| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-0031Responded to: 10th February 2023 |
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Your recent request for information is replicated below, together with our response.

**Please may you provide me with details on diversity statistics for your constabulary, broken down as per the below:**

**Police/Detective Constables and PCSOs**

**Total number of staff**

* **Ethnicity**
* **Nationality**
* **Gender (Male, female, transgender, non-binary, prefer not to say, other)**
* **Sexual orientation**
* **Age**

**Senior roles i.e. Sergeant upwards**

**Total number of staff**

* **Ethnicity**
* **Nationality**
* **Gender (Male, female, transgender, non-binary, prefer not to say, other)**
* **Sexual orientation**
* **Age**

**Total (all staff within your force)**

**Total number of staff**

* **Ethnicity**
* **Nationality**
* **Gender (Male, female, transgender, non-binary, prefer not to say, other)**
* **Sexual orientation**
* **Age**

In response to a clarification request, you confirmed that by PCSO you meant what would be termed a special constable in Scotland rather than a Police Custody Support Officer.

You also clarified that in the questions asking for “total number of staff” you were referring to police officers only. Police Civilian Staff have been excluded from this response.

I have broken down our response into sections in order to more easily answer it. I would however ask you to note the following caveats which apply.

## Caveats

With the exception of age and sex, all of the information recorded is provided by our officers on a voluntary basis.

All data is as at 31/03/2022 which is the most recent data available.

We have categorised ethnicity as follows:

* BME - Mixed or Multiple Ethnic Group, Asian Pakistani, Asian Indian, Asian Bangladeshi, Asian Chinese, Asian Other, African, African Other, Caribbean, Black, Caribbean or Black Other, Arab and Other Ethnic Group.
* All Other White British - White English, White Northern Irish, White Welsh and White Other British.
* White Minority - White Irish, White Gypsy/Traveller, White Polish and White Other.

Sergeant and above includes the ranks of: Sergeant, Inspector, Chief Inspector, Superintendent, Chief Superintendent, Assistant Chief Constable, Deputy Chief Constable and Chief Constable.

## Race

| **Ethnicity/Category** | **Sergeant & Above %** | **Sergeant & Above Number** | **Constable %** | **Constable Number** | **Special Constable %** | **Special Constable Number** | **Overall %** | **Overall Number** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| White Scottish | 80.97% | 3093 | 79.08% | 10454 | 70% | 312 | 79.50% | 13547 |
| All Other White British | 8.12% | 310 | 8.54% | 1129 | 9% | 41 | 8.44% | 1439 |
| White Minority | 1.41% | 54 | 2.44% | 322 | 2% | 11 | 2.21% | 376 |
| BME | 1.20% | 46 | 1.74% | 230 | 2% | 9 | 1.62% | 276 |
| Choose not to Disclose | 8.17% | 312 | 6.48% | 857 | 2% | 8 | 6.86% | 1169 |
| Not Recorded | <1% | 5 | 1.72% | 228 | 15% | 66 | 1.37% | 233 |

## Sex

| **Sex/Category** | **Sergeant & Above %** | **Sergeant & Above Number** | **Constable %** | **Constable Number** | **Special Constable %** | **Special Constable Number** | **Overall %** | **Overall Number** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Male | 72% | 2742 | 65% | 8600 | 68% | 306 | 67% | 11342 |
| Female | 28% | 1078 | 35% | 4620 | 32% | 141 | 33% | 5698 |

## Transgender Identity

Due to the small number of officers who have identified as transgender, only total figures have been provided. I have addressed the relevant exemptions at the end of the request.

| **Transgender Identity/Category** | **%** | **Number** |
| --- | --- | --- |
| Yes | <1% | 24 |
| No | 92% | 21225 |
| Choose not to Disclose | 6% | 1336 |
| Not Recorded | 2% | 386 |

## Sexual Orientation

| **Sexual Orientation/Category** | **Sergeant & Above %** | **Sergeant & Above Number** | **Constable %** | **Constable Number** | **Special Constable %** | **Special Constable Number** | **Overall %** | **Overall Number** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Lesbian/Gay/Bisexual (LGB) | 3% | 121 | 4% | 562 | 6% | 27 | 4% | 683 |
| Heterosexual | 83% | 3165 | 82% | 10888 | 74% | 330 | 82% | 14053 |
| Choose not to Disclose | 0% | 0 | 0% | 0 | 5% | 24 | 12% | 2063 |
| Other | 14% | 528 | 12% | 1535 | 0% | 0 | 0% | 0 |
| Not Recorded | <1% | 6 | 2% | 235 | 15% | 66 | 1% | 241 |

## Age

| **Age/Category** | **Sergeant & Above %** | **Sergeant & Above Number** | **Constable %** | **Constable Number** | **Special Constable %** | **Special Constable Number** | **Overall %** | **Overall Number** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 16-24 | 0% | 0 | 4% | 570 | 11% | 51 | 3% | 570 |
| 25-34 | 6% | 247 | 38% | 4987 | 24% | 107 | 31% | 5234 |
| 35-44 | 43% | 1656 | 33% | 4435 | 20% | 88 | 36% | 6091 |
| 45-54 | 47% | 1800 | 22% | 2975 | 26% | 116 | 28% | 4775 |
| 55-64 | 3% | 117 | 2% | 253 | 16% | 70 | 2% | 370 |
| 65+ | 0% | 0 | 0% | 0 | 3% | 15 | 0% | 0 |

## Transgender Identity Exemption

In terms of section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the breakdown requested for transgender identity.

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 38(1)(b) - Personal Data.

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 set out at 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, in particular where the data subject is a child’

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. Due to the low number of persons involved, there is a risk they could be identified if the specific breakdown was requested. On balance, we have provided total figures in this case which provides some of the information requested whilst protecting the personal data of our staff.

On that basis, it is my view that disclosure of the information sought would be unlawful.

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.