

Our Ref: IM-FOI-2022-2015  
Date: 19<sup>th</sup> October 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.

- 1. Please supply details of how many times Health Boards have called for help in tracing missing patients with learning disabilities or mental health problems who are either detained under the Mental Health (Care and Treatment) (Scotland) Act 2003 or who require to be nursed under specific “observation” levels from Adult Mental Health services in the year 2022?**
- 2. Please specify how many fall into each of your force’s risk categories?**
- 3. Please also specify out of this total what health boards/hospitals reported the absences?**
- 4. Please also provide details as to how many were traced by officers and returned to healthcare settings.**

In response to these questions, 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, the incident recording system used by Police Scotland has no facility whereby details of the reporter, nor details of the missing individual can be easily extracted or automatically identified.

As such, the only way to provide an accurate response to your request would be to individually examine all reports of missing persons to ascertain whether they were reported missing by a Health Board, and whether any of the circumstances outlined in your request relating to the missing person were relevant.

## OFFICIAL

This would involve individually examining thousands of incident reports for the time period requested, which is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

Should you require any further assistance please contact Information Management Dundee, 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 [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.