

**FORENSIC SERVICES COMMITTEE
03 FEBRUARY 2021**

**Minute of the Scottish Police Authority Forensic Services
Committee held by MS Teams on Wednesday 03 February 2021.**

Authority Members Present: Tom Halpin (Chair)
Bob Hayes
Jane Ryder

In attendance: Scottish Police Authority (SPA)
Tom Nelson, Director of Forensic Services
Gary Holcroft, Scientific Head of Function
Fiona Douglas, Scientific Head of Function
Craig Donnachie, Head of Quality
Derek Scrimger, Scientific Head of Function
Amy McDonald, 2026 Forensics Strategic Programme
Manager
Vicki Morton, Scientific Head of Function
Helen Haworth, Scientific Head of Function
Jennifer Muir, Head of Strategy and Business Performance

Deborah Christie, Governance Support Officer
Jackie Kydd, Workforce Governance Lead
Graham Stickle, Audit and Risk Lead

Police Scotland (PS)
Detective Chief Superintendent Gary Cunningham
Liz Nimmo, Programme Manager (seconded to Forensic
Services)
Andrew Hendry, Chief Digital and Information Officer

COPFS
Kenny Donnelly

1.1 Welcome and Apologies

The Chair welcomed all attendees to the meeting of the SPA Forensics Services Committee.

The Chair noted no apologies.

1.2 Declarations of Interest

There were no declarations of interest at this stage of the meeting however Members discussed a potential conflict of interest for Kenny Donnelly in respect of agenda item 16 Morbid Toxicology – Proposed Service Transfer. Members agreed that it would be helpful for Kenny Donnelly to take part in the discussion and this would allow the Committee view to be reported back to his colleagues. It was agreed that if, at any point during that item he, or Members, believed a conflict had arisen, he would leave the meeting and take no further part in the discussion.

1.3 Forensics Services Committee minute of meeting held 26 October 2020 for approval

Members agreed the Minute from the Forensics Services Committee on October 26th 2020 was an accurate record of the meeting.

1.4 Action Log and Matters Arising

Members reviewed the action log and noted the written updates provided. Noting that some actions had been proposed for closure, but that some concern existed that the submitted papers did not provide Members with the necessary information to give sufficient assurances on each matter, it was agreed that Members would defer making their decision on whether to close actions until the end of the meeting and the action log would be updated accordingly.

There were no matters arising.

1.5 Decisions taken since last Committee

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

1.6 Decision on taking business in private (items 11 - 16)

Members agreed, in accordance with paragraph 20 of the SPA Standing Orders, to consider items 11 – 16 on the agenda in private for the reasons set out in the agenda.

2. Forensic Services Director's Report – Tom Nelson

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

- Tom Nelson reported this was the first Director's Report to the Committee and invited Member feedback on the content.
- Members were provided with a summary of key highlights in the following areas: Covid response, Forensic Services Senior Management changes, Workload Management, the Strategy Refresh for Forensics Services and an Operational Update which outlined the areas in which Forensic Services were able to add value to a recent investigation. Members fully acknowledged that the preservation of the integrity of investigations must be of paramount importance when reporting publicly and were assured this would be considered going forward.
- The Committee welcomed the report which it was felt was a positive addition to the overall Forensics Services Committee reporting.

Members noted the report.

3. Forensic Services Performance Report – Q3 – Tom Nelson
Members considered the Forensic Services Performance Report, Q3 2020/21. During discussion and in addition to the report the following points were raised and noted;

- Tom Nelson provided an overview of the report highlighting the following areas as detailed in the executive summary; Performance, Engagement and Business Updates.
- Members were provided with an overview of the casework demand and casework output and heard that drugs workload had decreased and biology workload had increased. It was reported that Toxicology had seen increase in workload and also in aging of cases. Members heard that an external supplier had been utilised and the toxicology workload was being actively managed to an acceptable level.
- Members considered the performance in respect of Scene Examination and were updated on how the impacts from Covid were being seen in the data.
- Members noted the demand data performance across all business areas and were assured that effort was being made to flex resource as required to match demand.
- Tom Nelson updated Members in respect of staff absence and provided an assurance that staff wellbeing remains a priority within Forensics Services.
- An update was provided on the ongoing activity related to the accreditation assessment programme and details of how Covid restrictions had impacted on this work were noted. The Committee was updated on what was being done in partnership with UKAS to

mitigate the impacts of Covid restrictions on the accreditation programme for the coming year.

- In response to a question about the decreased demand in Finger Prints, Tom Nelson explained that this was a likely reduction as a result of fewer specific crime types during the pandemic and it was not yet clear if this downward trend would continue when lockdown restrictions were relaxed. It was agreed this would continue to be monitored.
- Noting the reported £554k revenue overspend as at end of Q3, Bob Hayes asked what action had been taken to address this and if the Accountable Officer was fully sighted on the forecast. Tom Nelson confirmed that the Accountable Officer was aware of the overspend and that this had arisen as a result of a significantly lower level of gapping throughout the year which had caused the pressure.
- The Committee explored the performance data relating to scene attendance and sought clarity on what impacts had been as a result of Covid. Vicki Morton advised that the performance was good in comparison to pre Covid albeit below the targets. The Committee were advised that a richer picture of the demand analysis would be possible with the roll out of mobile devices and this would be reflected in future performance reports to this Committee.

Members noted the report.

4. Demonstrating Value of Forensic Services – Fiona Douglas

Members considered the paper which had been provided to update members on progress on work to assess the value of Forensic Science. During discussion and in addition to the report the following points were raised and noted;

- Members were provided with an overview diagram which sought to highlight the different levels of assessment of value and heard that the current focus was on level 1 'Scientific Value'. In particular to consider the recommendation from the 2017 HMICS Thematic Inspection of Forensic Services which recommended the Scottish Police Authority should work with Police Scotland and COPFS to develop capability and capacity within Forensic Services to systematically address failure demand.
- Members' attention was drawn to studies being carried out by the Home Office and Northern Ireland Forensic Science Service to develop an approach to measuring the impact of forensic science across the Criminal Justice System. It was noted that the SPA had provided some input to this work however it should be remembered these are altogether different funding and delivery models.

- Jane Ryder commented she would like to see some other dimensions of value which had not been drawn out in the paper for example non-crime areas of forensic science activity. Jane Ryder also invited colleagues to consider how the totality of the issue could be addressed and suggested this would require some external partnership working.
- Members agreed additional work was required and a further update should come back to a future committee meeting. It was agreed Jane Ryder would meet with Fiona Douglas to help develop a solution that would address Members' expectations in respect of an agreed approach to demonstrating the value of Forensic Service in the Justice System.

Members noted the report and agreed the following action update;

Reflected in existing action 20190725 –FS-003: Members agreed additional work was required and a further update should come back to a future committee meeting. It was agreed Jane Ryder would meet with Fiona Douglas to help develop a solution that would address Members' expectations in respect of an agreed approach to demonstrating the value of Forensic Service in the Justice System.

5. Workforce Planning – Progress Update – Fiona Douglas

Members considered the paper which had been submitted to update the Committee on progress to develop a Forensic Services Strategic Workforce Plan. During discussion and in addition to the report the following points were raised and noted;

- The committee considered a summary of the work done to progress the Forensic Services Workforce Plan and heard that it was the intention to seek to better understand what the Police Scotland Strategic Workforce Plan would mean for the future demand for forensic science. It was added that the methodology used by Police Scotland would be considered as part of the next steps.
- Members heard that demand planning was required and work was planned to explore what the future demand and expectation of Police Scotland, COPFS and PIRC would be in respect of Forensic Science provision as this would be key.
- Members welcomed the effort that had been put into developing this work and urged colleagues to be alert to the challenges that were experience by Police Scotland as they developed their first iteration of the Strategy Workforce Plan. Jane Ryder cautioned against using the same methodology as was used by Police Scotland given the smaller scale of and fewer resources within Forensic Services but agreed that

understanding demand was a key element to how this strategic workforce plan would develop.

- Fiona Douglas confirmed that as there was not the available capacity to develop the Forensic Services Strategic Workforce Plan using the same approach as Police Scotland, this could not be taken but the 6 step methodology would be reflected upon.
- Members agreed that whatever Workforce Plan was approved, the Plan would be dynamic and be refreshed as time progressed, however it was important to have a starting point to take the organisation forward.
- The Committee Chair welcomed the commitment to a working draft being considered by the Committee in July 2021 and thanked the team for their hard work on this matter.

Members noted the report.

6. Forensic Services 2026 Update – Fiona Douglas

Members considered the paper which had been provided to update the Committee on progress on the Forensic Services 2026 Programme. During discussion and in addition to the report the following points were raised and noted;

- Members note the high level summary which was provided covering areas including: Continuous Improvement – Progressing HMICS Recommendations, Forensic 2026 Strategy Development, Infrastructure Development, addressing critical resource gaps, Process Improvement, Management Information Reporting and Demonstrating Value.
- In response to a request for an update on the MOU, Fiona Douglas reported that the Short Life Working Group met in January to review the 2nd draft of the revised MOU with Forensic Services having agreed to feed back their comments on this draft over the coming weeks. It was confirmed that a Sub-Group had been established to ensure that the underpinning procedures would be in place to support the MOU when implemented.
- Members welcomed the activity to progress the MOU and requested additional assurances in respect of when this project will land and when the MOU will be a final draft for which approval will be sought. It was confirmed that a draft MOU would be available for Members to consider at the next meeting of the Committee in April 2021.

Members noted the report.

7. Digital Forensics: next steps – verbal update

Craig Donnachie Members considered a verbal update which highlighted the following key areas;

- The Digital Forensics Project continues in Police Scotland with Forensic Services having supplied some support over the last quarter to provide an overview of the systems and processes used within Forensics Services.
- Feedback has been provided to Police Scotland on a draft Project Assessment Document and the draft has now been signed off and approved.
- Job descriptions are now being developed.
- Funding has now being requested and plans and a timeline have been developed to be implemented when funding is allocated.
- Members sought clarity on the timeline for this project to be implemented and it was confirmed that although challenging, the aim was to have accreditation in place by 2022.
- Members asked how this would fit with the overall Change Programme and the Cyber Strategy and agreed that the Committee would benefit from a presentation of how this project would be aligned to other ongoing and planned projects. It was agreed that an update would be provided to the next meeting and Detective Ch Supt Gary Cunningham would facilitate this update.
- The Committee requested that future updates to committee come as written reports to allow the oversight of the important matter to be suitably robust.

Members noted the report and agreed the following action update;

Reflected in existing action - 20201103-FS-001: Update paper to come to next Committee which provides Members with a timescale and clear understanding of how Digital Forensics fits into the overarching Cyber Strategy.

8. HMICS Update - Vicki Morton

Members consider the report which provided an update on work to implement the improvements set out in the HMICS Thematic Inspection of the Scottish Police Authority Forensic Service. During discussion and in addition to the report the following points were raised and noted;

- It was reported of the 23 recommendations, Forensic Services has received confirmation from HMICS that 14 are now complete. Members noted there had been no significant movement since the

last report as feedback was awaited from HMICS on recommendations 11, 12, 14 and 16.

- Jane Ryder requested that future reports provide a distinction between which matters were within the control of the SPA or where this lay out with the SPA's control and it was agreed this additional information would be added.

Members noted the report and agreed the following action;

Action 20210203-FS-002: Future updates to provide additional narrative which highlights the distinction between where matters are with and out with the control of the SPA.

9. Drug Driving Update – Amy McDonald

Members considered the report which had been submitted to provide the committee with an update on the Drug Driving Toxicology Service. During discussion and in addition to the report the following points were raised and noted;

- Amy McDonald provided Members with a summary of the paper outlining the key highlights and inviting Members to demand and to note the value of the forensic service being provided in respect of Drug Driving.
- Members noted external support had been contracted to remove the casework backlog and it was anticipated normal workload levels would be seen by the end of March 2021.
- Bob Hayes expressed disappointment that the report did not meet his expectation with regards to providing a proposal as to how the demand issues can be addressed longer term and the information provided did not give any assurance that a plan is in place to address the longer term demand and budget issues in a sustainable way, that ensures staff wellbeing is not compromised whilst delivering an effective service.
- The Committee Chair suggested to attendees the agreed way forward needed to be a collaborative solution and it was not for the SPA to own this problem but for the service's users to work with Forensic Services to find a sustainable solution.
- The Committee noted that the additional kit provided by Scottish Government to address increased demand had been done so on the understanding of c.200 cases per month and it was the view of the Committee that this should be revisited if the demand exceeded that agreed limit.
- It was reported that a Working Group was exploring the options to progress these issues and Police Scotland and the SPA were represented at this group.

- Members agreed that the MOU must incorporate this area of activity and if there was to be a request to carry out increased workload then a proposal must come from the customer.
- The Committee agreed that they would like to see some pace around the work to reach a sustainable solution which protected staff wellbeing whilst delivering a quality service.
- Amy McDonald recognized Members' frustrations and concerns and confirmed that there very much was a will between all parties to get this problem resolved with good joined up working in place. Members noted confidence was high that a resolution could be reached and that the position would be improved by the end of Q2.

Members noted the report and agreed the following action update;

Reflected in action 20201103-FS-003: Update on discussions from working group session to be circulated to Members between meetings. Update to give details of agreed resolution between partners.

10. Forensic Services Committee Workplan

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

The following items were taken in private.

End.