SCOTTISH POLICE
A U T H O R I T Y
ÙGHDARRAS POILIS NA H-ALBA

Agenda Item 6

Meeting	Authority Meeting
Date	24 August 2023
Location	COSLA, Edinburgh
Title of Paper	SPA Chief Executive's Report
Presented By	Lynn Brown, Chief Executive
Recommendation to Members	For Discussion
Appendix Attached	Yes - Authority's community confidence action research activity

PURPOSE

To update Members on activities carried out by the SPA Chief Executive since the last Authority Meeting.

Members are recommended to consider this report and to raise any matters for clarification or further detail with the Chief Executive.

1.   Background

1.1.   This report provides Members with an update on key Authority business not already covered elsewhere on the agenda.

2.   Annual Report and Accounts

2.1   The Authority's unaudited Annual Report and Accounts has been completed and provided to our new external auditors, Grant Thornton. The unaudited document has been scrutinised by Members of the Audit, Risk and Assurance Committee and the independent external audit is ongoing.

2.2   This is a significant undertaking each year and I am grateful to the team across both Police Scotland and the Authority for the effort they have put into complete this work both on time and to a high standard. I am particularly pleased that the team has worked to improve the readability of the document compared with previous years.

3.   Pre-Budget Scrutiny

3.1   The Scottish Parliament's Criminal Justice Committee has invited the Authority to attend and give evidence on 13 September as part of the committee's pre-budget scrutiny of the Scottish Government's budget for 2024/25. As Accountable Officer for the policing budget I will attend this session along with representatives from Police Scotland.

4.   Creation of the Police Negotiating Board for Scotland (PNBS)

4.1   In my March 2023 report I confirmed that consultation had concluded in relation to the legislation to implement PNBS. I also outlined the Authority recognised the proposed legislation would simply implement the intentions of the Criminal Justice (Scotland) Act 2016 with the key area of focus for the Authority being the development of a PNBS guide that sets out and agrees the ways of working for PNBS going forward.

4.2   On 7 June 2023, the Criminal Justice Committee considered the PNBS (Constitution, Arbitration and Qualifying Cases) Regulations 2023 and recommended its approval to the Scottish Parliament. This will be implemented from 17 August 2023.

4.3   Authority officials are in ongoing engagement with SG officials and other stakeholders to support the development of supporting procedures taking the opportunity to ensure increased clarity in

ways of working, along with possible process improvements compared to current arrangements as PNBS is implemented.

4.4   The recruitment process for a new Independent Chair of the PNBS is ongoing with Authority Vice Chair Jane Ryder having been part of the recruitment panel.

5.   Police Strategy Forum

5.1   At the end of June 2023, members of the SPA Corporate Team attended the annual Police Strategy Forum, an annual event bringing together Policing Systems from across the UK and beyond to share learning and practice.

5.2   As well as the networking and learning opportunities presented by the Forum, Scott Ross and Amanda Coulthard presented a plenary session on day two of the programme, focused on building public trust and confidence. The input gave delegates an overview of the work the authority is progressing on understanding public trust and confidence through its own independent public polling and work to understand drivers of confidence. Delegates also heard about the work of the authority in understanding and supporting public confidence around the use of new technologies in policing, including the Authority's support to the Independent Advisory Group on Emerging technology and work on the model for oversight. Finally, delegates were given an overview of the Authority's community confidence action research activity. The full slide deck used for the event is attached at Appendix A. This plenary input to the forum gave SPA Corporate Staff an opportunity to raise awareness of the work of the Authority and share practice and learning with other jurisdictions.

6.   Association of Police and Crime Commissioners Chief Executives (APACE)

6.1   The annual general meeting of the Association of Police and Crime Commissioner Chief Executives (APACE), the network for chief executive officers for police and crime commissioners and oversight bodies, took place on Wednesday 12 July 2023. To support the agenda for that meeting the Authority's Corporate team were asked to provide a briefing note sharing some of the positive practice we currently have underway, which included oversight of conduct issues, assessing performance, third party engagement and endorsement, public briefings, our approach to supporting local performance scrutiny, oversight of change and our work on

community confidence including the seldom heard communities research.

6.2 Additionally, we were invited to present to the AGM on SPA practice around policing performance and, trust and confidence in policing. Attendees were very interested in our approach to benchmarking, and keen to engage with us on this. There was also significant interest in our public confidence activity, particularly around the SPA commissioned independent public polling and the research commissioned on seldom heard communities. The Corporate team are progressing follow up work from this input.

7. Knowledge Exchange – Policing Authority

7.1 On Tuesday 25 and Wednesday 26 July 2023, board member Tom Halpin and Authority staff member Amanda Coulthard attended a knowledge exchange session with colleagues from the Policing Authority in Dublin. This visit was focused on sharing practice and learning across a range of areas which are common to both organisations. During the visit we were able to hear from colleagues about how support for oversight is delivered locally and agree on areas where we will look to collaborate further.

7.2 As well as hearing about the work of the Authority, the visit also gave an opportunity to hear more about two interesting and relevant projects currently being delivered by An Garda Siochana. Firstly, a pilot project which will be delivered in Limerick starting in November 2023 focused on community access and support. This crisis intervention focused co-responder programme links well to the continued focus on vulnerability and mental health within policing in Scotland and is an area we are exploring further with colleagues within Police Scotland. Secondly the Greentown study, a youth diversion project for 18–24-year-olds delivered through an intensive family support model.

7.3 I want to note my thanks to the staff of the Policing Authority for hosting such an informative visit and look forward to continuing to work together to progress on key areas identified through the visit.

8. New SPA Website

8.1 The Authority's Corporate team and Police Scotland's ICT team are now in the final stages prior to launch of a new Authority website. The new site has been developed following significant input from users, key stakeholders and follow up testing. The site seeks to clearly explain the role and activities of the Authority and make more of our information available and accessible to a broader

audience. Work is now underway with Scottish Government's Digital Assurance Division to secure certification to launch. We anticipate launching the new site once certification has been achieved in the coming month.

RECOMMENDATIONS

Members are invited to discuss the contents of this report.

Building Public Trust and Confidence- The Scottish Police Authority Approach
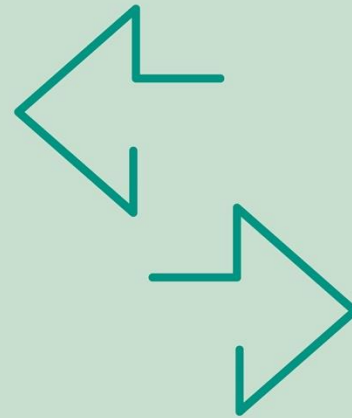
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Understanding public trust and confidence in Policing?

- Current insights
- Intersectionality and variation
- Support for embracing new and emerging technology
- Place based action research

Confidence in Policing – why does it matter?

Impact of change and significant events

Legitimacy and Policing by Consent
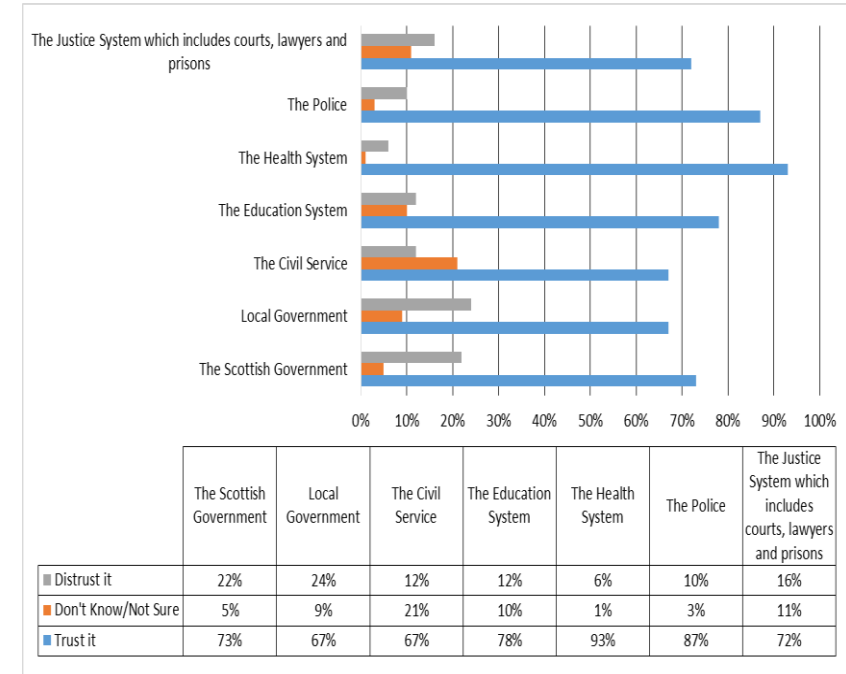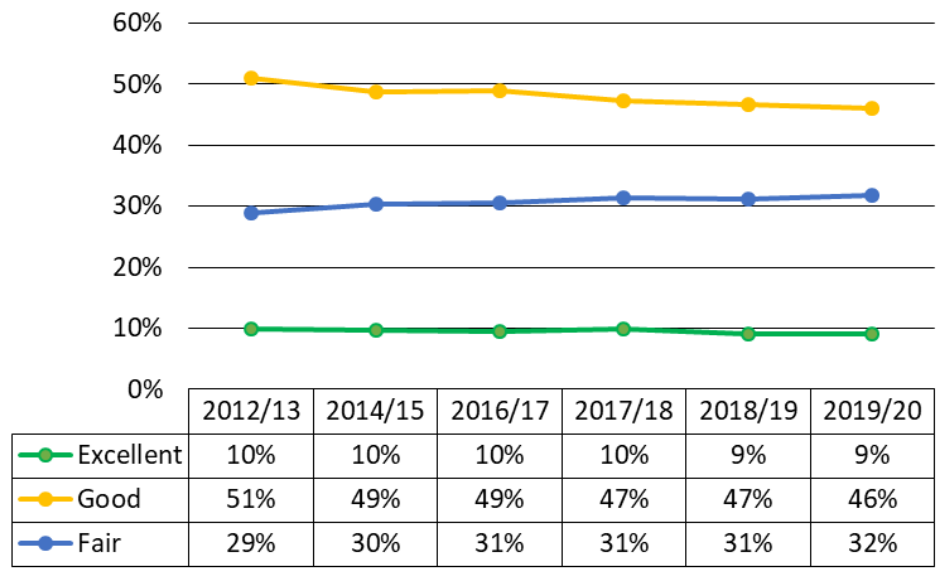
Understanding variation

External evidence

SPA independent polling

Confidence & Trust

Levels of Confidence in Policing

Figure 1: Confidence in Police

How much confidence do you have in the police in the following regards?

■ July/Aug 22 ■ Jan/Feb 23

	July/Aug 22	Jan/Feb 23
Police in your local area	6.1	6.11
Police in Scotland overall	5.99	5.98
Keeping your area safe	5.72	5.7
Being there when you need them	5.48	5.56
Tackling crime in your local area	5.46	5.41
Providing an appropriate and timely response	5.34	5.35
Preventing crime in your local area	5.29	5.28
Tackling anti-social behaviour in your local area	5.02	5.08
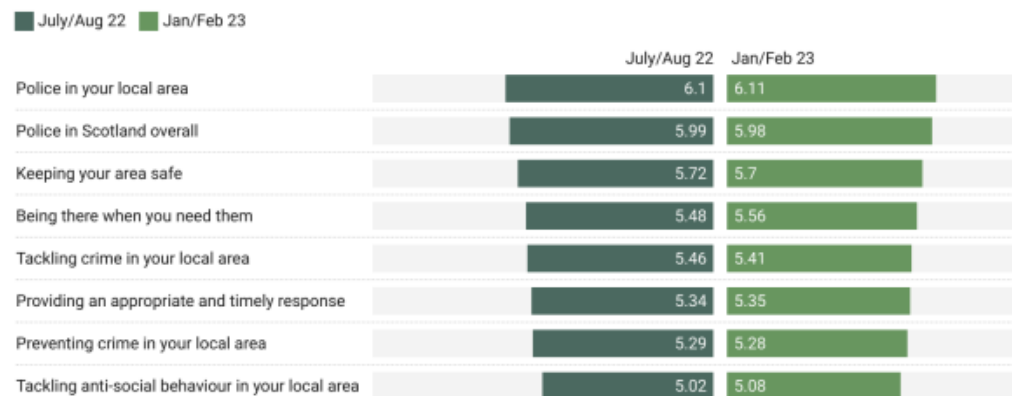
On a scale of 0-10
Created with Datawrapper

Levels of Trust in Policing

Figure 2: Trust in Police

How much trust do you have in the police in the following regards?

■ July/Aug 22 ■ Jan/Feb 23

	July/Aug 22	Jan/Feb 23
Police in your local area	6.23	6.23
Police in Scotland overall	6.14	6.04
To protect you	5.93	5.9
To care about people like you	5.92	5.89
To listen and respond to your needs	5.59	5.69
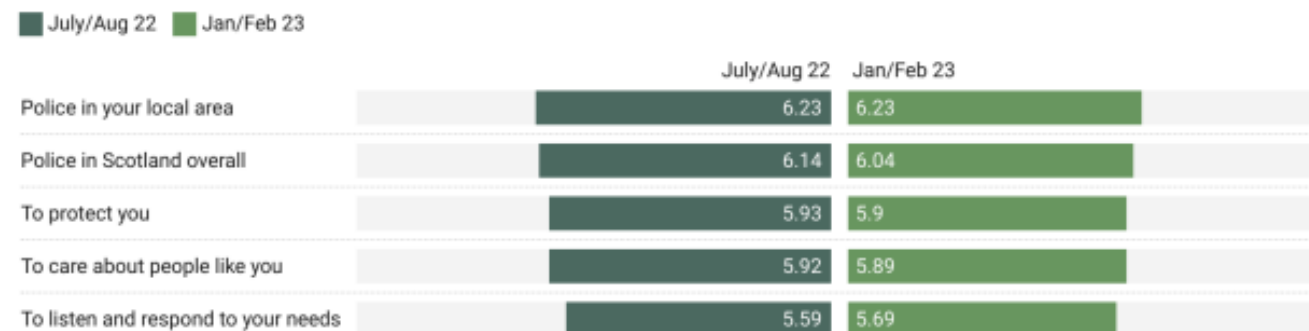
Please answer on a scale from 0-10, where 0 is 'Do not trust at all' and 10 is 'Trust completely'
Created with Datawrapper

User experience – Police Scotland data

Average experience scores with contact touchpoints
April 2021-March 2022

Overall satisfaction = 68%

Contact Journey

73% said easy to contact

84% satisfied with initial staff contact

"My call was answered relatively quick. The call handler was professional, efficient and understanding."

87% agreed staff understood what they needed

65% received the appropriate response

"40 minute response time which I understand may have been due to other calls taking priority but in this time the situation worsened"

55% adequately informed about case progress

80% satisfied with attending officers

Experience

75%

"101 is an easy number to remember and the call was answered quickly"

84%

82%

"Call was answered promptly, call handler was efficient and understanding and appreciated the possible severity of the situation."

61%

55%

"Communication is key. If you communicated more with members of the public, it would help the image of Police Scotland."

80%

"Officers were very helpful and understanding, both those I spoke to on the phone and those that I met in person. Hadn't ever had to phone police before but the officers made whole process easier for me"

Base: 15,834 responses

What drives confidence?

Visibility and accessibility

Values and behaviours

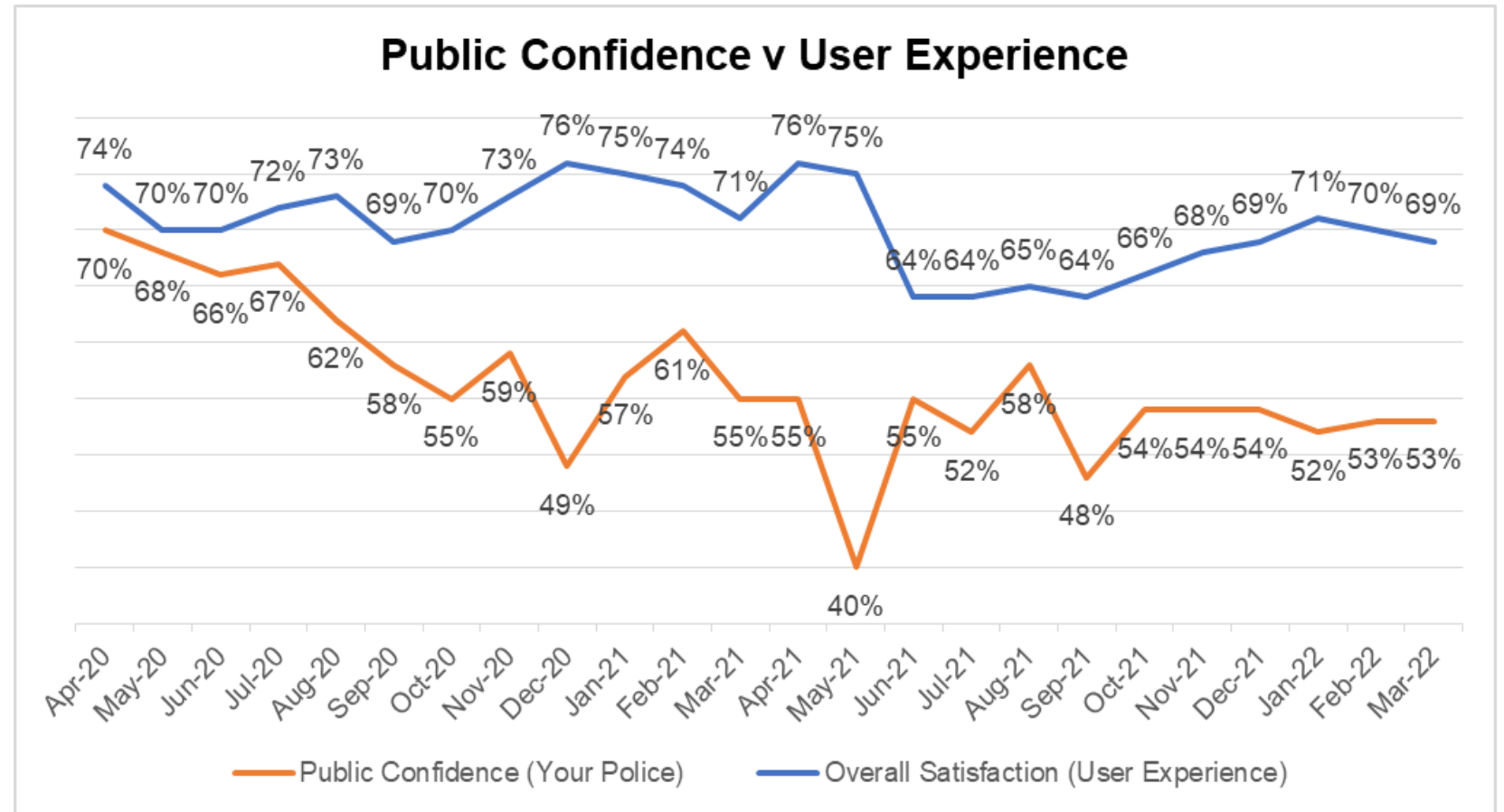**Community engagement**

Understanding variation

- Age and Gender
- Relative deprivation
- Sexual orientation
- Disability
- Geography
- Experience of crime

Public Confidence v User Experience

Embracing new and emerging Technology

Key Question

How can Police Scotland and the Scottish Police Authority embrace new and emerging technology while building public confidence in policing?

A brief history....

The Justice Sub-Committee on Policing took notable interest in the adoption of new technology by Police Scotland. Observations included:

Cyber Kiosks

- EqHRIA and DPIA not completed in advance of trial
- Ethical implications not considered
- Minimal public consultation and communication
- Triggered the establishment of the IAG on New and Emerging Technology

Drones

- EqHRIA and DPIA was not completed in advance purchasing drones
- Ethical implications not considered
- No code of practice in place
- Minimal public consultation and communication

A risk of falling behind....

Experiences from the past introduced a real risk aversion to technology adoption across the policing system.

As the pace of technological innovation accelerated, understanding of how technology should be considered, and the governance routes that should be followed, was lacking

The Scottish Police Authority has a key role to provide robust and transparent scrutiny of proposals for technology adoption in policing and importantly… advocate for Police Scotland to adopt new technology

technology in policing
THE FUTURE STATE

- Police keep pace with the changing criminal landscape and technologically advanced crimes

- The productivity and capacity of officers and staff is maximised

- Crime protection technology stops some crimes from occurring in the first instance

- Proportionality Principle when adopting technology

- The public have growing trust and confidence in policing

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The Independent Advisory group….
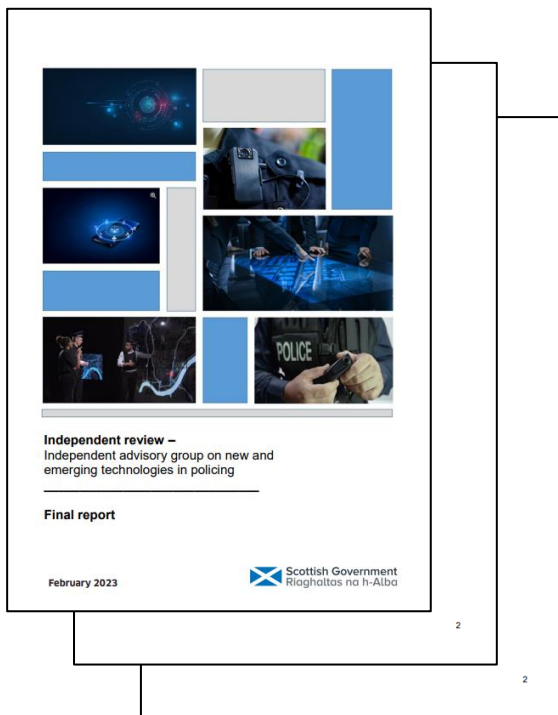
'Policing in Scotland is operating in a complex context where the **methods used to commit crimes are rapidly changing**, cybercrime is more prevalent and the expectations on policing to keep people safe continue to increase, whilst resourcing pressures also grow. Technology is embedded in our everyday lives and **policing must embrace new technology** in order to fulfil its statutory duties and improve the safety and wellbeing of individuals and communities. There is a need for evidence-based innovation and facilitation of technological adoption in policing, but **ensuring this is legal, ethical and subject to effective oversight is central to public confidence and upholding people's rights**.´

Top row boxes (Internal PS Development / Joint and SPA)

Box 1 — Initial Concept Assessment

Internal PS Development
- Project potential assessment
- Project Board
- Programme Board
- Portfolio management group

Joint and SPA Evidence Review
- SPA/PS Joint Evidence and Research Forum
- SIPR
- Wider Academia
- Policy Advisors in SG
- College of Policing
- Police Foundation
- PIRC Insight
- HMICS Insight

Box 2 — Case for Change Development

Internal PS Development
- SG Police Divisions
- Previous Evaluations
- Test of Change or Pilot
- PS Futures Programme
- Design Approach
- EQHRIA DPIA
- Data Ethics Framework

Joint and SPA Activity
- SPA/PS Joint Evidence and Research Forum
- SPA/Legal Opinion
- SIPR & Wider Academia
- College of Policing
- Police Foundation
- PIRC Insight
- HMICS Insight

Box 3 — Informing Decision Making

Internal PS Development
- Initial business case
- Project Board
- Programme Board
- Police Scotland internal quality assurance
- Portfolio Management Group
- Change Board
- Strategic Leadership Board

Joint and SPA Activity
- SPA Board Seminar/Briefing
- SPA Resources Committee (IBC)

Box 4 — Governance Approvals

Internal PS Development
- Full business case
- Impact Assessments
- Benefits Realisation
- Project/Programme Board
- Portfolio Management Group
- PS Internal QA
- Change Board/SLB

Joint and SPA Activity
- SPA Resources Committee (FBC)
- SPA Board (FBC)
- SG if required

Box 5 — Project Delivery

Internal PS Development
- Change Control Processes
- Project/Programme Board
- Portfolio Management Group
- Change Board/SLB

Joint and SPA Activity
- SPA ARAC
- SPA Resources Committee
- SPA Policing Performance Committee
- HMICS Insight
- Internal Audit

Box 6 — Transition into Business as Usual

PS Performance Management
- Performance Reporting
- Local Policing Board
- Crime and Operations Board
- People and Professionalism Board
- Corporate Management Board
- Operational Delivery Board
- Strategic Leadership board

SPA Oversight
- SPA Internal Audit
- SPA ARAC
- SPA Policing Performance Committee
- SPA Oversight Groups
- SPA Board

Central process arrows

Initial Concept Assessment → Case for Change Development → Informing Decision Making → Governance Approvals → Project Delivery → Transition into Business as Usual

Underpinned by Joint MoU | **Underpinned by SPA Excellence Framework**

Bottom row boxes (External Agency)

Box 1 — External Agency Partner and Public Input
- PS Regional and National Ethics panels
- Impacted Citizen Focus Groups
- Public Survey and Polling
- Impact Assessment
- External advice / representative organisations / reference groups

Box 2 — External Agency Partner and Public Input
- PS Independent Ethics Panel
- Local Authority Engagement
- Human Rights Commissioner
- Biometrics Commissioner
- ICO
- Audit Scotland
- Children and YP Commissioner
- Third Sector Groups

Box 3 — External Agency Public and Partner Input
- SPF ASPS
- Trade Unions
- PS Futures Programme
- Human Rights Commissioner
- Biometrics Commissioner
- ICO
- Audit Scotland
- Children and YP Commissioner
- Third Sector Groups

Box 4 — External Agency Public and Partner Input

SPA Resources Committee and SPA Board seek assurance at this stage that external agencies, public sector organisations and partners have had input and advised Police Scotland and where this advice has lead to changes or otherwise.

Box 5 — External Agency Public and Partner Input
- External Reference Groups
- SG Gateway/ Technology Assurance Framework

Box 6 — External Agency Public and Partner Input
- HMICS Inspection
- Local Scrutiny Convenors
- Public Survey and Polling
- Justice Committee

Areas for further consideration....
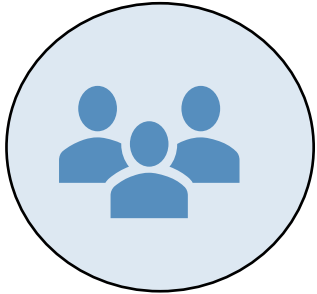
The SPA should continue to require assurance that external evidence and advice has considered and that engagement with partners and the public has been undertaken to inform the approach to embedding specific technologies in Policing.

The SPA and PS should continue to use the arrangements set out in the MOU to ensure any future implementation of technology has had the widest possible appropriate engagement and consideration.
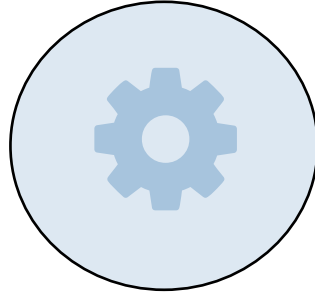
The SPA and PS should continue to use, embed and continually improve the oversight and governance arrangements. The development of a *sixth* ethics and human rights case in Business Cases underpinned by a suitable framework could be developed.
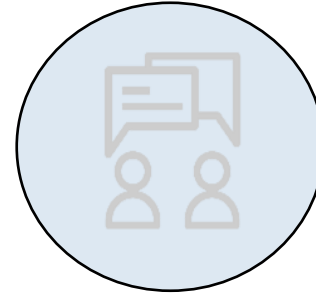
SPA Committees may consider to inform their consideration of proposals inviting external subject matter experts to provide evidence or advice on the impact that a specific technology may, or is, having on society.
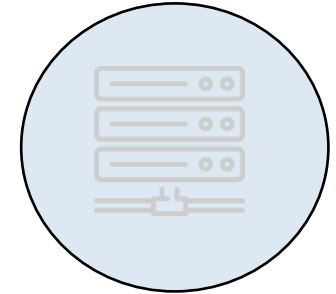
PS should continue with its implementation of the newly created Data Ethics Framework which will complement and enhance the mechanisms

Data Ethics Framework (ARAC May 22)

A model for oversight...

CRITERIA

| Does the change or current practice present any equality, human rights or privacy challenges | Is the change novel in Scottish policing? | Have any other forces experienced challenges with their current practice or when adopting such a change? | Will the change or does the current practice impact or effect the personal life of an individual? | Will the change or does the current practice have any ethical, reputational or public confidence impacts? |

If the answer to any of the above questions is 'yes' then the appropriate governance route outlined below should be followed

SCALE

What is the scale of the potential ethical 'implications'?

| SMALL | MEDIUM | LARGE |

ACTIVITIES

- **SMALL**
  - Impact Assessments
  - Engage representative organisations
  - Engage SPA officers

- **MEDIUM**
  - Impact Assessments
  - Ethics advisor panel (with SPA officer in attendance)
  - Public engagement
  - Engage representative organisations

- **LARGE**
  - Impact Assessments
  - Ethics advisor panel (with SPA officer in attendance)
  - External reference group
  - Public consultation
  - Engage scrutiny convenors
  - Inform Criminal Justice Committee

← **If this contains data ethics considerations please also follow data ethics framework** →

GOVERNANCE

- **SMALL**
  - Police Scotland follow existing governance mechanisms
  - Wherever possible publish on SPA/PS website

- **MEDIUM**
  - PS Governance
  - SLB
  - Authority meeting

- **LARGE**
  - Independent Data Ethics Group
  - PS Governance
  - SLB
  - Authority meeting

HMICS engagement

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Technology in Policing….

- Live Facial Recognition, AI Algorithms for Investigative purposes, Digital Forensic Extraction, Biometric identity verification:
    - *for what purpose?*
    - *What are the safeguards?*
    - *When would we use it?*
    - *What is the public perception?*
    - *What are the risks to employing it?*
    - *How do you mitigate as far as possible any infringements on the personal life of individuals?*
    - *What are the publics' expectations?*

Proportionality Principle....

Independent advisory group on emerging technologies in policing

Oversight, scrutiny and review workstream report

Final report
July 2022

Author:
Scott Ross

*"The introduction of new and emerging technology in policing should be guided by the '**proportionality principle**' in approaching the challenge of uncertainty when considering a public interest assessment of a proposed new technology or deployment. The 'proportionality principle' is based on what is legal, legitimate and democratic, but take cognisance that many operational policing scenarios involve the need to **carefully balance the rights of individuals to address threat, risk and harm**."*

Place based action research

Community Confidence Action Research

- Confidence in Scottish Policing is lower in areas classed as deprived using the Scottish Index of Multiple Deprivation
- Project designed for co-delivery with community groups to explore what drives confidence in the local area
- Action based and participatory model of delivery
- Do communities recognise themselves in the data?
- Test of change model being used to try out ideas from the community – what will make a difference?

Performance of Local Police

Figure 3: Police Performance

How good or poor a job do you think the police in your local area are doing at the moment in the following regards?

Legend: A very good job | A somewhat good job | A neither good nor poor job | A somewhat poor job | A very poor job | Don't Know

Policing in general

	A very good job	A somewhat good job	A neither good nor poor job	A somewhat poor job	A very poor job	Don't Know
July/Aug 22	9%	35%	23%	14%	12%	7%
Jan/Feb 23	10%	33%	24%	17%	9%	8%

Tackling crime

	A very good job	A somewhat good job	A neither good nor poor job	A somewhat poor job	A very poor job	Don't Know
July/Aug 22	7%	28%	23%	19%	13%	10%
Jan/Feb 23	7%	27%	25%	18%	12%	11%

Keeping your area safe

	A very good job	A somewhat good job	A neither good nor poor job	A somewhat poor job	A very poor job	Don't Know
July/Aug 22	8%	31%	25%	17%	12%	8%
Jan/Feb 23	9%	29%	26%	17%	10%	8%

Tackling anti-social behaviour

	A very good job	A somewhat good job	A neither good nor poor job	A somewhat poor job	A very poor job	Don't Know
July/Aug 22	5%	22%	22%	23%	20%	9%
Jan/Feb 23	5%	23%	24%	21%	18%	9%