outweighed by that in maintaining the exemption detailed above.

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**When were police officer base operational levels for local Divisions last reviewed, and who led these reviews?**

Having considered your request in terms of the above Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations. As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request. As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, all reviews are carried out by the Divisional Command Teams in conjunction with the Resource Deployment Advisors for each division. To gather the information accurately would require an individual to review all the OBLs set for each division and sub-divisions. This would be a significant task and would exceed the cost threshold.

**5. How many police drivers are trained in standard response driving in this Division, and what proportion of this Division's force does this represent?**

Please see the table below for the information requested for the divisions listed above.

	<b>Authorised - Emergency Response Driver</b>	<b>% Completion for whole Police Scotland</b>
'A' Division - North East	791	4.58
'D' Division - Tayside	769	4.45
'N' Division - Highland & Islands	510	2.95
'C' Division - Forth Valley	510	2.95
'E' Division – Edinburgh	766	4.43
'J' Division - Lothian & Scottish Borders	657	3.80
'P' Division – Fife	605	3.50
'G' Division - Greater Glasgow	1533	8.87
'K' Division - Renfrewshire & Inverclyde	394	2.28
'L' Division - Argyll & West Dunbartonshire	388	2.24
'Q' Division – Lanarkshire	816	4.72
'U' Division – Ayrshire	678	3.92
'V' Division - Dumfries & Galloway	255	1.48

Should you require any further assistance concerning this matter please contact Information Management – Glasgow at [foi@scotland.police.uk](mailto:foi@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

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[foi@scotland.police.uk](mailto: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](mailto: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.