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Our Ref: IM-FOI-2022-1552
Date: 26th July 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.

Please provide for years 2019/20, 2020/21 and 2021/22, plus for the three months from 1/4/22 to 30/6/22, the numbers of Operational Notification Forms that you received from Home Office Immigration Enforcement, disaggregated by Police Scotland Division and, if possible, also by the Command areas within these Divisions?

In response to your request, 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, we do not have a single point of contact for the Home Office in regards to these matters and therefore no central register of requests or documents in regards to operational notification forms. Through enquiry it has been established that the Home Office will contact the relevant division or contacts within that division directly.

The only way to obtain reliable information in regards to your request would be to manually review all emails, documents, meetings etc held by all staff members associated to a territorial division in Police Scotland to determine if an operational notification form has been received from the Home Office. Due to the number of staff involved, this would take a large amount of time to do.

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

Should you require any further assistance please contact Information Management quoting the reference number given.

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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 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 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.