| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1103  Responded to: 16 May 2024 |
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Your recent request for information is replicated below, together with our response.

**Could I please have access to the information the Police Service of Scotland hold in relation to gift and gratuity guidelines which are in place in respect of serving police officers? I have attempted to obtain this information online and the only information which is available is one sentence within the 'Integrity' section of the code of ethics which states:**

**'I will not accept any gift or gratuity that could, or could be perceived to, compromise my impartiality'**

**Does the Police Service of Scotland hold official guidelines in relation to gift and gratuities?**

I have attached separately the Gifts Gratuities Hospitality and Sponsorship guidance document.

As you will note some information has been redacted and 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 that information is held and an explanation of the appropriate exemption is provided below:

## Section 30 (c) - Prejudice to the Effective Conduct of Public Affairs.

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

In this case an internal e-mail address, as well as hyperlinks to internal documents have been redacted. To release these details publicly through FOI legislation could negatively impact on the operational effectiveness of the relevant departments within Police Scotland and with our partners. While 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.

This is a non-absolute exemption and requires the application of the public interest test.

**Public Interest Test**

Release of e-mail addresses which are not in the public domain could negatively impact on the operational effectiveness of Police Scotland. Accordingly and to ensure that internal processes are protected this information cannot be provided.

There can be no public interest in disclosing information which would make it more difficult to offer an efficient and effective service.

**Could it also be confirmed what the Police Service of Scotlands position is in relation to a gift which was provided to a former police officer which was gifted after the officer left PsOS (either resigned or retired) however the person providing the gift was of the belief the recipient was still a serving police officer ?**

Given the unique circumstances presented, this would have to be assessed on its own merits, taking into consideration.

• the officer’s role at the time they were employed,

• the individual or company providing the gift,

• the reasons why the gift was provided,

• the type of gift provided to the officer.

As each set of circumstances would have to be reviewed prior to the outcome being determined, the information sought is not held by Police Scotland and section 17 of the Act therefore applies.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.