| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2222  Responded to: 25th September 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

The formal disciplinary process for Police Officers is governed by [the Police Service of Scotland (Conduct) Regulations 2014](https://www.legislation.gov.uk/ssi/2014/68/contents/made).

The associated [Scottish Government Guidance Document](https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/04/conduct-and-performance-procedures-police-guidance/documents/police-guidance-conduct-procedures/police-guidance-conduct-procedures/govscot%3Adocument/Police%2BService%2Bof%2BScotland%2B%2528conduct%2529%2Bregulations%2B2014.pdf) provides further information on the process and allegations are categorised in line with our [Standards of Professional Behaviour](https://www.scotland.police.uk/about-us/who-we-are/our-standards-of-professional-behaviour/).

The Police Scotland [Complaints About the Police Standard Operating Procedure (SOP)](https://www.scotland.police.uk/spa-media/lgyddvsi/complaints-about-the-police-sop.docx) outlines how we deal with complaints.

Allegations are recorded in accordance with the categories listed at appendices C and D.

You may also be interested in our [Suspension from Duty SOP](https://www.scotland.police.uk/spa-media/3mbmetbo/suspension-from-duty-sop.pdf).

**Please provide me with the following information for each of the last five years.**

1. **The number of officers who were suspended (a) with and (b) without pay.**

The table below details the number of officers whose suspensions commenced between 1 April 2018 and 31 March 2023, broken down by the financial year of commencement.

All officers were suspended on full pay.

Please note that officers whose suspension start date precedes this date period - but served a suspension during that period - are not included in the figures provided below.

*Police officers suspended, by financial year 1*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Category** | **2018/19** | **2019/20** | **2020/21** | **2021/22** | **2022/23** |
| Officers suspended | 12 | 22 | 25 | 28 | 50 |

*1 Data is based on the suspension start date.*

1. **The number of officers suspended over alleged sexual or domestic misconduct (a) with and (b) without pay.**

This is interpreted to be a continuation of the previous question.

Data has been provided below on the number of officers whose suspensions commenced between 1 April 2018 and 31 March 2023 where the circumstances involve a sexual or domestic element, broken down by the financial year of commencement.

All officers were suspended on full pay.

Please note that it is possible for a single suspension to involve both a sexual and a domestic element which is referenced within the data below.

*Police officers suspended where the circumstances involve a sexual and/or domestic element, by financial year 1*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Category** | **2018/19** | **2019/20** | **2020/21** | **2021/22** | **2022/23** |
| Suspensions with sexual / domestic element | 9 | 11 | 19 | 17 | 29 |

*1 Data is based on the suspension start date.*

1. **The total number of officers who were dismissed from Police Scotland after being suspended (a) with and (b) without pay.**
2. **The number of officers of each rank who were dismissed from Police Scotland after being suspended (a) with and (b) without pay.**

In response to these questions, the table below details the number of officers dismissed between 1 April 2018 and 31 March 2023, having been subject to a suspension in relation to the same circumstances.

The data is further broken down into officer rank and the financial year of commencement.

Please note that the data provided may not reflect the overall number of officers dismissed during these financial years, as officers dismissed are not necessarily subject to suspension.

Please note that some cases have not yet concluded as at 31/08/2023 therefore dismissals relating to current suspensions may increase.

*Police officers dismissed following a* suspension in relation to the same circumstances*, by rank and financial year 1*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Rank** | **2018/19** | **2019/20** | **2020/21** | **2021/22** | **2022/23** |
| Constable | 0 | 1 | 0 | 0 | 1 |
| Sergeant or above | 0 | 0 | 0 | 0 | 0 |

*1 Data is based on the hearing date.*

1. **The total cost to Police Scotland of paying the salaries of suspended officers.**
2. **The cost to Police Scotland of paying the salaries of suspended officers who were later dismissed.**

In response to these questions, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

To first explain, payments to suspended individuals are not specifically marked and would be calculated by payroll in the normal manner and paid directly.

As there is no automated method of identifying the relevant expenditure, any undertaking to identify such payments would require us to interrogate our payroll system for details relating to every relevant officer in each of the time periods requested.

In summary, without a largely manual exercise we would have no way of answering this question.

As the information requested is not held in an easily retrievable format, the research and calculations involved would require significant resource, assessed to exceed the £600 cost limit.

You may however be interested in police officer salary information - [Pay and Grading Structure - Police Scotland](https://www.scotland.police.uk/about-us/finance/pay-and-grading-structure/).

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.