| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-1029Responded to: 17 May 2023 |
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Your recent request for information is replicated below, together with our response.

## over the past five years, broken down by year - a) how many staff members used the Cycle to Work scheme? b) what percentage of staff was this? c) what was the average value of the vouchers claimed on the scheme?

| Year | 2018 | 2019 | 2020 | 2021 | 2022 |
| --- | --- | --- | --- | --- | --- |
| Number of Letters of Credit issued | 668 | 697 | 1297 | 652 | 563 |
| Percentage Take up | 2.96 | 3.05 | 5.65 | 2.85 | 2.50 |
| Average Value of Spend | £693 | £679 | £701 | £710 | £1256 |

The average value of spend increased in 2022 due to the increase in the cycle to work limit from £1000 to £3000 on 25 May 2022.

d) what was the number of those who took up the scheme, who then failed to complete, leaving the organisation with costs?

In response to this question I can advise that the answer is zero as all owned monies are recouped from the final salary payment.

2) what tools does the organisation use to encourage cycling for their staff -
a) on a work basis
b) on a leisure/health basis

Police Scotland communicate regularly via the Scottish Police Authority and the Police Scotland Intranet sites, Line Managers Briefings, the Reward and Benefits Gateway as well as direct communications to registered Reward and Benefits Gateway users.

##  3) with regards to staff, does the organisation - a) have any monitoring for what modes of transport staff use - i) for their journey to work ii) for journeys during work time b) and if this data is recorded, I request a copy of such data as detailed as it can be reasonably given, while still protecting personal data rights

In response to the three questions above, 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 information requested is not centrally recorded. The span of the information that may be recorded across the organisation is large. For example, using solely question 3aii) for journeys during work time, and identifying the use of cars only, a manual assessment of each department log book would need to take place to determine when vehicles were used during work time. Most departments have the use of vehicles and as such the assessment would need to take place for each department. Additionally, car hire logs would need to be assessed to determine the usage of car hire, and identify whether it was used for journeys during or out with work hours. Also noting that officers often work shifts as such the log books would need to be cross referenced with resource deployment records to determine if the journeys took place during working hours.

This is an exercise which I feel would greatly exceed the cost threshold set out within the Act.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

As the information requested is not held in any easily retrieval format, it is unlikely that any refinements to the question will result in a fruitful response.

## **4) how many of the following does the organisation have available for staff use a) pedal cycles**

## In response to point 4a I can advise that Police Scotland does use pedal cycles as part of its policing operations. However pedal cycles are allocated to specific trained officers using the correct personal protective equipment and are used for policing purposes only.

## **b) electric bikes**

Police Scotland does not currently utilise any electric bikes as such the response to this question is zero.

## **c) motorbikes d) internal combustion cars e) electric or hybrid cars f) internal combustion vans g) electric or hybrid vans h) heavy trucks**

In response to points c) to h) please note that Police Scotland have amarked vehicle fleet, that is to say vehicles that have police livery or markings and an unmarked fleet that does not have any identifiable markings. The marked and unmarked policing vehicles are used for policing matters only.

Please be advised that information regarding *marked* vehicle fleet is publicly available.

As such, 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 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”*

The information you are seeking is available on the Police Scotland website. To be of assistance please see the link below.

[Fleet information - Police Scotland](https://www.scotland.police.uk/access-to-information/freedom-of-information/fleet-information/)

With respect to the *unmarked* fleet, 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 consider the following exemptions applicable.

Section 35 – Law enforcement

Information is exempt information if its disclosure under this Act would, or would be likely to prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

Disclosure of the unmarked fleet would highlight vehicle resources and capabilities. Revealing this information would substantially weaken the effective use of vehicle resources with a corresponding risk to law enforcement and to the safety of both the public and officers.

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

Section 39(1) – Health, safety and the environment

The release of this information would circumvent the efficient and effective provision of law enforcement by the police service for the reasons described above. This would in turn increase the risk to the personal safety of individuals and to the safety of the police officers responding to incidents.

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

Public Interest Test

I recognise that public awareness would favour a disclosure as it would contribute to the public debate surrounding the overall nature of vehicle resources available for deployment by the Police.

I would, however, contend that the efficient/effective conduct of the service and public safety favours retention of the information as it cannot be in the public interest to release information that would prejudice law enforcement or which is likely to have an adverse impact upon public safety.

5) does the organisation mileage scheme clearly state the claim rate for cycling

6) how many cycling miles have been claimed by the organisation's staff in the past five years

In response to questions 5 and 6 I must respond in terms of Section 17 of the Act, I can confirm that the information you seek is not held by Police Scotland.

By way of explanation, the cycle to work scheme is managed by an external company who may collate the information requested.

7) Regarding your current cycle to work scheme -
a) what scheme is currently in place

Police Scotland use a salary sacrifice scheme.

## b) what is the maximum limit on the cost of a bike, if a limit is currently in place

The maximum limit is £3000.00.

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 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](http://www.itspublicknowledge.info/Appeal), by email 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.