

SCOTTISH POLICE  
AUTHORITY  
AUTHORITY MEETING  
29 September 2021

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Minute of the SPA Authority Meeting held on Wednesday, 29  
September 2021 via Video-conference

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Board Members Present: Martyn Evans (Chair)  
Jane Ryder (Vice Chair)  
Paul Edie  
Tom Halpin  
Alasdair Hay  
Katharina Kasper  
Grant Macrae  
Fiona McQueen  
Michelle Miller  
Mary Pitcaithly  
Catriona Stewart  
Caroline Stuart

Board Member Apologies: Robert Black

In attendance: Police Scotland  
Chief Constable Iain Livingstone  
Deputy Chief Constable Fiona Taylor  
Deputy Chief Constable Malcolm Graham  
Deputy Chief Officer David Page  
Assistant Chief Constable Bernie Higgins (Item 12)  
James Gray, Chief Financial Officer  
Chief Superintendent Linda Jones (Item 10)

Scottish Police Authority (SPA)  
Lynn Brown, Chief Executive Officer  
Chris Brown, Deputy Chief Executive, Resources  
Barry Sillers, Deputy Chief Executive, Strategy and  
Performance  
Fiona Douglas, Head of Strategy and Change (Forensic  
Services)

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Police Scotland Equality, Diversity, Inclusion and Human Rights Independent Review Group

Robin Iffla, Group Chair (Item 11)

Chris Creegan, Vice Chair (Item 11)

SPA Secretariat

Eleanor Gaw, Governance and External Relations Lead

Karen Vallance, Governance Support Officer

## 1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no Member apologies;
- **NOTE** no other declarations of interest;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 13- 16 in private for the reasons set out on the agenda.
- **AGREE** to take Item 12 (26<sup>th</sup> Conference of the Parties) directly after Item 4 (Chief Constable's Report).

## 2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 25 August 2021;
- **NOTE** the action log and that there were no matters arising.
- **NOTE** no decisions had been made by correspondence since the last Authority meeting;

## 3. SPA CHAIR'S REPORT

The Chair highlighted that Members, Police Scotland's leadership team and key stakeholders had been made aware that the Chief Executive,

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Lynn Brown (LBrown) will be taking a leave of absence for an anticipated period of 6-months while she receives medical treatment for an illness. LBrown expects to make a full recovery and return from treatment in the spring. The SPA's two Deputy Chief Executives, Barry Sillers and Chris Brown (CBrown) will share the Chief Executive responsibilities in an acting capacity, supported by the wider SPA Corporate team. CBrown has been designated Interim Accountable Officer in LBrown's absence.

On behalf of the Authority, the Chair wished LBrown well for her treatment and a full recovery.

The Chair referred to his written report and invited any questions. Members requested sight of the draft Local Authority Engagement Plan which the Chair agreed to circulate.

The Chair highlighted that Committee and Oversight Group Chairs' reports were appended to his report and these provided an update on business progressed since the last Authority meeting through the:

- Complaints and Conduct Committee
- Legal Committee
- Policing Performance Committee
- People Committee
- Policing of COP26 Oversight Group
- Resources Committee
- Audit, Risk and Assurance Committee

The Forensic Services Committee has not met since the last Authority meeting, but is scheduled to meet on 25 October.

The Board **RESOLVED** to:

- **NOTE** the reports.
- **AGREE** the following action:

Draft plan to be circulated to Members.

290921-SPABM-01

#### 4. CHIEF CONSTABLE'S REPORT

Chief Constable Iain Livingstone (CCLivingstone) provided a detailed summary of the paper, specifically drawing attention to the following areas:

- Deaths of Lamara Bell and John Yuill

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- Recent murder investigations and Drug Recoveries
- Recorded Police Warnings
- Call Handling and Demand
- COP26 Engagement
- UK Police Engagement
- Police Officer Recruitment
- Specially Trained Officers – enhanced operation model
- Scottish Police Memorial Service and National Police Memorial Day

In discussion the following matters were raised:

- On behalf of Police Scotland, CCLivingstone offered well wishes and support to LBrown and to those in SPA who would be taking on additional responsibilities.
- The Chair thanked CCLivingstone for his comments on call handling and demand, and supported the requirement for change and improvement to how all services, agencies and sectors respond to vulnerabilities.
- Members sought further assurance on access and prioritisation of 999 calls. CCLivingstone confirmed he was confident in the response to emergency calls and encouraged members of the public to use 999 in an emergency. CCLivingstone confirmed that C3 rightly prioritise calls and if people phone 999 with an acute need for help, police will help. CCLivingstone advised Members that on occasion Police Scotland have been asked to support forces in England responding to acute demand, however the priority is always to respond to calls in Scotland.
- Members were advised that 225 officers in the flexible response unit had returned to Local Policing.
- Members reacted positively to the increase in recruitment but sought further information on whether there was any targeted recruitment for those who had skills specific to cyber or financial crime. CCLivingstone confirmed there was a requirement to recruit acute skills but it was not necessarily required at constable level. Members heard the workforce shape continues to change, and the recruitment of specialist staff has increased the capacity to tackle online crime and to ensure the future operating model is fit for purpose.

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- Members discussed the current issue of petrol supplies and were assured that Police Scotland have no problems fuelling vehicles but have contingencies in place should any issues arise.
- Regarding the parades in Glasgow on 18 September, Members were informed that people will be arrested and/or charged, if required. CCLivingstone committed to provide an update on numbers arrested and/or charged.
- Members sought comment of the future of agile working, to which CCLivingstone stated that it was a lasting impact of Covid-19. CCLivingstone confirmed it was the intention to reduce travelling for meetings which agile working allowed for. Members heard further work on the area is being taken forward through People and Development by capturing learning during the pandemic. ICT issues have largely been resolved , and the current focus is on any wellbeing impacts
- Members sought information on initiatives taken forward to reduce officer assaults, and specifically whether there was any link with Taser use. Members heard when a Taser is deployed, injuries to the officer and assailant(s) are reduced. A large amount of data has been collated with regard to officer assaults which has resulted in bespoke environmental and departmental specific information on the types of assaults that officers are subject to. This has also allowed operational safety training to be upgraded to be more bespoke.
- The Chair noted SPA and Police Scotland intend to publish a factsheet on Tasers which will set out the evidence on Taser use. It is hoped benchmarking detail will be collated regarding the proportion of officers carrying Tasers, deployment and discharge.

The Authority **RESOLVED** to:

- **NOTE** the paper;
- **AGREE** the following action:

Number of people arrested and/or charged as a result of their behaviour at parades in Glasgow on 18 September to be confirmed.

290921-SPABM-02

## 5. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities carried out by the Chief Executive and the Executive Team since the previous Authority Meeting. LBrown highlighted a number of key points as detailed in the paper.

Regarding the Seldom Heard Voices Research, LBrown advised Members that one project related specifically to intersectionality. An SPA press release and website news item provides details of all projects via a link to the Scottish Institute for Policing Research.

The Authority **RESOLVED** to:

- **NOTE** the report

## 6. 5 YEAR FINANCIAL PLAN

Members considered the paper which sought approval for the Five Year Financial Plan. Chief Financial Officer, James Gray (JGray) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Grant Macrae (GMacrae) confirmed the Resources Committee were content to recommend the plan for approval.
- Members sought clarity on the impact of the plan following funding settlement confirmations and changes to areas such as pay (?) protection and national insurance. JGray assured Members the plan is a live document so will be monitored and any developments built into future reiterations of the plan.
- JGray provided an overview of the areas of pressure identified in both the lower and higher funding scenarios. To highlight the difference between all scenarios, JGray confirmed he would provide more financial detail regarding the future revenue profile.
- Regarding capacity creation, Members were assured the Chief Constable has discretion to allocate resources to meet the operational requirements of the service.
- Members requested the People and Development team confirm the extent to which delivery of the strategic workforce plan refresh can be accelerated.
- Members questioned the degree of planning and contingency to take account of impact of capital allocations. JGray reiterated that

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any revenue consequences of the capital programme and investment would be built into the plan. DCO David Page (DCOPage) emphasised the capital plan was not an ambitious plan but a required plan, and essential services have been built over the last five years with a clear view of what is required.

- Members questioned if the moves to co-location put savings at risk due to pressure on revenue, and whether the Estates Strategy should therefore be refreshed. JGray confirmed it had been highlighted in the capital strategy as a risk but is not a major concern. Leasing is undertaken as a full public sector approach and work is required to look at the impact on all public sector budgets. Members heard the Estates Strategy focuses on creating fit for purpose estate and good working conditions; and co-location is operationally led, and the strategy therefore does required to be refreshed.
- The Chair emphasised the paper presented is a five year plan, not a five year budget and is a live document. The strategic aim is to highlight where the pressures may come to, allow decisions to be made. The Chair noted it was a great achievement to provide a plan with such detail.
- CCLivingstone agreed it was a great achievement and commended the work undertaken by DCOPage and JGray. CCLivingstone advised having a five year plan provided the opportunity to make a case to Scottish Government during the spending review process, and assist in building cross party support.

The Authority **RESOLVED** to:

- **APPROVE** the Five Year Financial Plan, with caveat that the date of 2024 for the next iteration of the Strategic Workforce Plan is revisited and brought forward.
- **AGREE** the following actions:

More financial detail to be provided regarding future revenue profile, to highlight difference between the three funding scenarios.

290921-SPABM-03

People and Development team to confirm the extent to which delivery of the strategic workforce plan refresh can be accelerated.

290921-SPABM-04

## 7. CAPITAL STRATEGY

Members considered the paper which sought approval for the Capital Strategy. JGray highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- GMacrae confirmed the Resources Committee were content to recommend the strategy for approval.
- Members heard how the capital envelop had been stress tested, with different areas looked at in detail to ascertain what is required, however there is still a gap in what is being asked for and what is available.
- Members referred to the introduction of IFRS16 and raised concern on unknown risk. JGray advised that the Authority do not need to be concerned at this stage as there is not yet a definitive direction of travel. Members were assured work will be undertaken to understand the impact, but the concern is for future leases as current ones will be covered by a transfer in budget.
- Members encouraged Police Scotland to emphasise the positive impacts of investments and any interdependencies.
- The Chair requested SPA and Police Scotland discuss budget option approaches to inform the budget setting process.

The Authority **RESOLVED** to:

- **APPROVE** the capital strategy.
- **AGREE the following action:**

SPA and Police Scotland to discuss budget options approach to inform budget setting process.

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## 8. PROCUREMENT STRATEGY

Members considered the paper which sought approval for the Procurement Strategy. JGray highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:



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- GMacrae confirmed the Resources Committee were content to recommend the strategy for approval.
- Jane Ryder, Audit, Risk and Assurance Committee Chair, commended the procurement team and the Committee had seen improvements made over the last couple of years.

The Authority **RESOLVED** to:

- **APPROVE** the Procurement Strategy.

## 9. FORENSIC SERVICES STRATEGY

Members considered the paper which sought approval for the Forensic Services Strategy. Fiona Douglas (FDouglas) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Tom Halpin confirmed the Forensic Services Committee were content to recommend the strategy for approval.
- Members sought reassurance on Forensic Services capacity to deliver. FDouglas confirmed there had been a substantial amount of detailed planning to deliver the refreshed strategy. Further capacity and capability had been built within the leadership team so that the organisation is well prepared to embark upon organisational change. A more sophisticated method has been developed to prioritise business change and continuous improvement to ensure capacity is not exceeded.
- Members heard work on the strategy was undertaken in conjunction with Police Scotland to allow alignment with the joint strategy for policing, which the Chair commended.
- Members heard the Resources Committee were positive about the strategy but had queried capacity to manage change and raised concern on future capital and revenue funding.
- The Chair acknowledged the long discussion on strategies but stressed their importance as the mechanism to improve benefits to policing and forensic services. The Chair noted next steps are critical and require the Authority, Police Scotland and Forensic Service to work together to make the correct decisions in the public interest.

The Authority **RESOLVED** to:

- **APPROVE** the Forensic Services Strategy.

## 10. GAELIC LANGUAGE PLAN

### 10.1 SPA GAELIC LANGUAGE PLAN

### 10.2 POLICE SCOTLAND GAELIC LANGUAGE PLAN

Members considered the paper which sought approval for the SPA Gaelic Language Plan. LBrown highlighted a number of key points as detailed in the paper.

Members also considered the paper which provided an update on the recent public consultation of Police Scotland's revised draft Gaelic Language Plan. Chief Superintendent Linda Jones (ChSuptJones) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- ChSuptJones confirmed that the consultation responses had been taken into consideration and the Police Scotland plan was fully achievable. Members were advised further updates can be brought to the Authority, if required.
- LBrown advised Members that funding of the SPA plan was minimal and all tracking is aligned to the SPA Business Plan.
- Both LBrown and ChSuptJones confirmed that the work undertaken was proportionate to the statutory requirements.

The Authority **RESOLVED** to:

- **NOTE** the report from Police Scotland.
- **APPROVE** the SPA Gaelic Language Plan.

## 11. POLICE SCOTLAND EQUALITY, DIVERSITY, INCLUSION AND HUMAN RIGHTS INDEPENDENT REVIEW GROUP

The Chair welcomed Robin Iffla (RIffla) and Chris Cregan (CCregan) to the meeting.

Members considered the paper which provided an update on the position of the newly established Police Scotland Equality, Diversity, Inclusion and Human Rights Independent Review Group. RIffla highlighted a number of key points as detailed in the paper.

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In discussion the following matters were raised:

- Members sought clarity on the criteria for recruiting members and heard that the Chair and DCC Fiona Taylor (DDCTaylor) looked across Scottish civic society and wider groups to identify potential Members for the core membership. Exemplars within the equality, diversity and inclusion field provided the rationale for membership however additional contributors will be invited to ensure there is capacity and capability across all areas.
- Members emphasised the need for a clear strategic direction on embedding equality, diversity and inclusion in all areas of the organisation, and heard that a bespoke equality, diversity and inclusion strategy will be developed.
- Members noted there is not an explicit link between the Terms of Reference and aspired outcomes in how improvement will be recognised and scrutinised. RIffla informed Members that discussions have already taken place with SEMPER as well as face to face meetings with minority ethnic officers on their experiences, and these will continue to develop. The group members represent a wide range of communities to allow as much information as possible to be collated through engagement.
- Members heard the group were satisfied they had gathered the right information to have a base starting point.
- Members were informed the group will report in public and are open to discussing findings with the Authority. The People Committee Chair welcomed the opportunity for further discussions at the Committee.
- DDCTaylor detailed discussions so far and the internal governance arrangements for performance reporting.
- The Chair confirmed the Authority supported the creation of the group and offered the opportunity for a further discussion at a future Authority meeting.

The Authority **RESOLVED** to:

- **NOTE** the report.

## 12. 26<sup>th</sup> CONFERENCE OF THE PARTIES (COP 26)

Members considered the paper which provided an update on policing planning for COP 26. ACC Bernie Higgins (ACCHiggins) highlighted a number of key points as detailed within the paper.

In discussion the following matters were raised:

- CCLivingstone advised Members of the growing amount of interest and legitimate questioning Police Scotland is encountering, and that UK and Scottish Governments are understandably focused on the event and the policing of it. CCLivingstone provided information on the recent meeting he attended with UK and Scottish Government Ministers which has reinforced the importance of the operational independence of the Chief Constable and policing.
- The Chair acknowledged the criticality of the operational independence of the Chief Constable, noting the Authority will protect and support it.
- Tom Halpin (THalpin), Chair of the SPA Policing of COP26 Oversight Group, confirmed the Group has been clear on the difference between the operational independence of the Chief Constable and the oversight and scrutiny role of the Authority. THalpin confirmed health, safety and wellbeing of the workforce has been a focus during recent meetings, and that learning would be captured for policing of future events.
- Members sought further information on mitigation and planning for Covid-19 impacts on the workforce. ACCHiggins confirmed the UK Government have provided a Covid-19 mitigation/adaption plan and Police Scotland have developed a bespoke internal welfare plan. ACCHiggins confirmed Police Scotland will always be guided by public health guidance.
- Members sought further information on consideration of custody arrangements for children and young people. ACCHiggins responded that children and young people being placed in custody does depend on the nature of the crime, however sometimes custody is used as place of safety. ACCHiggins confirmed Police Scotland are mindful of the sensitivities around young people in custody.
- Members requested information on any engagement with other groups known for protesting and heard that Police Scotland have met with Extinction Rebellion who have confirmed they plan to carry out peaceful protests. ACCHiggins advised that peaceful protests

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are encouraged and will be facilitated but if any are unlawful and impinge on the ability of the conference to carry out its business then Police Scotland will be more pro-active in its response. Unless there is any real threat to life, there will be no mass arrests, however, should they occur then the wider criminal justice system will be able to assist.

- Members sought assurance that after the event, a review will take place. ACCHiggins confirmed that from a financial aspect, there will be a lot of post event work. In terms of organisational learning, ACCHiggins confirmed that learning will be used for legacy benefits such as upskilling, as well as providing learning for policing other large scale events hosted in UK.
- The Chair acknowledged that planning has been of a large scale and wished Police Scotland well in policing the conference.

The Authority **RESOLVED** to:

- **NOTE** the report.

*END.*

DRAFT