



LETTER SENT BY E-MAIL ONLY

9 October 2023

2023/24-037

Freedom of Information (Scotland) Act 2002

Request

Please find below our response to your correspondence dated 12 September, in which you made the following request under the Freedom of Information (Scotland) Act 2002:

I'm required to ask the questions in regards to the employment of Jane Connors, who sometimes acts as Deputy Chief Constable for Police Scotland. The questions being:

Why was Jane Connors employed by Police Scotland on 22nd December 2022 whilst / during being under investigation by the Metropolitan Police Senior directorate, CAD No: 1879 30322?

What were the names of the other candidates who applied for this position?

Response

Your request for information has been considered and the Scottish Police Authority (SPA) is able to provide the following. Your questions are replicated below, along with our response.

Why was Jane Connors employed by Police Scotland on 22nd December 2022 whilst / during being under investigation by the Metropolitan Police Senior directorate, CAD No: 1879 30322?

The Freedom of Information (Scotland) Act 2002 provides a right of access to recorded information only, which in the context of this request would reasonably be interpreted as information on the recruitment process.

Following a robust recruitment process, the Scottish Police Authority announced the appointment of a new Deputy Chief Constable (DCC) to Police Scotland's leadership team on Friday 2 December – a link is provided to the [announcement and related information](#). The [recruitment pack](#) for the role is also publicly available and details the process and checks undertaken.

All applicants for senior officer roles are required to declare any outstanding complaints, criminal convictions or disciplinary proceedings. A resulting appointment cannot be confirmed until the successful candidate is certified medically fit by the medical advisor, necessary security checks are complete and satisfactory references have been obtained. As part of this process, additional checks are carried out by the Police Scotland Professional Standards team on behalf of SPA.

What were the names of the other candidates who applied for this position?

Whilst we aim to provide information wherever possible, in some instances, information is exempt in terms of the Act. The information requested is considered exempt from disclosure under Section 38(1)(b) Third party personal data. Disclosure would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and section 34(1) of the Data Protection Act 2018. As disclosure through Freedom of Information is disclosure to the public in general, in this instance, it is appropriate to withhold this information. This exemption is absolute and does not require application of the public interest test.

Whilst you may have a legitimate interest in disclosure of this information, we are of the view that those interests are overridden by the interests or fundamental rights and freedoms of the data subject(s).

To assist, we can advise that a total of five applications were received for the post of Deputy Chief Constable.

Right to Review

If you are dissatisfied with the outcome of your request you can ask for a review. You must specify the reason for your dissatisfaction and submit your request by email to foi@spa.police.uk or by letter to Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

After review, if you remain dissatisfied, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by letter to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Commissioner's decision, you can appeal to the Court of Session, only if you think the law has not been applied correctly.

An anonymised version of this response will be posted to our [Disclosure Log](#) in seven days' time.

