| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0070  Responded to: 1 February 2024 |
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Your recent request for information is replicated below, together with our response.

## I am writing to formally request information under the Freedom of Information Act regarding the calibration details of speed cameras located along various segments of the A90 within your jurisdiction.

## Specifically, I am seeking comprehensive information regarding the calibration procedures, schedules, and records maintained for speed cameras situated along the following stretches:

## A90 Dundee to Stonehaven - Lower Powburn to East Modynes.

## A90 Stonehaven to Dundee - From B9127 Inverarity junction to Todhills.

## A90 Dundee to Stonehaven - From entrance to Careston Castle to Stracathro junction.

## For each of these segments, I kindly request the following details:

## Calibration Procedures: A comprehensive outline of the procedures, methodologies, equipment, and standards employed in the calibration of speed cameras on these specified stretches.

I can advise that Police Scotland does not hold the above requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, this information is held by the supplier Jenoptiks.

## Calibration Schedule: The regular calibration schedule for speed cameras along these segments, including the frequency of checks and any protocols for deviation correction.

I can advise that Police Scotland does not hold the above requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, the devices are calibrated in accordance with the Home Office Type Approval and the schedule, protocols and frequency of checks are set by the supplier, Jenoptiks.

## Calibration Records: Access to records documenting the results of recent calibrations for speed cameras in these areas, indicating any adjustments made to ensure compliance with legal accuracy standards.

I have attached separately copies the most recent calibration certificates held by Police Scotland (24-0070 Data 1, 2 & 3). You will note that names have been redacted from all 3 documents and are considered to be exempt.

Section 16 of the Freedom of Information (Scotland) Act 2002 (the Act) requires Police Scotland to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies. Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

**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.*

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

This is an absolute exemption and does not require application of the public interest test.

In relation to the further information requested, for adjustments, etc., Police Scotland does not hold this information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, this information is held by the supplier Jenoptiks.

## Maintenance Logs: Information detailing routine maintenance practices for the speed cameras along these sections, including repairs or component replacements impacting accuracy.

I can advise that Police Scotland does not hold the above requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, this information is held by the supplier Jenoptiks.

## Certification of Calibration Technicians: Details on the certification and qualifications of technicians responsible for speed camera calibration within these specified zones

I can advise that Police Scotland does not hold the above requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, this information is held by the supplier Jenoptiks.

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.