

## Minute of Scottish Police Authority Board Meeting

<b>Meeting</b>	Scottish Police Authority Board Meeting <b>PUBLIC SESSION</b> (Live streamed to the SPA website)	<b>Date/Venue</b>	Tuesday 31 October 2017. Golden Jubilee Hotel, Clydebank, Glasgow.
<b>Meeting Called By</b>	Andrew Flanagan, Chair	<b>Start Time</b>	14:00
<b>Meeting Ref No</b>	SPAPBM-311017	<b>End Time</b>	16:00

<b>Members Present</b>		<b>In Attendance</b>	
<b>Name</b>	<b>Title</b>	<b>Name</b>	<b>Title</b>
Andrew Flanagan	Chair	DCC Iain Livingstone	Deputy Chief Constable, Police Scotland
Nicola Marchant	Deputy Chair	DCC Johnny Gwynne	Deputy Chief Constable, Police Scotland
Robert Hayes	Authority Member	DCO David Page	Deputy Chief Officer, Police Scotland
David Hume	Authority Member	ACC Mark Williams	Assistant Chief Constable, Police Scotland
George Graham	Authority Member	ACC Bernie Higgins	Assistant Chief Constable, Police Scotland
Grant Macrae	Authority Member	Tom McMahon	Director Business Integration, Police Scotland
Robin McGill	Authority Member	John Foley	Chief Executive Officer, SPA
Matt Smith	Authority Member	Catherine MacIntyre	Head of Business Services, SPA
Elaine Wilkinson	Authority Member		

Members Present		In Attendance	
Name	Title	Name	Title
Caroline Stuart	Authority Member		
Iain Whyte	Authority Member		

## **1.1 Chair's Opening Remarks (Andrew Flanagan)**

1.1.1 The Chair said that since the previous Board meeting in September both Robin McGill and George Graham had intimated to the Cabinet Secretary for Justice, their intention to step down from the SPA Board due to personal reasons. As a result, this would be the last meeting attended by Robin McGill although George Graham would remain in post until the end of the calendar year.

1.1.2 The Chair also advised that the SPA Board had taken a decision earlier in October to extend the Chief Constable's temporary leave of absence and that this arrangement would continue to be reviewed.

1.1.3 Finally, the Chair confirmed that the SPA Board had appointed Kenneth Hogg as temporary SPA Chief Officer and advised that he would be joining the organisation on 13 November 2017. John Foley, SPA Chief Executive, would remain with the SPA until the Annual Report and Accounts had been signed. It was hoped that process would be completed by the end of November.

## **1.2 Apologies (Andrew Flanagan)**

1.2.1 Apologies were received from Chief Constable Phil Gormley and DCC Rose Fitzpatrick.

## **1.3 Declarations of Interest (Andrew Flanagan)**

1.3.1 There were no Declarations of Interest.

## **1.4 Any Other Business (Andrew Flanagan)**

1.4.1 There was no other business raised.

## **2 Minute and Actions from previous meeting: (Andrew Flanagan)**

### **2.1 Minute from Board Meeting held 28 September 2017.**

2.1.1 The Chair noted an error on page 4 of the minute and advised that the date of the Justice Sub-Committee meeting should read 14 September 2017 and not the 11 September 2017.

2.1.2 The Minute from Board Meeting held 28 September 2017 was **APPROVED** as an accurate record of proceedings subject to the correction noted above.

## **2.2 Rolling Action Log**

2.2.1 The Chair referred to two actions as follows:

**220317-SPABM-002** regarding police officer promotions. DCC Iain Livingstone (DCCILivingstone) confirmed that the paper would be brought to the SPA Board Meeting on 28 November 2017.

**280917-SPABM-007** regarding future financial reporting. The Chair confirmed that regardless of whether a supernumerary cost was significant or not, the cost should be reported to the Board. David Page (DPage) said that he would ensure this was addressed.

2.2.2 Members **AGREED** and **APPROVED** the action log from the meeting held on 28 September 2017.

## **3 MATTERS ARISING**

3.1 There were no other significant matters arising from the previous minute that did not feature on the agenda.

## **4. Business Conducted Since Last Meeting 28 September 2017 (Andrew Flanagan)**

4.1 The Chair referred to the appointment of Kenneth Hogg as SPA Chief Officer on a seconded basis from Scottish Government and noted that a question had been received from the public on the matter. The Chair advised that the issue of any potential conflict of interest had been addressed at interview stage and that Kenneth Hogg was very clear that during his interim appointment his loyalties would be to the SPA.

### **5.1 Summary Note from Closed Session Board Meeting held on 28 September 2017 (Andrew Flanagan)**

5.1 Members **NOTED** the Summary Note from Closed Session Board Meeting held on 28 September 2017.

### **5.2 Summary Note from Closed Session Board Meeting held on 4 October 2017 (Andrew Flanagan)**

5.2 Members **NOTED** the Summary Note from Closed Session Board Meeting held on 4 October 2017.

## **6. Policing 2026 Implementation Plan:**

## **6.1 Corporate Services Transformation (Tom McMahon)**

6.1.1 Tom McMahon (TMcMahon) provided Members with a presentation which firstly addressed the strategic direction, the key to achieving a number of strategic commitments by 2020 and the objectives and benefits of the transformation.

6.1.2 Members noted that a conference had taken place on 20 September 2017, providing a helpful opportunity to bring together senior managers within corporate services and begin conversations around the anticipated scale of transformation. TMcMahon also confirmed that SPA Forensic Services were part of the engagement plan, although not in attendance at the conference. DPage added that Police Scotland were engaging with both the SPA Executive Team and Forensic Services so that their requirements could be included within the future design.

6.1.3 Members were also briefed about the scope of change, the three broad categories that would cover (Transform; Build and Develop; Further Improve) and the target operating model. TMcMahon advised that his focus had been around the design principles and understanding what the key characteristics of the operating model would be. Engagement was underway with other services about how they had transformed corporate services which was very helpful input at this early stage of the journey.

6.1.4 Members then raised a number of points about the detailed deliverables and concerns about the timeline for delivery of the target operating model.

6.1.5 TMcMahon said that he recognised the impact of timing and noted that a small team had been progressing work around Phase 1. There was a sense of the intended direction of travel and as Police Scotland moved forward into the spring, there would be a much more detailed target operating model and implementation plans would be built around that model. Corporate Directors have a role in developing plans for their business areas but TMcMahon would maintain a strategic overview.

6.1.6 DPage advised that much of the issue was around resourcing and capability and Police Scotland were also addressing issues highlighted by the Section 22 report so that everything would be brought together within the new operating model. DPage agreed that without Corporate Services transformation, Police Scotland would not achieve financial balance, however, the plan was on track and Police Scotland were acutely aware of the challenges faced.

6.1.7 TMcMahon then responded to a question about employee engagement and advised that Police Scotland had made a commitment to set up an engagement process which would inform staff about focus, likely timescales and would align to Police Scotland's Wellbeing Matters Policy. DPage added that

there was also proactive and positive engagement with staff representatives, and although there were still areas to improve upon, this was recognised and would be addressed as quickly as possible.

6.1.8 DPage went on to explain the steps that Police Scotland were taking to ensure that staff felt confident about raising issues. Police Scotland were facing a large and complex challenge with absolute commitment and understanding of the level of engagement required. The process had been started following engagement with staff representatives about the direction of travel, with additional conferences being organised and that work would continue. In terms of safe space to raise issues, Integrity Matters was well publicised as one of the means for staff to raise issues. DCCILivingstone agreed that processes were in place, but there was also a need to ensure that the culture was in place to support that. There were also mechanisms in place to measure any increases in reporting.

6.1.9 TMcMahon then addressed a question in relation to the IT backbone required to deliver corporate services and provided assurance that the work carried out over the past few months allowed early assessment of what the technology architecture looked like. The conclusion was that there was no single architecture with Police Scotland technology systems with significant work needed to bring them together. The next phase of the design would provide a proper and detailed technology assessment and the expectation was that an enterprise resource planning system would be part of the solution.

6.1.10 TMcMahon also advised that there were opportunities for shared services or to partner fully and identifying those opportunities was one of the commitments with the 2026 Strategy. Discussions had already taken place with the Scottish Fire and Rescue Service and other organisations where this sort of approach had been delivered successfully. DPage added that any solutions would be Scottish based and that all shared services and partnering options would be carefully considered. It would be surprising if shared services did not feature, however, further work was needed to arrive at a balanced proposal and a sound business that could be taken forward to SPA Board.

6.1.11 The Chair noted important points made by Members around partnership, as well as concerns about the timescales and whether or not a phased approach could be considered which in turn raised concern about achievement of financial targets. The Board needed to have more detailed consideration of these issues in the context of the forecast at the November Board meeting. The Chair also stated that March 2018 would be too late to return to the Board with an update on progress and asked for a more detailed report to be brought to the Board Meeting in December.

**311017-SPABM-001: James Gray and David Page to give further consideration to Members' concerns re timescales for deliverables and**

**the consequential financial implications, within the Q2 Forecast at the November Board meeting.**

**311017-SPABM-002: Tom McMahon and David Page to return to the December SPA Board Meeting with a more detailed update on Corporate Services transformation plan.**

6.1.12 Members **NOTED** the Corporate Services Transformation presentation.

## **6.2 Update on 2017/18 Change Programme (DCO David Page)**

6.2.1 DPage provided Members with an overview of the paper.

6.2.2 Members requested that November update included a high level report on risk assumptions and dependencies as that would provide an overall indication of the plan's deliverability.

**311017-SPABM-003: David Page to ensure a high level report on risk assumptions and dependencies is included within the November update.**

6.2.3 DPage then addressed a question about risk in relation to the introduction of the General Data Protection Regulation (GDPR). DPage stated that this was a major challenge for both public and private sector bodies. There was a need to understand the current position within Police Scotland and what needed to be addressed in order to achieve compliance. DPage advised that GDPR was one of the principle risks for Police Scotland.

6.2.4 The Chair noted that creating the change programme itself was taking some time and although he understood that capability was an issue, there was a need for the Board to start seeing something more concrete around implementation of 2026. The Chair sought assurance that by the end of the financial year there would be solid plans in place setting out what would be achieved over the subsequent two years. DPage advised that by March there would be clear year 1 deliverables and plan, and for years 2 and 3 there would be an outlook. Members also commented on the significant governance structure that had been placed around the transformation programme and highlighted the importance of the governance being efficient, driven and task focused to avoid delay in decision-making.

6.2.5 A comment was made about the Commercial Excellence Programme and DPage confirmed that savings had already been identified and an update would be provided on further anticipated savings would be brought to the November Board Meeting.

**311017-SPABM-004: David Page and Colette Sherry to ensure that detailed savings are included within the Commercial Services**

## **Programme Update being presented at the November SPA Board Meeting.**

6.2.6 In conclusion, the Chair asked for a further update on the 2017/18 Change Programme to be brought to the next Board meeting.

**311017-SPABM-005: David Page to a further update on the 2017/18 Change Programme to return to the December SPA Board Meeting once more of the team are in place.**

6.2.7 Members **NOTED** the Update on 2017/18 Change Programme

## **7. Stop & Search Code of Practice: Police Scotland Implementation Report (ACC Mark Williams)**

7.1 ACC Mark Williams (ACCMWilliams) provided an overview of the paper which described the journey of improvement around Stop and Search. Members noted that paper had been presented to the Policing Committee on the 24 October 2017 and an updated provided on structures and assurance that proportionality, fairness and effectiveness were foremost.

7.2 ACCMWilliams advised that as a result of the Quality Assurance Framework a number of key themes had been identified (noted below) and this would be embedded through the Quality Assurance process as Police Scotland moves forward:

- Proportionality
- Alignment of approach to local and national policing priorities
- Intelligence led
- Legitimacy to ensure that Stop and Search remains lawful

7.3 ACCMWilliams then informed Members about new reports being produced for area local commanders:

- Local area reports for detailing statistical information in relation to the types of searches and locations.
- A Report which details the number of times any one individual had been searched more than once over a 26 week period to ensure that Stop and Search was being applied in a proportionate and justifiable way and in line with the Code itself.

7.4 This would allow Police Scotland to benchmark nationally against other activity in terms of overall trends and patterns in relation to Stop and Search. Although the monthly report for the SPA would continue to be produced, there would also be a 6 monthly report to the SPA on the Stop and Search review. There was still much to be delivered around the framework for Stop and Search and it will be reviewed after 6 months initially and then after a year.

7.5 George Graham (GGraham), as Chair of the Policing Committee, advised that it had been greatly beneficial having Professor Susan McVey and Dr Kath Murray at the Policing Committee 24 October. Not only had they been engaging with Police Scotland in developing the approach, they had also provided further reassurance to the SPA. The Policing Committee recognised that the Code of Practice was new and the baseline for Stop and Search data would take time to develop. GGraham paid tribute to ACCMWilliams and his team and said that the Code of Practice was a tremendous example of Police Scotland responding flexibly and enthusiastically to change operational policing practice. GGraham added that 100% of Stop and Search records were currently reviewed. This was extremely resource intensive and whether or not that needs to be maintained would be the test around the management of the data.

7.6 Members discussed the report and commented on the local analysis of data and the Stop and Search process itself.

7.7 ACCMWilliams advised that local analysis would be kept under review. The data from the Code would provide more information and more reliable information about ethnicity, for example. ACCMWilliams also acknowledged that if the recording process became too arduous for officers, then the number of Stop and Searches could decrease.

7.8 The Chair commented that the report focused on information and recording, whereas he would have expected to see more content around the training of officers, compliance and audit processes. ACCMWilliams confirmed that this information would be brought to the Policing Committee in due course.

7.9 The Chair also asked when Members could expect to see something about the impact that Stop and Search had on crime. ACCMWilliams advised that this could be done through tasking and co-ordination, as well as commissioned research. DCCILivingstone added that he had recently attended the National Police Chief's Council. Part of the discussion had been about the significant increase in violence in England and Wales and whether their changes in Stop and Search practice had any bearing on that. This further highlighted the importance of having a broader context and comparative data.

**311017-SPABM-006: ACC Mark Williams to provide the Policing Committee with an update report that includes training of officers, compliance with the Code and audit processes as well as providing an indication of impact this is having on crime.**

7.10 Members **NOTED** the Stop & Search Code of Practice: Police Scotland Implementation Report.

## **8. British Transport Police (BTP) Integration Update:**

## **8.1 Corporate Business Integration (Tom McMahon)**

8.1.1 TMcMahon provided an overview of the paper and advised that, following advice from HMICS, Police Scotland has established a Mobilisation, Transition and Transformation (MTT) Programme Board that reports into the Scottish Government programme board.

8.1.2 Graham Houston (GHouston), chair of the SPA BTP Working Group, advised that the Group had met on 12 October 2017 and were scheduled to meet again in December which would continue to provide long term assurance and scrutiny. It was an enormously complex issue, despite the small numbers, but there was no indication at this stage that the go live dates would not be met. The Group has less concerns around operational policing than some of the supporting areas, particularly people and contracts. There was also a need for a programme of engagement for rail users to understand their expectations and a requirement for a separate financial model.

8.1.3 Members discussed some of the detail within the paper and raised a number of questions in relation to contracts with rail operators, the need for a clear timeline (including risks, accountabilities and owners, financial liabilities and whether Police Scotland had sufficient resources to deliver the programme.

8.1.4 TMcMahon advised that ACC Higgins had written to the Scottish Parliament advising that there would be financial implications and although the expectation is that savings will be made eventually, there would be costs in the short to medium term. Work to identify the cost was underway and an update would be provided to the MTT in November and then to the SPA Board. There was an expectation from train operators that savings would be returned to them and it was noted that engagement with the train operators needed to be stepped up which Police Scotland were endeavouring to do.

8.1.5 DPage said that Police Scotland were looking at the totality of issues and would take a phased approach to dealing with those issues before the implementation date, taking into consideration dependencies, risks and accountabilities. There was a need to fully understand what it would mean for Police Scotland to absorb costs.

8.1.6 The Chair noted the cross over between administrative / commercial aspects and operational policing, with issues around pensions and dual status of police officers. The Chair added that there would be serious issues if these complexities were not addressed and a contingency plan, therefore, needed to be in place during the transition period. TMcMahon advised that the MTT provided the means to do that and confirmed that there was a focus on issues around pensions and dual status. It was also important to step up the engagement with the Police Scotland workforce and this was being taken very seriously.

8.1.7 Members emphasised the need for a clear timeline and assurance that the Board would have the necessary information to allow them to take informed decisions. DPage advised that Police Scotland needed to fully understand the implications for the service and people were the most important aspect of this. DPage also reminded Members that Police Scotland were taking forward the BTP integration at a time when they were also trying to achieve financial balance, therefore, a clear understanding of the total costs was necessary.

8.1.8 DPage also advised the Board that Police Scotland and BTP were jointly funding, and had appointed an Independent Programme Manager to provide additional resource and who would jointly report to Police Scotland and BTP. Police Scotland intended using reform funding for their contribution to this post. DPage added that although Police Scotland and BTP were working well together, there would be points of disagreement and, therefore, an independent Programme Manager, jointly accountable to both organisations, would provide independent objective assessments.

8.1.9 Members **NOTED** the Corporate Business Integration Update.

## **8.2 Operational Policing Integration (ACC Bernie Higgins)**

8.2.1 ACC Bernie Higgins (ACCBHiggins) advised the Board that three open door events had been held. ACCBHiggins was confident that the rail providers and travelling public would not see any difference in the service currently provided; the only difference would be the uniform.

8.2.2 ACCBHiggins said that the current relationship with BTP was very positive and that there was much that Police Scotland could learn from BTP in terms of their working practices. Members noted that the railway network was complex and Police Scotland would, therefore, retain Railway Policing as a unit. From January 2019, Police Scotland would hope to agree a lead in shadow period and although BTP staff would continue to report to their normal chain of command, they would then also begin to report to ACCBHiggins as a matter of course.

8.2.3 The Chair asked how long Police Scotland expected to keep the specialism of BTP intact. ACCBHiggins said he was confident that it would remain intact and that there was an expectation that Police Scotland officers would apply to join the Railway Policing Unit.

8.2.4 Members still had concerns that that they were not aware of the decisions they would be asked to make or when. DPage advised that anything outwith Police Scotland's delegated authority would be passed to the SPA through the BTP Working Group for sight or advice. The Chair confirmed that normal delegated authorities would operate. However, there was a need for some recognition and understanding of the liabilities such as pensions or redundancies, which would be quite large and the Board would need to formally adopt those liabilities.

8.2.5 A question was then raised about Police Scotland's ability to meet ICT expectations in terms of transfer of information and IT capability. DPage advised Members that Police Scotland were comfortable with the core operational systems required by ACCBHiggins. However, further work was required in terms of due diligence to provide a fuller picture. From a pragmatic perspective, it was likely that Police Scotland would need to put a contractual arrangement in place with BTP to use some of the BTP systems. DPage added that he did not have a detailed understanding of every IT system, or what was essential, but could confirm that Police Scotland would not build a shadow BTP system.

8.2.6 The Chair asked for a further report to be brought to the December Board Meeting.

**311017-SPABM-007: BTP Working Group and David Page to return to the December SPA Board Meeting with an updated report.**

8.2.7 Members **NOTED** the Operational Policing Integration.

## **9. Terms of Reference for Performance Briefings (George Graham)** ***(For Approval)***

9.1 GGraham (SPA Board Member) spoke to this item and advised that the ambition was to drive maximum benefit from briefings and thanked partners from the Policing Committee for their input in developing the Terms of Reference. The Policing Committee had also proposed that a synopsis of each presentation was issued with Board papers to allow the public and wider audience to see what would be discussed. GGraham added that the proposal was to allow 30 minutes each for the presentation and questioning. However, there was a need to retain flexibility around this.

9.2 DCCILivingstone confirmed that Police Scotland welcomed the proposed Terms of Reference. The Chair added that a synopsis of all presentations, not just performance briefings, should be provided in advance of Board meetings.

9.3 The Board **APPROVED** the Terms of Reference for Performance Briefings.

**311017-SPABM-008: Police Scotland to ensure that a synopsis of performance briefings and any other presentations is submitted to SPA Business Services in line with Board papers and published 3 days prior to SPA Meetings.**

## **10. Committee Chairs' Reports:**

### **10.1 Audit (David Hume)**

10.1.1 DHume informed Members that the Audit Committee were continuing to see an improvement to Audit work from management from across both Police Scotland and SPA. DHume urged Members that when reading the conclusions within the Annual Audit Report and Progress Report to read the full statement.

10.1.2 The Board **NOTED** the Audit Committee Chair update.

## **10.2 Finance (Elaine Wilkinson)**

10.2.1 There was no business to note from this committee.

## **10.3 Forensic Services (Iain Whyte) (first meeting 7 November 2017)**

## **10.4 People (Nicola Marchant)**

10.4.1 NMarchant added that open dialogue was continuing between the SPA, Police Scotland and Staff Associations.

10.4.2 The Board **NOTED** the People Committee Chair update.

## **10.5 Policing (George Graham)**

10.5.1 There was nothing added to the report provided.

10.5.2 The Board **NOTED** the Policing Committee Chair update.

## **11. Board Workplan**

11.1 Any additions or changes to the workplan should be sent to the SPA Head of Business Services.

## **12. AOB\***

### **12.1 Board Member Resignation**

12.1.1 The Chair thanked Robin McGill for his contribution to Scottish Policing and for the skills and experience he had brought to the SPA Board over the past 18 months, particularly around audit and risk. The Chair said that Robin's skills would be sorely missed and wished him every success for the future.

### **12.2 Live Streaming**

12.2.1 The Chair referred to sound quality issues throughout the afternoon and apologised for the subsequent unsatisfactory service provided to online viewers. The Chair noted that the live stream service was an important feature offered by the SPA and work would be undertaken to ensure that the issue did not arise in the future.

**13. DATE OF NEXT MEETING**

13.1 Tuesday 28 November 2017 (QPR), Stirling Court Hotel, Stirling.

*Meeting ended at 16:00pm.*

DRAFT FOR APPROVAL