

Our Ref: IM-FOI-2022-0362
Date: 1 March 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.

In relation to your questions, I can advise the information requested by you is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland 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. Where information is considered to be exempt, this letter serves as a Refusal Notice and an explanation of the appropriate exemption is provided.

The information requested is publicly available, accordingly, the following exemption is applicable:

Section 25(1) – Information otherwise accessible

1. Your force's current policy relating to GENDER REASSIGNMENT for officers, staff and volunteers.

Please see the link below to Police Scotland's website to the Transitioning at work Standard Operating Procedure (SOP).

<https://www.scotland.police.uk/spa-media/ltzd2cjt/transitioning-at-work-redacted.pdf>

This is an absolute exemption and does not require consideration of the public interest test.

2. Your force's current Stop & Search policy as it relates to TRANSGENDER officers, staff and volunteers.

3. Your force's current Stop & Search policy as it relates to NON-BINARY officers, staff and volunteers.

The information requested above is publicly available, accordingly, the following exemption is applicable:

Section 25(1) – Information otherwise accessible

Please see the links below to Stop and Search Policy and SOP on Police Scotland's website.

This is an absolute exemption and does not require consideration of the public interest test.

<https://www.scotland.police.uk/access-to-information/policies-and-procedures/policies/>

<https://www.scotland.police.uk/access-to-information/policies-and-procedures/standard-operating-procedures/standard-operating-procedures-p-s/>

By way of assistance we can advise that further information is available on the Scottish Government's website. Please see the link below:

<http://www.gov.scot> – Annex B

The above 3 documents can also be found on the Stop and Search page of the Police Scotland Website

Please see the link below:

<https://www.scotland.police.uk/about-us/how-we-do-it/stop-and-search/data-publication/>

4. Your force's current action plan on LGBT+ inclusion.

Police Scotland and the Scottish Police Authority (SPA) published our Joint Equality Outcomes for 2021- 2023 in April 2021. These outcomes help us to better understand and improve equality within the workplace for our officers and staff, as well as in the communities we serve.

The Equality Outcomes are published as part of our duty under the Equality Act 2010, and in support of the Strategic Police Priorities, Forensic Services Strategy and the SPA Corporate Plan.

The information requested above is publicly available, accordingly, the following exemption is applicable:

Section 25(1) – Information otherwise accessible

Please see the link below:

<http://www.scotland.police.uk/spa-media/ovid0r5f/joint-equality-outcomes-for-policing-2021.pdf>

This is an absolute exemption and does not require consideration of the public interest test.

OFFICIAL

Should you require any further assistance concerning this matter please contact Information Management – Glasgow at foiglasgow@scotland.police.uk 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.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalarnock, 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.