

Our Ref: IM-FOI-2022-0645
Date: 06 April 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.

I have tried a few avenues to find out how your staff in all roles but particularly CID/DS are governed according to safe overtime work.

Whom authorizes it and signs dispensation etc or don't the health and safety rules and scientific findings apply to police staff?

Worryingly i am aware of staff driving and conducting interviews and evidence reporting/chain of custody duties etc 16.5 hours on shift.

Even the police are only human and driving a vehicle let alone fairly conduct their role is not only unsafe to pedestrians but also suspects and victims.

Can you explain this in more detail before i have to contact the commissioner instead.

Tiredness kills as many past incidents prove and road signage highlights too furthermore brain function is badly affected too. If the police are not included in the rules then it is a danger to public safety and proper role performance and fair justice.

In response to your request, we can advise that there is no specific guidance in relation to the exact scenario in your request of CID/ Detective overtime. As such in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

To be of assistance, our colleagues in People and Development can advise as follows.

Each overtime situation is different and it will depend on the actual incident that the officers are dealing with and the risk involved, the wellbeing and safety of officers is always a priority for supervisors who will assess the situation and stand down officers as soon as reasonably practicable. Overtime is recorded on the HR system (SCOPE), each officer submits an overtime claim to their line managers and every department/division has the responsibility to monitor their overtime spent.

Police Officers and Police Staff working hours are aligned with the Working Time Regulations (1988) and working time is monitored by Senior and Line Managers, who have a duty to ensure that an employees working time is recorded accurately on the HR system (SCOPE).

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Please see the link to Working Time Regulations document:-

<https://pnb.scot/wp-content/uploads/2020/08/PSoS-Workforce-Agreement.pdf>

Should you require any further assistance please contact Information Management - Dundee 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.

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