

Our Ref: IM-FOI-2022-0394  
Date: 17 March 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. How many staff work as security, including Sodhexo staff, work at Police Scotland Headquarters Tulliallan**

### **2. How many of those staff have SIA Badges, including the Sodhexo staff.**

The information requested by you is held by Police Scotland, however it is considered to be exempt in terms of Section 16 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.

The following exemptions are applicable to the above requested information:

#### **Section 35 (1) (a) – 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.

Release of the information requested would adversely impact on the operational effectiveness of the Service. Being aware of the number of security staff would allow persons or groups intent on committing offences or causing disorder with the means to make a reasonable assessment of the security at Tulliallan. To disclose this information into the public domain would undermine the tactical options available and compromise the effective delivery of law enforcement.

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

#### **Section 39 (1) – Health, Safety and the Environment**

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.

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The release of information would enable those intent on wrong doing to estimate the capability of the force. Police Scotland has a duty of care to all individuals, including members of the public police officers and police staff members.

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

### Public Interest Test

It could be argued that the public are entitled to know how public funds are spent and resources distributed within an area of policing. However, security measures are put in place to protect the community we serve and disclosure of any information regarding to security would assist criminals and terrorists in carrying out their criminal and terrorist activities. This would ultimately increase the risk of harm to the general public and significantly undermine any ongoing or future operations to protect the security or infrastructure of the United Kingdom.

The public have an expectation that the police will make the appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain. Disclosure of this information coupled with the disclosure of similar information from other forces and law enforcement agencies would give such criminals and terrorists a more detailed account of the tactical infrastructure of not only Police Scotland but also the country as a whole. Any incident that results from such a disclosure would by default affect National Security.

As much as there is public interest in knowing that policing activity is appropriate and balanced in matters of national security, this will only be overridden in exceptional circumstances.

In addition any disclosure by Police Scotland that places the security of the country at risk, no matter how generic, would undermine any trust or confidence individuals have in us.

In relation to the contractor Sodexo, they provide 200.5 hours of cover and any Sodexo staff performing security tasks have an SIA Licence.

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 [foi@scotland.police.uk](mailto:foi@scotland.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarock, 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.

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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.