

Meeting	Authority Meeting
Date	24 March 2021
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 Committee
- B. Complaints and Conduct Committee
- C. Policing of Cop26 Oversight Group
- D. Policing Performance Committee
- E. Resources Committee

Committee	Chair	Date	Page
Legal Committee	Mary Pitcaithly	22.02.21	3
Complaints and Conduct Committee	Matt Smith	03.03.21	5
Policing of Cop26 Oversight Group	Tom Halpin	03.03.21	8
Policing Performance Committee	Michelle Miller	09.03.21	11
Resources Committee	Elaine Wilkinson	18.03.21	16

Summary report from Legal Committee

22 February 2021

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 considered on 22 February 2021 were:

- Legal Expenses Insurance Review
- Legal Assistance Appeals
- Data Processing Agreement
- Areas of Business Approved under delegated authority of the SPA Interim Chief Executive
- Public Inquiry Update
- Litigation Tables
- Claims Handling Quarterly Report

Key issues raised

- Members considered the independent report on legal expenses insurance and the recommendations arising from same.
- Members considered issues arising from the Data Processing Agreement in relation to the provision of forensic medical services to Police Scotland
- Members considered an update on the activity to progress a number of Ill Health Retirement and Injury on Duty cases which have been delayed due to impacts of Covid19. Members welcomed the assurance that all parties are working collegiately to minimise any further delays and were assured that there was no financial detriment to individuals in respect of the delays.
- Members considered an update on the Public Inquiry into the death of Sheku Bayoh
- The members were provided with details of recent developments in cases on the litigation tables.

Conclusions reached / actions agreed

- Members accepted the Interim Chief Executive's recommendations made in respect of legal expenses insurance having considered the terms of the independent report.
- Seven legal assistance appeals were determined.
- Members agreed a course of action in relation to the Data Processing Agreement.
- In respect of the Public Inquiry it was agreed that details of the Membership and remit of the Professional Reference Group would be brought to the next Committee meeting.
- Members requested a further breakdown of costs in the next Claims Handling Quarterly report.

Summary report from Complaints and Conduct Committee

3 March 2021

Matt Smith, Committee Chair

Main items of business

Public Session

- SPA Quarterly Report, including SPA Complaints performance statistics which reflected the position at the end of Quarter 3, 2020/21. The Report also included updates of the last Strategic Oversight Group (SOG) and National Complaint Handling Development Group (NCHDG) meetings. Members noted key statistics of note and trends in complaints data over this period.
- Police Scotland Professional Standards Department Quarterly Report which detailed Professional Standards activity from 1 April 2020 to 31 December 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.
- SPA report on the Dame Elish Angiolini Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, including a progress update on the SPA related recommendations contained within the Preliminary Report and to seek approval of a high level plan outlining proposed implementation actions and oversight arrangements in respect of those recommendations set out in the Final Report. Specifically, this included updates on recommendations directly applicable to the SPA which do not require legislative change.
- Police Scotland to report on timescales within their Quarterly Reports, the incorporation of the Complaints and Conduct Committee's scrutiny function within the SPA's Annual Report and to expand the collection of diversity data to enhance the SPA's and members of the public's understanding of attitudes and concerns in different communities.

- Police Scotland update on the Dame Elish Angiolini Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, including an update on the Police Scotland related recommendations contained within the Final Report. Specifically, this included the establishment of a Police Scotland Complaint Handling Review Working Group (CHRWG) to deliver the recommendations which can be successfully discharged whilst linking in with the NCHDG.
- Meetings with main stakeholders to identify and focus on a Governance structure to provide oversight and assurance, establish a collective reporting framework and the prioritisation of recommendations. Police Scotland accept that the greatest proportion of the recommendations are for them and recognise the need for further discussions where there is a need for legislative change.

Private Session

The Committee received and discussed the following:

- A report on the new PIRC Statutory Guidance on the Handling of Complaints about Police in Scotland.
- A report on the "Monitoring of the Handling of Complaints by the Chief Constable".
- A report on police officers and police staff who are currently suspended or restricted in their duties within Police Scotland.
- A report by Police Scotland on a new complaint handling model
- A report on current ongoing complaints and workload being managed within the SPA Complaints Team.

Conclusions reached / actions agreed

- Ongoing Complaints: The Committee considered and agreed further actions in relation to ongoing complaints and made a determination in relation to one complaint.
- SPA Website – Complaints Pages/ Complaints Form: The SPA Complaints Team advised that the expected timescales for the project to review and renew the SPA's digital offer has been extended to late summer 2021.

- Multi Agency audit of Police Scotland Complaints: The SPA Complaints Team and PIRC proposed a new method of auditing Police Scotland's complaints; the Committee agreed pending discussions at the NCHDG meeting and Police Scotland Executive Team. Further meeting to take place to establish methodology of audit. The Committee further agreed that PIRC should attend Complaint & Conduct Committee meetings on a quarterly basis to provide an update on Police Scotland's complaints.
- Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing: The Committee considered and agreed next steps in the consideration of the Final Report of Dame Elish Angiolini's Review.

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/candccommittee3march21>

The formal minute of the public items of business will be available at the next meeting which is scheduled for 26 April 2021. This will also be published on the SPA's website.

Summary report from Policing of Cop26 Oversight Group

3 March 2021

Tom Halpin, Committee Chair

Main items of business

- Environmental Impact
- Information and Communications Technology (ICT)
- Operational Use of Technology
- Testing and Exercising
- Officer and Staff Wellbeing
- Communications and Engagement
- Risk and Assurance

Key issues raised

- The Oversight Group considered recent developments around the public health impact of holding an 'in-person' COP26 event in November 2021. With a final decision on the type of event due by the end of March, the planning assumption remains in preparation for an 'in-person' Conference, with significant numbers of world leaders attending along with delegates.
- Members were assured by Gold Commander, ACC Higgins that a constant overview of operational planning remains in place, with the ability to react to changing circumstances in relation to numbers of delegates attending.
- An environmental impact strategy continues to be developed alongside partners, including the Scottish and UK Government, and Glasgow City Council, with 7 key principles turning strategy into sustainable operational deployment. Members were assured that environment impact assessment is being built into daily

considerations, with sustainable procurement and electric vehicles providing a key focus currently.

- The Oversight Group, at their previous request, were presented with an overview of the technical capabilities, including body worn video for armed officers, to be deployed in relation to COP26. Members will keep this matter under review going forward, providing this crucial public interest oversight.
- Members sought assurance around preparations and planning in relation to ICT capacity and delivery. Cyber resilience and security continues to be central to that preparation and risk management, with a cyber strategy in place, and under ongoing review.
- Finance and budgets were considered by the Group, and assurance provided in relation to current expenditure approved by the Spend Approval Board (SAP), while discussions between the Scottish and UK Governments remain ongoing around public liability and indemnity. Members were assured that no significant issues in relation to finance management, has been highlighted through Internal Audit.
- The Oversight Group were provided a detailed briefing of engagement with Staff Associations, Trade Unions and other representative bodies, principally through the establishment of a Wellbeing sub group. The forum focuses on the health and wellbeing of all Police and Support Staff personnel, in recognition of the unique operational demands of policing COP26 and to ensure best practice is captured for the policing of future events.
- Members were provided assurance in relation to integrated communications and engagement, primarily through the Get Glasgow Ready (GRG) Communications sub group. The SPA continues to play a key role in the strategic communications plan in place by Police Scotland.

Conclusions reached / actions agreed

- Further assurance on environmental ISO accreditation, as part of the wider UK collective partnership, and the specific Police Scotland obligations, are to be considered at a future meeting of the Group.
- The Group will give future consideration to wider justice system demands, and how coordination and planning in this area is developing to deliver a safe and secure event.

- With officer and staff welfare and wellbeing critical to the remit of the Oversight Group, Members will give future consideration to plans around capturing the experience of officers and staff in a coordinated and evidence-based way, to ensure any lessons are learned and mainstreamed.
- Future oversight and assurance activity will include cyber resilience, animal welfare for equine and canine assets, post-incident processes and planning, as well as in relation to external assurance reviews from the Metropolitan Police, HMICS, and the Independent Advisory Group, led by John Scott QC.
- The Oversight Group welcomed the intention to include a standing item for discussion at future Authority Board Meetings as activity towards the event intensifies.

Summary Report from Policing Performance Committee

09 March 2021

Michelle Miller, Committee Chair

Main items of business

- Quarterly Policing Performance Report – Q3 2020/21
- Policing Performance Framework, including benchmarking
- Annual Police Plan
- Your Safety Matters
- Body Worn Video roll out
- RPAS evaluation
- Digital Triage Device (cyber kiosk) evaluation
- Armed Policing Model update
- Police Scotland Taser capability
- TTRO lessons learned
- Countering Organised Fraud Crime
- Impact of maintaining the Vulnerable Persons Database
- Actions to address HMICS and ICVS recommendations on custody
- SPA public confidence and support surveying during Covid-19

Key issues raised/Conclusions reached/Actions agreed

- The improved format and content of the quarterly performance report from Police Scotland (PS) were noted, recognising and appreciating the work on its development over time.
- Members sought assurance on changes in patterns of crime and the potential for overall crime volumes to increase as lockdown restrictions ease. Reassurance was provided on the use of demand data to prepare for emerging demand in the coming period, with a recognition of the need to place skilled resource where needed.
- The increased demand likely over the remainder of 2021 was recognised in relation to Scottish Government parliamentary elections, UEFA activity, COP26, as well as relaxing of lockdown restrictions.
- Members sought detail around the profile of online crime and the planned response to this, and **requested that learning from major fraud/cyber events (such as the recent SEPA incident) be included in the Q4 report.**
- PS confirmed that Op PARROR has been mainstreamed into business as usual across the force, with online child sexual

exploitation investigation units in place in all three local policing regions.

- Members sought a view from PS on whether the recent decrease in domestic abuse reporting was a result of the current lockdown restrictions. PS confirmed that this is likely, and numbers are expected to increase in line with pre-pandemic trend, following easing of restrictions.
- Members expressed concern on the level of drug-related deaths across Scotland and **requested a future Police Performance Committee report on the welcome whole system approach and its effectiveness/evaluation.**
- Members sought further detail on the inclusion of benchmarking metrics in the performance framework. PS reported that a credible benchmarking family is under development, based on availability and comparability of core data. **Members urged progress in this area**, with an understanding that work will continue on enhancing the initial suite of metrics used for benchmarking.
- Members noted the gap in relation to metrics on cyber/online crime and activity, and **were keen to see metrics and benchmarking activity in this area.** PS colleagues also noted their consideration of recommendations from the internal audit on the Performance Framework, which aim to strengthen it.
- Members noted the progress report in relation to the development of the Annual Policing Plan 21/22 and expressed their appreciation of the opportunity to comment on an early draft. Members recognised that this is a work in progress, and the Authority and **Committee would like to review an updated draft before it is finalised.**
- Members were supportive of the detailed analysis of Your Safety Matters (YSM) activity and wanted to understand whether the pledge and supporting actions have yet had an impact. Further analytical work is underway, recognising that call type as a result of the pandemic results in many attendances being 'higher tariff', which may increase the chance of assaults. The analysis will seek to understand this better. **The Committee will receive a further report on this specific topic in 6 months.**
- **Members would like to see benchmarking relating to YSM in the framework**, and this was agreed by DDC Taylor. In addition, in relation to the academic research described, members want to see a practical and shorter term research focus leading to tangible activities. PS confirmed that the planned full evidence review will report in draft in the early summer.

- Members highlighted the need for a strong communication and engagement process around strategic storage for Body-worn Video (BWV) data, using learning from other areas. The need for transparency was reinforced, in terms of both increasing accountability and protecting officers and the public.
- Members sought clarification of the use of the term 'editing footage'. PS confirmed this relates specifically to the edit of video to retain only the relevant segment of the recording for evidence purposes, with both storage and data protection driving this approach. Recordings will be held for 31 days unless relevant for evidence.
- Members also sought detail on the extent to which metrics will be developed that allow measurement of impact. **PS confirmed this will be incorporated into the refresh of the performance framework.**
- Members clarified that any limitations on use of RPAS were not requirements of SPA, but a PS restriction on usage over phased introduction. While operational decisions sit with the Chief Constable, it is clear that RPAS is a sensitive area for public and political interest. The compelling case for the use of RPAS in overt activities was recognised, and the evaluation and development of a code of practice welcomed. **It was agreed that the Committee will have sight of the code of practice, with an opportunity to comment, before it is finalised.**
- Members sought assurance that wider safeguards around any possible covert activity will be aligned into the code of practice for the use of RPAS and emphasised the need for transparency in the detail and authority/approval process (including detail on RIPSAs) in the code of practice.
- Members expressed their appreciation of the work to date on evaluation and development of management information in relation to digital triage, but expressed concern regarding the data gap in relation to the timescales for recovery of data and return of devices to owners. **An assurance was sought on the timescales and process for development of this management information. PS committed to this being developed over the next 6 months**
- Members were reassured to hear that the new deployment model for use of armed officers has not had an impact on availability for relevant Armed Response Vehicle incidents.
- Members reinforced their view that communication and engagement are critical when planning for the increase in taser capabilities, to ensure public confidence. **Members suggested that a similar**

model and approach be used to that undertaken for RPAS and BVW.

- PS confirmed that Specially Trained Officers will likely be a priority for access to BWV in the future phased roll out of this capability.
- Members explored current or emerging issues that may benefit from the collaborative approach outlined in the lessons learned from TTRO – such as buffer zones and CCTV, confirming support for collaboration and the plans for development of a protocol for engagement and resolution. **Members suggested that the protocol could be expanded to include wider public service partners such as Health and Social Care Partnerships and Community Planning Partnerships.**
- Members recognised the international context in relation to online fraud activity and the need to maintain strong links to organisations such as Europol and Interpol to ensure policing activity is not limited by national boundaries
- Members enquired as to relationships post-Brexit with international partners in tackling Serious and Organised Fraud. PS confirmed they have officers working with Interpol and Europol, but the position is sub-optimal in terms of engagement with EU Law enforcement colleagues. However, relationships are maintained.
- The complexity of fraud investigation was also recognised, with often long-term investigations impacting on detection levels.
- Members welcomed the detail in relation to data sharing, wider collaboration and referral around the Interim Vulnerable Persons Database, but sought assurance in a number of areas
 - Appropriate sharing of data with key partners is risk based
 - Consent is sought when adding to the database, but non-consent may not preclude individuals being added or informed that they have been added
 - Quality assurances process are in place to understand proportion of entries on the database where consent has been given
 - Individuals will not be made aware of which agencies data are being shared with
- Following discussion, members sought further detail on the criteria and decision making around use of the database and suggested this be **progressed in an informal setting to allow detailed discussion and consideration of possible referral to HMICS for investigation and assurance.**
- Members welcomed progress on closing recommendations in relation to custody, but **sought detailed timescales in relation**

to Committee sight of the custody estate investment plan, timescales for delivery and an overall strategy/direction of travel for custody

- Reassurance was provided on the 5 year strategy for Criminal Justice Services Division and the investment aspiration to support this, with a focus on rolling out the hub model across Scotland to allow emphasis on collaboration and early intervention/diversionary activity in custody.
- Members sought further assurance on the process for prioritising activity on outstanding recommendations, and detail on the criteria for action and investment.
- Members welcomed the SPA Public Confidence Report and reinforced that the overall aim of these surveys is to learn and increase confidence in policing. This good body of evidence should help achieve improvements.
- Councillor Parry sought detail on the correlation between confidence levels/perception and communication by PS. **PS confirmed they endeavour to provide this.**

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<https://livestream.com/spa/ppcmarch21>

The formal minute of the public items of business will be available at the next meeting which is scheduled for 08 June 2021. This will also be published on the SPA's website.

Summary report from Resources Committee

18 March 2021

Elaine Wilkinson, Committee Chair

Main items of business

- Period 10 financial monitoring report.
- SPRM project update.
- Police pensions update.
- 2021/22 draft budget.
- Officer and staff pay award negotiations.
- Environmental strategy.
- Business cases – one business case recommended to the Board and Scottish Government.
- Contracts – two contract awards, recommended to the Board.

Key issues raised and conclusions reached/actions agreed

Period 10 financial monitoring report

Members heard verbal updates on two key developments since the publication of this report.

- The Scottish Government and Accountable Officer agreed to switch £2.5m reform funding to capital. This will be used to purchase additional laptops for remote working and police vehicles.
- Scottish Government also approached the service to offer additional capital funding in the current financial year. The service has agreed to incur up to £10m additional capital for police vehicles of which approximately two thirds will be electric. It was noted this brings forward existing fleet plans.

Members welcomed both updates and scrutinised how Police Scotland is ensuring it delivers value for money and strategic alignment from the additional capital spend. Members sought and received assurances that the capital plans will be delivered in the financial year.

SPRM Project Update

Members noted progress on the final stages of the project to communicate outcomes and process appeals settlements.

It was also recognised that this process was designed to implement a fair and equitable pay and reward system. Whilst the outcome may not be favourable for everyone there are also support routes available for staff. Members look forward to considering the outcome of post project evaluation work including an internal audit review of the project.

Police pensions update

Members heard evidence of SPA and Police Scotland being highly dissatisfied with the police officers pension service provided by the SPPA to the extent it was considered appropriate to raise these concerns with Members. Members recognised the importance of this service and the impact that poor service can have on people's livelihoods and life decisions.

The Accountable Officer will raise this issue at a senior level within the SPPA and Scottish Government.

2021/22 draft budget

Members considered a final draft of the budget report for 2021/22 and referenced the extensive previous engagement with Board on the development to the budget to date. This delivers a balanced revenue budget and the service has a high confidence of delivering against this budget.

The budget paper is based on the initial public sector pay policy (PSPP) which has been recently revised by Scottish Government. Members recommended the paper is not amended, however, the cover paper should outline the assumptions and make clear that the SPA can only offer an award in line with the funding provided by Scottish Government. Members also noted the charges for services of police rates are based on budgeted PSPP and the rates will be revised if a different pay award is approved.

Members recommended the budget to the Board.

Officer and staff pay negotiations

In line with the budget paper Members agreed a position that the Authority cannot offer pay awards beyond the funding level provided by Scottish Government.

Members recommended that a working group is created similar to the previous staff pay award that brings together SPA, Police Scotland and Scottish Government to consider the detail of the staff pay negotiations.

Environmental strategy

Members welcomed the strategy and the evolution from the previous carbon reduction plan to a wider environmental strategy.

Members recommended the strategy for approval but requested further detail of specific milestone and goals to be achieved during 2021/22.

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