

Meeting	Authority Meeting
Date	30 May 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. Policing of COP26 Oversight Group
- D. CAM Oversight Group
- E. Resources Committee

Summary report from Legal Actions, Claims and Appeals Committee

26, 27 and 28 May 2020

Mary Pitcaithly, Committee Chair

Main items of business

- Discussion on Legal Services settlements and trends
- Discussion on areas of business approved under delegated authority by the SPA Interim Chief Executive
- Discussion on legal assistance appeals
- Decision in respect of pension forfeiture case
- Discussion in relation to the litigation tables

Key issues raised

- Reporting requirements for Police Scotland Legal Services in relation to litigation settlements and trends
- Process of progressing legal assistance appeals
- Decision in respect of pension forfeiture case
- Authority to settle litigation

Conclusions reached / actions agreed

- Report to be produced on Police Scotland Legal Services settlement and trends
- Committee meeting to be arranged to hear legal assistance appeals
- Decision in respect of pension forfeiture case.
- Authority provided to Police Scotland Legal Services to settle litigation.

Summary report from Policing Performance Committee

28 May 2020

Martyn Evans, Committee Chair

Main items of business

- 2019-20 Q4 Policing Performance Report
- Police Scotland 2020-21 Performance Framework and Reporting
- Welfare of individuals in custody
- PS Response to HMICS Report into Online Child Sex Abuse
- PS Oversight of Stop and Search
- Public Confidence in Policing
- PS Public Contact and Engagement Strategy

Key issues raised

- The Committee Chair opened the meeting with a statement on the current response to COVID-19 and the unprecedented context in which the meeting was taking place. He concluded with remarks addressed to Police Scotland's national and local leadership, officers and staff. They have policed this biggest restriction in our civil liberties in a generation and at the same time increased public confidence in policing. Whatever the details of the Committee's discussions today on aspects of policing performance, that is absolutely remarkable and an outstanding achievement by Police Scotland.
- Members commended the **Q4 report** as further positive development in reporting in terms of balance between success and challenge and the use of both data and narrative with supporting graphics. Just some of the areas discussed are outlined below.
- Members noted that **modern slavery and enforced labour** crimes have doubled. Members committed to keeping modern slavery under review through future reporting.
- In response to questions about the **rise in assaults** on emergency workers DCC Taylor confirmed that there is a year on year increase in assaults on staff and that work was ongoing to improve the analytical support to generating understanding insight and learning from this data which is fed into the Your Safety Matters Board.
- Members highlighted **variance across local authority** areas in the number of fixed penalty notices reported through Operation Talla. Members asked whether there was an explanation behind the variance. ACC Speirs

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- informed the Committee that Police Scotland had been reviewing the issuing and recording of FPN across regions.
- Members asked for further information on evaluating the possible **deployment by officers of naloxone** and the work of the delivery steering group. DCC Taylor reported work of a range of stakeholders working together to develop an evidence based recommendation for the Chief Constable but the work had not yet concluded.
 - Members asked about the apparent **decrease in calls about domestic abuse** and whether this was under reporting or due to an inability to access a safe place from which to report abuse. Police Scotland colleagues described the range of initiatives that were being taken forward to mitigate these issues.
 - Members noted that the report stated in a number of areas that analytical work on **serious assault and frauds** was ongoing and asked that any results are brought to the committee. Police Scotland colleagues committed to bringing forward analysis and commentary on divisional variation in quarterly reporting through 2020/21.
 - Police Scotland Director Tom McMahon introduced a detailed paper which proposed a **revised policing performance framework** and reporting regime. DCC Taylor and the Chair confirmed that they were encouraged by the collaborative approach taken by Police Scotland and SPA staff. Members supported the proposed revision to the public reporting of policing performance and recognised the significant joint staff effort that had gone into its development.
 - Members discussed a report presented by Police Scotland colleagues which focused on the issues in **custody centres** associated with responding to the COVID-19 pandemic. The Committee also received a detailed update on the work of the SPA ICVS service, which focuses on the human rights of individuals in custody both in normal circumstances and during the COVID-19 restrictions. Members thanked Police Scotland and SPA staff for their work and reports and asked for further reports to the next Committee.
 - Police Scotland colleagues presented a report that outlined the ongoing work to develop an agreed response to the HMICS recommendations regarding Police Scotland's activity in relation to **online child sex abuse**. HMICS stated that they wished all HMICS operational reports to be presented to the Committee and for highlight reports on actions to address high risk or high interest recommendations to be presented to the Committee. Members supported this proposal.
 - The Committee considered a report on Police Scotland oversight processes for the operational use of the **stop and search** operational tactic including compliance with the code of practice. Members noted the report but requested a more detailed examination of the variance in use and effectiveness of the tactic across demographic and geographic areas.

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- The Committee considered wide-ranging reports on the issue of **public confidence in policing** in Scotland. It was agreed that the SPA and Police Scotland work together with academia to bring forward this useful reporting into the public domain to support the understanding of and confidence in policing in Scotland.
- The Committee discussed the draft of Police Scotland's **strategy for public contact and engagement**. Members commended highly the strategy for its clarity, evidence base and level of ambition.

Conclusions reached / actions agreed

- Revised Performance framework was endorsed
- Naloxone test of change working group report to be shared in due course
- Serious assault and fraud analysis reports to be brought to Committee
- HMICS reports to be considered by Committee and key actions tracked
- Stop and search variability to be examined and reported to Committee
- Draft strategy on public contact and engagement endorsed.

During the current period of social distancing and other restrictions as a result of the COVID-19 pandemic, a full recording of the items of business taken at this meeting can be accessed via the SPA website.

The formal minute of the meeting will be available at the next meeting which is scheduled for 19 August 2020. The public part of the minute will also be published on the SPA's website.

Summary report from COP 26 Oversight Group

28th May 2020

Tom Halpin, Oversight Group Chair

Main items of business

- Police Scotland Position Statement
- Planning Activities
- Preparations for Scaling Up
- Finance
- Stakeholder Engagement
- COP 26 Oversight Group Forward Workplan

Key issues raised

- Shortly after the 28 May Oversight Group meeting, the revised date for COP26 was confirmed as 1- 12 November 2021, with the host city remaining Glasgow. The revised date avoids any potential challenges around clashes with Euro 20 Football Tournament, Brexit, and access to mutual aid at peak leave times over the summer period.
- The group considered the impact of rescheduled timelines on planning, preparations, finance, and plans to scale up activity once the date for the conference is finalised. The extended timelines have provided an opportunity to mitigate the risk associated with time critical work streams, and for Police Scotland to continue to progress planning activities. The planning team will be increased incrementally as the programme moves towards delivery.
- A dedicated programme management structure in Police Scotland is now in place to support the planning team. There is regular engagement with external audit and assurance partners Scott Moncrieff by Police Scotland Operation Urram Senior Management and Project Management teams.
- Assurances were provided that officer and staff welfare is specifically considered and assessed by Police Scotland at every stage of the process,

with staff associations being consulted and this engagement remains ongoing.

- It was noted that Covid-19 will remain a key variable and potential risk to be considered in planning for delivery of the event.
- Police Scotland engagement with staff associations and local authorities is already underway and will be scaled up as the programme continues. This work will be considered in more detail by the Oversight Group as programme delivery progresses.

Conclusions reached / actions agreed

- The Chair recorded his thanks to James Gray and Police Scotland Finance team for the significant work undertaken on finance, and in developing the MOU. Financial planning will be updated to take account of the impact of a finalised date for the Conference.
- The COP 26 Oversight Group will retain high level oversight of how associated risk management measures impact on programme planning and proposals for operational delivery.
- The Oversight Group's work plan is being refreshed to take account of progress to date and key milestones.
- Following agreement with Scottish Government, SPA will reciprocally attend Scottish Government COP26 Working Group meetings as an observer.
- The SPA Oversight Group continues to meet regularly at 6 weekly intervals, with HMICS and Scottish Government attendance in observer status, with the next meeting scheduled for early July 2020. This is subject to review as the related programme plan develops.
- The Groups Terms of Reference remain relevant with focus on three key areas of public interest: funding; welfare and wellbeing and local policing/prioritisation

Summary report from CAM Oversight Group

3rd June 2020

Martyn Evans, Oversight Group Chair

Main items of business

- CAM Roll Out update
- Operation Talla impact
- Health, safety and well-being
- North Resolution Team update
- Mental Health Pathway update
- Digital Contact
- Risk Management
- Anticipated timelines for understanding progress towards the original CAM objectives

Key issues raised

- Response times for answering 999 calls has been sustained throughout the Covid-19 response. Increasing use of the Resolution Teams and telephone appointments system for non –urgent calls has been vital to sustaining service.
- In recent weeks call volumes have been exceptionally high, with many calls relating to Covid-19. In addition, as normal policing demand reverts to business as usual levels, this may create new levels of challenge for the service. The Local Policing Appointment Systems will be reinstated when advice is received from the Operation Talla Executive that it is safe to do so.
- Action is underway to ensure that contact centres can maintain social distancing for staff alongside sufficient capacity, with the support of Police Scotland Estates and IT services. Two separate HSE inspections have been passed in this regard. However, ensuring sufficient capacity for staff at peak times remains a challenge and the service is working with IT to resolve this.

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- The preferred option for the North Resolution Team has been confirmed as Inverness. The pandemic response may impact timelines for implementation by a few months
- The pandemic response impact on final project costs will be reported to the Resources Committee. The external review of CAM will be deferred until 2021, to ensure it is reviewing a significant period of business as usual operations.
- Police Scotland reported a supportive public response to the increasing use of alternative channels for non-urgent business, minimising face to face contact and ensuring social distancing. Public confidence levels have been sustained and there is some evidence of improving levels of confidence in policing. Many users have been very positive about the alternative channels for resolution and Police Scotland are actively considering options to ensure that the learning is captured, fully understood, and informs future ways of working to move the service forward.
- The Group agreed that suitable controls are now in place for identified risks, and considered that risks have been exceptionally well managed as part of the programme.
- A further staff survey will be undertaken when the CAM methodology is fully restored, to ensure ongoing oversight of culture change and staff confidence in how well they are supported using the new model.
- Police Scotland reported on Mental Health Pathways, a policing collaboration with NHS mental health services, and the Scottish Ambulance Service. The programme enables call handlers to make referrals from Bilston Glen directly to an NHS Mental Health Hub, where appropriate. Police Scotland call handlers are supported throughout by advice from an on-site Senior Mental Health Nurse. The programme is being recommended for extension to all Police Control Centres subject to ongoing review, and to coincide with the Mental Health Hub extending to offer 24/7 service in June / July 2020.
- Police Scotland confirmed that the methodology for calculating full benefits realisation will be presented to the SPA Resources Committee 16th June 2020.

Conclusions reached / actions agreed

- The Group is keen to support Police Scotland, in sustaining high levels of public confidence and ensuring that potential benefits are maximised from what has been learned from the call handling response during Covid-19. Transferable learning, emerging opportunities, and the potential to

maximise alternative technologies and digital pathways for service users will be further explored at the Oversight Group meeting in July 2020.

- Members congratulated Police Scotland on a significant achievement in accelerating the roll out of CAM nationwide, and in sustaining the service in a period of exceptional challenge and demand. CAM has offered vital support to Police Scotland's response to Covid-19, enabling the service to benefit from one contact system for staff working flexibly across Scotland, ensure vulnerability and risk are prioritised, manage exceptionally high demand, and maximise resource for the front line Operation Talla response.

Summary report from Resources Committee

15 June 2020

Elaine Wilkinson, Committee Chair

The following paragraphs set out the main items of business, key issues raised and conclusions reached/actions agreed.

Strategic Workforce Planning

- Clarification provided that: the bottom up approach of developing local plans covers all Divisions, not just Local Policing; all initial drafts were received on time, and review activity is on target for completion by end of June (2 months later than original timeline); top-down direction has been provided to local authors in respect of wider organisational strategy and current ongoing change programmes; different stages of approval of local plans will further ensure that strategy is taken into account; and the Executive will take a view on prioritisation at the aggregation stage.
- Despite pause of DPU work, robust demand data available to inform draft plans for local policing. Data in respect of other services is more challenging.
- Finance and P & D working closely to update financial planning assumptions in real time, CFO advising will have 'best they can' in terms of SWP information to inform next spending review.
- In response to IA findings relating to project management and governance arrangements, Members noted that audit took place when project at an early stage. Project management arrangements now in place, including establishment of Project Board and weekly update to executive in respect of progress, issues and risks. Oversight Board also established to enable early scrutiny, in line with Audit Scotland Good Practice Guide, by key stakeholders.

Members noted progress despite the challenge of COVID-19 and that timescale for final draft remains in line with original plan with some compression of aggregation and approval stages. Draft of aggregated plan should be available in early October which the Resources Committee will consider in a workshop environment. Members highlighted ongoing concerns around: how resource requirements for new work was being incorporated; how expectations were being structured around workforce mix and potential for more efficient use of resources to address increasing demand with shift in workload between warranted officers and non-warranted staff; and the executive input not taking place until the aggregation stage which is very late in the overall timetable. The committee will continue to monitor progress with a further update in August when it is keen, if possible, to review an example of a local plan.

People Strategy

- Draft 2020/21 plan impacted by COVID-19. Work to develop an activity plan in respect of 'new normal' implications for the workforce will take over much of focus for the year.
- People Survey currently scheduled for February 2021.

Members welcomed the significant improvement in the report presentation and content allowing them to focus on achievements and risks in any slippage. Members look forward to receiving a revised 20/21 plan incorporating outcome measures.

Q4 and End of Year Health & Safety Report

- PPE specification, guidance and training remains under review.
- Number of anonymous complaints to HSE, none of which upheld. Awaiting response from HSE in respect of SPF complaint regarding roadside breath testing.
- The team's focus on COVID-19 related activity has seen the stalling of some business as usual activity (Health and Safety Training, Fire Risk Assessments and Custody Inspections). This is assessed as being manageable in the short term, but would present a risk in the longer term if not addressed.
- Overall increase in RIDDOR reportable incidents in 19/20 year with a significant upward trend in officer assaults in line with other forces across the UK.

Members were assured by the approach taken by the H&S team and commended them on their work at this challenging time.

Q4 and Annual Wellbeing Report

- Rising Employee Assistant Programme usage for mental health support put down to improved awareness. However, work continuing to look at improvements in management information.
- Scottish Association of Mental Health and planned internal audit activity should help inform understanding of factors impacting on wellbeing and identification of corresponding measures for success to be incorporated in Wellbeing Framework. Outputs of Short Life Working Group on earlier survey actions will input to work to prioritise investment in future wellbeing initiatives.

Members requested that future update to Committee considers audit findings and includes identification of measures and evaluation methods in respect of investment initiatives.

Q4 and Annual People MI Dashboard

- Concerns raised over increases in staff numbers. Interim CEO confirmed content with establishment controls in place, but noted recent unintended consequences of COVID-19 in terms of impact on budgeted turnover assumptions. Protocol being developed to manage this within financial planning process for remainder of year.

Members welcomed the improved report content welcomed, noting intention to develop further over time.

Workforce Equality & Diversity Assurance

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- The early focus of the mainstreaming work has been at corporate level and the next step is focussing on Division/Department level through local People Plans.
- Recent actions taken in respect of workforce include flexible working, neurodiversity and reasonable adjustments.
- Diversity - staff association involvement in planning policing of Black Lives Matter events, and work to mark Black History Month.
- Future work to explore how best to enable assessment of performance.

Members welcomed the progress made and recognised the importance of their role in the mainstreaming agenda through visible scrutiny of wider strategy and policy from an equality and diversity perspective.

Leadership Project

- Members received a report regarding the MyCareer and Leadership Pathways Programme, and requesting endorsement of proposed temporary change of the police regulations by way of the introduction of a circular in respect of the Sergeant's Diploma.
- Approach will be piloted to enable testing and evaluation before rollout
- There has been ongoing engagement with staff associations/trade unions who are supportive of this approach
- Proposed replacement for Diploma will seek to address existing access issues, and support faster career progression.
- Rollout of the full Programme likely to take until 2022 (up to 5 years to fully assess impact). Plans will seek to prevent individuals being disadvantaged.

Members welcomed the proposals in the report which address the concerns raised by the Committee when this topic was considered in Autumn 2019. The pilot approach and any associated learning will provide members with assurance prior to wider programme roll-out, and the confidence to recommend changes to the police regulations legislation on a permanent basis.

SPRM Update and Project Milestones

- Trade unions have confirmed content with use of Video Conferencing
- Appeals progressing to plan. Additional resources will enable increase in panels
- Regular meetings with Finance to enable forecasting of costs.

Members requested a review of the approvals that may be required and by whom in anticipation of potential cost exceeding earlier approved level.

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Summary report from Resources Committee

16th June 2020

Elaine Wilkinson, Committee Chair

Main items of business

- COVID-19 Resource Implications – Workforce availability, Health and Safety, Well-being, Financial implications and procurement
- Financial performance: 2019/20 Outturn and Period 2 of 2020/21
- Financial Strategy and financial plans: work in hand to recast the 2020/21 budget for the post COVID environment, and planning for the 2021 spending review.
- Monitoring of Benefits associated with the Transformation Programme, CAM benefits methodology and the response to the internal audit reports for the Productions project and Transformational change Programme.
- Review of the Procurement Annual report and the Non Competitive Actions Annual Summary.
- Fleet strategy update – plans for charging infrastructure and vehicle procurement .
- Transforming Corporate Support Services – re-energisation of the Programme.
- Initial Business case review: Introduction of Age of Criminal Responsibility Act

Key issues raised and conclusions reached/actions agreed

COVID-19 Resource Implications

- Workforce availability – how annual leave will be managed to ensure no backlog builds up as availability of officers sitting at 85% when the norm is 70%
- Health and Safety - Number of anonymous complaints to HSE, none of which upheld. Awaiting response from HSE in respect of SPF complaint regarding roadside breath testing.

Members were assured that: steps were in place to proactively manage annual leave; that the dynamic risk assessed approach being taken by the H&S team was effective; tight controls and a rigorous approach is being taken by procurement in relation to stock control of PPE and use of run rates to forecast future ordering levels. Members commended the Procurement team for the intensive work programme taken forward in very challenging circumstances.

Financial Performance and Financial Planning

- Concerns over the financial impact of the significant growth in staff numbers and what systems are in place to ensure there are tight controls going forward as, due to COVID-19, staff turnover now likely to be significantly less than budgeted.
- Given the pressures on public finances members explored the steps being taken to minimise any potential budget overspend, recognising significant cost pressures but also opportunities for savings in the recasting of the 20/21 budget for the post COVID environment.
- Despite a clear timetable not yet being in place for Spending Review 2021 Members explored the key challenges and uncertainties associated with the SR2021 planning period eg post-COVID operating environment, BREXIT negotiations, COP26, Pay costs, Officer numbers and staff turnover, SG Funding and addressing the financial deficit.

Members acknowledged the rigour and control applied by the finance team across the 19/20 year and the grip by the finance team in trying to control costs and live within budget in 20/21.

The finance reports on the recast of 20/21 budget and the SR2021 are exemplar pieces of work giving clarity on urgent management action required for the 20/21 year and the questions that need answered to allow positioning of the organisation for the next spending round.

Benefits monitoring

- Benefits are able to be tracked at both project and programme level and the methodology for calculating benefits has been refined and will continue to be refined further.
- Police Scotland recognised that there were issues around the original data meaning that for some projects, the benefits were not likely to be achieved to the same degree as initially planned.
- While it is important to be able to show how capacity is created and benefits realised it is more important to understand how this additional capacity and increased productivity contributes to more efficient and

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effective policing in communities in Scotland and how this will be measured.

The improved reporting on benefits addresses concerns raised previously by the Resources Committee and the Audit Risk and Assurance Committee.

Members recognised that there had been improvements over the past couple of years in the quality of business cases and estimate of benefits but there was still some way to go and it was essential that the learning from previous projects was used to inform future business cases and benefit estimates.

Members also emphasised the importance of change control in drawing out lessons and ensuring that significant changes over a certain threshold amount or deviation in timelines were given appropriate approvals in line with the original approval route eg into SPA and Scottish Government.

Members were pleased that further discussion on this topic and progress against the broader change agenda would take place at a Board Development seminar on 5th August.

Fleet Strategy – Members welcomed and discussed the update on the first phase to implement the Fleet strategy including the rationale behind each of the phases to build charging capacity and purchase/lease vehicles.

TCSS - Members welcomed the plans to re-energise this programme including the widening of the scope to maximise opportunities to deliver efficiencies, and prioritising resource intensive and paper-based practices within P&D. In response to assurances sought by Members it was confirmed that lessons would be drawn on from the earlier work on this programme to ensure that the approach would be flexible in terms of pace and phasing, subject to funds available, and that there would be very limited dependency on professional services.

Age of Criminal Responsibility Act IBC - Members welcomed the initial business case and commended the quality of the work. Members endorsed the approach being taken by Police Scotland to inform Scottish Government of the practicalities around implementation which should inform the legislative timetable.

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