



## LETTER SENT BY EMAIL ONLY

11 April 2025

FOI Ref 2024/25-122

### Request

Your request for information dated 24 March 2025 is copied below.

Please supply me with any information, documentation, contract clause change or emails, etc. that you have received in the past two years which identify any countries where Microsoft can or actually do process any data you have uploaded to the following services:

- 1 - Any service operated by or on the Microsoft Azure cloud platform by any of your processors or contracted service providers (including a direct contract with Microsoft)
- 2 - Any Microsoft M365 service

For the purposes of this request you should consider any offshored administration or direct system support as being 'processing', whether this relates to personal data or not - this is not a GDPR specific request.

### Response

The Scottish Police Authority has considered your request under the Freedom of Information (Scotland) Act (FOISA).

The Authority can confirm information relevant to your request is held.

In terms of part one of your request, information which identifies countries where Microsoft can or actually do process any data uploaded by the Authority to any service operated by or on the Microsoft Azure cloud platform.

The Authority does not currently use Microsoft Azure directly or via processors. However, in dialogue with Microsoft for the Digital Evidence

Sharing Capability (DESC) project, Microsoft confirmed that where certain services are not used, data sovereignty can be guaranteed.

In terms of part two of your request, information which identifies countries where Microsoft can or actually do process any data uploaded by the Authority to any Microsoft M365 service.

The Authority does not currently use O365. However, in dialogue with Microsoft around proposed use of O365, Microsoft refer to their [Services Subprocessor List](#) which is available on their website.<sup>1</sup> This identifies subprocessors authorised to subprocess customer or personal data in Microsoft Online Services. This list is applicable for all Microsoft Online Services governed by the Microsoft Data Protection Addendum. Microsoft cannot produce a list of processors for each customer due to the dynamic nature of O365.

### **Right to Review**

If you are dissatisfied with the outcome of your request you can ask for a review within 40 working days. You must specify the reason for your dissatisfaction and submit your request by email to [foi@spa.police.uk](mailto:foi@spa.police.uk) or by letter to Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

If you remain dissatisfied after review, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to [enquiries@foi.scot](mailto:enquiries@foi.scot) 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.

This response will be posted to our [Disclosure Log](#) after seven days.

Yours faithfully

**Scottish Police Authority**

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<sup>1</sup> This represents a notice in terms of Section 25 of the Freedom of Information (Scotland) Act 2002 - where information is already available, there is no need to provide an alternative right of access to it through FOISA.