| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-2580Responded to: 30 October 2024 |
| --- | --- |

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

**Last weekend Police Scotland issued statements around a serious assault in the Dalkeith area, including a subsequent arrest.**

**I have since discovered that most of the comms used by Police Scotland was via social media [Facebook and Twitter].**

**Has Police Scotland conducted an Equality & Diversity Impact Assessment on its comms strategy ?**

**A strategy which relies heavily on social media or the web marginalises people who are not 'plugged into' the web or social media, for a variety of reasons.**

**Can I ask for sigh of Police Scotland's EDIA of the comms strategy used for such incidents as that mentioned ?**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies. Please note, Police Scotland do not have a standalone Comms Strategy.

To be of assistance, we have therefore interpreted your request as focusing on the reliance on digital channels and our Social Media Strategy is therefore most relevant to your request.

Please see attached the related Equality and Human Rights Impact Assessment we have in place for this, although please note, we are only a few weeks away from a new strategy being finalised.

Police Scotland adopt a digital first approach only because we have direct access to digital channels.

We push content / appeals out to the media through our existing framework however, we have no control over what conventional media will share.

We do have the option to use paid for TV / radio media however, we would not routinely use these for appeals.

Some limited information (individual’s names) has been redacted from the document enclosed and I am refusing to provide that content in terms of section 16(1) of the Act on the basis that the following exemptions apply:

**Section 38(1)(b) - personal information.**

Personal data is defined in Article 4 of the General Data Protection Regulation (GDPR) as:

‘Information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’

Section 38(2A) of the Act provides that personal data is exempt from disclosure where disclosure would contravene any of the data protection principles set out at Article 5(1) of the GDPR which states that:

‘Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject’

Article 6 of the GDPR goes on to state that processing shall be lawful only if certain conditions are met. The only potentially applicable condition is Article 6(1) (f) which states:

‘Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information and that disclosure may well be necessary for that purpose, I am nonetheless of the view that those interests are overridden by the interests or fundamental rights and freedoms of the data subject(s).

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 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 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.