

Our Ref: IM-FOI-2022-2032
Date: 24 October 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.

Police officer conduct is assessed against our Standards of Professional Behaviour and, if alleged to have breached these standards, a preliminary assessment is carried out under Regulation 10 of the Police Scotland (Conduct) Regulations 2014.

The Standards of Professional Behaviour and the conduct regulations can be accessed via the following links:

<https://www.scotland.police.uk/spa-media/2r3p0bsx/standards-of-professional-behaviour.pdf>
[The Police Service of Scotland \(Conduct\) Regulations 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2014/1000/contents/part-10)

Should the assessment provide that an investigation is required, the officer concerned will be served with a Notice of Misconduct Investigation. The purpose of the investigation is to gather evidence to establish the facts and circumstances of the alleged misconduct and ascertain if there is a case to answer.

Our misconduct procedures aim to provide a fair, open and proportionate method of dealing with alleged misconduct, as well as encouraging a culture of learning and development for individuals and the organisation. Notwithstanding, disciplinary action undoubtedly has a part to play, should circumstances dictate that this is required. It should be noted that PSOS (Conduct) Regulations 2014 and related processes apply only to serving police officers. Once a police officer retires or resigns, proceedings will automatically cease.

I would like to know for the past year please:

1. The number of officers found to have broken the force's professional standards in their use of social media.

Data has been provided below based on police officers subject to formal or management action, in relation to allegations with a social media circumstance marker, concluded during the 2021/22 financial year. Cases resulting in no action have been excluded.

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Please note that this data is based on cases closed during that period and that cases may have been originally received prior to this.

Table 1: Police officers subject to Formal or Management Action in relation to allegations involving a social media circumstance (01/04/2021 – 31/03/2022) ^{1,2}

Case Disposal	Number
Hearing - Dismissal	1
Meeting - Verbal Warning	1
Management Action	13
Total	15

1. Data is based on the case closed date.

2. Each conduct case is limited to one subject officer. The same individual officer may appear on more than one case.

2. The number of officers found to have committed a) gross misconduct b) who were dismissed/resigned.

In respect of the above cases, one officer was found to have committed Gross Misconduct and was dismissed following a conduct hearing.

A further four Police officers retired or resigned prior to the conclusion of conduct proceedings and were not subject to a formal disposal.

3. Where a misconduct finding was recorded, details of the breach in as much detail as possible within the time/cost framework.

In respect of the above cases, the allegation types are provided below.

Table 2: Allegations involving a social media circumstance which were subject to Formal or Management Action (01/04/2021 – 31/03/2022) ^{1, 2, 3}

Allegation Type	Number
Authority, Respect and Courtesy	3
Confidentiality	2
Discreditable Conduct	9
Equality and Diversity	1
Honesty and Integrity	2
Grand Total	17

1. Data is based on the case closed date.

2. Each case may involve multiple allegations, therefore the number of allegations may vary from the number of cases.

3. Data in the table above relates to Police officers only.

If you require further assistance or 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

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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.