| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-0620Responded to: 18 July 2024 |
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Your recent request for information is replicated below, together with our response.

## Can you please provide me with the number of times Police Scotland has been prosecuted or investigated under the Health and Safety legislation from 2014 – 2024.

Following clarification with you, you advised:

## Yes we are referring specifically to the Health and Safety at Work Act 1974 and the Health and Safety Executive.

With respect to investigations, unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request and I am therefore refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

By way of explanation, please see the link to the Health and Safety Executive (HSE) website below, this provides a definition of an HSE investigation, specifically that section that reads “An investigation may range from an enquiry by a single inspector about a minor incident or complaint to a large enquiry involving a team of inspectors. Other agencies may be involved, eg the police where there has been a work-related death.”

Using this definition, means that each piece of HSE related correspondence for the time period stated would need to be manually assessed to determine if it related to an HSE defined investigation, across all relevant officers and staff, this is an exercise that would greatly exceed the cost threshold set out within the Act.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

With respect to prosecutions, a search has been undertaken and I can advise that since the creation of Police Scotland, one prosecution under the identified Act has been recorded.

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.