



Authority Meeting

24 August 2023

Minutes of the Authority Meeting held on Wednesday 21 June 2023 at the Apex Grassmarket Hotel, Edinburgh

Board Members present:	Martyn Evans (Chair) Jane Ryder (Vice Chair) Paul Edie Tom Halpin Alasdair Hay Katharina Kasper Fiona McQueen Grant Macrae Mary Pitcaithly Catriona Stewart Caroline Stuart
Board Member apologies:	Michelle Miller
In attendance:	<u>Police Scotland</u> Chief Constable Sir Iain Livingstone Deputy Chief Constable Fiona Taylor Deputy Chief Constable Malcolm Graham Deputy Chief Constable Jane Connors Deputy Chief Officer David Page Assistant Chief Constable Bex Smith (Item 8) Assistant Chief Constable David Duncan (Item 14) James Gray, Chief Financial Officer (Item 9) Katy Miller, Director of People and Development (Items 12 and 13) Chief Superintendent Gillian Docherty (Item 15)

	<p><u>Scottish Police Authority (SPA)</u> Lynn Brown, Chief Executive</p> <p><u>Forensic Services</u> Fiona Douglas, Director of Forensic Services Vicki Morton, Chief Operating Officer (Items 7 and 8)</p> <p><u>HMICS</u> Craig Naylor (Item 8)</p> <p><u>SPA Secretariat</u> Karen Vallance, Governance Support Officer</p>
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1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from Police Scotland's senior leadership team.

The Authority **RESOLVED** to:

- **NOTE** apologies from Michelle Miller;
- **NOTE** no declarations of interest or connections;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider item 16 in private for the reasons set out on the agenda.
 - Item 16.1 – 25 May 2023 Minute;
 - Item 16.2 – 12 June 2023 Minute;

2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 25 May 2023;
- **NOTE** no decisions were taken via correspondence since the last full Authority meeting in May 2023.

3. SPA CHAIR'S REPORT

The Chair referred to his written report, and in addition, paid tribute to Chief Constable Iain Livingstone (CCLivingstone) and his achievements during his tenure as Chief Constable.

The Board **RESOLVED** to:

- **NOTE** the report.

4. COMMITTEE CHAIRS' REPORT

Members considered the report which provided an update on business progressed since the last Authority Meeting. In addition to the written reports, Committee Chairs summarised the key issues discussed over the last 12 months and where focus would be at future meetings.

- People Committee. The past year has seen routine reporting on wellbeing and inclusion; workforce insights; health and safety; and equality and diversity. Specific reports on ill health retirements and sexism and misogyny have also been discussed. For the upcoming year, the Committee hope to see evidence of effectiveness, implementation, outcomes and measurement, to know action being taken has intended outcomes. Requests have also been made for pieces of work on recruitment from a protected characteristics perspective and additional reporting on sexism and misogyny.
- Complaints and Conduct Committee. The previous year's focus has been on presentation of complaints data; vetting; and evidence of an effective complaints management system. Future focus will be on analysing diversity against complaints data and the upcoming HMICS report into vetting.
- Resources Committee. The past year has seen the Committee note good monitoring of the revenue budget and a positive growth within the procurement team. In relation to the future year, the Committee will be focused on monitoring overtime overspend and the capital budget; transformational projects; and benefits tracking.
- Policing Performance Committee. The previous year has seen quarterly performance reports continually developing, with a refresh of the performance framework. Reporting on ICVS progress has also been reported. Partners have also provided input, including HMICS and the Biometrics Commissioner. The upcoming year will see Police Scotland's data scrutinised through the framework, with assurance sought from statutory and non-statutory partners.

The Board **RESOLVED** to:

- **NOTE** the report

5. CHIEF CONSTABLE'S REPORT

Chief Constable Sir Iain Livingstone (CCLivingstone) provided a detailed introduction to his report, specifically drawing attention to the following areas:

- Serious violence including homicide
- Violence against women and girls
- Santa Marta Group anti human trafficking conference
- FBI National Executive Institute training programme
- Police Foundation
- Staff wellbeing
- Promotion and recruitment
- Kings Honours

In addition to the written report, CCLivingstone provided comment on a number of other areas:

- CCLivingstone congratulated Jo Farrell on her appointment as Police Scotland's next Chief Constable, and committed to working closely with Ms Farrell and the existing leadership team to ensure a managed transition.
- CCLivingstone thanked and paid tribute to his colleagues and family for their support during his tenure as Chief Constable.

In discussion the following matters were raised:

- Referencing the Santa Marta Group conference, Members sought further comment on Police Scotland's work on human trafficking. CCLivingstone confirmed there was a discussion on illegal immigration policy issues, with agreement there should be a clear distinction between the criminality of human trafficking and illegal immigration. CCLivingstone emphasised Police Scotland's commitment to be resolute in combatting human trafficking.
- CCLivingstone advised Members that Special Constable numbers are not declining and whilst the youth volunteer programme can be a gateway to Special Constables or the full service, its intent is not to recruit but to assist in developing growth. CCLivingstone cautioned against the use of performance measures on numbers of youth volunteers who move to Police Scotland.
- Members sought more information on the Philomena Protocol. DCC Malcolm Graham (DCCGraham) advised that children and young people in care are likely to suffer disproportionately adverse outcomes and as such, agencies who have responsibility for children

in care have to work extremely hard. The protocol is a means of cutting down timescales and responding in a quicker way when young people go missing. DCCGraham confirmed he was confident, from the evidence so far, the protocol will help protect young people.

- Members sought comment on how Police Scotland intend to develop leadership. CCLivingstone stated that everyone in Police Scotland has a leadership responsibility, and senior management had recognised that the organisation, at its onset, had not invested in people, wellbeing support and training. Therefore, the Your Leadership Matters programme has been developed to be taken to every officer and staff member, and is a key approach to equality, diversity and inclusion work. CCLivingstone commented he felt the key to effective leadership was being authentic and honest, being confident in seeking direction where needed, and having capable people around you.
- Members sought comment on preventative work in relation to road safety. CCLivingstone responded that whilst there has been a significant improvement in road safety compared to 20+ years ago, Police Scotland remain committed to further improvements. DCC Jane Connors (DCCConnors) added that education work continues through campaigns, and roads policing and local policing teams are both visible on the roads, to enhance preventative measures.
- The Chair sought CCLivingstone's opinion on the potential response of the Victims' Commissioner to policing. CCLivingstone indicated that work with victim advocacy groups is strong and feedback is continually sought from them. The introduction of a Victims' Commissioner would be an additional element of feedback which Police Scotland welcomed.
- In closing, the Chair commented that the values and qualities of Police Scotland's Senior Leadership Team were high, and commended their transparent and respectful relationship with the Authority.

The Authority **RESOLVED** to:

- **NOTE** the report.

6. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities involving SPA corporate staff since the previous Authority Meeting. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper including the ICVS Annual Report and Conference; the Scottish Railways Policing Committee; and SPAs involvement in the Law Enforcement and Public Health Conference and the Youth Volunteers Braveheart Challenge. Thanked CC for his long and distinguished service. On behalf of staff, LBrown thanked the Chief Constable for his long and distinguished service and offered best wishes for his retirement.

The Authority **RESOLVED** to:

- **NOTE** the report

7. FORENSIC SERVICES DIRECTOR'S REPORT

Members considered the report which provided an update on recent key activities across Forensic Services. Fiona Douglas (FDouglas), on behalf of staff, offered best wishes to the Chief Constable, and highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members referenced the Forensic Science Regulator's new code of practice which applies to England and Wales and questioned if this was a gap in Scotland. FDouglas responded that the statutory code of practice does not apply to Scotland due to differences in legal systems. However, Forensic Services have had voluntary compliance to the previous non-statutory code, and are now completing a gap analysis against the new statutory code. FDouglas stated she was confident Forensic Services have best practice and high quality standards.
- FDouglas advised Members of the critical need for long term resource planning, due to the time required for staff training. A Short Life Working Group has been established to look at demand and innovation. Members heard demand data has been based on previous trends but there was now more detail to allow thorough assessments for the future.
- Members heard most detailed types of science can take many years to train on, however there are elements of testing that can be done more quickly following appropriate training and base education. Forensic Services are looking at apprenticeships to lessen the lag time between recruitment and training. FDouglas stated that the

majority of training is against internal systems and training standards, therefore it could be beneficial for Forensic Services to work with academia to accredit external courses.

- Members sought comment on how Forensic Services are meeting equalities duties and heard there was an active commitment to get involved in STEM. FDouglas commented apprenticeships and a changing approach to recruitment would help make the service more diverse.
- Members raised concern on the future possibility of being out of balance with outsourcing and heard outsourcing levels were an issue throughout the UK. FDouglas advised the Forensic Capability Network looks to identify policing's strategic requirements and Forensic Services are involved in those discussions.
- The Chair questioned what area requires most improvement for services to Police Scotland and Crown Office. FDouglas responded that investment in the speed in which Forensic Services can provide intelligence was needed. This was less about science and more about having a key operating model and performance framework.

The Authority **RESOLVED** to:

- **NOTE** the report.

8. HMICS Assurance Review of Scottish Police Authority Forensic Toxicology Provision

Craig Naylor, His Majesty's Chief Inspector of Constabulary in Scotland, (CNaylor) provided a summary of the report; highlighting the background to the commissioning of the report, as well as some key findings and recommendations.

In discussion the following matters were raised:

- The Chair commented that the Authority welcomed the report as drug driving is prevalent and process tracking and engagement within the justice system was poor and needed improvement. Engagement with partners wasn't as clear as should have been. Overall it is an early flag of the critical issues that are required. The Chair thanked ACC Bex Smith (ACCSmith) for her leadership of the Gold Group.
- FDouglas thanked HMICS for their work and confirmed Forensic Services accepted the recommendations. FDouglas confirmed

partners will establish a Strategic Oversight Group which will report to the Forensic Services Committee. Members were advised that work to review and respond to recommendations has already commenced and FDouglas confirmed progress thus far has assured her there is now a more robust response to drug driving cases.

- ACCSmith commented that the response to solve initial issues was a collaborative effort, and Police Scotland welcomed the report.
- LBrown noted that a lot of recommendations were for more than one organisation. As such, SPA will drive forward the work they are responsible for. FDouglas agreed it was complex set of recommendations and the Strategic Oversight Group will help ensure partners to work collaboratively.
- The Chair sought clarity on what assurances the Forensic Services Committee had received on time barred cases. Forensic Services Committee Chair, Paul Edie, confirmed the Committee were clear on the current position at the time of previous meeting. FDouglas added data was being tracked monthly and only one case has been time barred since January 2023. FDouglas stated that 80% of Section 5a toxicology analysis is being completed within three months therefore the risk is significantly reduced.
- Members were assured that Forensic Services can meet demand should the time bar limit reduce to six months. Forensic Services Committee Chair, Paul Edie, confirmed the Committee will have a standalone report on this issue to allow clear focus. The Chair advised the Committee is being asked to focus more on performance, with workforce issues reported to People Committee and finance issues reported to the Resources Committee.
- The Chair questioned whether work can be accelerated through use of AI. FDouglas responded that the use of AI in forensic science provision would be novel in terms of the scope of how activity is validated. Work is ongoing nationwide to work through known issues and AI would unlikely be an immediate solution. CNaylor agreed with FDouglas's assessment.
- Members questioned how the balance between demand and capacity will be managed if enforcement is increased to match public interest in road safety. CNaylor responded that a whole system approach is required to understand demand and look at road safety strategies from government level. DCCConnors

confirmed data analysis to understand demand was working well, adding there were a number of forums available to discuss preventative mechanisms to help manage processes.

- The Chair sought comment on what strategies Police Scotland are undertaking to reduce prevalence of drug driving and heard a key piece of work was ensuring that officers who take samples are doing so properly and have an awareness of demand.
- The Chair confirmed an action plan will be provided to HMICS by end of July '23, with progress reported to the Audit, Risk and Assurance Committee.
- CCLivingstone referred to recommendation 17 and commented how it was a difficult task for SPA to be both service provider and scrutiny body of forensic services. The Chair confirmed SPA had accepted all recommendations and would work to implement them, including recommendation 17. Progress on this work will be discussed with partners and reported to HMICS and formally to the appropriate governance committees.

The Authority **RESOLVED** to:

- **NOTE** the report
- **AGREE** the following action:

Action plan to be provided to HMICS by end of July '23.

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9. FINANCIAL INDICATIVE OUTTURN

Members considered the report which provided an update on the financial outturn position of the SPA and Police Scotland for financial year 2022/23. James Gray (JGray) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Resources Committee Chair, Grant Macrae, noted that the Committee commend the work undertaken in relation to revenue spend and were pleased to see progress in procurement issues. The main area of concern was estates and the Committee will monitor this carefully throughout the year.
- The Chair commented he was impressed with an outturn balanced budget but in-year capital spend issues require greater focus. This

was essential as the Authority wish to be evidence based advocates for an increased capital allocation.

- The Chair acknowledged the work of JGray and the wider finance team.

The Authority **RESOLVED** to:

- **NOTE** the report

10. ORGANISATIONAL LEARNING – OPERATION TALLA/UNICORN

Members considered the report which provided an overview of the formal debrief reports for Operation Talla and Operation Unicorn. DCCGraham highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members sought comment on learning for future cross-jurisdiction plans and heard Police Scotland are involved in the Covid-19 enquiry and learning will be incorporated from this. DCCConnors added that partner relationships strengthened during Operation Unicorn and there was increased clarity on roles and responsibilities.
- Members noted the report shows the ability to work at pace but questioned how that is captured given demands on policing. DCCGraham confirmed Police Scotland were committed to recognising the pace of response and building it into future planning.
- The Chair referred to policing of protests, noting they have high profile commentary at the time, but there is minimal reporting afterwards. CCLivingstone responded that commentary through social media and other forums was a challenge but Police Scotland would always follow due process and the rule of law. CCLivingstone advised resolution on high profile cases can sometimes take time but he felt the vast majority of people in Scotland look at circumstances and can filter out unfair and impartial representations made.

The Authority **RESOLVED** to:

- **NOTE** the report

11. CHIEF CONSTABLE'S YEAR END POLICING PERFORMANCE ASSESSMENT

Members considered the report which provided the Chief Constable's Assessment of Policing Performance for the reporting year 2022/23. CCLivingstone highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Policing Performance Committee Chair, Alasdair Hay (AHay), agreed with the assessment that policing in Scotland is better placed to deal with threats and it was correct to set the context of the 10 year change journey. AHay emphasised the need to continually build credibility through continuous reporting to the Authority, and noting recurring savings of £200million made, highlighted that financial credibility is crucial in public sector. It was recognised Police Scotland want to maintain the services currently delivered but also want to improve service going forward.
- AHay questioned how progress is translated on activity which supports strategic objectives. CCLivingstone acknowledged strategic outcomes are ambitious, due to the nature of the service, and the level of internal governance and oversight demonstrates continuous improvement. CCLivingstone advised financial stability around capital achievements was highlighted to show success despite lack of investment. CCLivingstone highlighted financial challenges will be significant going forward and the Authority's scrutiny and advocacy role will be crucial in managing that.
- Regarding lack of investment in corporate support areas such as fleet, ICT and estate, CCLivingstone emphasised the importance of the people who work in those areas and highlighted the progress made. CCLivingstone stated the current policing challenge was within the private and virtual space and as a number of key public services have stepped back, Police Scotland remains the last public service resort in some of these gaps.
- AHay referred to CCLivingstone's statement that Police Scotland is institutionally discriminatory, and noting that the standardised entrance test has been removed, questioned what else will be done. CCLivingstone responded it was a correct to overview the entrance test and further work will be done to ensure processes are clear for all.

- Regarding detection rates, Members heard there was a significant increase in fraud activity, with 90% of fraud being online. DCCConnors added that Policing in a Digital World is the overarching programme that brings together online capacities. Prevention is done at national and local level with high levels of partnership working. Police Scotland also link in with national colleagues to ensure the organisation is aligned with national strategies. DCCConnors explained the importance in understanding techniques used, and for front line officers to have the knowledge and confidence to deal with issues.
- AHay sought comment on short to medium term work in support of the Violence Against Women and Girls Strategy. DCCConnors confirmed the implementation plan was being progressed and the service was looking to hear more of the victims' feedback and voice. DCCConnors stated this was important for a trauma informed approach and making sure investigative capability is at the right level. Partnership working is continuing to grow to ensure the right relationships are in place, including with the Crown Office.
- AHay questioned what further initiatives would be developed to increase officer and staff safety. DCC Fiona Taylor confirmed Police Scotland were committed to decreasing officer assaults by enhancing training and equipment including de-escalation training for verbal conflict. Improved data has allowed real time insight at granular detail.
- AHay sought comment on how the policing role can be enhanced by partner agencies. CCLivingstone stated that Police Scotland continue to respond to calls for mental health crisis and are working with partners to improve services. DCCGraham added that an increased need for partnership working is key. Whilst provision of services is an issue throughout society, Police Scotland will not publically withdraw or reduce response to mental health calls. DCCGraham confirmed work on mental health response and enhanced partnership working will continue and be reported internally later in 2023.

The Authority **RESOLVED** to:

- **NOTE** the report

12. ANNUAL POLICE WORKFORCE REPORT

Members considered the report which provided data and insights into Police Scotland's workforce both at the end of Quarter 4 and for the full year ending March 2023. Katy Miller (KMiller) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- KMiller confirmed the number of ethnic minority people leaving the organisation is less than 1% of the total leavers.
- Members sought comment on work to increase flexibility such as part time working. KMiller advised work was being carried out to ascertain what was required to allow all roles to be advertised in a fully flexible way. Officer roles were more challenging due to logistical issues but Police Scotland were committed to working through those issues. KMiller confirmed the People Committee will be provided with detail and outcomes which was welcomed.
- Noting 4% of absence is due to training, KMiller was asked to advise Members on whether a proportionate approach to training is taken.
- People Committee Chair, Fiona McQueen (FMcQueen) confirmed the Committee would continue to scrutinise workforce data on a regular basis.

The Authority **RESOLVED** to:

- **NOTE** the report
- **AGREE** the following action:

Members to be advised on whether a proportionate approach to training is taken, and if it is evenly distributed.

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13. ANNUAL WELLBEING REPORT

Members considered the report which provided an oversight of Police Scotland and SPA health and wellbeing activity throughout full year 2022/23. KMiller highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members sought information on welfare care for officers who are suspended or under investigation and heard all learning from past investigations informs wellbeing guidance. KMiller confirmed there is

full welfare support for any suspended officer and this is done in liaison with the Police Federation or trades unions.

- FMcQueen noted the People Committee are intending to see reports from Police Scotland on outcomes and improvements of psychological trauma work. The Chair added officer capacity was also an issue the Authority would look at.

The Authority **RESOLVED** to:

- **NOTE** the report

14. ANNUAL WORKFORCE DIVERSITY, INCLUSION AND EQUALITY IN POLICING

Members considered the report which provided an update on the work being carried out by Police Scotland to mainstream equality, diversity and inclusion. Assistant Chief Constable David Duncan highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members heard the Policing Together portfolio are prioritising the implementation plan, based on the Independent Review Group report, to build on data solutions. A number of actions within the implementation plan will capture employees' voice.
- Members heard the refreshed census data will provide accurate information on how the percentage of ethnic minority staff compares with the population.

The Authority **RESOLVED** to:

- **NOTE** the report

15. ANNUAL HEALTH AND SAFETY REPORT

Members considered the report which provided a strategic overview in relation health and safety within the SPA and Police Scotland. Chief Superintended Gillian Docherty highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members sought further information on health and safety issues within the estate. Deputy Chief Officer David Page (DCOPage) responded that estates are suffering from a huge amount of

underinvestment so maintenance is only being carried out if it relates to either a health and safety or security breach.

- DCOPage referred to recent case of legionella in the Scottish Police College and explained how the lack of up to date schematics was a reflection of legacy underinvestment in an ageing estate. A review of water safety was being undertaken, Azets have been commissioned to do a report and a Gold group has been established. DCOPage confirmed the Health and Safety Executive visited the Scottish Police College and are satisfied with its condition. To ensure compliance in other areas, a broader health and safety report has been commissioned with Azets and is expected shortly. It will be shared with unions and the Federation.
- DCOPage stated that if under investment in estates continues, Police Scotland will need to reconsider estate size.
- Members were assured Police Scotland are going above levels one and two health and safety responses to the housing estate. DCOPage acknowledged issues within the housing estate were due to previous under-investment but improvements were being made.
- Members heard it was not guaranteed that capital receipts will be reinvested in estate.
- DCOPage thanked the Chief Executive for progressing delegated estates requests quickly.
- CCLivingstone highlighted Police Scotland inherited at least 50 unoccupied buildings and commended the work by estates staff to progress disposals and co-location moves. The Chair agreed strategic disposals to create co-location was in the public interest. It was noted a separate housing strategy had been approved but the Authority would be keen to see a refreshed estates strategy.

The Authority **RESOLVED** to:

- **NOTE** the report

Before the Chair drew the meeting to a close, CCLivingstone thanked Authority Members and the SPA Chief Executive for their support and scrutiny.



Authority Meeting

24 August 2023

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Board Members present:	Martyn Evans (Chair) Jane Ryder (Vice Chair) Paul Edie Tom Halpin Alasdair Hay Katharina Kasper Fiona McQueen Grant Macrae Mary Pitcaithly Catriona Stewart Caroline Stuart
Board Member apologies:	Michelle Miller
In attendance:	<u>Police Scotland</u> Chief Constable Sir Iain Livingstone <u>Scottish Police Authority (SPA)</u> Lynn Brown, Chief Executive <u>SPA Secretariat</u> Karen Vallance, Governance Support Officer

16. STANDING ITEMS

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 25 May 2023 meeting;
- **ADOPT** the minute of the 12 June 2023 meeting;
- **NOTE** there were no matters arising.

End.