

Meeting	SPA Policing Performance Committee
Date and Time	17 November 2020
Location	Video Conference
Title of Paper	Police Scotland Update Progress Report against External Inspections and Evaluations
Presented By	ACC Alan Speirs, Professionalism and Assurance
Recommendation to Members	For Discussion
Appendix Attached:	No





PURPOSE

The purpose of this paper is to update the Policing Performance Committee with the outcomes from recently implemented improvement activity and provide an update of recommendations progressing or newly added.

Members are invited to discuss the content of this paper.

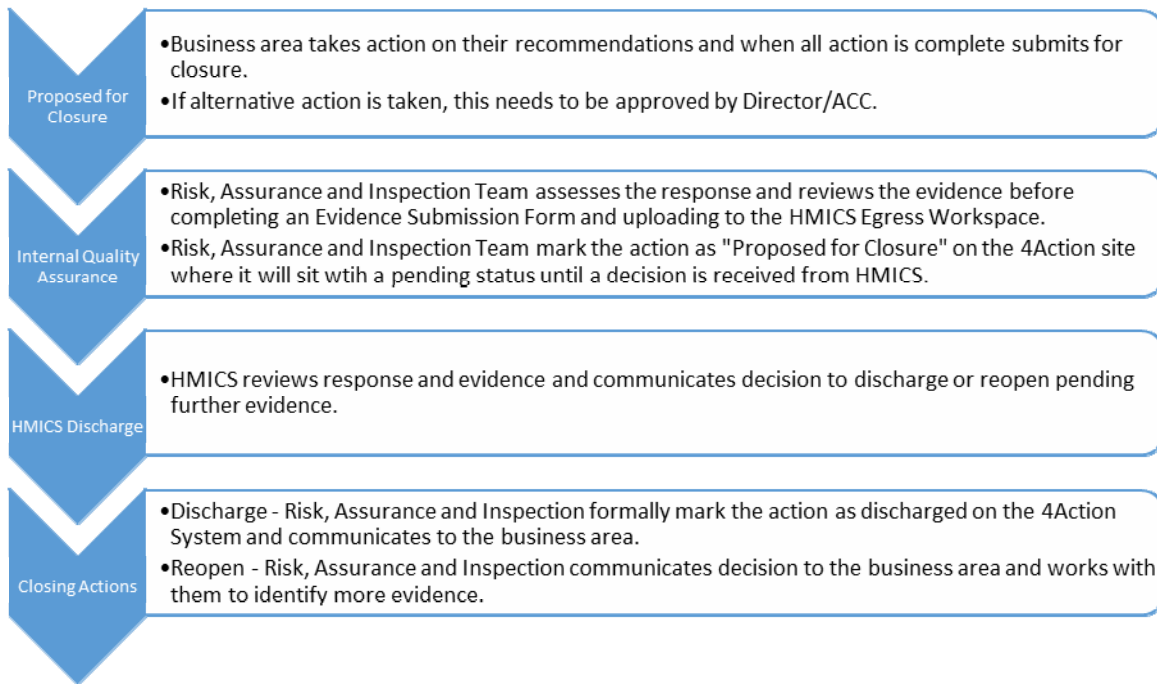
1 BACKGROUND

- 1.1 Police Scotland monitors all recommendations from audit and inspection activity via a Tracker and reports on the implementation of actions in accordance with agreed timescales. We report on progress with the Tracker quarterly at Audit, Risk and Assurance Committee meetings.
- 1.2 When we receive new recommendations we add them for tracking and work with the business area to develop an action plan. We set timescales for completion and allocate ownership. We continually monitor through the Police Scotland governance structure until completion. For HMICS recommendations we are required to submit Evidence Submission Forms documenting what has been done to address the recommendation along with providing evidence of the outcome this has achieved. HMICS formally discharge recommendations upon review of all evidence. As can be appreciated there may be some time between when an action has been taken and outcomes are evident. We will work with our colleagues within Analysis and Performance to understand ways in which we can improve the reporting of these outcomes.
- 1.3 All recommendations are assessed in terms of the risk it presents to Police Scotland so that we can prioritise activity. Internal Audit use the following risk grading structure and this has been applied to all recommendations within Police Scotland, regardless whether they have been made by Internal Audit. This ensures a consistent approach is taken, allows for prioritisation and enables comparisons to be made.

	Very high risk exposure - major concerns requiring immediate senior attention that create fundamental risks within the organisation
	High risk exposure - absence / failure of key controls that create significant risks within the organisation.
	Moderate risk exposure - controls are not working effectively and efficiently and may create moderate risk within the organisation
	Low risk exposure - controls are working effectively, but could be strengthened to prevent the creation of minor risks or address general house-keeping issues

2. FURTHER DETAIL ON THE REPORT TOPIC

- 2.1 All recommendations made to Police Scotland ultimately improves the organisation but for the purposes of this paper we have tried to focus on those where improvements will advance policing rather than recommendations made by internal audit to improve the control environment and our corporate governance. This paper focuses on reporting all HMICS activity and a small number of external independent inspections or evaluations. We have a number of Internal Audit recommendations that contribute towards the improved performance of Police Scotland financial management and governance and these are reported comprehensively at the Audit, Risk and Assurance Committee.
- 2.2 It was agreed at the meeting in May to present this information bi-annually due to the complex nature of the recommendations. All recommendations that have been completed in this timeframe have been included but they may not have been discharged by HMICS. For other bodies we do not need to await this discharge and we ask the Director or ACC to confirm they are satisfied with the action taken. The process for closing recommendations (for HMICS recommendations) is outlined below.



2.3 Completed Recommendations – Outcomes

The following represents a summary of achievements made in the last six months.

Custody Thematic – All HMICS Publications

Following a recommendation from HMICS regarding the **high turnover of senior officers** within Criminal Justice Services Division (CJSD) and the potential risk of a high number of retirees in the near future, we have reviewed leadership to ensure continuity and worked with our People and Development colleagues in relation to succession planning for retirements. There is a commitment that all positions from Chief Inspector to Assistant Chief Constable within the Division are filled with officers in permanent positions. Where possible, attempts are made to identify potential officers with a background in CJSD as well as officers successful in the promotion process.

HMICS indicated in their 2018 Custody Centres Inspection that there did not appear to be a consistent approach to the **strip searching of young people** in police custody with different practices and understanding throughout Scotland. We have examined the practices across the different legacy areas as well as looking to practice under PACE in England and Wales and

introduced a new standardised policy and implemented it through training, e-brief and audit processes.

HMICS recommended that a **site induction protocol** be devised for each custody centre to allow staff to access information quickly and easily as it was recognised there were variations to the operating practices/ features in each particular custody centre. A Short Life Working Group examined the suitability of Site Specific Risk Assessments (RA's) and currency of briefing materials/ available guidance to assist staff. All were subsequently reviewed and a dedicated intranet page for Health and Safety under Criminal Justice Services Division was created which details the Fire Evacuation Plan and Site Specific RA's for each facility. Collation of existing guidance and documentation within different suites was reviewed and extensive consultation was initiated with custody centres across Scotland. This process obtained ideas from staff with regard to suggested content for inclusion in a familiarisation document, which would act as a point of reference to any new staff and/or those providing cover or remote supervision at an unfamiliar custody centre.

This ensures that those providing cover or remote supervision can quickly and easily learn about the centre, any risks and how they should be managed.

We have reviewed and updated our policy in respect of **single cell occupancy**. Although this is our goal within Police Scotland, limitations with the estate and resourcing can make this a challenge. The policy has been updated to take account of the challenges and highlight the risk assessments to be undertaken if not achieved. The Standard Operating Procedure has been amended and published.

Call Handling Assurance Review (HMICS)

Three recommendations have concluded and evidence submitted to HMICS for closure. They include

- The introduction of a Public Contact Strategy setting out the organisation's commitment to public contact and engagement.
- Improvements to the reporting of C3 performance have been established through the revised Performance Framework and a governance process has been put in place within C3 to manage areas for improvement. HMICS has requested

further detail in respect of how failure demand is being managed and we will reply outlining how this is being addressed.

- Rolling out the Contact Assessment Model (CAM) to provide a new way of assessing 101/999 calls. This enables specially trained police officers to make an enhanced assessment of threat, harm, risk and vulnerability, ensuring that responses are more appropriate and proportionate to the needs of the caller and the circumstances of the incident. The roll out of CAM was accelerated and fully implemented in May 2020 ahead of schedule as CAM became an Operation Talla priority. The benefits of the revised policy and conducting a THRIVE assessment on every 101 and 999 nationally means we can better manage demand placed on local Divisions; reduce officer risk by allowing us to deal with more incidents remotely. The impact of change cannot be accurately assessed at this time due to Covid-19 which has resulted in us spending more time on calls. This has changed the demand pattern but is continuously being monitored.

Review of the Development of the Annual Policing Plan (HMICS)

In response to a recommendation to review the SCD tasking process and deployment of resources, a full governance review has been undertaken and new structure implemented.

SCD Tasking (which is renamed SCD Operational Delivery Board (ODB)) and Multi-agency Tasking and Delivery Board formed part of the SCD/OSD Governance Review. The recommendations from the Governance review make the tasking process within SCD ODP and Multi-agency tasking more effective and efficient, maximising the support available to local policing and across SCD. In addition to establishing new processes and auditory control, performance plays an integral part, in particular capturing the performance across SCD and to that provided by SCD and our partners to local policing.

Events Thematic (HMICS)

We have addressed inconsistencies in the way we use the Duty Management system for resourcing events to achieve greater efficiency and effectiveness.

We have worked alongside the Scottish Police Federation to clarify guidance in respect of deployment. This has provided officers with

clear guidance and addressed inconsistencies referring back to legacy arrangements and improving officer wellbeing.

We have reviewed our approach to deployment of resources at events to widen the pool of available officers. This is reducing the impact on local officers repeatedly being used.

Firearms Licensing Thematic (HMICS)

We have completed 6 recommendations from the Firearms Licensing Thematic since the last report as follows.

Policies and Procedures – 1 recommendation related to updating procedures to provide up-to-date guidance on licensing practice. 2 recommendations necessitated further procedures being put in place covering the safety/security of transporting firearms and ammunition and the security standards for storage. This supports staff awareness and maintenance of high standards.

Legacy Record Risk and Mitigation – a National ICT solution was introduced for Firearms Licensing but records held in legacy systems could not be transferred due to ICT compatibility issues. Therefore not all historical data is available to staff. This has been documented within the departmental risk register in consultation with Legal Services regarding how this risk is mitigated.

Communications from GPs – To fully realise the benefits of the 'markers' placed by GPs on certificate holders' patient records, it is essential that GPs are able to easily contact the police with any concerns they have about a patient's suitability to possess a firearm. A new process has been put in place to improve this communication and supported by Scottish Government.

Training for Firearms Enquiry Officers – a review of initial and ongoing training was undertaken to improve and demonstrate professional competence in handling firearms enquiries.

Football Review

All remaining recommendations within this Independent Review are now addressed. We have developed a media plan which sets out the roles and responsibilities of police and partners and sets out engagement commitments for supporters in a more effective way.

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Scottish Government will now chair two short life working groups which will aim to re-draft national guidance on traffic regulation at all events, to replace a previous document and also will form a further group to consider and assess options for broader legislative change, which may improve traffic regulation in line with similar modernisation seen elsewhere in the UK.

We have reviewed the training and accreditation for football commanders and other roles.

We have reviewed the role of Dedicated Football Officers to ensure the model is fit for purpose and to ensure the role is at the centre of the engagement strategy to allow for strong relationships with clubs, supporters and communities to be enhanced.

We have reviewed the structure of the charging model to ensure consistency across Scotland.

Mental Health Commission Recommendation

A robust and thorough overview of the process used for completing Place of Safety forms has been undertaken to address variances in use of this legislation across Police Scotland. Place of Safety orders can be used by the police under section 297 of the Mental Health (Care and Treatment) (Scotland) Act 2003 when they find someone in a public place who they believe may have a mental disorder and be in immediate need of care and treatment. A new process is in place with forms now being added to the Interim Vulnerable Persons Database which will then link to the PS/Mental Welfare Commission Sharepoint site. This reduces duplication for officers having to record in more than one place and provides a way of monitoring divisional compliance allowing immediate action to be taken if variances occur.

Forensic Services to Victims of Sexual Crime Thematic (HMICS)

Forensic Examinations in Police Premises - Representatives from Public Protection, Specialist Crime Division have supported SLWGs both internally and externally with partners in Scottish Government, NHS Scotland and other key stakeholders to support health boards in the planning and implementation of Sexual Assault Referral Centres (SARCs) out with the police estate throughout Scotland.

The implementation and progress towards fully functioning and operational SARCs has aligned to the progress of the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Bill that will put in place the legislation and framework to allow NHS Scotland to provide forensic medical services independently from the criminal justice system where the focus is on a person centred trauma informed approach where the care and welfare of the individual takes precedence over a police report, including the option to self-refer. Police Scotland fully supports the legislation and the removal of FMS from police buildings.

During the most recent parliamentary debate, Cabinet Secretary for Health and Sport, Jeane Freeman confirmed that all NHS Boards were now providing forensic medical services out with police buildings, which accurately reflects the position of Police Scotland. Albeit, it is acknowledged that not all SARCs are fully functional at present, but have provisions in place to provide forensic medical services within their health board localities by early 2021.

Adult Support and Protection – Areas for Improvement ~ 2018

These are not recommendations but we are tracking them in the same way to ensure areas identified in the 2018 joint inspections are addressed. They include standardising guidance, structures and processes in line with identified best practice within Concern Hubs. A comprehensive review has been undertaken across all concern hubs with a report produced for SCD Management on further opportunities. This review focused on ensuring Hubs have implemented best practice, are making the most effective and efficient use of staff and that assurance processes are introduced to improve quality control.

Undercover Policing Assurance Review (HMICS)

At the Covert Compliance Group an options paper was discussed in relation to proceeding with this recommendation to introduce a welfare based policy for substance misuse within our undercover community. The Legal viewpoint is that there is currently no legislative framework which would enable the Chief Constable to introduce a substance testing policy, whether by consent or otherwise, to be undertaken by role specific officers, or the service as a whole. Such a policy would require representation to be made to Scottish Ministers seeking the introduction of new Regulations.

A robust process has been in operation since January 2019 where undercover officers self-declare themselves either fit, or otherwise, for duty prior to commencing an operation/deployment. This process includes self-disclosure around alcohol/drugs use and welfare/mental health issues. Operatives are thereafter asked to sign a similar form at the conclusion of operational deployments to state if they continue to be fit or if events during the operation have affected them and may require welfare assistance/support.

Independent Review of Complaints Handling ~ 2019

11 of the 12 recommendations have been addressed. They can be categorised around improving procedures and guidance for staff, improving training, awareness and support to staff in the early stages of complaint handling, and developing technologies around accessibility and evidence capture.

2.4 Open Recommendations

The following publications have recommendations open.

Review of Custody ~ 2014

1 recommendation remains open. The work outstanding relates to:

Health and Safety Inspections – evidence has been provided in relation to the approach and methodology used. Examples of Inspections have been provided. There is a full programme of Inspections in place for Primary Custody Centres but additional evidence has been requested by HMICS in relation to Ancillary centres. This ensures all centres maintain the highest levels of compliance with health and safety practices.

Forensic Services to Victims of Sexual Crime ~ 2017

1 recommendation remains open relating to:

Treatment of Child Suspects – This relates to child suspects being forensically examined within Police premises. There is a key dependency with NHS partners to deliver this recommendation and discussions are ongoing with HMICS with regards to ownership of this recommendation.

Undercover Policing ~ 2018

2 recommendations remain ongoing and are at an advanced stage of completion.

- *Strategy and Implementation Plan* – the development of a Strategy and costed implementation plan is being progressed via a short life working group to build on the developments achieved to date. Development in this area include the production of a Strategic Intention for the Specialist Operations Unit (SOU) detailing the Unit's contribution to achieving Policing Objectives. Awareness raising through presentation at Senior Investigating Officers training is highlighting where the SOU can be used to best effect and changes to allocating a dedicated budget for the SOU allows for operations to be prioritised based on risk and achievement of objectives.
- *Integrated Records Management System* – a single ICT system was explored but did not meet operational requirements. Since then, Police Scotland have trialled a cloud version of the updated ABM module (used by the National Crime Agency) including the undercover module which is due for release at end of October 2020. A review of current practice is underway to ensure Police Scotland follow the national process. As an interim solution, the SOU increased operational security whilst working remotely by removing the use of hard copy documents. All forms have been rationalised and national forms have replaced all legacy forms. Documentation is recorded and stored centrally on the current electronic management system utilised by Police Scotland. The SOU carry out yearly quality assurance checks of each of the current databases to minimise risks around record keeping.

Review of Custody Centres ~ 2018

4 recommendations remain ongoing.

- *Estate Strategy* – to improve the management of demand. This work is progressing.
- *System Improvements* – a review of processes across all custody facilities has been undertaken to identify inconsistencies in service delivery and identify opportunities for improved working. The services of the continuous improvement team have been sought to support this work. Workshops were planned for 22/29 April but were postponed due to social distancing requirement - this work is now being re-planned.
- *Training on Risk Assessments* – there is a need for continuous training and reinforcement of standards to ensure risk assessments

of detainees are undertaken effectively and that all details are recorded for auditing purposes.

- *Inconsistent recording of use of force data within custody* – inconsistencies in respect of recording use of force have been resolved through the updating of relevant policies, communication with staff and implementation of auditing systems. This will allow improved analysis of data to be produced. We are currently exploring options for publishing this data externally to improve transparency.

Review of the Delivery of the Policing Plan ~ 2019

3 recommendations remain open. We have completed evidence submission forms for the majority of these recommendations and have met with HMICS to review progress. It is agreed that the following will be kept open as further work is required to complete.

Analysts Review – the review is complete but implementation of the review is dependent on investment. Although HMICS agreed sufficient work had been completed to address the recommendation, there is merit in keeping this open until a decision on investment is made. This is in part due to the dependency of this recommendation on a number of other recommendations made by HMICS.

A Scottish Policing model that provides a level of consistency and assurance required for a national force but also maintains a level of empowerment for divisional commanders to localise their approaches.

Strategic Intelligence Requirement – this is to ensure this is aligned to all of the national policing priorities outlined in the annual police plan and have processes in place that measure the qualitative aspect of intelligence submitted against each national policing priorities. A review is ongoing regarding Intelligence structures and processes and will address this recommendation.

LP Greater Glasgow ~ 2019

9 recommendations remain open ranging from improving processes for supporting victims, improved demand analysis and performance management, develop mechanisms for the recognition of front line officers and address any cultural issues around the role of front line policing in dealing with calls of vulnerability, improving use of special constabulary and improve how changes are introduced

which may impact on local policing teams. We are working with various business areas to evidence a number of closures under this thematic.

Greater Glasgow Custody Inspections ~ 2019

3 recommendations remain open as follows:

- *Improve management of queues* – a number of interventions have been put in place around providing Airwave radios to staff within Custody to communicate with officers regarding any potential delays. In addition, this is being progressed as part of the continuous improvement workshops mentioned above to reduce demand and free up capacity within Custody Centres.
- *Consistent approach to Risk Assessments* – this is being taken forward in conjunction with the recommendation identified above.
- *Custody Audits* – a comprehensive programme of weekly audits is underway and results published and actioned upon. This ensures the significant work that has taken place to improve processes within Custody are monitored and policies are complied with. We are exploring training provided to staff to undertake these audits and engaging with our Assurance Team to ascertain further opportunities to improve in this space.

LP Events ~ 2019

12 recommendations remain open. The majority are at an advanced stage of completion with 6 ready to present to HMICS for closure but are waiting final internal sign off of the updates. This area was impacted by Covid-19 with staff re-deployed to Operation Talla.

- 4 recommendations relate to resourcing.
- Impact of events – processes put in place and formal policy being drawn up.
- Event guidance for Commanders out for consultation.
- 4 relate to the classification of events and SOPs and guidance documents have been updated to better reflect this.
- 1 relates to CPD and processes have been reviewed and is subject to briefing paper for discussion.
- Cost recovery – a full analysis of events and financial impact is underway.

Strategic Review of Custody ~ 2019

8 recommendations remain open and are progressing. The recommendations relate to setting strategic direction, training,

operating procedures, analytical support and publication of performance and data.

Independent Review of Complaints Handling ~ 2019

1 recommendation remains ongoing relating to improving the culture of complaint handling. Although foundations have been put in place this is not something that can easily be achieved and we will await the next publication of the Independent Review to consider what further steps are needed.

Online Child Sexual Abuse Thematic (HMICS) ~ 2020

A significant amount of work is ongoing across several business areas to address the recommendations within this review. A review of markers is underway to ensure accurate application to improve the assessment and understanding of the scale of this crime. A governance structure has been put in place internally and with key partners. Analytical resources have been made available to work on the production of Strategic Threat Assessment which will be a key dependency for some of the other recommendations within this report particularly where it relates to resourcing. An end to end process review has been undertaken to understand the key dependencies as well as capacity and capabilities within all the teams involved.

Training and Development Thematic (HMICS) ~ 2020

Work is advancing on drafting the action plan. Meetings have taken place with HMICS to review proposed action and the final draft action plan is on track to be approved at People and Professionalism Management Board on 23 November 2020. It will be shared with this Committee at the next meeting.

3. FINANCIAL IMPLICATIONS

- 3.1 There may be financial implications associated with implementing recommendations from Audits/Inspections and full details are contained within the Action Management Tracking system.

4 PERSONNEL IMPLICATIONS

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5 LEGAL IMPLICATIONS

- 5.1 There may be legal implications associated with implementing recommendations from Audits/Inspections and full details are contained within the Action Management Tracking system.

6 REPUTATIONAL IMPLICATIONS

- 6.1 There may be reputational implications associated with implementing recommendations from Audits/Inspections and full details are contained within the Action Management Tracking system.

7 SOCIAL IMPLICATIONS

- 7.1 There may be social implications associated with implementing recommendations from Audits/Inspections and full details are contained within the Action Management Tracking system.

8 COMMUNITY IMPACT

- 8.1 There may be community impact implications associated with implementing recommendations from Audits/Inspections and full details are contained within the Action Management Tracking system.

9 EQUALITIES IMPLICATIONS

- 9.1 There may be equalities implications associated with implementing recommendations from Audits/Inspections and full details are contained within the Action Management Tracking system.

10 ENVIRONMENT IMPLICATIONS

- 10.1 There may be environmental implications associated with implementing recommendations from Audits/Inspections and full details are contained within the Action Management Tracking system.

RECOMMENDATIONS

Members are invited to discuss the content of this paper.