| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0856  Responded to: 20 June 2024 |
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Your recent request for information is replicated below, together with our response.

## Please could you provide information on Non Crime Hate Incidents

## Is there a written process for the creation of a Non Crime Hate Incident and is this available to the public?

In terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, 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.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

Please be advised that a written process for the creation of Non-Crime Hate Incidents (NCHI) is publicly available via the interim guidance – Responding to Hate which is published on the Police Scotland website, to be of assistance please see the link below.

[Interim guidance published for officers on the recording of Non-Crime Hate Incidents - Police Scotland](https://www.scotland.police.uk/what-s-happening/news/2024/may/interim-guidance-responding-to-hate/)

## What information is recorded in a Non Crime Hate Incident?

Where it is determined that a Non-Crime Hate Incident is to be recorded on the interim Vulnerable Persons Database (iVPD), an Adult or Child Concern Report is created on the database. The Concern Report identifies where there is a hate element associated with the concern for the adult or child in accordance with the seven protected characteristics. Where it is determined there is a need to record any other party details, they will be recorded as a No Concern/Not Applicable, sub-category ‘other’ nominal on the associated Concern Report.

## What is the process for reviewing the information recorded and who is involved?

The iVPD records information about individuals who are, or are perceived to be, experiencing some form of adversity and / or situational vulnerability which may impact on their current or future wellbeing. Adversity is often defined as a difficult or unfortunate event or circumstance. Most people face some form of adversity at one point in their life while some face adversity more than others.

The database also currently only records Hate Crime incidents where the victim has an identifiable vulnerability and Non-Crime Hate Incidents where there is a policing purpose.

A Concern Report is the method by which the above information is recorded and passed to the Divisional Concern Hubs. A Concern Report is initially completed by officers who have attended or dealt with an incident or call involving vulnerability or concern for an individual and is thereafter reviewed and quality assured by an operational supervisor before submission to their Divisional Concern Hub.

The immediate responsibility of the supervisor is to ensure all relevant safeguarding and protection measures are implemented for the individuals involved. Thereafter the supervisor quality assures the Concern Report ensuring current recording practices are being followed and the concern or vulnerability for the individual is captured.

The Concern Hub processes involve the triage, research and assessment of all protection and wellbeing concerns.

## Who is responsible for approving the final version?

The Concern Hub ultimately have the final responsibility, with all Concern Reports undergoing a risk assessment and if sharing takes place, determine what is shared.

## How long is an individual record stored and is this set down in law or procedure?

iVPD has a bespoke weeding and retention policy built into the system and details can be found in the Record Retention Standard Operating Procedure, linked below.

[Record Retention SOP](https://www.scotland.police.uk/spa-media/nhobty5i/record-retention-sop.docx)

## What aggregations and analysis is carried out on the data held?

In response to this question, I can advise that all information gathered is held with a policing purpose, which includes but is not limited to, the prevention and detection of crime, apprehension and prosecution of offenders, protecting life and property and preserving order.

The data held can be aggregated and analysed for multiple purposes, for example a local division may request data from the statistical unit which would allow them to identify any areas of concern, where they could then take proactive action. Likewise, a member of the public may request certain information via FOI in which case a request would be sent to the statistical unit who would provide aggregate data.

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.