

**FORENSIC SERVICES COMMITTEE
19 APRIL 2021**

**Minute of the Scottish Police Authority Forensic Services
Committee held by MS Teams on Monday 19 April 2021.**

Authority Members Present: Tom Halpin (Chair)
Paul Edie
Jane Ryder
Caroline Stuart

In attendance: Scottish Police Authority (SPA)
Tom Nelson, Director of Forensic Services
Gary Holcroft, Scientific Head of Function
Fiona Douglas, Scientific Head of Function
Craig Donnachie, Head of Quality
Derek Scrimger, Scientific Head of Function
Vicki Morton, Scientific Head of Function
Jennifer Muir, Head of Strategy and Business Performance
Liz Nimmo, Programme Manager

John McNellis, Head of Finance, Audit and Risk
Graham Stickle, Audit and Risk Lead
Deborah Christie, Governance Support Officer

Police Scotland (PS)
ACC Judi Heaton, ACC Major Crime and Public Protection
Detective Ch Supt Gary Cunningham, Specialist Crime
Division
Chief Superintendent Stevie Dolan, Specialist Crime
Division
Andrew Hendry, Chief Digital and Information Officer

COPFS
Kenny Donnelly

1.1 Welcome and Apologies

The Chair welcomed all attendees to the meeting of the SPA Forensics Services Committee. The Chair welcomed new Committee Members Paul Edie and Caroline Stuart and thanked Bob Hayes for his significant contribution to the Committee over his time as a member of the Authority.

The Chair noted no apologies.

1.2 Declarations of Interest

There were no declarations of interest.

1.3 Forensics Services Committee minute of meeting held 03 February 2021 for approval

Members agreed the Minute from the Forensics Services Committee on 03 February 2021 was an accurate record of the meeting.

1.4 Action Log and Matters Arising

Members reviewed the action log and noted the written updates provided. It was agreed that while it had been proposed for closure, action 20201103-FS-003 should remain on-going as Drug Driving would remain a priority area for the committee until an agreed way forward was determined by all involved parties.

There were no matters arising.

1.5 Decisions taken since last Committee

It was confirmed there had been no decisions taken since the last committee meeting.

1.6 Decision on taking business in private (items 14 - 21)

Members agreed, in accordance with paragraph 20 of the SPA Standing Orders, to consider items 14 – 21 on the agenda in private for the reasons set out in the agenda.

2. Forensic Services Director's Report – Tom Nelson

Members considered the paper which had been submitted to update the Committee on the recent key activities across Forensic Services. In addition to the submitted report the following points were raised and discussed;

- Members were provided with a summary of key highlights of the report in the following areas: Covid19 response, Forensic Services demand, workload management and staff training, staff engagement.

- Tom Nelson drew Members attention to the areas of the report through which he sought to demonstrate the significant value that forensic Services brings to Criminal Justice partners and to the public.
- Members noted that a short life working group was to be established which would oversee and manage transition as Covid restrictions change, for cases that have had extensions to their timelines and cases that have no agreed extension. It was noted that Forensic Services will work closely with representatives from Police Scotland and COPFS, to manage this and further updates will be provided to this committee when available.
- The Committee Chair thanked Tom Nelson and all of his staff in Forensic Services for their continued commitment and flexibility thought-out the pandemic.

Members noted the report.

3. Forensic Services Performance Report – Q4 – Tom Nelson

Members considered the Forensic Services Performance Report, Q4 2020/21. During discussion and in addition to the report the following points were raised and noted;

- Tom Nelson provided an overview of the report highlighting activity in the following key areas as detailed in the executive summary; Performance, Engagement and Business Updates.
- It was reported that demand continued to be strong throughout the year and that while demand had been high, output has also been high as was evidenced in the reported stability of casework ageing.
- Tom Nelson reported that positive feedback had been received from staff since the recent launch of MyCareer platform.
- Members considered an overview of the Laboratory performance data and scene examination performance data. Their attention was drawn to the drop in number of scenes attended however Tom Nelson advised that, in recent weeks, scene attendance has increased and this was likely to be due to lockdown restrictions easing with crimes of dishonesty increasing.
- A summary of staff absence was provided and peaks noted in April and October 2020. It was confirmed that a slight increase in staff absence had been identified in March 2021 and managers are monitoring this closely in the coming period.
- Members welcomed the update that evidence of actions taken to address the findings raised during the UKAS assessment period had been submitted to UKAS in January 2021, which was in line with the agreed timeline. While no formal confirmation had been received, a

verbal update had been provided that the current accreditation was to be maintained.

- In response to a question regarding how future demand could be accurately forecast for Drug Driving toxicology given the current low levels of travel across the country due to Covid restrictions, Tom Nelson explained that there are challenges in relation to calculating the future demand given the dynamic situation but work would continue to endeavour to forecast as accurately as possible.
- The committee further discussed how demand across all business areas would be managed as the impact of changed Covid restrictions was seen. It was explained that the future demand as the 'new normal' emerges remains uncertain but close links were in place with colleagues in England and Wales to share information and best assess the impact of relaxing current restrictions.
- The committee questioned the levels of absence during the past year and sought further clarity on the reasons behind the high levels in April and October. It was advised that there was no evidence of significant transmission of Covid in the workplace for Forensic Services staff however levels would continue to be benchmarked against Police Scotland and other public sector organisations. Members welcomed the offer to bring additional information in the next iteration of the report which would provide comparisons with other organisations.
- Members sought assurances on what actions were being taken to address the increase in the ageing of cases in some areas and heard that effort was being made to allocating work so that these ageing cases were targeted. The committee agreed to continue to monitor this in future reports.
- The underspend in capital was noted and an explanation was sought on why this underspend had occurred and what remedial actions were being taken to ensure the full allocation was spent. Tom Nelson explained that Covid had significantly impacted on the ability to spend as demand for equipment was high and some suppliers had stopped their manufacturing. It was confirmed that a significant amount of procurement activity had taken place in the last financial quarter of the year to bring the spend more in line with budget.
- Assurance was provided that effort was being made to ensure the 2021/22 capital spend would be managed effectively and Members welcomed the update that a Capital Working Group had been established with intention for the full capital spend to take place by the end of the calendar year 2021.

Members noted the report and agreed the following action.

20210419-FS-001: Next performance report to include benchmarking data in respect of staff absence levels.

4. COP26 - Forensic Services Preparedness – Vicki Morton

Members considered the papers which had been submitted to provide the committee with an update on the engagement to date and potential Forensic Services resource requirements to support the COP26 climate change summit. During Discussion and in addition to the written paper the following points were discussed;

- It was noted that strong links existed between Forensic Services and Police Scotland to plan for this event. Members were updated that an initial proposal for Forensic Services COP26 resource requirements had been submitted to Police Scotland in December 2019 and this has now been updated and expanded into a Forensic Services Tactical Plan. Members heard that the resource requirements includes all scientific functions - Scene Examination, Physical Sciences and Biology resource- and included training and exercising prior to the event.
- Members welcomed the assurance that regular interaction between Forensic Services and the Operation Planning Team is established at strategic and tactical levels.
- It was reported that Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS) continue to develop their expectations of Forensic Services for COP26 which will further inform the planning process.
- The Committee Chair explained that in addition to COP26 planning, there were 2 key areas of focus for the Authority and specifically this committee and that was the maintenance of BAU activity and the wellbeing of staff. He sought an assurance that work was underway to ensure both these matters were addressed and mitigating actions were being taken to ensure minimal impacts. Vicki Morton assured the committee that the planning was very much focused on what additional resource was going to be required to ensure processes were in place that mitigated against any impact on BAU activity across all areas. Members were assured that the ongoing planning was very much focused on staff wellbeing and the Forensic Services team was fully engaged with Police Scotland colleagues and embedded in that important planning work.
- The Committee Chair expressed concern that Forensics Services colleagues were not yet part of the Police Scotland work stream which focused on wellbeing matters during COP26 and requested that Forensics Services colleague ensure they are embedded in that work stream to ensure the necessary synergies across both staff groups.

Members noted the report and agreed the following action;

20210419-FS-002: Forensic Services colleague to provide assurance to committee that they are appropriately embedded in the Police Scotland wellbeing work stream for COP26 planning.

5. Demonstrating Value of Forensic Services Progress Update (verbal update) – Fiona Douglas

The committee was provided with a verbal update that Fiona Douglas had met with Jane Ryder to explore how best to progress the work to demonstrate the value of Forensic Science both across the wider Criminal Justice System and more broadly across communities in Scotland. This would seek to demonstrate the valued added to the justice system, safety and wellbeing of the public, crime prevention, public health and safety, looking after vulnerable people and other less visible areas to which Forensic Services contributes.

The committee was updated that a Short Life Working Group would be considered as part of the approach and this would involve key stakeholders.

Jane Ryder highlighted the need for this to be allocated the required resource to allow the work to progress in a meaningful way and at pace and members recognized this was a core element of how Forensics Services will be shaped going forward.

Members noted the verbal update.

6. Workforce Planning – Progress Update (verbal update) – Fiona Douglas

The committee were provided with an update which highlighted the following key points;

- Work was progressing well and workforce planning had been initiated as a project and a significant amount of work had already taken place as part of the 2026 Programme.
- A priority area of focus for the coming months was to be demand forecasting and this would involve input from key customers to inform the planning.
- It was recognised that lessons should be taken from Police Scotland's Workforce Planning but that this was a much smaller, less complex project so not all elements would link across to the Forensic Services workforce planning.

- It was confirmed that the draft plan would be tabled at the July meeting of this committee.

Members noted the verbal update and the timeline for committee consideration.

7. Forensic Services 2026 Update – Fiona Douglas

Members considered the paper which had been submitted to provide a progress update on The Forensic Services 2026 Programme. During Discussion and in addition to the written paper the following points were discussed;

- Significant progress had been made in relation to supporting business cases for each of the core projects.
- Members were taken through each of the updates for, progressing HMICS recommendations, 2026 Strategy development, infrastructure development, resourcing, process improvement, Management Information reporting and demonstrating value.
- Recognising the significant levels of change that were planned, the Committee Chair sought an assurance that appropriate engagement was underway with Trade Unions. Fiona Douglas confirmed that a number of engagements had taken place since the last meeting of the committee and trade Union representation was in place at each of the 3 sub-groups of the Project Board and this would be very useful going forward. It was confirmed that a number of meetings had taken place with TU representatives to explore the staff engagement process specifically for the FS Operating Model. It was confirmed that the project team would continue to work with Trade Union representatives to ensure they are fully sighted on the basis upon which directions have been made and noted that the intention is to work very closely with the Trade Unions on the impacts assessments to explore how impacts can be mitigated.
- Members sought an assurance that absence of a senior project lead would not adversely impact on the project. Fiona Douglas agreed that this was a risk for the project however it had come at a time when the gap was not as critical as it could have been. It was noted that the recruitment had commenced and while this was a difficult area to recruit to it was hoped an appointment could be made soon.
- It was agreed that the next update to committee would provide members with a diagram of the oversight and governance arrangements for this project.

Members noted the report.

20210419-FS-003: Future committee update to include a diagram which provides an understanding of the project governance structure.

8. Digital Forensics Update - T/Chief Superintendent Stevie Dolan

Members considered the paper which had been submitted to provide the Committee with an update in relation to the progress of the Police Scotland Cyber Strategy and associated ongoing work in relation to Digital Forensics. During Discussion and in addition to the written paper the following points were discussed;

- Digital forensics was recognised as a challenging area of activity for Police Scotland due to the significantly increasing demand and the complexity of examining an increased number of seized devices.
- Work was ongoing on 2 projects which will deliver outcomes to address the increasing demand, focusing on the provision of a new Case Management System (CMS) and ISO 17025 accreditation for Digital Forensics. Members welcomed the update that Police Scotland colleagues would take learning from Forensics Services teams who had a sound knowledge and experience of the approach to achieving accreditation.
- The committee took assurance that close links would be maintained with Forensic Services colleagues as these projects progressed and Craig Donnachie confirmed he continued to support Police Scotland in this area.
- The Committee Chair questioned if the proposed timelines were realistic. Craig Donnachie expressed the view that he believed the timelines would be very challenging but with the right resource in place he believed the planned progress could be in 3 years. The Committee Chair requested that a refined timeline come to the committee for consideration in due course and it was agreed this would be provided.
- Ch Supt Dolan assured the committee he would seek to progress this work as quickly as was reasonably possible and timescales would be shorted as and when possible but without compromise on quality.
- Recognising this was an area that would continue to grow, the Committee heard that discussions were taking place at a senior level within Police Scotland to establish how the current and future demand will be met by the organisations.

Members noted the report and agreed the following action;

20210419-FS-004: More detailed project timeline and SPA Governance to be clarified and presented to committee when available.

9. Biometrics Update – Tom Nelson

Members considered the paper which set out the current work to consolidate the SPA FS Biometrics Strategy. During Discussion and in addition to the written paper the following points were discussed;

- Tom Nelson reported good progress have been made and close working was in place with ACC Heaton and Detective Ch Supt Gary Cunningham. It was noted that there was appropriate representation across the various Police Scotland oversight and governance groups.
- The Committee welcomed the update that a SPOC was in place on the Home Office Biometric Programme to ensure the needs of Scotland were fully understood and explored.
- Tom Nelson confirmed that he would continue to work closely with the Police Scotland Chief Data Officer, Denis Hamill as this work progressed.

Members noted the report and noted further updates would come to the committee in due course.

10. Update on HMICS Thematic Inspection of the Scottish Police Authority Forensic Services – Vicki Morton

Members considered the paper which had been submitted to provide the Committee with an update on work to implement the improvements set out in the HMICS Thematic Inspection of the Scottish Police Authority Forensic Services. During Discussion and in addition to the written paper the following points were discussed;

- The overall position remained unchanged since the last update to committee however evidence had been submitted to HMICS and dialogue had taken place with HMICS colleagues in relation to that evidence.
- The additional information requested by Members was now included to highlight where delays were within or out with the control of Forensic Services.
- With reference to recommendation 12 and 16, clarity was sought on the reason for delay as the evidence was submitted in 2020. It was explained that some technical issues had resulted in a delay but these had now been resolved and progress was expected soon.

Members noted the report.

11. Drug Driving Update – Vicki Morton

Members considered the paper which had been submitted to provide an update on the Drug Driving Toxicology Service. During Discussion and in addition to the written paper the following points were discussed;

- Vicki Morton provided a summary of the paper and explained that external support has been used positively to reduce high casework levels during quarter 4 and development work was ongoing to grow required capacity over the coming 18 months.
- Members noted the update and agreed that the data clearly highlighted that Drug Driving demand has exceeded what was anticipated when the business case was originally considered.
- Recognising this was a matter of high public interest, and one which Forensics Services was only a part, it was agreed that it would be of merit for Police Scotland to engage with the COPFS to explore the prevalence of Drug Driving in Scotland as this would start to allow informed decision making by Scottish Government and Forensic Services in this area of work.

Members noted the report and agreed the following action;

20210419-FS-005: Meeting to be arranged with COPFS and Police Scotland to explore the prevalence of Drug Driving in Scotland and the implications for Forensic Services capacity to meet demand.

12. Management Response to Internal Audit Report on Forensics Services Case Management – Jennifer Muir

Members considered the paper which had been submitted to provide an update on the management response to the Internal Audit on Forensic Services Case Management. During Discussion and in addition to the written paper the following points were discussed;

- The committee noted the scope of the Audit as included in the paper and noted the activity underway to address the recommendations of the audit with some already complete.
- Members agreed this update provided strong assurance that the audit recommendations were being addressed at pace.

Members noted the report.

13. Forensic Services Committee Workplan

Members noted the Forensic Services Committee Workplan and noted that this document would be refreshed thought the year as required.