

30 March 2022

2022_021

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

REQUEST DETAILS

Please find below our response to your correspondence dated 18 March in which you made the following request under the Freedom of Information (Scotland) Act 2002:

Morton Fraser Ltd

In May 2020 this legal firm was appointed by SPA I would be requiring all details of this process and staff involved.

RESPONSE

Your request for information has been considered and the Scottish Police Authority (SPA) is able to provide the following;

Morton Fraser was appointed as an external legal adviser to the Scottish Police Authority and Police Scotland in April 2020. The appointment was made following a procurement process during 2019/20.

While the Scottish Police Authority is the contracting authority, the procurement function to put in place such contracts is performed by Police Scotland. This centralised procurement service is responsible for ensuring all regulated procurement is carried out in accordance with regulatory requirements and internal policy as per the Procurement Strategy ([Procurement Strategy at 2019/20](#) and current for [2021 - 2023](#)).

The process followed, prior to the appointment of Morton Fraser to the Legal Services Framework, is summarised below:

- External legal firms were able to bid for inclusion in five separate "Lots". These were Employment Law and legal advice re HR matters; General Litigation and advice; Advice and representation on complaints, conduct and disciplinary

matters in respect of police officers and staff; Inquiries and Reviews; and Procurement advice.

- Bids involved the firms responding to a series of technical questions and also advice on "case scenarios" which had been prepared specifically for the procurement exercise.
- Bids were scored by legal staff within the SPA and Police Scotland.
- Morton Fraser was successfully appointed to three Lots: Employment law and legal advice re HR matters; General Litigation and advice; and Inquiries and Reviews.

For those lots to which Morton Fraser were appointed, staff acting as evaluators are listed below:

Lot 1 – SPA Lead Solicitor, Police Scotland Principal Solicitor 1, Police Scotland Principal Solicitor 2

Lot 2 – SPA Head of Legal, SPA Lead Solicitor, Police Scotland Principal Solicitor 1

Lot 4 – SPA Head of Legal, Police Scotland Principal Solicitor 1, Police Scotland Principal Solicitor 2

Details of the contract are available on the Public Contracts Register ([ID: 620377](#)), including details of the Corporate Procurement Specialist coordinating this particular contract.

RIGHT TO REVIEW

If you are dissatisfied with the way in which your request has been dealt with you are entitled, in the first instance, to request a review of our actions and decisions

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@spa.police.uk or by post to Corporate Management Team, Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision.

You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

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.