| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1645  Responded to: 6th July 2023 |
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Your recent request for information is replicated below, together with our response.

## Please may you provide details on conduct/misconduct cases made by the general public towards Police Scotland over the last 10 years. Please may you provide specific clarity as to whether these complaints originate from the same complainer and the nature of each complaint (e.g. racism, sexism etc). Please may you also provide the total number of complainers for each given year.

## Please may you provide details on conduct/misconduct cases made by fellow police colleagues towards other colleagues in Police Scotland over the last 10 years (i.e. internal complaints). Please may you provide specific clarity as to whether these complaints originate from the same complainer and the nature of each complaint (e.g. racism, sexism etc). Please may you also provide the total number of complainers for each given year.

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 Act where section 12(1) (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

To explain, there is no ‘complainer type’ searchable field within the Professional Standards database in relation to Conduct or Misconduct cases.

Whether the complainer is a member of the public or police colleague may be mentioned in the records associated with each individual case but this would, in some cases, necessitate a comparison of the complainers name with our personnel records to confirm.

Given the number of Conduct and Misconduct cases for the ten year period covered by your request, that research is an exercise I estimate would far exceed the cost limit.

If you would be interested in Misconduct data more generally, please submit a new request.

You should note that 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 conduct cases 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/). It is these categories we could provide data for - for example, you may be interested in *Equality and Diversity.*

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.