

SCOTTISH POLICE  
AUTHORITY

Meeting	SPA Board Meeting
Date	24 February 2017
Location	Stirling Court Hotel, Stirling
Title of Paper	SPA Review of Police Governance Implementation Progress Update
Item Number	13
Presented By	John Foley
Recommendation to Members	For Noting
Appendix Attached	Yes

**PURPOSE**

The purpose of this paper is to provide Board Members with an update on the current status of the implementation plan which has been developed from the recommendations made within the Chair's Review of Governance in Policing report.

## **1. BACKGROUND**

- 1.1 At the Board Meeting on 31 March, it was agreed that quarterly updates would be presented on the progress of implementing the recommendations within the Chair's Review of Governance in Policing.
- 1.2 This paper provides a summary update on progress and next steps and should be read together with the accompanying progress tracker.
- 1.3 The SPA Board approved the Governance Framework at the meeting in December 2016. This included the new SPA committees which are now established with membership at this time agreed as:

### **Policing Committee**

- George Graham (Chair)
- Graham Houston

### **People Committee:**

- Nicola Marchant (Chair)
- Graham Houston

### **Finance Committee:**

- Elaine Wilkinson (Chair)
- Iain Whyte
- David Hume

### **Audit Committee:**

- David Hume (Chair)
- Robin McGill
- Elaine Wilkinson

## **2. PROGRESS TO DATE**

- 2.1 Following the sign off of the Governance Framework and associated products at the SPA Board in December 2016, 12 of the recommendations are now considered to be complete.

<b>Police Scotland</b>
7. Police Scotland should establish a formal escalation process to allow Local Scrutiny Committees to record their disagreement with individual policing policy decisions. This process should ensure that major policy issues are resolved at senior officer level within Police Scotland rather than at Local Commander level. The SPA should be advised of any matters that require escalation.
<b>Scottish Police Authority</b>
3. The SPA should review, enhance and consolidate the current set of governance principles and governance framework to clarify the basis on which it intends to exercise its authority and meet its responsibilities in the future. This should also be used to agree the lines of responsibility between its partner bodies and stakeholders. All operating procedures and processes should be cross-referenced to the governance principles.
14. The SPA should review the role and responsibilities of Board members to ensure they are focussed on the strategic aims and responsibilities of the Authority. Matters reserved for the Board should be clearly defined and schedules of delegated authority both from the Board to SPA officials and from the SPA to Police Scotland should be reviewed and updated.
15. A review of the number and nature of the committees of the Board of the SPA should be undertaken to ensure they cover appropriately the work and responsibilities of the SPA. Committees should be seen as working groups who are able to conduct a 'deep dive' into key issues, and make recommendations to the full Board. They would not have decision making powers except when exceptionally delegated by the Board. Membership of the committees should also be reviewed and consideration given to increasing the breadth and depth of skills by introducing co-opted experts as members.
16. SPA Board meetings which are principally for the purpose of decision making should be held in public. A clear set of criteria should be established for when matters may need to be held in closed session. These criteria should be publicly available. Meetings of committees are working sessions and should be held in private. All decisions will be made by the full Board based on recommendations from the committees. Agendas will be published in advance of the meetings
18. The Accountable Officer needs to be able to fully undertake his responsibilities to Parliament. This requires him to have strategic

<p>oversight of the finance function and an ability to make directions if necessary. So that lines of accountability and responsibility are not blurred, a protocol should be established which sets out the circumstances and the process by which such an intervention should take place.</p>
<p>21. The SPA should clearly set out how it intends to hold the Chief Constable to account through a governance performance framework. This should set out clear performance standards against both the regulatory framework and operational performance. This should then be the basis on which performance reviews and assessments are conducted.</p>
<p><b>Police Scotland/Scottish Police Authority</b></p>
<p>20. The SPA should have responsibility for reviewing policing policy where this may impact on public perception and policing by consent. This should be a proactive process and done collaboratively with Police Scotland. The SPA should consider this in the context of its review of its committee structures and the skills matrix.</p>
<p><b>Scottish Police Authority/Scottish Government</b></p>
<p>11. Consideration should be given to reorganising or removing the service delivery responsibilities of the SPA and reinforcing its purpose as a governance body. This would focus particularly on its current service delivery responsibilities for Forensic Services, Independent Custody Visiting and Complaints &amp; Conduct.</p>
<p>13. The SPA in conjunction with Scottish Government should undertake a review of the skills required by Board members and prepare an updated skills matrix which should inform future recruitment. This review will need to take account of the other recommendations in this report.</p>
<p><b>Police Scotland/Scottish Police Authority/Scottish Government</b></p>
<p>1. The SPA must govern and oversee Police Scotland within the legislative framework which has been agreed, with appropriate reporting to Scottish Government in accordance with statutory requirements. The role of the SPA and its relationship with Police Scotland should be clearly defined and communicated more widely.</p>
<p>2. As the SPA strengthens its governance procedures, the Scottish Government, the SPA and Police Scotland should review working arrangements and protocols to ensure these reinforce and promote the positioning and authority of the SPA.</p>

2.2 The following 18 recommendations remain outstanding. However, on 25 January 2017 the "Review of Police Governance

Implementation Steering Group “ met at Tulliallan to further evaluate progress. This Governance Steering Group comprises of representation from SPA, Police Scotland and Scottish Government Officials. The Group concluded that excluding the recommendation on SPA structure that all recommendations that were not of an ongoing nature were forecast to be completed by 31 March 2017.

<b>Police Scotland</b>
4. Police Scotland should ensure that their local engagement programmes are directed at a wide range of local organisations. While a key audience must be the Local Scrutiny Committee, other parties such as Community Planning Partnerships must have an opportunity to understand and comment on policing activities, performance and plans.
5. Greater consideration needs to be given to the differing policing needs of local communities. While an aspiration of equality of service is commendable, any policy or practice must ensure that it is capable of being adapted in its implementation to make it more appropriate for local needs. In this regard, where possible, local commanders should be given more autonomy on how policies and practices are implemented while also achieving the overall policing aim.
6. Police Scotland should ensure that feedback provided by Local Scrutiny Committees is effectively responded to, including detail on how their feedback has impacted on decision making and, where it has not, the reasons for that decision. There must be clear communication channels that ensure feedback is directed through to decision makers and local commanders are fully briefed on why the final decision has been taken. Decisions relating to or activity by national units must be effectively relayed to Local Policing and an engagement plan initiated.
26. Progress on updating information processing and management systems should be accelerated to reduce cost, improve turnaround times and allow for more open interrogation of data
<b>Scottish Police Authority</b>
8. The primary responsibility for local engagement rests with Police Scotland. The SPA Board should see its role as ensuring proper and effective arrangements are in place rather than attending Local Scrutiny Committee meetings. There should be a requirement on the SPA to assess annually how effective these processes are and they should formally seek feedback from committees as part of this process. The success or otherwise of local engagement should be

reported on by the SPA as part of its Annual Review of Policing.
9. The SPA should establish a process to share knowledge between Local Scrutiny Committees and should hold an annual forum to discuss issues and share experience.
12. Following the review at Recommendation 10, the organisational structure and skills of SPA staff should be reviewed with the aim of enhancing the governance skills and removing duplication.
17. Governance of major projects and programmes should be overseen by SPA at an appropriate level, depending on the scale, scope and impact of each project. This could be achieved in a number of ways but must allow SPA to have full awareness of progress and identify when decisions have to be brought to the full SPA Board
19. The SPA should conduct a comprehensive review of its operating policies and procedures in the context of the governance framework referenced in Recommendation 2 and any change in its service delivery responsibilities under Recommendation 10. Its policies and procedures should be consolidated into a single operating manual.
22. A complete review of the information and reporting requirements of both Police Scotland and the SPA should be undertaken. This should cover both routine, transactional reporting as well as analytical and comparative information required for performance management. This needs to be informed by the setting of an agreed performance framework and the modus operandi of the SPA as mentioned in earlier recommendations.
23. In determining information requirements for the SPA, operational information should be focussed on exception reporting only. A greater emphasis on strategic information, comparative analysis and benchmarking is required. The volume and quality of financial information should be enhanced significantly.
25. In setting our information requirements, emphasis should be given to ensuring that the SPA can demonstrate improvements in the quality of service that Police Scotland is providing.
<b>Scottish Government</b>
10. Scottish Government should conduct a review of the original organisational structures and remits established as part of the Police & Fire Reform (Scotland) Act 2012 to ensure responsibilities are clear and consistent with the intentions behind the reform.
<b>Police Scotland/Scottish Police Authority</b>
27. The SPA should develop a broadly based stakeholder map which identifies key stakeholders, the reason for the relationship and objectives, an engagement plan and specific actions. For each relationship a Board Member or senior official should be identified to own and manage that relationship.

28. As part of the development of the stakeholder map, we need to review the wider public policy objectives, identify what contribution we can make and set priorities and objectives to deliver that contribution, and be able to publicly report our progress through our annual reporting.

29. SPA and Police Scotland should coordinate their respective approaches to stakeholder management, agree respective roles and objectives and provide regular feedback to each other on engagement and progress.

30. SPA and Police Scotland should re-visit their communication strategies and make their commitment to partnership working across the public sector more explicit.

Police Scotland/Scottish Police Authority/Scottish Government

24. A review should be conducted by the SPA in conjunction with Scottish Government and Police Scotland of the various planning and strategic reports that are required, with a view to rationalising these and ensuring their purpose is clear. Clear ownership of and approval processes for these documents should be set out.

## **GOVERNANCE FRAMEWORK**

2.3 While the governance framework and associated products were agreed by the Board Members in December it may be that over the course of the next few months further improvements are identified from within SPA or Police Scotland or through working with our stakeholders. These will be collated and if appropriate will be reflected in the review of the framework after the 6 month period.

## **NEXT STEPS**

2.4 Within the reporting period up to the February Board meeting, further recommendations are expected to complete, and these include, no. 9, the Local Scrutiny Annual Forum, scheduled to take place on 17 February 2017.

2.5 In addition it is anticipated that recommendation 10, the Scottish Government review of remits established under the Police & Fire Reform (Scotland) Act 2012, can be discharged based on the work completed to date. Scottish Government will provide a note of the review to SPA.

2.6 As aforementioned, we are working towards having most of the outstanding recommendations completed by the end of the financial year. At that point an End Project Report will be developed to

outline the achievements to date and identify any follow on actions, being clear on who will undertake these actions, when and the expected outcomes. It will also contain a section on the terms of reference for the 6 month post project review to ensure that any follow on actions have been discharged.

- 2.7 A proposal document is now being developed on the various options to undertake the 6 month review. This will be presented to the SMG in the first instance. However SPA and PS will begin to collate evidence from this point on to input to that review.

## **GOVERNANCE AND REPORTING**

- 2.8 A progress report is presented to the Public Session Board meeting on a quarterly basis with the next update due on 24 February 2017. The End Project Review will be presented to the Implementation Steering Group at its end March meeting. The next quarterly update to the Board will be 25 May; this report will also include the End Project Report.

The Chair and Chief Executive ensure that the Cabinet Secretary for Justice is kept apprised of progress as part of their regular schedule of engagement meetings.

## **FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications in this report.

## **4. PERSONNEL IMPLICATIONS**

- 4.1 There are no personnel implications associated with this paper.

## **5. LEGAL IMPLICATIONS**

- 5.1 There are no further legal implications in this paper to those listed above.

## **6. REPUTATIONAL IMPLICATIONS**

- 6.1 There are no reputational implications associated with this paper.

## **7. SOCIAL IMPLICATIONS**

7.1 There are no social implications associated with this paper.

**8. COMMUNITY IMPACT**

8.1 There are no community implications associated with this paper.

**9. EQUALITIES IMPLICATIONS**

9.1 There are no equality implications associated with this paper.

**10. ENVIRONMENT IMPLICATIONS**

10.1 There are no equality implications associated with this paper.

**RECOMMENDATIONS**

Members are requested to:

Note this update and seek clarification on any points where further explanation or additional information may be helpful.

FEBRUARY 2016 UPDATE

No.	Recommendation	Lead	Indicative Completion Date	Product	Status	Dependency	New completion Date
Governance Framework	1	The SPA must govern and oversee Police Scotland within the legislative framework which has been agreed, with appropriate reporting to Scottish Government in accordance with statutory requirements. The role of the SPA and its relationship with Police Scotland should be clearly defined and communicated more widely.	SG/SPA/PS	Immediate and ongoing	Governance Manual/Framework		15 December (SPA Board - approved)
	2	As the SPA strengthens its governance procedures, the Scottish Government, the SPA and Police Scotland should review working arrangements and protocols to ensure these reinforce and promote the positioning and authority of the SPA.		By end Sept (6 months)			
	3	The SPA should review, enhance and consolidate the current set of governance principles and governance framework to clarify the basis on which it intends to exercise its authority and meet its responsibilities in the future. This should also be used to agree the lines of responsibility between its partner bodies and stakeholders. All operating procedures and processes should be cross-referenced to the governance principles.	SPA	By end Aug (5 months)	Governance Principles		N/A
	13	The SPA in conjunction with Scottish Government should undertake a review of the skills required by Board members and prepare an updated skills matrix which should inform future recruitment. This review will need to take account of the other recommendations in this report.	SG/SPA	Immediate and ongoing	Updated Board Skills		N/A
	14	The SPA should review the role and responsibilities of Board members to ensure they are focussed on the strategic aims and responsibilities of the Authority. Matters reserved for the Board should be clearly defined and schedules of delegated authority both from the Board to SPA officials and from the SPA to Police Scotland should be reviewed and updated.	SPA	By end Aug (5 months)	Internal Scheme of Delegation		15 December (SPA Board - approved)
	15	A review of the number and nature of the committees of the Board of the SPA should be undertaken to ensure they cover appropriately the work and responsibilities of the SPA. Committees should be seen as working groups who are able to conduct a 'deep dive' into key issues, and make recommendations to the full Board. They would not have decision making powers except when exceptionally delegated by the Board. Membership of the committees should also be reviewed and consideration given to increasing the breadth and depth of skills by introducing co-opted experts as members.	SPA	By end of June 2016 (3 months)	Board Terms of Reference Committee Terms of Reference		15 December (SPA Board - approved)
	16	SPA Board meetings which are principally for the purpose of decision making should be held in public. A clear set of criteria should be established for when matters may need to be held in closed session. These criteria should be publicly available. Meetings of committees are working sessions and should be held in private. All decisions will be made by the full Board based on recommendations from the committees. Agendas will be published in advance of the meetings.	SPA	By end of September 2016 (6 months)	Proceedings in private		15 December (SPA Board - approved)
	18	The Accountable Officer needs to be able to fully undertake his responsibilities to Parliament. This requires him to have strategic oversight of the finance function and an ability to make directions if necessary. So that lines of accountability and responsibility are not blurred, a protocol should be established which sets out the circumstances and the process by which such an intervention should take place.	SPA	By end of June 2016 (3 months)	Financial Protocol		15 December (SPA Board - approved)
	20	The SPA should have responsibility for reviewing policing policy where this may impact on public perception and policing by consent. This should be a proactive process and done collaboratively with Police Scotland. The SPA should consider this in the context of its review of its committee structures and the skills matrix.	SPA/PS	By end of September 2016 (6 months)			15 December (SPA Board - approved)
	21	The SPA should clearly set out how it intends to hold the Chief Constable to account through a governance performance framework. This should set out clear performance standards against both the regulatory framework and operational performance. This should then be the basis on which performance reviews and assessments are conducted.	SPA	By end of June 2016 (3 months)	Performance Standards		31 March 2016
25	In setting our information requirements, emphasis should be given to ensuring that the SPA can demonstrate improvements in the quality of service that Police Scotland is providing.	SPA	Ongoing – annual reporting			Performance Standards ongoing evidence gathered for 6 month review	
19	The SPA should conduct a comprehensive review of its operating policies and procedures in the context of the governance framework referenced in Recommendation 2 and any change in its service delivery responsibilities under Recommendation 10. Its policies and procedures should be consolidated into a single operating manual.	SPA	By end of September 2016 (6 months)	Operating Policies Key Processes		Dependent on the structure and content of the final Governance Framework Key processes March 2017	

No.	Recommendation	Lead	Indicative Completion Date
17	Governance of major projects and programmes should be overseen by SPA at an appropriate level, depending on the scale, scope and impact of each project. This could be achieved in a number of ways but must allow SPA to have full awareness of progress and identify when decisions have to be brought to the full SPA Board.	SPA	Immediate and ongoing
22	A complete review of the information and reporting requirements of both Police Scotland and the SPA should be undertaken. This should cover both routine, transactional reporting as well as analytical and comparative information required for performance management. This needs to be informed by the setting of an agreed performance framework and the modus operandi of the SPA as mentioned in earlier recommendations.	SPA	By end of September 2016 (6 months)
23	In determining information requirements for the SPA, operational information should be focussed on exception reporting only. A greater emphasis on strategic information, comparative analysis and benchmarking is required. The volume and quality of financial information should be enhanced significantly.	SPA	By end of September 2016 (6 months)
24	A review should be conducted by the SPA in conjunction with Scottish Government and Police Scotland of the various planning and strategic reports that are required, with a view to rationalising these and ensuring their purpose is clear. Clear ownership of and approval processes for these documents should be set out.	SPA/SG/PS	By end of December 2016 (9 months)
26	Progress on updating information processing and management systems should be accelerated to reduce cost, improve turnaround times and allow for more open interrogation of data	PS	TBC

Product	Status	Dependency	New completion Date
Major Programmes/Projects Governance Framework		The P2026 Impelentation Plan will inform the scale, scope and complexity of the portfolio of work.	March 2017
Performance Standards Performance framework		communications in relation to launch of new performance framework	March 2017
Board/Committee workplans Performance Standards		the workplans for the committees	March 2017
Strategic Planning Landscape Review		Being developed under the management of Policing 2026	March 2017
			ongoing (to be evidenced at the 6 month review)

No.	Recommendation	Lead	Indicative Completion Date
4	Police Scotland should ensure that their local engagement programmes are directed at a wide range of local organisations. While a key audience must be the Local Scrutiny Committee, other parties such as Community Planning Partnerships must have an opportunity to understand and comment on policing activities, performance and plans.	PS	Current and ongoing
5	Greater consideration needs to be given to the differing policing needs of local communities. While an aspiration of equality of service is commendable, any policy or practice must ensure that it is capable of being adapted in its implementation to make it more appropriate for local needs. In this regard, where possible, local commanders should be given more autonomy on how policies and practices are implemented while also achieving the overall policing aim.	PS	By end of August 2016 (5 months)
6	Police Scotland should ensure that feedback provided by Local Scrutiny Committees is effectively responded to, including detail on how their feedback has impacted on decision making and, where it has not, the reasons for that decision. There must be clear communication channels that ensure feedback is directed through to decision makers and local commanders are fully briefed on why the final decision has been taken. Decisions relating to or activity by national units must be effectively relayed to Local Policing and an engagement plan initiated.	PS	By end of June 2016 (3 months)
7	Police Scotland should establish a formal escalation process to allow Local Scrutiny Committees to record their disagreement with individual policing policy decisions. This process should ensure that major policy issues are resolved at senior officer level within Police Scotland rather than at Local Commander level. The SPA should be advised of any matters that require escalation.	PS	By end of June 2016 (3 months)
8	The primary responsibility for local engagement rests with Police Scotland. The SPA Board should see its role as ensuring proper and effective arrangements are in place rather than attending Local Scrutiny Committee meetings. There should be a requirement on the SPA to assess annually how effective these processes are and they should formally seek feedback from committees as part of this process. The success or otherwise of local engagement should be reported on by the SPA as part of its Annual Review of Policing.	SPA	By end of June 2016 (3 months)
9	The SPA should establish a process to share knowledge between Local Scrutiny Committees and should hold an annual forum to discuss issues and share experience.	SPA	By end of July 2016 (4 months)

			ongoing (to be evidenced at the 6 month review)
			ongoing (to be evidenced at the 6 month review)
			ongoing (to be evidenced at the 6 month review)
			November 2016
Local Accountability Assurance Proposal Annual Review Feedback Process			February 2017
Local Accountability Assurance Proposal Annual Forum Plan/Information Sharing			February 2017

	No.	Recommendation	Lead	Indicative Completion Date
Structure Review	10	Scottish Government should conduct a review of the original organisational structures and remits established as part of the Police & Fire Reform (Scotland) Act 2012 to ensure responsibilities are clear and consistent with the intentions behind the reform.	SG	By end of March 2017 (12 months)
	11	Consideration should be given to reorganising or removing the service delivery responsibilities of the SPA and reinforcing its purpose as a governance body. This would focus particularly on its current service delivery responsibilities for Forensic Services, Independent Custody Visiting and Complaints & Conduct.	SG/SPA	By end of September 2016 (6 months)
	12	Following the review at Recommendation 10, the organisational structure and skills of SPA staff should be reviewed with the aim of enhancing the governance skills and removing duplication.	SPA	By end of December 2016 (9 months)

Product	Status	Dependency	New completion Date
			February 2017
Service Delivery Review		Discussed and agreed at the Members Session in Aug. Communication and follow up actions to be completed.	N/A
SPA Structure Review			N/A

	No.	Recommendation	Lead	Indicative Completion Date
Stakeholder Engagement Model	27	The SPA should develop a broadly based stakeholder map which identifies key stakeholders, the reason for the relationship and objectives, an engagement plan and specific actions. For each relationship a Board Member or senior official should be identified to own and manage that relationship.	SPA/PS	By end of December 2016 (9 months)
	28	As part of the development of the stakeholder map, we need to review the wider public policy objectives, identify what contribution we can make and set priorities and objectives to deliver that contribution, and be able to publicly report our progress through our annual reporting.		By end of December 2016 (9 months)
	29	SPA and Police Scotland should coordinate their respective approaches to stakeholder management, agree respective roles and objectives and provide regular feedback to each other on engagement and progress.		By end of September 2016 (6 months)
	30	SPA and Police Scotland should re-visit their communication strategies and make their commitment to partnership working across the public sector more explicit.	SPA/PS	By end of June 2016 (3 months)

Product	Status	Dependency	New completion Date
Stakeholder Map/Engagement Plan		Now being developed as part of Policing 2026. SPA version to be developed on the back of this work.	March 2017
Communications Strategy Review		appointment of PS head of communications	March 2017

	Red - At risk or late – not under management control, remedial action required
	Amber - At risk or late – but under management control
	Green - On target and under management control
	Blue - Complete