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## **Notebooks and PDAs**

### **Standard Operating Procedure**

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<b>Owning Department:</b>	Local Policing
<b>Version Number:</b>	5.00
<b>Date Published:</b>	25/05/2018

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**Compliance Record**

<b>Equality and Human Rights Impact Assessment (EqHRIA) Date Completed / Reviewed:</b>	06/02/2018
Information Management Compliant:	Yes
Health and Safety Compliant:	Yes
Publication Scheme Compliant:	Yes

**Version Control Table**

<b>Version</b>	<b>History of Amendments</b>	<b>Approval Date</b>
1.00	Initial Approved Version	27/03/2013
2.00	Cyclical Review – no amendments	04/04/2014
3.00	Cyclical Review incorporating removal of geographical appendices, insertion of new Section 2 entitled 'Police Notebook', rewrite of various sections including 'Additional Instructions for PDAs' and 'Roles and Responsibilities' and insertion of new paragraph 4.18 relating to Subject Access Requests.	15/02/2017
4.00	Amendment to document titles in Sections 5.1, 5.2 and Appendix 'B' for officers who use PDAs. Previous sentence re officers being in possession of notebooks as 'fall back' procedure deleted from section 5.3.	20/02/2018
5.00	Updated to reflect changes in data protection legislation	24/05/2018

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### **1. Purpose**

- 1.1 This Standard Operating Procedure (SOP) supports the following Police Service of Scotland (hereafter referred to as Police Scotland) policies:
- Records Management Policy
  - Data Protection Policy
  - Information Security Policy
- 1.2 This SOP is to provide guidance on the issue, use and storage of official police notebooks and Personal Digital Assistants (PDAs) to Police Officers, Police Custody Support Officers, Special Constables and any other members of Police Staff who use police notebooks/PDAs in relation to their duties.
- 1.3 The principles underpinning this SOP require officers and staff to record adequate, clear and accurate information in notebooks and PDAs to meet both legal and operational requirements. Additionally, specific guidance on Surveillance Logbooks is provided in the Surveillance (Operations and Log Keeping) SOP.

### **2. Police Notebook**

- 2.1 The Police Notebook (Form 099-001) is printed and supplied by an external contractor to an approved specification.
- 2.2 Police notebooks have a unique serial number which is printed on every page. Notebooks are for the use of Police Officers and members of police staff who require them. A notebook will be issued to Police Officers of all ranks.
- 2.3 The notebook is a standard size which is assessed to suit the demands of operational officers. Rounded fonts and paper colours have been selected to assist individuals diagnosed with disabilities such as Dyslexia and/or Meares-Irlen Syndrome. A small number of additional paper colours will be available on specific request through stores where required.
- 2.4 Police Scotland can make additional reasonable adjustments to the notebook for specific disabilities as specified in the terms of the Equality Act 2010. Each request will be considered on its own merit. Please see Disability in Employment (Police Officers and Authority/Police Staff) SOP for additional information.

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### **3. Issue of Notebooks & PDAs**

#### **3.1 Notebooks**

- 3.1.1 Police notebooks are purchased centrally and distributed to local storage facilities across Police Scotland.
- 3.1.2 A Notebook Register (Form 099-002) whether in paper or electronic form must be completed to record all notebooks issued. Within Police Scotland East this should be recorded electronically on the Notebook Monitor System.
- 3.1.3 Access to the store of new notebooks must be restricted to designated persons, herein referred to as administrators, as appointed by the Local Policing Commander. Administrators can be police officers or members of police staff and have the responsibility of issuing new notebooks and maintaining a sufficient stock of notebooks for their division.
- 3.1.4 The officer, member of staff or administrator issuing a new notebook will complete the Notebook Register (Form 099-002), or Notebook Monitor System, and complete the front page of the notebook with the holder's rank/position, name, and Police Scotland Identifier (PSI) number. The inner cover should be stamped and initialled by the issuing individual.

#### **3.2 PDAs**

- 3.2.1 The use of PDAs is for authorised individuals who have a legitimate business requirement and have completed the appropriate training. A pre-configured device will be issued to each officer on completion of the training.
- 3.2.2 All users are individually responsible for the security of the PDA issued to them or to which they have access. They are also responsible for maintaining the security of any information they have accessed via the PDA.
- 3.2.3 Users must ensure they comply with the requirements of the Data Protection Act 2018 and Computer Misuse Act 1990.

### **4. Use of Notebooks and PDAs**

- 4.1 Police notebooks and PDAs remain the property of Police Scotland once issued to an individual.
- 4.2 Police notebooks, PDAs, and the information they contain must be protected from unauthorised disclosure and access.
- 4.3 Police notebooks and PDAs are used to take notes regarding police duties and should contain a record of matters which arise during every tour of duty. Police notebooks and PDAs will not be used for any other purpose.

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- 4.4 Entries in notebooks and PDAs should be made at the time or as soon as practicable thereafter. The date and time of every entry must be recorded in the margin of a notebook.
- 4.5 Notes made in a notebook will be made at the time or as soon as practicable. Notes will not be made outwith the notebook and later transferred in. In circumstances where an officer is without their notebook, any notes made will be lodged as documentary productions and a subsequent notebook entry made to record that external notes were made and are documentary productions.
- 4.6 Officers and staff will only have the use of one notebook at any time. It is accepted that where a notebook is likely to be completed in the near future, a new notebook may be issued to allow for a seamless transition into the new notebook.
- 4.7 There may be occasions when a 'current' notebook is requested by the Crown Office and Procurator Fiscal Service (COPFS), or seized as evidence in an ongoing Major Investigation (MI). In these circumstances, the holder will be issued with a new notebook which will become their 'current' notebook. For further guidance on having a notebook seized as part of an MI please see guidance at 5.4 of this SOP. It is good practice to keep a copy of the notebook for personal reference.
- 4.8 Entries in notebooks will be completed in black ink or pencil.
- 4.9 All lines, including the top line of the page will be used. No blank lines should be left or spaces between entries.
- 4.10 Pages will not be torn out of notebooks. If a notebook is damaged then it must be reported to a supervisor as soon as is practically possible.
- 4.11 Erasures or over-writing is not allowed. Where a word or phrase has to be altered, it should be stroked through and the correct word or phrase written beside it. Any corrected text must be initialled by the holder of the notebook. In the case of any amendment(s) to a witness statement, the witness must be afforded the opportunity to initial the amendment. If they refuse to comply, this should be noted.
- 4.12 It is accepted that entries in notebooks will not always be as neat as when completed at a desk. Every effort must be made to ensure entries are legible for others to read and for this reason use of shorthand is discouraged.
- 4.13 Where any form of witness statement has been taken outwith a police notebook, the officer will create a notebook entry to record this occurrence. Guidance on statement taking can be found within the Case Reporting SOP and the Police Scotland Operational Guidance Document 'Reports and Statements Writing Guide'.

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- 4.14 All enquiry and corroborating officers will note relevant information in their respective notebooks when dealing with any individual or incident.
- 4.15 Where relevant, any incident, crime record, Conditional Offer of Fixed Penalty, or Fixed Penalty Notice number should be recorded in the margin of the notebook opposite the entry.
- 4.16 When a verbal request is made for a Police National Computer (PNC), Criminal History System (CHS) or other database check, details of the request, justification and result should be recorded in the requestor's notebook. These details may be used for audit purposes.
- 4.17 Lost or stolen notebooks and PDAs must be reported as soon as is practically possible to a supervisor who will instigate enquiries to recover the notebook/PDA.
- 4.18 Under the Data Protection Act 2018, individuals have a right to a copy of the information Police Scotland holds on them subject to certain exemptions. To obtain the information individuals make what is called a Subject Access Request (SAR) to the Information Management department. There will be occasions when Information Management will require access to notebooks or PDAs to respond to a SAR. On such occasions it is likely that some of the entries will be disclosed to individuals in response to the SAR. This must be borne in mind by officers when considering the content of notebooks. For full information on SARs please refer to the Subject Access Requests SOP.

## 5. Additional Instructions for PDAs

- 5.1 Officers within Police Scotland West who use a personal issue PDA should make reference to the Operational Guidance Document 'Use of PDAs as Electronic Police Notebooks – West Area' for further information.
- 5.2 Officers within Police Scotland East who use a personal issue PDA should make reference to the Operational Guidance Document 'Use of PDAs as Electronic Police Notebooks – East Area' for further information.

**Note:** PDAs will be synchronised every day at the commencement of duty, or as soon as practically possible thereafter. This will allow for patches (software updates) to be downloaded and applied to the device.

- 5.3 Where a PDA develops a fault, officers should seek a replacement device as soon as practically possible. Officers should only revert to utilising a paper notebook where a fault develops and a replacement device cannot be obtained immediately. A notebook entry should be made to reflect this occurrence.
- 5.4 Police Scotland will make additional reasonable adjustments to a PDA where possible for specific disabilities as specified in the terms of the Equality Act 2010. Each request will be considered on its own merit and contact should be made with the appropriate PDA team for further information.

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5.5 Additional information on PDAs can be found within the Mobile Data and Remote Working SOP.

## **6. Storage, Management, Transfer and Seizure of Notebooks**

### **6.1 Storage of Notebooks**

6.1.1 Police notebooks fall within the 'Restricted' category of the Government Protective Marking Scheme (GPMS) and must be stored in a locked and secure location when not in use.

6.1.2 Completed notebooks must not be retained by the holder other than where they are essential to conclude an ongoing enquiry. They must be checked, signed and dated by a supervisor and stored in the designated notebook storage facility in accordance with the Record Retention SOP with the relevant information placed on the Notebook Record (Form 099-003) or electronic Notebook Monitor System.

### **6.2 Management of Notebooks**

6.2.1 Each Police Scotland Division or department will provide lockable storage for completed notebooks. Local Policing Commanders will nominate administrator(s) to manage the store(s).

6.2.2 During office hours, only appointed administrators who manage notebooks should be permitted access to notebook stores to retrieve completed notebooks when required. Where a notebook is temporarily removed from the store, the Notebook Record (Form 099-003) will be completed by the administrator issuing the notebook.

6.2.3 For the issue or re-issue of notebooks out of office hours, the Local Policing Commander will agree an out of hours process to manage access where required.

### **6.3 Transfer of Notebooks**

6.3.1 Where an individual's permanent place of work changes (in divisions where notebooks are not centrally stored) their completed notebooks along with relevant Notebook Record Form(s) will be transferred to their new place of work.

6.3.2 Notebooks must not be transferred to the new place of work in the custody of the officer, rather packaged in line with 'Restricted' marking and sent using internal mail. On arrival at the new place of work, the notebooks must be signed for by the officer's new supervisor or the nominated notebook administrator.

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### **6.4 Seizure of Notebooks**

- 6.4.1 Officers attending the scene or involved with the investigation of a Major Incident or Inquiry may have their notebooks seized and retained for evidential purposes at the direction of the Senior Investigating Officer (SIO). This will only occur where the SIO considers the submission of a certified copy of the relevant page(s) is not appropriate. In such circumstances, any remaining pages will be marked from top corner to bottom corner with a straight line, signed and dated on each page to prevent any further use of the notebook.
- 6.4.2 In the event of an MI remaining unresolved, seized notebooks may be retained together with other case material but must be logged as such within the records of the case. Seized notebooks that are required for court may be obtained by arrangement with the SIO and will be returned immediately after use.
- 6.4.3 In the event that COPFS requires an officer's notebook to be provided for court purposes, a request will be received by the Local Procurator Fiscal Liaison Officer, or Case Management Department, in the form of a Memorandum. Processes for the submission of notebooks to the COPFS may vary dependant on local arrangements.
- 6.4.4 Where possible, preference should be given to providing COPFS with a certified copy of the notebook rather than the document itself. Where this occurs, the certified copy will be provided as a documentary production for the case. Where this is not possible, the notebook will be transferred in person to the COPFS and a signed receipt obtained from the individual receiving the document on behalf of the Procurator Fiscal.

### **6.5 Management of Leavers' Notebooks**

- 6.5.1 When a police officer or member of staff retires or leaves Police Scotland, they must submit their 'current' notebook for storage in the same manner as if it were complete. An entry should be made in the notebook stating that the notebook is no longer in use due to the owner leaving the force. It will be retained in a designated storage facility in accordance with the Record Retention SOP.
- 6.5.2 In the event of a case requiring the presence of a former officer/member of police staff at court, they may request temporary access to their former notebooks by making contact with a local notebook administrator. Notebooks remain the property of Police Scotland and must be returned immediately after the court appearance.

## **7. Audit of Notebooks and PDAs**

- 7.1 The use of notebooks should be checked on a regular basis by supervisors, or line managers as specified by the Local Policing Commander in section 8.1 of this SOP.

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- 7.2 The notebook administrator, who has been tasked with the storage of completed notebooks, will conduct a quarterly audit of notebooks in their charge and take active measures, via supervisory officers, to enable the timeous return of completed notebooks.

## **8. Roles and Responsibilities**

- 8.1 Local Policing Commanders/Heads of Departments will ensure that there is a suitable administrator and administrative procedures in place for the storage, issue and re-issue of complete notebooks within and out with office hours. Local Policing Commanders should set expectations and guidance on the regularity of notebook checks. Consideration may be made to impact factors such as geography of the Division, locality of officers to line manager(s), and the experience of officers.
- 8.2 Administrators will have the responsibility for the issue, re-issue and storage of the notebooks within their Division or Department. Administrators will also perform instructed audits of notebooks and records and are responsible for the destruction of notebooks as per the Record Retention SOP.
- 8.3 Line managers/supervisors will be required to check notebooks regularly as defined by the Local Policing Commander. On each occasion where notebook use is checked, the line manager/supervisor will create an entry within the individual's notebook to record the occurrence and sign the document. Where training needs are identified in the use of the notebook, guidance should be provided to the officer at the discretion of local management. This guidance will be recorded within the notebook itself as a reminder to the officer of the standards required. If significant misuse of the Police Notebook is identified, which extends beyond a training issue, the notebook will be seized and the misuse reported to an officer of the rank of Inspector or above. If the significant misuse is deemed to require consideration under the relevant Conduct Regulations, initial consultation with the Professional Standards Department (PSD) will be made in order that PSD can assess the circumstances and determine any requirement for a written report.
- 8.4 Police Officers and staff who make use of Police Notebooks or PDAs in the course of their duty are responsible for completing them to an acceptable standard and for protecting their content from inappropriate disclosure.
- 8.5 Central Purchasing/Stores are responsible for the purchase and distribution of police notebooks to persons designated to issue them.

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**List of Associated Legislation**

- Computer Misuse Act 1990
- Data Protection Act 2018
- Public Records (Scotland) Act 2011
- Equality Act 2010

**List of Associated Reference Documents**

**Police Scotland Policies**

- Records Management Policy
- Data Protection Policy
- Information Security Policy

**Standard Operating Procedures**

- Surveillance (Operations and Log Keeping) SOP
- Case Reporting SOP
- Mobile Data and Remote Working SOP
- Record Retention SOP
- Disability in Employment (Police Officers and Authority/Police Staff)

**Reference Documents**

- Use of PDAs as Electronic Police Notebooks – East Area
- Use of PDAs as Electronic Police Notebooks – West Area
- 'Reports and Statements Writing Guide'

**List of Associated Forms**

- Police Notebook (Form 099-001)
- Notebook Register (Form 099-002)
- Notebook Record (Form 099-003)