| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-3078  Responded to: 11 January 2024 |
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Your recent request for information is replicated below, together with our response.

Please accept our apologies for the delay in responding.

## In 2023 I submitted a detailed complaint about the actions and inactions of police officers in relation to the handling of a complaint about driver behaviour at a roundabout close to my home in East Kilbride. This should include the records of the investigations carried out on one of his own officers at Police Standards. Please provide me with all information in all forms including electronic records of the investigations carried out by the senior officer at Police Standards prior to issuing his findings.

Having considered your request in terms of the Act, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18.

Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.

Whilst we accept that you have a particular personal interest in this matter, the overwhelming public interest lies in protecting individuals rights to privacy - including your own.

* If the information was held, it would be exempt from disclosure in terms of at least one exemption set out in the Act.

We are prohibited in terms of section 38(1)(a) of the Act from providing individuals with their own personal information.

Whilst any investigation resulting from a person’s complaint will not necessarily contain their personal data, the fact that they submitted a complaint is, in itself, personal data that therefore attracts absolute exemption.

The content of any investigation into a complaint about the police would be exempt from disclosure in terms of section 38(1)(b) insofar as it is the personal information of the officer(s) complained about. Section 35(1)(g) in accordance with (2)(b) would also apply.

Any individual who submits a complaint against the police will be provided with a response outlining the findings of the investigation.

Beyond that, no information can or will be provided and if you are unhappy with the way in which the complaint investigation was handled then I can only suggest that you contact the Police Investigations and Review Commissioner (PIRC).

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](mailto:foi@scotland.police.uk) 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](mailto:enquiries@itspublicknowledge.info) 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.