

<b>Meeting</b>	<b>Policing Performance Committee</b>
<b>Date</b>	<b>28 May 2020</b>
<b>Location</b>	<b>Pacific Quay, Glasgow</b>
<b>Title of Paper</b>	<b>Annual Report &amp; Accounts 2019-20 (Performance Section) SPA Corporate Performance</b>
<b>Presented By</b>	<b>Jackie McKelvie, SPA Head of Corporate Management</b>
<b>Recommendation to Members</b>	<b>For Consultation</b>
<b>Appendix Attached</b>	<b>Yes</b>

**PURPOSE**

This paper provides information on SPA Corporate performance for the period 2019-20 for consideration by the Committee, with agreement on inclusion of key information within the Performance Section of the SPA Annual Report and Accounts 2019-20.

## **1. BACKGROUND**

- 1.1 Section 39 of the Police and Fire Reform (Scotland) Act 2012 requires that the Authority should prepare an Annual Report containing an assessment of Authority's and Police Scotland's performance in working towards the main objectives in the Strategic Police Plan and, in the case of Police Scotland, implementing the arrangements contained within the Annual Police Plan.
- 1.2 As set out in legislation, the assessment of evidence from Police Scotland, and the Authority's Corporate and Forensic Services is a main component of the Annual Report, informing the content and structure of the document. The Annual Report provides an opportunity for the Authority to articulate in public how the police service as a whole is performing in Scotland and where areas of improvement have been identified.
- 1.3 The approach for 2019-20 assessment is to produce a single assessment of performance, and embed this within the Performance section of the SPA Annual Report and Accounts 2019-20, dispensing with the production of a separate SPA Annual Review of Policing document.

## **2. FURTHER DETAIL ON THE REPORT TOPIC**

2.1 Preparation of SPA's Corporate performance submission takes into account (where appropriate) recently published guidance by HM Treasury Financial Reporting Manual<sup>1</sup> (FReM Annex 5)) for 2019-20 on producing performance assessments as part of an annual report and accounts document.

2.2 In last year's Annual Report and Accounts it was reported that the SPA Board had agreed to a programme of interconnected improvement activity, underpinned with strengthened HR advice and support for the coming year. There was recognition that much work remained to be done to accelerate progress and to ensure that the SPA could deliver its responsibilities and ambitions effectively in the future.

2.3 Planned improvement activity for 2019-20 reflected existing improvement objectives identified in the SPA Improvement Plan

---

<sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/853231/2019-20\\_Government\\_Financial\\_Reporting\\_Manual.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853231/2019-20_Government_Financial_Reporting_Manual.pdf)

2018-19. These objectives addressed the following ongoing improvement areas;

- **Board and Committees:** ensuring that the structure, composition, and workings of decision-making arrangements enable a strategic approach which focusses on the right issues at the right time and adds value to the development of policing in Scotland
- **Internal governance, policies and procedures:** streamlining and improving governance documents, policies and ways of working to deliver a more professional standard of operation which is consistent with best practice and builds a culture of continuous improvement.
- **Strengthening external relationships and engagement:** embedding a collaborative, outward looking approach to everything that SPA does, to better reflect public and communities' views about policing in SPA actions, and build partnerships which help more effective working.
- **Building SPA executive team capacity and capability:** building essential additional capacity and skills in order to deliver a professional and consistent standard of service in delivering SPA's core functions.

2.4 Summary evidence of progress made by SPA Corporate during 2019-20 against the headings above, linking to external improvement recommendations is contained at Appendix A. More detailed evidence of progress in areas for specific improvement recommendations including external recommendations from Her Majesty's Inspector of Constabulary in Scotland (HMICS) and Audit Scotland is contained in improvement evidence to be reported to this Committee at agenda item 4. This evidence was previously reported to the SPA Audit and Risk Committee on 6 May 2020. Collectively, this evidence will inform the final SPA Corporate performance assessment for inclusion in the Annual Report and Accounts 2019-20.

## **NEXT STEPS**

2.5 Taking into account the Committee view of the performance evidence identified above, Officers from the Authority will finalise the performance assessment section of the Annual Report and Accounts within specified timelines, drawing on the main points within Police Scotland, Forensic Services and SPA Corporate evidence, and provide this to the Authority's Interim Chief Executive Officer (Accountable Officer) for approval and

inclusion in the complete SPA Annual Report and Accounts document.

### **3. FINANCIAL IMPLICATIONS**

3.1 There are no financial implications in this report.

### **4. PERSONNEL IMPLICATIONS**

4.1 There are no personnel implications associated with this paper.

### **5. LEGAL IMPLICATIONS**

5.1 The proposals set out in the paper are consistent with what is stated in the Police and Fire Reform (Scotland) Act 2012 at Section 39 regarding the Authority's duty to produce an annual report assessing performance by Police Scotland and the Authority in working towards achieving the Strategic Police Plan objectives and, additionally in the case of Police Scotland, implementing the arrangements in the Chief Constable's Annual Police Plan.

### **6. REPUTATIONAL IMPLICATIONS**

6.1 There are reputational implications associated with this paper.

It is important that the Authority has effective arrangements in place to monitor, measure and assess Police Scotland's performance (and its own), in order to maintain confidence in the policing of Scotland and the oversight and scrutiny of policing.

### **7. SOCIAL IMPLICATIONS**

7.1 There are no social implications associated with this paper.

### **8. COMMUNITY IMPACT**

8.1 There are no community implications associated with this paper.

### **9. EQUALITIES IMPLICATIONS**

9.1 There are no equality implications associated with this paper.

### **10. ENVIRONMENT IMPLICATIONS**

10.1 There are no environmental implications associated with this paper.

## **RECOMMENDATIONS**

Members are requested to:

Consider and endorse the inclusion of key elements of SPA Corporate performance and improvement evidence contained within this report, noting that it will fulfil the Authority's responsibilities under Section 39 of the Police and Fire Reform (Scotland) Act 2012 regarding the production of an Annual Report which includes an assessment of performance for the previous financial year by both the Authority and Police Scotland.

## **APPENDIX A: SPA CORPORATE PERFORMANCE 2019-20**

### **EXECUTIVE SUMMARY**

During 2019-20 in the Scottish Police Authority (SPA) there was an unplanned leadership change caused by the resignation of Mr Hugh Grover as Chief Executive in September 2019 and Professor Susan Deacon as Chair in December 2019. Lynn Brown was appointed as Interim CEO to replace Mr Grover and SPA Vice-Chair David Crichton assumed interim leadership of the authority whilst remaining in the role of Vice Chair. Against the backdrop of this change, steady improvement progress continued to be made in many areas across the Authority. In some ways the year has been one of design and preparation for sustainable organisational improvement, with a range of new strategic approaches and mechanisms developed and approved, ready to be tested during 2020-21.

Both the delivery of a refreshed joint Strategic Police Plan and the SPA Corporate Plan have provided welcome focus on how policing's future challenges will be tackled and governed. The imminent fulfilment of the SPA 2020 programme of organisational development is a key enabler and implementation of the programme during 2020-21 will enhance the support to the Board in their role as strategic leaders of policing as well as providing the staff team with a much needed increase in capacity and capability as well as clear direction and opportunities for development.

There are challenges still facing the governance of Scotland's police service and the Authority must continue to improve on its public duty to address these challenges robustly, effectively and with an independent voice. One example this year has been the SPA Board's public comments on the continuing deficit in police funding, also identified by the Auditor General.

During 2020-21 SPA must commit to fully developing its role of support and challenge, particularly in historically difficult areas relating to its scrutiny of outcome-based performance, demand management and resource allocation and strategic workforce planning. The SPA Corporate Plan 20-23 and the accompanying Business Plan for 20-21 identify key actions to be taken, with regular reviews of progress to be reported in public.

## **RELEVANT IMPROVEMENT EVIDENCE**

### **Statutory Delivery: SPA Independent Custody Visiting Scheme**

During 2019-20, by providing management and support to its 170 independent visitors, the Scheme continued to help ensure that the SPA met its obligations to ensure equality, diversity and protection of human rights. The Scheme also helped to ensure that Scotland is doing everything it can in its public services to meet international standards set by the United Nations in its Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). In May 2019 at the House of Lords, the SPA was presented with a prestigious national industry standard for the quality of its independent custody visiting scheme. The SPA ICVS Annual Review for 2018-19 was published in January 2020.<sup>2</sup>

Actual custody visiting and recruitment of volunteers was suspended in March 2020 due to the impact of COVID-19, however remote monitoring of custody records was undertaken by SPA officers, with the SPA Policing Performance Committee receiving regular updates on the issues being faced and the effectiveness of solutions put in place to protect the wellbeing of those taken into custody during the crisis.

### **Statutory Delivery: Complaints**

During 2019-20 the SPA welcomed the publication of a preliminary report by Dame Elish Angiolini DBE QC on complaints handling, investigations and misconduct issues in relation to policing. The interim report looks at current procedures and highlights areas for immediate action.<sup>3</sup>

The SPA Board considered the interim report, and planned activity to implement the recommendations will continue during 2020-21, as set out in SPA's Annual Business Plan. Additional improvement actions will continue, with the Complaints team undertaking a qualitative impact assessment of the implementation of recent external improvement recommendations received from the Police Investigations and Review Commissioner (PIRC).

### **Boards and Committees**

A number of Committee roles, remits and supporting terms of reference were revised by the Board during 2019-20. This process examined how each committee supports the Board and how each scrutiny element fits into the SPA Board approved Excellence Framework. It is acknowledged

---

<sup>2</sup> <http://www.spa.police.uk/assets/128635/293559/icvannualreview201819>

<sup>3</sup> <http://www.gov.scot/groups/independentpolicingreview/>

that this review approach will be an ongoing continuous process, demonstrating adaptability and flexibility to respond to new, planned and unexpected issues affecting policing. For example, the Board agreed to stand up both Policing of COP26 Expenditure and SPA Exceptional Circumstance Committees.

The Board also agreed the provision of regular oversight and scrutiny of the implementation of Police Scotland's new Contact Assessment Model (CAM), a key element of how policing is changing. The SPA CAM Oversight Group has enabled the Authority to discharge its responsibility to ensure that there is the right investment and support for change in the way policing responds to the public when they need support and assistance.

In addition, the SPA Policing Performance Committee met for the first time during February 2020, replacing the previous strategy, performance and policy committee, to enable an increased focus on scrutiny of policing performance, strengthening the statutory role of the Authority to hold the Chief Constable to account for policing.

The Authority also established the Strategic Coordination Unit, led by Assistant Chief Constable Steve Johnson, at the end of May 2019, to provide effective coordination between the SPA and Police Scotland and, where necessary, the Scottish Government, to ensure that issues of key strategic importance for the discharge of effective and efficient policing, or those issues which will or are likely to impact on public confidence in policing are addressed transparently and expeditiously. This approach continues to add value during the current COVID-19 pandemic where oversight and scrutiny responsibilities have had to flex due to unparalleled circumstances and pressures on policing.

A key highlight was the co-production of the refreshed Strategic Police Plan for the future of policing in Scotland which was approved by the SPA Board in March 2020 and laid before the Scottish Parliament following a period of public consultation. The review of the Strategic Police Plan (2020) was a cooperative and collaborative joint process between the SPA and Police Scotland.

The Plan was informed by the Scottish Government's Strategic Police Priorities published in December 2019 and outlines the key strategic challenges and opportunities facing policing and the wider public sector and reflects change since 2016. Key updates to the plan included further development of the policing response to cyber threats and cyber enabled crime and a renewed emphasis on partnership and pro-active prevention, including a focus on joint service design to tackle complex public safety and wellbeing challenges.



Collaborative work with Police Scotland to refresh the outcome-focused performance framework that supports the Strategic Police Plan and delivery of the Annual Police Plan began during 2019-20, with Quarter One public reporting using the new framework planned for late summer 2020.

As part of the SPA 2020 organisational development programme and in collaboration with Police Scotland, SPA developed a revised SPA Executive Change Oversight function, approved by the SPA Board in March 2020, which is designed to provide strengthened oversight of transformational change in policing through a consistent change culture approach. It is a flexible and tailored approach to oversight, specific to each particular project or programme at the start of the change lifecycle. There will be public SPA Board sessions every 6 months, to allow strategic challenge and support on the content, progress, pace and impact of transformational change. There is currently an outstanding HMICS improvement recommendation which relates to approval and monitoring of change and it is anticipated that this recommendation can be discharged during 2020-21 once there is evidence of successful implementation of the revised change oversight approach.

The Board also approved a new SPA Risk Framework, Excellence Framework and Strategic Risk Register, all to enable a more strategic approach to oversight and ensuring added value to the development of policing. Again, this work reflected progress to discharge outstanding improvement recommendations. These key mechanisms will be tested during 2020-21 and will be subject to continuous improvement.

The Scottish Government commissioned the former Auditor General, Robert Black, to undertake a review of SPA Members' role, responsibilities and time commitment. This review is currently in progress and findings will inform progress on an improvement recommendation made by HMICS.

### **Internal governance, policies and procedures**

A series of improvements in SPA governance and financial management were made, including continuing development of the Chief Finance Officer and Finance function and the relationship with the SPA Accountable Officer (AO).

In order to have oversight of the flow of any business with significant financial implications, the Accountable Officer attends SPA Resources Committee and Audit Committee meetings, and Police Scotland Corporate Finance and Investment Board and Change board meetings. Where the

AO's sign off is sought, advice notes are prepared setting out the background, issues and legal and fiduciary responsibilities of the AO. The future staffing structure to support the role of the AO is included within the SPA 2020 organisational development.

The AO oversaw the collaboration and consultation on the budget planning cycle 19-20 across PS, SPA Corporate and Forensics, ensuring that SPA Board priorities are represented. A strengthened Forensic Services Committee is ensuring that financial planning and the capital needs of Forensic Services are better integrated into the SPA's overall budget planning.

The SPA Corporate Governance Framework was reviewed and updated on an ongoing basis during the year, to reflect, for example, revised committee terms of reference. In addition there was also ongoing engagement with the Scottish Government to support the review of their Governance and Accountability Framework. SPA's own Scheme of Delegation is currently being reviewed and expected to be complete by autumn 2020.

### **Strengthening external relationships and engagement**

The Authority took the lead on designing and establishing a Police Scotland jointly chaired Research and Evidence Forum which is at the forefront of bringing together leaders from across the public sector, academia and third sectors, working with stakeholders, including Scottish Government and other policy makers, on wider issues of importance to policing including the expanded use of data and new technology.

The SPA also established a justice system-wide Digital Forensics Working Group in June 2019 which includes representatives from HMICS, Police Scotland, COPFS and Forensic Services to review the delivery, accreditation, oversight and governance of digital forensics in Scotland. The Authority established a dedicated oversight group to work with Police Scotland and others on the policing of the 26th Conference of the Parties (COP26). The Group Oversight of this global climate event, now to be held in Glasgow during 2021, is expected to require the largest ever mobilisation of police resources, scrutiny of which will be a core function of the oversight group.

To enhance the link between local and national policing, during 2019-20 SPA attended regular COSLA committees as well as managing a series of engagement opportunities with local authorities and local communities, integrated with the SPA Board meetings held across the country. In addition there is now COSLA representation at the SPA Policing

Performance Committee. Progress in this engagement area supports existing external improvement recommendations.

To support clear and regular communications on the governance of policing, and to enable further development of the Authority's independent voice as a public body, the content of the SPA website was improved and increased during the year to include matters such as the SPA's response to the COVID 19 pandemic. However, it is recognised that the structure, design and look of the website could be improved and work on this will continue in 2020-21, as identified in the Annual Business Plan.

The new Scottish Railways Policing Committee (SRPC), agreed by SPA and the British Transport Police Authority (BTPA) met in October 2019 and February 2020. Its aim is to improve accountability and facilitate a stronger role for the SPA in relation to railway policing. The committee's responsibilities include reviewing and reporting on the planning and performance of railway policing in Scotland as well as reviewing and reporting on the co-operation and close working of Police Scotland and the British Transport Police.

### **Building SPA executive team capacity and capability**

The SPA 2020 programme is delivering organisational change that will optimise the value added by the Authority as a strategic, assertive and externally facing governance body for policing in Scotland. This organisational development work is now under formal consultation. The SPA's high level structure which sets out the key senior roles required and functions was approved for consultation with staff following discussions with the Board and the JNCC. Implementation of the structure is due to be complete by autumn 2020.

SPA staff were involved across the organisation with the Board to develop detailed descriptions of the each of the functions, which have informed development of a full structure. Work to support staff through the process has been ongoing during 2019-20 with SPA line managers and team members attending the first tranche of bespoke SPA learning and development events which will continue into 2020-21.

A key priority undertaken under SPA 2020 has been development of the SPA's Corporate Plan 2020-23, approved by the Board in March 2020. The plan clearly sets out the Scottish Police Authority's own role, outcomes and addresses recommendations from Audit Scotland and HMICS. It is designed as an accurate, clear, brief and accessible articulation of the role, purpose and responsibilities of the Authority. It describes the context within which the Authority operates and outlines the key strategic

outcomes and cross-cutting supporting activities that the Authority will work towards achieving during the lifecycle of the Plan.

The Plan is also enabling delivery of the Authority's statutory duty to achieve Best Value, as corporate planning is a key element of delivering Best Value as it entails setting out a clear organisational vision, outcomes and priorities for a defined period ahead, informing the identification of the resources required. In summary it is an important step in terms of the SPA's own organisational change and will provide a basis for ongoing organisational development. The Corporate Plan is being underpinned by a more detailed Annual Business Plan produced during Quarter One of 2020-21.

### **Addressing immediate capacity issues**

There was a continuing improvement of capability and capacity within the Authority, with the appointment of Lynn Brown as Interim Chief Executive in October 2019. The Authority also prepared a process for formally co-opting members to our Committees to give the Authority access to additional skills and experience when required. The SPA Corporate team has benefitted from the deployment of two experienced Scottish Government officials to work collaboratively with staff on policy and organisational development. In addition, an experienced finance specialist seconded from Scottish Government provided support to the AO.