| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0202  Responded to: 15th February 2023 |
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Your recent request for information is replicated below, together with our response.

**1.All the inspection reports relating to the water systems of Tulliallan, including the Scottish Police College, from September 2022 to present**

**2.Any reports produced for Police Scotland relating to the discovery of Legionella bacteria during this time period**

Following a clarification request you confirmed that question 2 referred to Tulliallan, including the Scottish Police College.

In regards to both question 1 and 2, in terms of section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information requested.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

* states that it holds the information,
* states that it is claiming an exemption,
* specifies the exemption in question and
* 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.

The exemption that I consider to be applicable to the information requested by you is:

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

Information is exempt under sections 30(c) if disclosure would otherwise prejudice substantially, or be likely to prejudice substantially, the effective conduct of public affairs.

In this case, the information requested is subject to an ongoing investigation and release of the information is likely to have a detrimental effect.

## Public Interest Test

I do appreciate that there is a degree of interest in the release of the information you have requested and that to do so would help inform public debate on policing in Scotland and in particular in regards to an important Health and Safety matter that affected Police Scotland.

However it is essential that any release of information does not interfere or prejudice the ongoing investigation. To do so would put the investigation at risk and so would be vastly against the public interest.

The balance lies in withholding the information requested at this time.

**3.The number of reports and dates of those reports of any illness or absence related to Legionella bacteria during this time period**

Following a clarification request you confirmed that question 3 referred to Tulliallan, including the Scottish Police College.

I can confirm that no one became ill with legionnaires disease.

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.