

Our Ref: IM-FOI-16-0319

01 March 2016



Chief Constable Phil Gormley QPM

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

The make, model and specification (full specification from the purchase) of each vehicle allocated to each member of police staff and police officer making up the Chief Officer Group.

The cost of purchase for each vehicle and the date of purchase.

Confirm or negate whether each vehicle is equipped with emergency lighting and audible equipment (sirens and klaxons - whether overt or covert).

The Police Scotland Executive Team (details available at <http://www.scotland.police.uk/about-us/police-scotland/executive-team/>) has access to the following vehicles. It should be noted that owing to the nature of the role undertaken by senior officers, a significant degree of flexibility is essential, given that these individuals may be required to travel the country at short notice.

These vehicles are registered to the Force and are fitted with emergency lighting equipment. They remain a Force resource and can be used by any other business area or authorised police driver within the organisation when required.

Make	Model	Purchase Date
Audi	A3	2015
Audi	A4	2014
Audi	A6	2014
Audi	Q3	2015
Audi	Q5	2014
BMW	320	2015
BMW	520	2011
BMW	520	2011
BMW	525	2009
BMW	320GT	2014

BMW	X3	2015
BMW	X3	2012
Land Rover	Freelander	2013
Land Rover	Freelander	2013
Volvo	V70	2012
Volvo	XC60	2012

In terms of Section 16 of the Freedom of Information (Scotland) Act 2002 I am refusing to provide you with the cost of purchase of each vehicle.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, 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.

I can confirm that Police Scotland holds the information that you have requested.

The exemptions that I consider to be applicable to the information requested by you are as follows:

Section 33(1)(b) – Commercial Interests and the Economy. This exemption states:

Information is exempt information if its disclosure under this Act would, or would be likely to prejudice substantially the commercial interests of any person. This exemption requires a public interest test to be conducted.

The information requested forms an integral part of purchases made by Police Scotland from the vehicle manufacturers outlined above. In purchasing any vehicles Police Scotland must ensure it obtains the best value possible for the class of vehicle required. Public disclosure of the information requested is likely to give competitive advantage to other similar companies in the future and as a result would have a damaging impact on the companies currently providing vehicles to the organisation.

Cost information was provided in the expectation that whilst remaining relevant, details will be held confidentially by Police Scotland and not disclosed publicly where another organisation may gain a competitive advantage in viewing this information.

If the information was disclosed this could reduce the number of companies tendering for the supply of goods and services, as they would be aware that the Police discloses commercially sensitive information. This would potentially reduce the opportunities for the Service to purchase the most efficient and cost effective equipment in the future and prejudice the commercial interests of Police Scotland.

This is a non-absolute exemption that requires the application of the Public Interest Test, which is as follows:

Police Scotland appreciates that there is a public interest in ascertaining how it manages its budget and whether the associated costs for vehicles are appropriate and proportionate. Releasing the information would allow greater public scrutiny of how public funds are spent and increase accountability and transparency in terms of this spending.

Conversely, we must balance this against the fact that Police Scotland must secure the best value for any service it requires. Therefore to release costs of these vehicles would allow competitors an unfair advantage, by allowing them the opportunity to undercut the current supplier. This would place the current supplier at a distinct disadvantage, and would cause substantial damage to their commercial interests.

Further, the release of this data to the world would undermine the relationship Police Scotland has with its current suppliers.

On balance, it is acknowledged that the disclosure of this information would support transparency and accountability in regard to how public funds are spent. However, the grounds for disclosure in this case are outweighed, as disclosure may prejudice the flow of information between Police Scotland and the interests of third parties (in other words the commercial business interest of the companies who have supplied vehicles).

4.) The current police driving qualification (standard / response / advanced) of each member of police staff and officer that makes up Chief Officer Group together with the date that the said member passed their driving qualification or indeed the last date they were reassessed against the requirements of the driving qualification.

Since the formation of Police Scotland on 1st April 2013, training records have been collated within one individual HR system. Unfortunately in some instances this information has originally been recorded in a different manner, and therefore is not held within this central system. In addition to this, any officers transferring in from other Forces or agencies may have held driving qualifications that are not recorded on Police Scotland's systems.

As such I must response in terms of Section 17(1) of the Freedom of Information (Scotland) Act 2002: information not held.

5.) The most common marked police vehicle currently in use by your force.

The most common marked Police vehicle currently in use within Police Scotland's fleet is a Ford Focus.

6.) The cost (average cost if necessary) for the purchase of the most commonly purchased vehicle as per question 5.

The average cost of the most common marked vehicle is currently £10,540.00.

Should you require any further assistance concerning this matter please contact Information Management – Edinburgh on 0131 311 3901 quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance, and within 40 working days of receiving this response, to request a review of the decision. Should you wish to do so, contact details are; Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH - foi@scotland.pnn.police.uk

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Scottish Information Commissioner within six months for a decision. Contact details are; Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS - enquiries@itspublicknowledge.info

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

Information Management Edinburgh
0131 311 3901