

**OFFICIAL**

Our Ref: IM-FOI-2022-1436  
Date: 1<sup>st</sup> August 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 am requesting the following information via email:**

**-What communication has Police Scotland had with the Scottish Government in relation to the downsizing//cutting/redundancy of full-time Police Officers?**

Following a clarification request you confirmed that you were looking for communications in the time period 1<sup>st</sup> January 2022 to 1<sup>st</sup> July 2022 and that limiting the request to communications between Police Scotland Force Executive and the Scottish Government was acceptable.

Please find attached the requested information.

I must advise that it has been necessary to withhold some of the information requested, therefore, 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 you have requested and the exemption that I consider to be applicable is set out at:

Section 25(1) – Information Otherwise Accessible  
Section 30(c) - Prejudice to the Effective Conduct of Public Affairs  
Section 38(1)(b) – Personal Information

### **Section 25(1) – Information Otherwise Accessible**

In regards to the joint response letter from Police Scotland and the Scottish Police Authority in relation to the public consultation on the Scottish Government Resource

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Spending Review which was attached to the correspondence found. 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 the information requested is available through the public consultation website at the following link:

[https://consult.gov.scot/budget-and-public-spending/resource-spending-review-framework/consultation/download\\_public\\_attachment?sqld=pasted-question-1467894590.05-55511-1467894590.71-30316&uuld=133339549](https://consult.gov.scot/budget-and-public-spending/resource-spending-review-framework/consultation/download_public_attachment?sqld=pasted-question-1467894590.05-55511-1467894590.71-30316&uuld=133339549)

### **Section 30 (c) - Prejudice to the Effective Conduct of Public Affairs.**

In regards to the correspondence found, where necessary some internal names / telephone numbers and email addresses have been redacted. To release these details publicly through FOI legislation could negatively impact on the operational effectiveness of various departments and external partner agencies. While it is acknowledged that the disclosure of this information would support transparency and better inform the public as to how the Service conducts its business, 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. As a result, section 30(c) of the Freedom of Information (Scotland) Act 2002 is engaged.

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

Any information that could lead to the identification of individuals has been redacted. This is in accordance with Section 38(1)(b) of the Freedom of Information (Scotland) Act 2002 – Personal Information.

This mainly relates to the name and email addresses of persons who are outside Police Scotland and any staff member within Police Scotland of a more junior role (below the rank of Superintendent or Head of Department). Those of a more senior rank have been included as it is deemed within the public interest to do so.

As such, the processing would be unfair and unlawful in respect of the individuals concerned and would therefore be in breach of the first principle of the Data Protection Act 2018.

### **-What current plans, if any, does Police Scotland hold in relation to the downsizing/cutting/redundancy of Police Officers within Police Scotland overall?**

No such plans are held. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

Should you require any further assistance please contact Information Management quoting the reference number given.

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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.pnn.police.uk](mailto: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](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.