| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-3129  Responded to: 09 January 2024 |
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Your recent request for information is replicated below, together with our response.

## I would like to submit a freedom of information request for information to be provided about transfers within Police Scotland. Specifically, I would like to know the policy for transferring for a Constable wishing to move from one Division to another.

The transfer of Police Officers can occur for a variety of reasons such as appointment or promotion, operational needs, identification of development needs, or individual requests. In all cases, decisions relating to the transfer of officers will primarily be taken in the best interests of Police Scotland and balanced with individual circumstances and needs, wherever possible. It should also be noted that while transfer requests from officers will be considered, no officer has the right to transfer, and operational requirements will take precedence.

I have provided a SOP for your information. However, I must advise some information within this has been redacted and is considered to be exempt in terms 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.

I can confirm that Police Scotland holds the information requested and the exemption that I consider to be applicable to the information requested by is:

**Section 38 (1) (b) – Personal Information**

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information and that disclosure may well be necessary for that purpose, I am nonetheless of the view that those interests are overridden by the interests or fundamental rights and freedoms of the data subject(s).

To explain, the release of personal information, either directly or inadvertently is exempt under the Freedom of Information (Scotland) Act 2002. This is an absolute exemption and does not require the application of the public interest test.

I would like to know how often transfers are discussed and if there is any cap on how many people can transfer from a division in each transfer window.

Requests from officers (up to the rank of Inspector) seeking a transfer between local policing divisions are considered on a quarterly basis.

There is no cap on the number of officers who can transfer from a division in each window however as alluded to above, decisions relating to the transfer of officers will primarily be taken in the best interests of the PSoS and balanced with individual circumstances and needs, wherever possible.

Whilst there is no cap on the number of officers who can transfer in each window, maintaining operational efficiency takes precedence.

## I would also like to know the results of any transfer meetings held between July 2023 and present day, including the result of any December meeting of possible.

There have been two National Transfer Committee Meetings since July 2023.

September 2023 - 20 transfers confirmed

December 2023 - still to be confirmed

To explain, the proposed draft transfers from the December 2023 meeting are still being progressed with the relevant Divisions therefore numbers cannot be confirmed at this time.  
  
I would like to know if there is list of officers currently waiting to move between divisions and if there is an order in which they are likely to have their transfers granted.

HR Resource Planning maintains a list of all inter-divisional transfer requests submitted by officers (Constable to Inspector rank).

Generally, approved transfers will be facilitated in chronological order. On occasion, other factors may need to be taken into account e.g. critical welfare needs, availability of vacancies in the division being requested and backfill arrangements necessary prior to releasing an officer in order to ensure operational efficiency.

I would like to know if it is more difficult to transfer out of certain divisions and if there are any barriers to officers being granted transfers.

The Freedom of Information (Scotland) Act 2002 provides a right of access to recorded information only. In terms of section 8 therefore, a request seeking comment or opinion is not in essence a valid request.

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.