

Meeting	Authority Meeting
Date	30 September 2020
Location	Video-conference
Title of Paper	Committee and Oversight Group Reports
Presented By	Committee and Oversight Group Chairs
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

To provide the Authority with an update on business progressed through the:

- A. Legal Actions, Claims and Appeals Committee
- B. Policing Performance Committee
- C. Complaints and Conduct Committee
- D. Policing of COP26
- E. Resources Committee
- F. Audit, Risk and Assurance Committee

Committee	Chair	Date	Page
Legal Actions, Claims and Appeals Committee	Mary Pitcaithly	25.08.20	3
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Complaints and Conduct Committee	Matt Smith	27.08.20	9
Policing of COP26	Tom Halpin	27.08.20	12
Resources Committee	Elaine Wilkinson	08.08.20	15
Audit, Risk and Assurance Committee	Jane Ryder	15.09.20	19

Summary report from
Legal Actions, Claims and Appeals Committee
25 August 2020
Mary Pitcaithly, Committee Chair

Main items of business

- As meetings involve the provision of legal advice much of the business of the Committee requires to be considered in private. The main items of business on 25 August 2020 considered matters arising from business approved under delegated authority by the Interim Chief Executive, the litigation tables, the legal assistance circular review, s24 of the Police and Fire Reform (Scotland) Act, and an update on the Memorandum of Understanding

Key issues raised

- There was a discussion in respect of numbers of ill health retirement and injury on duty awards which had been approved under delegated authority in June and July
- An update was provided in relation to enquiries requested by the Committee in respect of the Memorandum of Understanding
- An overview was provided of Police Scotland and SPA current litigated cases, with more detailed discussion of cases of particular interest to the Authority at the present time.
- The current draft of the legal assistance circular was discussed
- Correspondence regarding s.24 of the 2012 Act was discussed

Conclusions reached / actions agreed

- A course of action was agreed in respect of the memorandum of understanding

- It was agreed that litigated cases of particular interest to the Authority should be brought to the attention of the Interim Chair and Interim Chief Executive
- It was agreed the PS Legal would provide the Committee meeting of 29 October 2020 with a report on litigation trends
- It was agreed that the final draft of the legal assistance circular would require the Committee's approval
- A course of action was agreed regarding section 24 of the 2012 Act

As the meeting was held in private there will be no recording or minutes publicly available

Summary report from Policing Performance Committee

26 August 2020

Martyn Evans, Committee Chair

Main items of business

- Quarterly Policing Performance Report – Q1 2020/21
- Demand and Productivity Unit Progress Report Crime Group Detection Rate Trends – Performance and Resource Allocation Considerations
- Stop and Search – Report on variances in searches on younger people
- Police Scotland Early reflections on capturing learning from COVID19
- Update on development of the Benchmarking Framework
- Police Scotland and SPA update on Children and Young People Act compliance
- Overview of Local Authority Scrutiny Arrangements for Policing
- Welfare of individuals in custody
- Police Scotland Action Plan – PS planned responses to HMICS recommendations on Child Sexual Abuse
- Digital Triage Devices – Evaluation
- Naloxone Delivery Steering Group Update
- Public Confidence in Policing

Key issues raised/Conclusions reached/Actions agreed

- Members noted that the new format report focused on public confidence, strategic measures of progress against outcomes and the response to the COVID-19 pandemic.
- It was noted that the exceptional circumstances during Q1 had changed the crime group reporting far from the expected norm. . . Concern was expressed regarding rises in online fraud (and its underreporting), sexual abuse and possible unreported domestic abuse and a rise in robbery highlighted.
- Members recognised progress but asked for the executive summary to be developed, with the key issues highlighted.

- Members discussed the rise in fraud, noting underreporting and made links to the emerging Police Scotland cyber strategy. Members welcomed reporting on vulnerability in custody in relation to drugs and alcohol but asked for a focus on mental health issues as part of ongoing work to understand demand from mental health. Members and PS shared concerns with the rise in assaults on emergency workers and asked for a future report on the subject based on ongoing action oriented PS work to explore this issue.
- Police Scotland colleagues presented an overview paper which described ongoing work to understand detection rates which is being progressed within Police Scotland. A commitment was made to a full detailed report to the next Committee.
- Members discussed a brief report from Police Scotland colleagues which outlined the history, intended function and outputs of the Demand and Productivity Unit. It was agreed that this still does not allowed a clear assessment of demand to underpin the Strategic Workforce Plan.. It was recognised that not all demand elements generate the same resource requirement, the differences between reaction and pro-action and the need to be more preventative and early interventionist. It was also recognised that preventative work is not currently well captured. Members were concerned over the pace of progress and the value which had been delivered against the original business case, the investment made in professional services and the achievement of intended knowledge transfer. In summing up Members recognised that the current demand profile was under development.
- Members considered a report describing the oversight in place and exploring the relative variances of children and young people being subject to stop and search under the code of practice. It was presented that rates were not disproportionate and that recoveries had increased in absolute terms.
- Members enquired how the data set could identify individuals who had been frequently searched with no positive result and were given assurance that this would be flagged to Local Commanders for examination. Police Scotland highlighted ongoing engagement with The Children and Young People's Commissioner and other partners relating to children's welfare and wellbeing.
- Members welcomed a report on the process in place across business areas to capture learning from the responses to COVID-19.

- Members noted ongoing work to design and implement an external benchmarking framework through the establishment of a working group with representation from across the UK policing family.
- The Committee discussed a paper on SPA oversight of and progress toward compliance with the public body duties on corporate parenting and an update on Police Scotland achievement through the current corporate parenting plan. A revision of the current plan is to be written in collaboration with the SPA and wider partners by February 2021.
- Members discussed a report which described the current scrutiny arrangements across local authorities and examined the links between the Local, Annual and Strategic Plans both in terms of delivery and oversight and heard of local engagement processes in place across divisions.
- Members discussed reports from Police Scotland and the SPA Independent Custody Visiting Scotland (ICVS) Manager on the current issues regarding the welfare of individuals in custody including mitigating actions on individuals being transferred long distances between custody centres, showering facilities and the possibility of more weekend justice system activity.
- Members reviewed a draft of the SPA ICVS Annual Report which was commended and noted.
- The Committee discussed the Action Plan to address the recommendations from HMICS inspection into the policing of online sexual abuse and the Police Scotland wider approach to cyber, data analytics and public protection. Members asked for assurance around outcomes and delivery timescales.
- Members discussed a report on the phased roll out of 41 digital triage devices, which is now complete across Scotland. Police Scotland colleagues gave assurances that the ICO recommendations to forces in England and Wales had been assessed and that the basis of the Police Scotland roll out is strong and welcomed the forthcoming ICO report specific to Scotland.
- Members noted in an update on the work looking into the feasibility of naloxone being carried and administered by police officers, that appropriate legal and health and safety issues were being considered.
- Members noted an overview of recent public confidence surveys across SPA Police Scotland and SG and agreed to those activities

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being coordinated through the Police Scotland Public Confidence Governance Board.

During the current period of social distancing and other restrictions as a result of the COVID-19 pandemic, a full recording of the public items of business taken at this meeting can be accessed at <https://livestream.com/spa/9252335>.

The formal minute of the public items of business will be available at the next meeting which is scheduled for 17 November 2020. This will also be published on the SPA's website.

Summary report from Complaints and Conduct Committee

27 August 2020

Matt Smith, Committee Chair

Main items of business

- SPA Quarterly Report, including SPA Complaints performance statistics which reflected the position at the end of Quarter 1, 2020/21. The Report also included an update on proposals for improvements in working practices within the SPA Complaints team which had previously been reported to the Committee.
- Police Scotland Professional Standards Department Quarterly Report which detailed Professional Standards activity from 1 April 2020 to 30 June 2020. The Report also contained information regarding COVID-19 related complaints, PIRC Complaint Handling Reviews and Referrals, the Conduct Unit, the National Gateway Assessment Unit, the Anti-Corruption Unit, and aspects of organisational learning.
- Dip-Sampling Report by the SPA Complaints Team on Police Scotland's handling of COVID-19 related complaints.
- SPA report on the Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, including a progress update on the SPA related recommendations contained within the report. Specifically, this included updates on revised SPA Complaints Handling Procedures, the Unacceptable Actions by Complainers Policy, arrangements for a multi-agency audit of Police Scotland's complaints, and the revised SPA public facing website.
- Police Scotland update on the Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, including a progress update on the Police Scotland related recommendations contained within the report. Specifically, this included updates on the reconvening of both National and internal working groups, a second call for evidence covering key themes of People and Wellbeing, Collaborative Working, Process and COVID-19 Complaint handling response, a review of the Complaints About

the Police Standard Operating Procedure, and the Frontline Resolution (FLR) improvement project.

- Police Scotland report on police officers and police staff who are currently suspended or restricted in their duties within Police Scotland.
- In private session, the Committee heard from the Head of the Criminal Allegations Against the Police Division (CAAPD) at COPFS, specifically in relation to processes within CAAPD.

Conclusions reached / actions agreed

- Ongoing Complaints: The Committee made a determination in relation to one complaint.
- SPA Website – Complaints pages: Further work to be undertaken to identify how the website can be improved to make details clearer in terms of the type of complaint for which the SPA is responsible and those complaints which are not within the SPA's remit.
- Online SPA Complaints Form: The SPA Complaints Team to provide the Committee with updates in relation to the progression of an online SPA complaints form.
- Statistical Reporting of Complaints: The SPA Complaints Team to provide the Committee with updates in relation to a standardised approach to the reporting of statistics for the PIRC, Police Scotland and the SPA.
- Memorandum of Understanding between the PIRC, Police Scotland and the SPA: The revised MoU has now been signed by all parties.
- Alternative Disposal Routes when considering complaints: Future Committee papers will include a section on Alternative Disposal Routes to provide an assurance that all available disposal routes have been considered in the consideration of complaints.
- Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing: Monthly updates have been provided to Committee Members to provide oversight of progress made and detailing what actions remain open.

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The formal minute of the public items of business will be available at the next meeting which is scheduled for 18 November 2020. This will also be published on the SPA's website.

Summary report from COP 26 Oversight Group

27 August 2020

Tom Halpin, Committee Chair

Main items of business

- Positional statement and planning activities
- Finance
- Forward work plan

Key issues raised

- Police Scotland engagement with key COP26 partners including the UK Government and United Nations continues, and Police Scotland continue to be represented on UK Government governance boards for COP26.
- The Right Hon Alok Sharma MP, Secretary of State for Business, Energy and Industrial Strategy, has been appointed UK President for COP 26, on behalf of the UK Government.
- Planning and development work continues and at an increased pace, and a number of central planning staff have been returned to COP26 duties from COVID-19 response duties.
- Dialogue is ongoing between Police Scotland and the UN to ensure the appropriate look and feel of the event is in place, alongside the required safety and security measures.
- The scale and scope of the mutual aid requirement has been clarified with regions in England and Wales.
- Plans for the Metropolitan Police Operational Review are in place, and the work is likely to take place autumn 2020.
- HMICS has confirmed its intention to provide additional and complementary assurance, with an emphasis on the impact of the

event on the provision of services to communities, and support for staff well-being.

- Work is underway with Scottish Government for the development of a fully funded multi-agency testing and exercising programme to support plans for the conference, and initial scoping for an independent internal Police Scotland testing and exercising programme has been completed.
- There is now an agreed process and timetable in place for progression and resolution of any remaining concerns associated with the MOU and indemnity issues. Discussions are ongoing, and the outcome is anticipated October 2020. This will come into the SPA formally via Finance.
- Work is underway to complete the financial re-plan around the November 2021 date. A revised budget is expected to be available by the end of October for approval by SPA Board on 25 November 2020.
- The Oversight Group work plan has been updated and agreed, but will be kept under review and refreshed to reflect key project milestones.

Conclusions reached / actions agreed

- The Chair welcomed the significant amount of work undertaken to progress budget and operational planning.
- The Group welcomed the assurance that processes and timelines have been set to ensure clarity and resolution of any issues around indemnity at an early stage, and to ensure all MOUs are in place.
- Further discussions are scheduled 28 September between the Chair of the Oversight Group and ACC Higgins, on the management timeline for key milestones, and to ensure these are appropriately reflected and tracked within the ongoing work of the Group.
- ACC Hawkins will brief the Group on local policing and prioritisation in relation to COP 26 at its October 2020 meeting. This now sits as a dedicated work stream within the Local Policing Programme,
- The Group will provide an update to the Justice Committee on its work and forward planning. With several key work streams and issues still works in progress, timing is considered not yet optimal for a formal briefing. Officers stand ready to respond promptly to any requests, and consideration of proactive communication will be reviewed again by the Group at its October meeting.

- Covid-19 will remain a key variable and potential risk to be considered in planning for delivery of the event.
- The SPA Oversight Group continues to meet at six weekly intervals, with HMICS and Scottish Government in attendance. The next meeting is scheduled for 6 October 2020.

Summary report from Resources Committee

08 September 2020

Elaine Wilkinson, Committee Chair

Main items of business

P&D

- SPRM Update – update on progress against planned timescales
- Strategic Workforce Plan Update – update on progress in relation to the project timeline
- Public Sector Pensions Consultation – consideration of an Authority response to UK government pension remedy consultation

Finance

- Period 4 financial monitoring presentation and budget virement (for approval)
- Approach to financial planning and Spending review 2021
- Estates – update on facilities management strategy and three items taken in private as part of the estates strategy implementation plan
- Business cases – three business cases taken in private
- Contract award for Airwave devices taken in private
- TCSS high level summary

Key issues raised and conclusions reached/actions agreed

Demand and Productivity

The Committee Chair noted the recent discussion held at the Policing Performance Committee on the outputs of the Demand and Productivity Unit and it was agreed that PS would bring forward a report highlighting the progress made against the outcomes set out in the original DPP FBC approved by the Board in June 2018.

SPRM Project Update

Members noted good progress in the last month and acknowledged, alongside Police Scotland, their thanks to staff and trade unions in embracing the use of technology as a key enabler in this regard. Members received an update on communication plans, but requested the refinement of timescales to ensure that staff are advised of outcomes as early as possible. Members received an update on forecast costs and requested that a further report be provided at the end of September.

SWP Progress Update

Members noted that first and second level approval stages for local draft plans were complete, with final drafts considered by the Scrutiny Panel on 28 August. There had been a subsequent Executive Planning day on 4 September, with a number of resulting key decisions made which will inform the top-down approach. The aggregation phase commenced on 7 September and Members received confirmation that a working draft of the SWP will be shared in advance of the planned workshop on 2 October, alongside the evidence base used to inform development of local draft plans and resulting scrutiny. Members received assurance that the Scrutiny Panel were satisfied that feedback provided through the earlier approval stages had been sufficiently addressed to allow the project to progress forward to the next stage in line with planned timescales and were advised that Police Scotland were confident that all risks to delivery were mitigated. DCC Taylor reflected that the executive scrutiny phase had allowed the senior leadership to consider a range of broader interconnected strategic issues impacting the future of the organisation.

Public Sector Pensions Consultation

Members were updated on the UK Government consultation to address age discrimination in the 2015 public service pension scheme reforms, in recognition of the Court of Appeal judgment relating to transitional protections. In respect of the consultation relating to police officer pensions, Members endorsed the high level approach outlined, but noted that the availability of worked examples would assist further consideration by the Board and individuals impacted. Members endorsed recommendation to the Board that a response be provided in support of the proposed remedy in respect of the separate Local Government Pension Scheme consultation.

Finance

Period 4 financial monitoring – members noted the position which was in line with Q1 reporting from last month.

Approach to financial planning and Spending Review 2021/22

Members were presented with a comprehensive strategic overview of the approach being developed by Police Scotland to integrate financial planning and the budget strategy. The informative piece of work highlighted clearly, the short, medium and longer term risk based approach to financial planning. The approach takes account of the zero based budget developed last year and the impact of covid-19 and will be refined iteratively to take account of the Strategic Workforce Plan.

In the private session, there was a presentation and subsequent discussion around scenarios to deliver a balanced budget and the interdependencies necessary to achieve this longer term. Members suggested that there needs to be clearer linkage of the assumptions on operational capacity and demand data within the planning. Members noted the high quality of the finance papers presented to the committee.

Estates

Members noted the paper on the revised timeline for implementation of the estates facilities management strategy.

Members received an update paper on the proposal for Project Quest in relation to the location of Police premises in Lanarkshire and asked for additional evidence to be included within the FBC. Members also considered two proposals for co-location of premises in Monifieth and Maybole with respective local authorities as part of the Estates strategy implementation. Members requested that both proposals should be strengthened before going to the Board, with the inclusion of additional information and evidence to support the options appraisal and to improve the demonstration of value for money.

Business Cases

Members considered a Full Business Case for the North East Integration project acknowledging that the current premises are not fit for purpose and costly to repair. They explored changes from the IBC to the FBC regarding the future location of PS cyber crime staff. Following clarification that this was a re-provisioning of accommodation the committee requested that prior to submitting to the Board the FBC should be revised to include the rationale and options appraisal for the proposed change of location to the more sustainable location, in addition to the possible future additional benefits in relation to the developing cyber strategy and digital forensic working group findings already highlighted.

Members also considered an FBC for Mobile Working Phase 2. Members felt that the benefits demonstrated in the FBC are conservative and did not fully demonstrate the possible cashable savings. There was also some concern that the additional recurring revenue costs may not be affordable

longer term. Members recommended the FBC to the Board for approval subject to assurance that the additional revenue costs would be covered by cashable savings or additional budget being identified.

Members noted the Forensic Services 2026 IBC.

Contract Award

Members discussed a contract award for Motorola Airwave devices. Members requested that the contract be assessed against the timeline for the ESMCP project and were content to approve subject to this additional review information being included.

TCSS High level review of programmes

Members noted the omission of reference to the spend on professional services in developing the business case and indicated the importance of addressing the Internal Audit review recommendations in taking this work forward. Notwithstanding Members noted the detail on the tactical projects was much improved and requested regular updates in the same format.

During the current period of social distancing and other restrictions as a result of the COVID-19 pandemic, a full recording of the public items of business taken at this meeting can be accessed at <https://livestream.com/spa/resourcessept>

The formal minute of the public items of business will be available at the next meeting which is scheduled for 12 November 2020. This will also be published on the SPA's website.

Summary report from
Audit, Risk and Assurance Committee
15 September 2020
Jane Ryder, Committee Chair

Main items of business

- Draft Annual Report and Accounts 2019/20
- Audit Scotland 2019/20 Annual Audit Report
- Internal Audit Report on Staff Wellbeing
- SPA and Police Scotland Risk updates
- Annual inspection plan 2020/1 from HMICS
- Risk deep dive on data
- Internal Audit working practices
- SPA Best Value

Key issues raised

- Staff Wellbeing internal audit identified a number of recommendations – all have been accepted by management. Progress should be monitored by the Resources committee who have the remit for oversight of staff welfare
- There would be merit in considering the relationship between currently proposed future audit and inspection activity in this area

Conclusions reached / actions agreed

- Positive feedback received from Audit Scotland that the Annual Report and Accounts had been completed in line with the planned timescale, despite the challenges and impact of Covid-19
- Annual Report and Accounts, to be presented to the Board on 30 September for approval
- Protocol for commissioning Scott-Moncrieff (now Azets) in respect of work outwith the internal audit plan updated and agreed

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- Conformation of role of audit sponsor discussed and agreed
- Paper on how SPA Corporate are assessing adherence to Best Value welcomed by the ARAC
- Merit in considering the format of future reporting to ARAC, to cover all relevant audit , inspection and enquiries

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<https://livestream.com/spa/arasept20>

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