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Our Ref: IM-FOI-2022-0785
Date: 12th 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.

1) Copies of all 'notable incident' reports recorded by C3 Division from 2019-20, 2020-21 and 2021-22 that were categorised by Police Scotland as 'incorrect/missing information', 'fail/delay/wrongly transfer incident', and 'failure to identify risk'.

I am aware that personal details will have to be redacted from these reports.

The Notable Incident process was implemented in C3 division in April 2016 following a recommendation by HMICS in their assurance review into call handling. It is designed to allow staff to highlight incidents from which improvement and organisational learning can be gained or where additional feedback, training or changes to process may be required. Several revisions of the process have taken place since then in an effort to ensure it remains fit for purpose.

It should be noted that 'good work' is also captured as part of the Notable Incident process. This ensures that identified good practice can also be highlighted and shared amongst the staff working within the division, as well as more widely within the organisation when required. It continues to be a high priority for C3 Division due to the benefits that it brings in identifying areas for improvement.

Since its inception a number of enhancements, including the Contact Assessment Model, have been introduced across Scotland to enhance the service we provide to our communities. The robust quality control measures we have in place allow us to address any opportunities for learning at the earliest opportunity to maintain a constant cycle of continuous improvement.

Police Scotland handles around three million public contacts a year, including calls via 101, 999 and online reporting. Between 1 April 2019 and 31st March 2022, 353 Notable Incidents were recorded. These account for 0.0039 per cent of contacts, the equivalent of approximately one in every 25,500 contacts from the public.

In relation to your request for information we have identified 98 Notable incidents which meet the criteria provided as per the table below (incidents which were submitted and subsequently assessed as not meeting criteria have been omitted).

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These account for only 0.001 per cent of contacts, the equivalent of approximately one in every 91,800 contacts from the public.

While the number of incidents is extremely low it is vital that, as a learning organisation, Police Scotland officers and staff have the opportunity to highlight areas for improvement through the Notable Incident process.

	2019-20	2020-21	2021-22
Incorrect/Missing Information	25	18	10
Fail/Delay/Wrongly transfer incident	2	5	3
Failure to identify risk	5	9	21

In regards to 01/04/2019 to 09/11/2020 I must advise that the requested information is publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, 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 that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”

I can confirm that the information requested is available through our disclosure log. I have attached a direct link to the relevant page below:

<https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2021/january/20-2025-c3-notable-incidents-2019-to-date/>

I do however accept that it may be difficult to determine which of the notable incidents within the attachments refer specifically to ‘incorrect/missing information’, ‘fail/delay/wrongly transfer incident’, and ‘failure to identify risk’ and so to be of assistance, I have included these separately within attachment 01 of the response to this request.

In regards to the period 10/11/2020 to 31/03/2022 please find the requested information within attachment 02.

I must advise that it has been necessary to withhold some of the information requested, therefore, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

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Section 16 requires Police Scotland when refusing to provide such information because it is exempt, 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 you have requested and the exemption that I consider to be applicable is set out as follows:

Section 38(1)(b) – Personal Information

Any information that could lead to the identification of individuals has been redacted. This is in accordance with Section 38(1)(b) of the Freedom of Information (Scotland) Act 2002 – Personal Information.

The redacted information would likely be specific enough to identify the actual call that was made and who dealt with it. Please be mindful that I am in particular referring to data subjects identifying themselves and not just purely worrying about other people identifying them.

It is Police Scotland's view that that the individuals who made the reports would not have a reasonable expectation that the information they reported to the police would be made public through Freedom of Information (FOI) legislation; disclosure is therefore likely to cause them upset and undermine the police's duty of confidentiality when such reports are made.

Staff members involved would perceive any disclosure as unfair, which would undermine the trust and support that they are being told they should expect when using the Notable Incident reporting process. We rely on our staff to provide an essential call handling service and to report matters of concern as they occur, we will do all we can to ensure that those undertaking the role feel empowered and confident to do so effectively. The success of the Notable Incident process would be jeopardised if disclosure led to staff being identified and associated with the Notable Incident being reported as staff will then fail to report near misses for fear of public criticism.

As such, the processing would be unfair and unlawful in respect of the individuals concerned and would therefore be in breach of the first principle of the Data Protection Act 2018. This is an absolute exemption, which does not require a public interest test to be conducted.

Section 30(c) – prejudice to effective conduct of public affairs

Information is exempt information if its disclosure under this Act would otherwise prejudice substantially, or would be likely to prejudice substantially, the effective conduct of public affairs.

Please note that it has been necessary to redact some internal email addresses and telephone numbers. To release these details publicly through FOI legislation could negatively impact on the operational effectiveness of various departments and undermine the Notable Incidents process.

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Whilst it is acknowledged that the disclosure of this information would support transparency and better inform the public as to how the Service conducts its business, there are already established routes for the public to make contact with the police and the disclosure of these additional details would not support the effective conduct of public affairs. As a result, section 30(c) of the Freedom of Information (Scotland) Act 2002 is engaged.

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

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.pnn.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.