

Sean Finnan
Request-490810-6d27eef2@whatdotheyknow.com
Our Ref: HQ 18071

9 July 2018

Dear Mr Finnan,

FREEDOM OF INFORMATION REQUEST

Thank you for your recent freedom of information request, which was received on 12 June 2018. This gives a statutory deadline for responding of 10 July 2018 under the terms of the Freedom of Information (Scotland) Act 2002.

You asked the following, and for ease of reference I have copied your original request for information (RFI) as follows.

1. RFI – The number of prisoners who are paid for undertaking work, broken down by 1. Individual prison 2. Activity level as outlined in the Prisoner Wage Earning Policy (October 2012)
2. RFI – The number of prisoners who do not engage in work and the reasons for this

In response to **RFIs 1 & 2**; having completed our search of all electronic and paper records held by the SPS I can confirm the enclosed information is held. We do endeavour to provide information whenever possible. However, in this instance the costs of locating, retrieving and providing some of the information requested would exceed the upper cost limit of £600. We cannot extrapolate the individual activity level without a manual entry file search of all those engaged in work activity (4,658 individuals). A search of individual records would therefore exceed the cost limit on this occasion. Under section 12 of FOISA public authorities are not required to comply with a request for information if the authority estimates that the cost of complying would exceed the upper cost limit, which is currently set at £600 by Regulations made under section 12. Please also note that the SPS does not hold any information on the private prisons HMP Addiewell and HMP Kilmarnock.

The main reasons for prisoners not engaging in work activity include but are not limited to the following:

Untried prisoners, refusing to work, retired, non work activity, awaiting allocation to a work party, medical markers from NHS Colleagues, Rule 95 or 41 (held out of association) & unemployed status etc.

If you are dissatisfied with this response, you have the right to request a review. Your request should be made within 40 working days of the date of receipt of this letter and we will reply within 20 working days of receiving your request. Under section 20(3) (c) (ii) of the Act your request should outline your reason for seeking a review. If our decision is unchanged following a review and you remain unsatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner.

If you require a review of our decision to be carried out, please write to Colin McConnell, Chief Executive, Scottish Prison Service, Calton House, Redheughs Rigg, Edinburgh EH12 9HW. The review will be undertaken by staff not involved in the original decision making process.

I trust this information is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'MD', followed by a horizontal line.

Maurice Dickie
Project Manager