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Our Ref: IM-FOI-2022-0361
Date: 20th 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.

**To ask the keep people safe organisation that is Police Scotland
How many people died due to accident at work or associated with work in**

**2019
2020
2021
2022**

To ask the most appropriate person in Police Scotland if someone wants to Report to Police Scotland about safety and is not content with the response from a relatively junior staff member - what provision is there to escalate

IE step by step process

The Health and Safety at Work Act 1974 (HASAWA) lays down wide-ranging duties on employers. Employers must protect the 'health, safety and welfare' at work of all their employees, as well as others on their premises, including temps, casual workers, the self-employed, clients, visitors and the general public.

Is someone who drops someone off to street beg classed as an employer and what rights are afforded to the street begging person with relation to

Manual handling IE sitting for long periods of time on makeshift seats (not in line with good posture etc)

**Can this be reported to
Police Scotland
Local authority
Or any other department as a witness (anonymous)**

Following a number of clarification requests, you amended your request to the following:

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Question 1 – How many people died (in Police Scotland) due to accident at work or associated with work in 2019, 2020, 2021, 2022. This includes deaths due to accidents and for any other reason associated with work?

0

Question 2 – If No deaths are reported to HSE so does that make Police Scotland a safe place to work?

In regards to this question I must conclude that as it does not seek a copy of recorded information, it is not a valid request in terms of Section 8 of the Freedom of Information (Scotland) Act 2002.

By way of explanation, your question is seeking an opinion which is not considered recorded information as per the Act.

Question 3 – Where employees who are not employed by Police Scotland would report Health and Safety at work concerns to?

Police Scotland do not hold a record of where employees of other organisations would report Health and Safety at work concerns to. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

Question 4 – Do Police Scotland become involved in reports to HSE matters or is it Government oversight?

Question 5 – Who investigate deaths in Scotland?

In regards to question 4 and 5, responsibility for the investigation of deaths in Scotland lies with the Crown Office and Procurator Fiscal Service (COPFS). Police Scotland will investigate deaths on behalf of COPFS as required/directed. Major Crime (SCD) and local policing will work together to investigate any death as directed by the COPFS.

HSE are a partner of Police Scotland, and we work together as directed by COPFS.

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.

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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.