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xxxxxxx@xxxxxxxxxx

26 September 2016

Dear xx xxxxxx,

Request under Freedom of Information (Scotland) Act 2002

Thank you for your freedom of information request of 3 September 2016, received by us on 3 September 2016. This gave a statutory deadline for responding of 30 September 2016 under the terms of the Freedom of Information (Scotland) Act 2002.

In accordance with section 17 of FOISA I hereby give notice that the information you require is not held by Serco in relation to its operation of HMP Kilmarnock.

By way of an explanation as to why we do not hold this information, I can refer you to clause 13 of the contract with the Scottish Ministers, a copy of which can be accessed online at <http://hmpkilmarnock.co.uk/about-contract.html>. This details that throughout the entire duration of the contract all maintenance, repair, renewal, replacement, rebuilding or making good any defect is carried out at the expense of the contractor. Accordingly, we have not carried out any maintenance, upkeep or refurbishment which was then charged to the Scottish Prison Service.

If you are dissatisfied with this response, you have the right to request an internal review. Your request should be made within 40 working days of the date of receipt of this letter, and we will reply within 20 working days of receiving your request.

Under section 20(3)(c)(ii) of the Act your request should outline your reason for seeking a review. If you remain dissatisfied following an internal review, you then have the right to make a formal complaint to the Scottish Information Commissioner.

If you require an internal review to be carried out, please write to

The Director
HM Prison Kilmarnock
Mauchline Road
Kilmarnock
KA1 5AA

The review will be undertaken by staff who were not involved in the original decision making process.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A Hill', written in a cursive style.

Andrew Hill

Head of Performance and Compliance