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Our Ref: IM-FOI-2022-0481  
Date: 25 April 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.

Complaints can be submitted by any individual, whether public, an external organisation or from within the police, with the Police, Public Order and Criminal Justice (Scotland) Act 2006 Section 34(2) defining a complaint about the police as:

“A statement (whether, oral, written or electronic) expressing dissatisfaction about an act or omission by the Authority, by the Police Service or by a person who at the time of the act or omission was a person serving with the Police”.

Complaints about the Police encompass all levels of dissatisfaction from very low level to higher tariff allegations.

**Q1. In respect of the number of officers in your force were complained about by members of the public in the period 1 Jan 2011 to 31 Dec 2020, is it possible for you to break down the grouping you provided (e.g. 6-10 complaints) into individual numbers of complaints?**

*I note this is a follow up request to the response provided to FOI 21-2642 and the references relate to our response of 16 December 2021.*

As previously communicated, the requested data is only available from April 2014, when the Professional Standards national database became fully operational. We are therefore unable to answer this part of your request for the period 01 January 2011 to 01 April 2014 as the information is not held. Accordingly, Section 17 of the Freedom of Information (Scotland) Act 2002 is applied.

For clarity, where a complaint is received in respect of any senior officer above the rank of Chief Superintendent, such matters are governed by the Police Service of Scotland (Senior)(Officer)(Conduct) Regulations 2013 and referred to the Scottish Police Authority (SPA). To assist, this can be submitted to [foi@spa.pnn.police.uk](mailto:foi@spa.pnn.police.uk) or to the following address: Information Management, Scottish Police Authority, 1 Pacific Quay, Glasgow G51 1DZ.

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On that basis, in relation to the total of 14,780 Police Officers (including Special Constables) subject to separate complaints between 01/04/2014 - 31/12/2020, a further breakdown is provided below:

*Table 1: Number of Complaints per officer (01/04/2014 - 31/12/2020) <sup>1,2</sup>*

<b>Number of Complaints (per officer)</b>	<b>Number of Officers</b>
1	5,219
2	3,248
3	2,203
4	1,522
5	1,000
6	618
7	356
8	207
9	147
10	91
11	67
12	34
13	23
14	21
15	3
16	8
17	5
18	2
19	2
21	3
25	1

1. *Data is based on the case received date.*

2. *Data is based on a count of individual officers subject to complaint, not a count of Complaints against the police or the number of allegations attached to that complaint.*

Please note, complaints involving Police Staff (unless linked to a Police Officer) have been excluded, as per the specifics of your request.

Please also note that the total above is based on identified officers only. Complaints against unidentified subject officers cannot be attributed to an individual officer and are therefore excluded from the figures provided.

Police Scotland is committed to improving performance and enhancing service delivery towards the public of Scotland and supports its workforce in terms of learning, improvement and development. As such, the organisation employs an 'Early Intervention Process', designed to identify officers who generate repeated complaints. The aim is to intervene timeously and take appropriate action to address issues to improve performance and improve service delivery to the public.

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The process is based on pre-determined triggers (four separate complaints within the preceding 12 month period) and analysis of the officer's complaint history to determine any risk they may pose and provides measures to improve individual behaviour, thereby minimising the impact on the reputation and operational efficiency of Police Scotland.

On an Early Intervention process being triggered a PSD officer of at least Chief Inspector rank will carry out an assessment of the officer's complaint history, the nature of the complaints and the disposal and outcome of these complaints. This assessment will allow for proportionate intervention action to be undertaken which ranges from notifying the officer to a full review and investigation by the Anti-Corruption Unit.

The Early Intervention process is subject to regular review to ensure that it continues to be fit for purpose and achieves the intended improvement in performance and service delivery to the public.

**Q2. For each of the officers who received 10 or more complaints, please could you tell me: a) are they still employed by your force and b) currently under investigation (Y/N)?**

The requested information is provided in the Data attachment – Table 2 refers.

**Q3. Could I check if your total 23,798 complaints refers to cases or allegations (given there can be multiple allegations per case)**

I can confirm this refers to the total number of individual complaint cases.

**Q4. And that the data you gave in response to Q2 is the number of separate complaints per officer, not the number of allegations within a case?)**

I can confirm this refers to the number of individual complaint cases per officer.

**Q5 Could you also confirm if your data was just for paid police officers and excluding PCSOs, staff and special constables?**

I can confirm the data provided as per your original request refers to Police officers, which would therefore include Special Constables and relate to both on and off duty matters.

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](mailto:foi@scotland.pnn.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

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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.

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