



**HEADQUARTERS**  
One Lochside  
1 Lochside Avenue  
Edinburgh  
EH12 9DJ

**Our Ref:** HQ25217

28 August 2025

Dear

Thank you for your request under the Freedom of Information (Scotland) Act 2002 (FOISA) for:

I wish to know the full recruitment policy for foreign nationals:

**RFI 1** - Who do not reside in the UK.

**RFI 2** - Have no intention of coming to the UK unless successful in the securing a position within the SPS.

**RFI 3** - Who do not hold UK citizenship.

**RFI 4** - How long they can work for the SPS without said citizenship.

**RFI 5** - What countries have applicants been successful from (outwith UK).

We have now completed our search for the information you requested provide the undernote response.

#### **RFI 1, 2 & 3 – Response**

There is no recruitment process specific to individuals residing overseas or that are non-UK Citizens. All applicants applying for a role within the SPS are required to fully participate in the recruitment and selection process outlined within the applicant pack attached to the advertised role. Prior to appointment, all applicants are subject to pre-employment checks to verify their suitability and eligibility for employment with the Scottish Prison Service. Where an applicant has resided overseas for a period of more than 6-months within the past three years, checks will be conducted in line with Baseline Personnel Security Standards.

#### **RFI 4 – Response**

There is not a requirement for any employee of the Scottish Prison Service to be a UK Citizen. All employees of the Scottish Prison Service are required to demonstrate that they have the Right to Work in the UK in line with legislation prior to appointment. Where an individual has a time limited permission to work in the UK, this will be reviewed and rechecked prior to the date their permission comes to an end.

As a Civil Service organisation, employees must also demonstrate eligibility to be employed within the Civil Service in line with the Civil Service Nationality Rules criteria.

**RFI 5 – Response**

The SPS do not record information on the country an individual is residing within at the point of application.

With respect to individuals' Nationalities, we do endeavour to provide information whenever possible. However, in this instance the costs of locating, retrieving and providing the information requested would exceed the upper cost limit. To clarify, SPS does not hold a register of all Nationalities and as such in order to provide the information that you have requested, would necessitate the identification and search of career files of the employees that fall within the period scope of your request i.e. at least 5,000 files for current employees. Under section 12 of FOISA public authorities are not required to comply with a request for information if the authority estimates that the cost of complying would exceed the upper cost limit, which is currently set at £600 by Regulations made under section 12.

The table below outlines by nationality the number of currently serving prison officers, who were recruited from 29 February 2008 onwards and who do not have British citizenship.

<b>Nationality</b>	<b>Total</b>
Bahamian	<5
British (not Channel Islands or IOM)	<5
Bulgarian	<5
Canadian	<5
Ghanaian	<5
Hungarian	<5
Information no longer held	<5
Irish	8
Jamaican	<5
Lithuanian	<5
New Zealander	<5
Nigerian	29
Pakistani	<5
Polish	21
Portuguese	<5
Romanian	<5
Slovakian	<5
South African	<5
Spanish	<5
Sri Lankan	<5

We do endeavour to provide information whenever possible. However, in this instance an exemption under section 38(1)(b) (personal information) of FOI(S)A applies to the information requested. Personal data is exempt from disclosure if disclosure would contravene any of the data protection principles in Article 5(1) of the UK GDPR and in section 34(1) of the DPA 2018. The Scottish Prison Service seeks to be as open and transparent as possible, while also upholding our statutory obligation to protect the personal information of our employees. When the information you have requested relates to a small group of individuals and providing the information requested could, together with other available information, lead to their inadvertent identification, the information is being provided as less than five.

This concludes our response to your request.

If you are unhappy with this response to your request, you may ask us to carry out an internal review, by writing to The Chief Executive, One Lochside, 1 Lochside Avenue, Edinburgh EH12 9DJ. Your request should explain why you wish a review to be carried out, and should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If you are not satisfied with the result of the review, you then have the right to make a formal complaint to the Scottish Information Commissioner.

Yours sincerely,

**HQ HR Business Improvement Lead**