| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1735  Responded to: 7th August 2024 |
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Your recent request for information is replicated below, together with our response.

## I am looking to see the number of Energy performance certificates Police Scotland has commissioned over the last 5 years for domestic properties.

Later clarified as

## this should be broken down each year please.

I can confirm that 42 sites were quoted for survey.

Regarding the yearly breakdown of this figure, I can confirm that Police Scotland holds the information requested however I am applying exemption Section 33(1)(b) - Commercial Interests.

Combined with other information in the public domain, namely the annual costs, it is assessed that the information sought is commercially sensitive as it would allow a price per EPC to be gauged, with some accuracy.

The information you have requested is a specific part of the contract details with Police Scotland and the service provider. As you may be aware the tendering process is open to competition and if utilised, companies are invited to submit their tender bid with details of the costs and processes they would use for the successful completion of the contract. As a result, any company who submits a tender bid is required to give detailed information regarding the capabilities and financial ability of the company to complete a contract. Public disclosure of such information is likely to give competitive advantage to other similar companies and as a result would have a damaging impact on the company concerned.

Any relevant information supplied by a successful tender company is provided in the expectation that whilst remaining relevant, details within their tender bid, which is commercially sensitive, will be held by Police Scotland and not disclosed to another organisation which may gain a competitive advantage in receiving this information.

If the information was disclosed this may, in future, reduce the number of businesses tendering for the supply of goods and services, as companies and organisations would be aware that the Police Scotland will disclose commercially sensitive information. This is likely to negatively impact on the tendering process used by Police Scotland to ensure it purchases the most efficient and cost-effective services and prejudice the commercial interests of the organisation.

This is a non-absolute exemption which requires the application of the Public Interest Test.

**Public Interest Test**

There are a number of arguments in support of disclosure for example, disclosure of the requested information would allow greater scrutiny of the way public funds are spent, it would increase accountability and transparency in terms of this spending, and it is in the public interest for Police Scotland to procure services competitively, to ensure best value for money.

Additionally, there are several arguments in support of withholding the information, for example it would be commercially unfair to our current suppliers; disclosure could damage Police Scotland’s relationship with the suppliers; and that the purpose of the tender process is to ensure that all options are presented to Police Scotland and from there the best option in terms of service and cost is selected.

Police Scotland is a publicly funded organisation and therefore the organisation has an obligation to obtain best value for money with services. To do this, it is essential to maintain working relationships with these companies that tender their services.

As such, Police Scotland will not disclose any information that would impact on the ability to do both. The public interest would not be served if it were no longer possible to engage companies in a tender offer if they believed that conducting business with Police Scotland would result in their confidential financial information being released.

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.