



Scottish Fire and Rescue Service  
East Service Delivery Area HQ  
21 Claylands Road  
Newbridge EH28 8LF  
[www.firescotland.gov.uk](http://www.firescotland.gov.uk)

Mark Taylor

[request-917779-84ebfd6c@whatdotheyknow.com](#)

Our Ref: FOI-017280-2022  
Your Ref:  
Contact: Catrina Hamill  
Email: [catrina.hamill@firescotland.gov.uk](mailto:catrina.hamill@firescotland.gov.uk)  
Date: 23 January 2023

Dear Mark Taylor

Your request has been processed in accordance with Freedom of Information (Scotland) Act 2002.

Thank you for your request for information.

Please see your request below:

*Given that the FBU are now going to ballot for a strike. I would like a copy of the strike contingency plan that SFRS have for providing fire cover during strike periods, the name of any company that SFRS have approached or engaged to carry out fire duty strike cover and if SFRS have approached or will approach any former employees to return to provide strike cover. If the latter is a tactic SFRS is using to provide strike cover what is the criteria for selecting former employees? ie recently retired. If based on recently retired how far back does SFRS intend to go back offering these contracts, e.g 5 years?*

In response:

SFRS contacted 390 retired operational employees from within the last 12 months, asking if they would be prepared to provide assistance to maintain fire cover in their local community during periods of potential industrial action. This figure also included 4 recently retired Operations Control employees who were asked to provide assistance to maintain operations control. As of December 2022, we had received no response from retired employees.

As a national emergency service we have a legal and moral responsibility to protect the people of Scotland. The safety of our firefighters and communities is our number one priority and we must plan accordingly to manage the impact of any industrial action. We are currently developing a series of contingency arrangements to mitigate the impact of any action and ensure we provide an emergency response. This includes ongoing discussions with Scottish Government regarding the option to request military assistance. This is an unfolding situation which we are closely monitoring and we will work to keep the public and businesses updated with further details and key safety advice.

The Freedom of Information (Scotland) Act 2002 creates a statutory right of access to information held by public authorities. The right of access to information is not without exception and is subject to a number of exemptions which are designed to enable public authorities to withhold information that is unsuitable for release.

In this respect, the SFRS are applying the following exemptions to information relating to strike contingency plans:

Section 30 (c) of the Freedom of Information (Scotland) Act 2002 – the effective conduct of public affairs

Scottish Fire and Rescue Service (SFRS) have, as required, given consideration to the public interest test.

We have considered that the public interest is in openness and accountability. We have also considered that there is a public interest in the Emergency response contingency plans.

The SFRS consider that disclosure of the withheld information would risk revealing potentially sensitive issues such as future intentions before they are agreed. The SFRS consider that disclosure of such information would substantially prejudice their ability to engage with Scottish Government and third party suppliers, or to hold similar talks, if they considered that information could not be provided in confidence or would be released prematurely before any agreements had been made.

In this connection, SFRS considers this information is regarded as exempt as there is a substantial risk that relationships between the SFRS, Scottish Government and third party suppliers may be significantly prejudiced by the disclosure of this information.

**And,**

Section 31 1(1) - National security and defence

As you may be aware, disclosure under FOISA is a release to the public at large. Whilst not questioning the motives of the applicant, releasing any information held regarding any potential contingency plans would show criminals what the capacity, tactical abilities and capabilities of the fire and rescue service are, allowing them to target specific areas of the UK to conduct their criminal/terrorist activities. This would be to the detriment of providing an efficient emergency response service and a failure in providing a duty of care to all members of the public.

Additionally, the threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. Since 2006, the UK Government have published the threat level, based upon current intelligence and that threat has recently changed to, 'substantial', after previously being at the second highest level 'severe' for some considerable time. The UK continues to face a sustained threat from violent extremists and terrorists. The attacks in Manchester and Westminster together with the attacks in Paris and Belgium only serves to emphasise the reality of such threats.

The disclosure of local and national information would limit operational capabilities as criminals/terrorists would gain a greater understanding of the emergency service's capacity, methods and techniques, enabling them to take steps to counter them. It may also suggest the limitations of capabilities in this area, which may further encourage terrorist activity by exposing potential vulnerabilities. This detrimental effect is increased if the request is made to several different emergency services and law enforcement agencies. In addition to the local criminal fraternity now being better informed, those intent on organised crime throughout the UK will be able to 'map' where the use of certain tactics are or are not deployed or where levels of capability exist. This can be useful information to those intent on committing crimes. It would have the likelihood of identifying location-specific operations which would ultimately compromise response tactics and operations as individuals with malicious intent could counteract the measures used against them.

Any information identifying the focus of emergency response activity could be used to the advantage of terrorists and/or criminal organisations. Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on both national security and law enforcement.

Whilst there is a public interest in the transparency of the use of public funds and the accountability of the Service, there is also a strong public interest in maintaining confidence in SFRS with regard to national security, law enforcement and protecting the safety and well-being of citizens both locally and nationally.

In line with the terms of the Freedom of Information (Scotland) Act 2002, Scottish Fire and Rescue Service has in place a procedure by which a review of the way in which we handle requests for information can be carried out. If you are dissatisfied by the way Scottish Fire and Rescue Service have dealt with your request or about any decision made by them in connection with your request, and wish a review to be carried out, please inform me of this by 22 March 2023. In doing so, it would be helpful if you could state the matter, which has given rise to your dissatisfaction.

Staff not involved in the original decision will handle any review.

Should you not be satisfied with the outcome of our review, you will then have the right to appeal to the Scottish Information Commissioner within 6 months. The Commissioner will decide whether your request has been dealt with properly, in accordance with the Act.

To make an online appeal to the Scottish Information Commissioner –

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

To make a written appeal to the Scottish Information Commissioner –

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews, Fife  
KY16 9DS

Telephone: 01334 464610  
Fax: 01334 464611

E-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

For further details, please see the Commissioner's website at [www.itspublicknowledge.info](http://www.itspublicknowledge.info).

Please do not hesitate to contact me if I can be of further assistance.

Thanks.

Yours sincerely

**Catrina Hamill**  
**Data Protection/Freedom of Information Officer**  
**Strategic Planning, Performance and Communications**