| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-1964  Responded to: 11 August 2025 |
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Your recent request for information is replicated below, together with our response.

**Since 2018 to date, where a PSD regulation 10 assessment has resulted in a misconduct or gross misconduct investigation for police officers alleged to have breached data protection, what is the length of each investigation?**

The formal conduct process for Police Officers is governed by [The Police Service of Scotland (Conduct) Regulations 2014](https://www.legislation.gov.uk/ssi/2014/68/contents/made). The associated [Scottish Government Guidance Document](https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/04/conduct-and-performance-procedures-police-guidance/documents/police-guidance-conduct-procedures/police-guidance-conduct-procedures/govscot%3Adocument/Police%2BService%2Bof%2BScotland%2B%2528conduct%2529%2Bregulations%2B2014.pdf) further details the process and conduct cases are categorised in line with our [Standards of Professional Behaviour](https://www.scotland.police.uk/about-us/who-we-are/our-standards-of-professional-behaviour/).

Figures provided below detail the average number of days between the Regulation 11 notice of investigation and the Regulation 13 Investigator’s report completed date, for subject officers linked to an allegation involving a data protection circumstance and subject to a Regulation 10 (of the Police Service of Scotland (Conduct) Regulations 2014) preliminary assessment for these allegations.

A total of 23 preliminary assessments (01/01/2018 – 26/06/2025 inclusive) included an allegation involving a data protection circumstance and resulted in a concluded misconduct investigation. This data is based on a snapshot and is correct as at 01/07/2025.

The average length of misconduct investigation was 97 days.

| **Number of Days** | **Number of Investigations** |
| --- | --- |
| 0-50 | 4 |
| 51-100 | 11 |
| 101-150 | 3 |
| 151-200 | 4 |
| 201-250 | 0 |
| 251+ | 1 |

*Data is based on the preliminary assessment date for the period of 01/01/2018 – 26/06/2025 inclusive.*

Please note that relevant matters which have been subject to preliminary assessment, and thereafter subject to a misconduct investigation, may remain subject to live investigation. These instances are not included in the figures above as we are unable to confirm the length of the investigation, given it has not yet been concluded.

It should also be noted that each investigation may include multiple allegations and may not be limited to Data Protection related allegations alone.

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](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) 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.