



Authority Meeting

23 March 2023

Minutes of the Authority Meeting held on Thursday 23 February 2023 at the Crowne Plaza, Glasgow

Board Members present:	Martyn Evans (Chair) Jane Ryder (Vice Chair) Paul Edie Tom Halpin Katharina Kasper Grant Macrae Michelle Miller Mary Pitcaithly Catriona Stewart Caroline Stuart
Board Member apologies:	Alasdair Hay Fiona McQueen
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 Alan Speirs (Items 10 and 11) Brian Kyle, Strategic Procurement Manager (Item 9) Lynn Brown, Head of Corporate Finance (Item 12) <u>Scottish Police Authority (SPA)</u> Lynn Brown, Chief Executive

	<p><u>Forensic Services</u> Fiona Douglas, Director</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 Alasdair Hay and Fiona McQueen;
- **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 items 13 and 14 in private for the reasons set out on the agenda.
 - Item 13.1 - 24 November 2022 Minute – meeting to discuss the scope and implications of the anticipated Scottish Government Resource spending review. This review was then published on 15 December.
 - Item 13.2 - 2 December 2022 Minute– meeting to discuss the candidates for the post of DCC and approve the panel recommended appointment of Jane Connors. This decision was announced by the Authority on 2 December.
 - Item 1.3 - 17 January 2023 Minute– meeting to seek approval for the appointment of up two ACC posts; discuss the candidates and approve the panel recommended appointment of David Duncan and Wendy Middleton as ACCs. This decision was announced by the Authority on 18 January.
 - Item 14 which is consideration of SPA Strategic Risks.

2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 24 November 2022;

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- **NOTE** the action log and **AGREE** that all actions are closed on the basis they are recorded in Authority and Committee work plans for future tabling. There were no matters arising.
- **NOTE** one decision was taken via correspondence since the meeting in November 2022. Members approved to stand down the Forensic Services Toxicology Oversight Group.

3. SPA CHAIR'S REPORT

The Chair referred to his report, highlighting the recent COSLA Police Scrutiny Conveners Meeting and separately to this, the proposal to change the Resources Committee membership.

The Board **RESOLVED** to:

- **NOTE** the report.
- **AGREE** the change in membership for the Resources Committee.

4. COMMITTEE CHAIRS' REPORT

Members considered the report which provided an update on business progressed since the last Authority meeting through the:

- Complaints and Conduct Committee
- People Committee
- Policing Performance Committee
- Legal Committee
- Forensic Services Committee
- Resources Committee
- Audit, Risk and Assurance Committee
- Police Negotiating Board

Regarding Operation Tarn, the Chair welcomed the invite by DCC Fiona Taylor (DDCTaylor) to attend a future Professional Reference Group.

The Chair highlighted the volume of business discussed by Committees and thanked all for the updates provided.

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:

- Bombing of Pan Am 103 over Lockerbie in 1988
- Significant investigations and convictions
- Violence Against Women and Girls
- 'Is That Me' Campaign
- Continuous Integrity Screening.
- Values
- Bravery and Excellence Awards
- Senior appointments and responsibilities

In addition to the written report, CCLivingstone advised the Authority that he had decided to retire from the Office of Chief Constable in the summer. CCLivingstone stated that he will ensure a managed transition to a new Chief Constable over the coming months.

In discussion the following matters were raised:

- The Chair thanked CCLivingstone for providing good notice of his intention to retire. The Chair highlighted that CCLivingstone had been key to delivering the vision of a single police service and had transformed policing through setting the highest national standards by creating stability and values in both service and leadership. The Chair praised CCLivingstone's ability to make policing comfortable with upholding and promoting human rights; and for forging collegiate national and local partnerships. The Chair paid tribute to CCLivingstone's work in driving policing reform and leading the service through unprecedented events such as Covid-19, COP26 and the death of Her Majesty the Queen.
- Members welcomed the commitment to pursue of justice for those affected by the Lockerbie bombing but sought assurance that financial resource associated with further work is within budget. Members heard the original investigation team has continued to grow and build upon decades of work but the current judicial development and requirement for further judicial processes has brought new demands. There is no specific additional funding but should additional demand pressure rise, Police Scotland will raise with the Authority and Scottish Government.

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- Members sought further information on benchmarking and performance measures against domestic abuse campaigns. CCLivingstone responded that the campaigns are one of many mechanisms to drive prevention work but the organisation is still working to establish levels of awareness and online views. CCLivingstone added that in order to assess the success of the campaign Police Scotland would measure the visibility, views and assess the impact of the campaign closely, as has been done for previous successful campaigns. Members heard the campaigns try to raise conversations; and discussions with victims and partner agencies are informing the impact level. The Violence Against Women and Girls Strategy and its associated implementation plan and performance framework will also assist with bench marking work.
- With regards to vetting processes, Members questioned how those applying to join Police Scotland who have a background of inappropriate behaviours but not criminal convictions will be identified. Members heard vetting is at the heart of recruitment and the full process eliminates anyone who has been highlighted in previous crimes or reported incidents.
- Members and CCLivingstone stated that their thoughts were with the family, friends and colleagues of Detective Chief Inspector John Caldwell, who was shot in Northern Ireland.
- Members congratulated the Crime and Harm Prevention Unit for the Cyber Security Award for their parents' guide to social media. Members noted the award was recognition of preventative work and CC Livingstone commended the work himself and reflected on the significant efforts that were ongoing to not only bring offenders to justice but to build preventative cyber space measures and of the importance of prevention alongside physical space enforcement.
- Regarding equality, diversity and inclusion work, Members sought comment on how feedback from those impacted on a daily basis is being used. DCC Taylor outlined the significant measures that were underway to address equality, diversity and inclusion within the organisation, including, Truth to Power sessions, focus groups, assessment of initial interactions and using this information to inform the next round of measures and 1st and 2nd line manager training to ensure managers intervene as early as possible and feel supported to do so on these critical issues. Members also heard

work continues to develop the Policing Together Strategy's implementation plan and to create a bespoke position to go to divisions and speak to people to understand if what Police Scotland are doing is working effectively.

- The Chair noted that measurements of change issues is critical and the Authority will now look to focus on delivery. CC Livingstone responded that Police Scotland's priorities were being refreshed in light of the Budget and that Local Policing was at the centre of those discussions.
- Members heard work continues to develop the Local Police Improvement Plan and it will be presented to Members for an internal discussion prior to discussing publically at an Authority meeting.

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.

In discussion the following matters were raised:

- Members agreed it would be beneficial to invite British Transport Police (BTP) to a future Authority Meeting to hear more about their scope and collaborative work in Scotland. This was supported by the Chief Executive and Chief Constable who highlighted there is a good working relationship between BTP and Police Scotland, with some BTP officers trained at the Scottish Police College.
- Members of the Scottish Railways Policing Committee provided an update on BTP's proposed restructure, confirming it was currently under consultation.

The Authority **RESOLVED** to:

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

British Transport Police to be invited to future Authority Meeting to discuss scope and collaborative work in Scotland.

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7. FORENSIC SERVICES DIRECTOR'S REPORT

Members considered the report which updated Members on recent key activities across Forensic Services. Fiona Douglas (FDouglas) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members sought an update on whether any drug driving cases had breached the 12 month statutory time limit since January. FDouglas confirmed analysis from January is still being completed but it was anticipated that no breaches would be reported.
- Members noted the Forensic Services Toxicology Oversight Group had been informed of the aim to reduce the time taken to analyse samples to under three months, and questioned whether this had been reached. FDouglas confirmed the drug driving toxicology analysis improvement plan was in place, but due to some challenges there had been delay in all cases being analysed within three months. Approximately 40 cases from over 3000 samples had taken longer due to complexity of the analysis.
- Members heard the full resource cost of further judicial processes relating to the Lockerbie bombing was unknown, but Forensic Services continue to undertake work and support Police Scotland.
- Members were informed that all Senior Management posts were now in place. Members heard there is a clear strategy and delivery plan within Forensic Services and new portfolios within the senior management team ensure there is focus on driving Forensic Services forward.
- Members sought comment on the prevalence of drink and drug driving to which CCLivingstone confirmed the increase was concerning. DCC Jane Connors informed Members that between April and the end of January there had been a 5% increase compared to the same period last year. Of the road side tests undertaken, all of which had been stopped with cause, 52% returned a positive result. Members heard that the increase could be affiliated to an increase in officer testing and technology now available.

The Authority **RESOLVED** to:

- **NOTE** the report.

8. JOINT STRATEGY FOR POLICING 2023

Members considered the report which sought approval for a period of public engagement, with a view to approving a final Joint Strategy for Policing in the spring of 2023. CCLivingstone highlighted a number of key points as detailed in the paper. LBrown added that extensive consultation with key stakeholders had been undertaken and was being brought for approval now the strategic police priorities had been agreed.

The Chair welcome the collaborative approach undertaken.

The Authority **RESOLVED** to:

- **APPROVE** the release of the draft Joint Strategy for wider public and stakeholder consultation and engagement.

9. PROCUREMENT STANDING ORDERS REVIEW

Members considered the report which sought approval for a number of changes to the Standing Orders relating to contracts.

Grant Macrae (GMacrae), Resources Committee Chair, confirmed the Committee recommended the report for approval.

The Authority **RESOLVED** to:

- **APPROVE** the proposed changes to the Standing Orders relating to contracts.

10. SPA COMPLAINTS & CONDUCT COMMITTEE ANNUAL REPORT

The Chair introduced the report highlighting that the Complaints and Conduct Committee has seen improvements in the openness and transparency of the information provided, and this has improved the Committee's oversight of key issues. The Chair commented on both the reputational and wellbeing impact of police officer misconduct and highlighted both the internal and external review mechanisms in place to ensure that misconduct investigations are conducted in a fair and impartial manner.

Members considered the report which provided an update on the publication of the SPA Complaints & Conduct Committee Annual Report for 2021-2022. Katharina Kasper (KKasper), Complaints and Conduct Committee Chair, summarised the four focus areas of the Committee and commented that Lady Angiolini's Independent Review of Complaint

Handling, Investigations and Misconduct Issues in Relation to Policing in Scotland has been the catalyst for much of the work done in the area, with Police Scotland delivering significant business transformation and re-design, to which improvements in complaint handling processes are being seen. The Committee will continue to use available data to interrogate trends and will be fully informed and sighted on the developing Police Complaints and Misconduct Handling Bill. KKasper summarised some of the audit activity and pro-active management of misconduct, confirming the Committee welcomed this work and will continue to monitor progress.

In discussion the following matters were raised:

- Regarding organisational culture, KKasper advised that the Committee will focus on pro-active prevention by looking at strategies in place and scrutinising output and impact measures. DCCTaylor added that statutory staff associations are fundamental to helping understand whether organisation policy is having the right effect. Recent survey work has provided the opportunity for colleagues to come forward and speak of their own experiences, and feedback will help inform and evolve strategies to ensure any issues are included. Members heard an increase in referrals shows that officers and staff are not tolerating inappropriate behaviours and have the confidence to report.
- Members noted the Durham Survey highlighted middle management as being a vulnerable area and sought assurance that support is provided. DCCTaylor confirmed it was key that time and money is spent on those colleagues to ensure they understand what is required and what support they have.
- Members were informed of the various training programmes rolled out which focus on professional behaviour and expected standards and heard how some conduct outcomes will be published within the confines of regulations.
- Members questioned whether the Committee discuss benefits realisation. KKasper responded that the Committee is anticipating to see improvements in response times to resolve complaints, and will be cross-referencing with work undertaken by PIRC. The new national model should deliver improvements and consistency, resulting in clear operational benefits.
- Members were informed the volume of quality of service complaints are high due to the range of matters it covers. Complaints are

mainly due to a difference in public expectation and are made against procedures and policy rather than an individual.

- Regarding professional boundaries, the Chair confirmed that the Complaints and Conduct Committee would monitor the ratio of reports reviewed and legal convictions.
- ACC Alan Speirs (ACCSpeirs) stated that Police Scotland engage UK wide on complaints and conduct related matters and whilst some areas differ in how they handle complaints, challenges are similar. Moving to a national complaints handling model provides the opportunity to create an efficient manner in which to deal with and resolve complaints.
- KKasper highlighted some areas of the Committee cross over with the work of the People Committee and Legal Committee.

The Authority **RESOLVED** to:

- **NOTE** the report.

11. POLICE SCOTLAND CONTINUOUS INTEGRITY SCREENING

Members considered the report which provided an overview of Police Scotland's approach to Continuous Integrity Screening. CCLivingstone introduced the paper, highlighting that the portfolio of professionalism had only been introduced in recent years and is a focus of senior management. ACCSpeirs highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members were informed that the level of vetting at entry level was high and around 40% of applicants will fail.
- Members noted the College of Policing guidance states everyone should be re-vetted every 10 years but sought further information on why Police Scotland have taken a different approach. ACCSpeirs responded that people will be aware when 10 yearly checks are due and behaviours could be adjusted, whereas a randomised sample may have more accurate results. DCCTaylor added that HMICS are currently undertaking an inspection into organisational culture and have agreed to prioritise work around vetting assurance which will provide an overview of a whole system approach. Posts vetted to a higher level are also checked more frequently, therefore Police

Scotland believe the combination of all these work streams is a more effective approach.

- Members were assured that any trends or themes identified through the screening and/or vetting will be looked at to inform thinking or improve processes.
- Regarding posts vetted to a higher level, Members were informed reviews were ongoing to establish how many posts should be vetted to a higher level and whether the level of vetting by the people in those posts was correct.
- Members were informed that Police Scotland will report the findings of screenings to the Complaints and Conduct Committee, including details of those alerts which are discounted as not being relevant. Whilst the initial exercise will be complete by 31 March, every finding will be considered on an individual basis.
- Members recognised that collating informal internal indicators was a larger challenge and that high risk flags may not be picked up through screening. Members agreed the holistic approach required to ensure everyone is comfortable raising issues will be an area of focus of the Complaints and Conduct Committee.

The Authority **RESOLVED** to:

- **NOTE** the report.

12. FINANCIAL PERFORMANCE QUARTERLY REPORT

Members considered the report which provided an update on the financial position of the SPA and Police Scotland for Quarter 3 of the financial year 2022/23. Lynn Brown, Head of Corporate Finance, Police Scotland, highlighted a number of key points as detailed in the paper

In discussion the following matters were raised:

- Members heard that although Police Scotland are on target to reach a balanced budget, it is at the expense of some areas including estate where maintenance is only carried out if it carries either a health and safety or security risk. Members agreed that whilst it is a temporary solution to balance the budget, degrading buildings and poor aesthetics has an impact on public trust and confidence as well as officer and staff wellbeing. CCLivingstone highlighted that lack of investment was an issue to be resolved out with Police Scotland and praised Deputy Chief Officer Page and his team for the work undertaken in better utilising buildings and shared services.

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- GMacrae, Resources Committee Chair, confirmed the Committee have looked at the estates forward plan in detail and will continue to monitor all areas closely.

The Authority **RESOLVED** to:

- **NOTE** the report

End