

SCOTTISH POLICE
AUTHORITY

Meeting	Public SPA Board Meeting
Date	Tuesday 19 December 2017
Location	City Suite, Apex City Quay, Dundee
Title of Paper	British Transport Police (BTP) Integration Update
Item Number	7.2
Presented By	Tom McMahon
Recommendation to Members	For Noting
Appendix Attached	No

PURPOSE

To provide an update on the integration of British Transport Police functions into Police Scotland.

SPA Board Public Session
British Transport Police (BTP) Integration Update
19 December 2017

1. BACKGROUND

- 1.1 The Scottish Government (SG) and Department for Transport (DfT) chairs and manages jointly a British Transport Police (BTP) Integration Joint Programme Board (JPB) which was set up to deliver the integration of BTP in Scotland into Police Scotland by a date confirmed as 1st April 2019. The BTP Integration Joint Programme Board comprises membership from Police Scotland, BTP, British Transport Police Authority (BTPA), the Scottish Police Authority (SPA) and Transport Scotland.
- 1.2 The aims of the Joint Programme Board are to:
- Provide joint leadership and partnership working in order to deliver the shared objectives of the UK and Scottish governments for the devolution of policing of railways and railway property.
 - To deliver the Scottish Government's intent for the integration of the BTP in Scotland into Police Scotland by a date subject to agreement.
 - In doing so, to take appropriate account of implications for the policing of the railway across the whole of the UK, ensuring as far as possible that there is no detriment to Scotland or the rest of the UK from the proposed approach.
- 1.3 The successful integration of railway policing functions to Police Scotland is an agreed priority for Police Scotland and advice received as part of the recently published strategic review by HMICS recommended that Railway policing integration should be delivered as a programme within the wider change portfolio within Police Scotland, with the SPA exercising appropriate oversight and governance.
- 1.4 As discussed at the Authority's meeting on 31 October 2017, in September 2017 the JPB gave formal approval to a new streamlined governance structure for BTP integration. There will be 4 projects reporting to the JPB – projects on Legislation; Workforce; Communications (led by SG/ DfT) and Mobilisation, Transition and Transformation (led by Police Scotland and BTP/A). The new

programme structure was subsequently shared with and agreed by the SPA Working Group on 12th October 2017.

- 1.5 The Mobilisation, Transition and Transformation (MTT) Programme Board, chaired jointly by the Deputy Chief Officer of Police Scotland and the Chief Executive of BTPA, has met twice since September 2017 and is already helping to ensure the successful delivery of the BTP integration and support the earlier identification and resolution of any service delivery risks or issues. As previously discussed with the SPA in October 2017, where issues or risks cannot be resolved or managed by the MTT Programme Board these will be escalated to the BTP Integration Joint Programme Board. The MTT Programme Board does not replace the SG/ DfT BTP Integration Joint Programme Board.
- 1.6 The content of this progress update was discussed at the SPA Working Group on 6 December 2017.

2. FUTHER UPDATE ON REPORT TOPIC KEY MTT UPDATES

Appointment of Ernst & Young as MTT Change Management provider.

- 2.1 Ernst & Young were appointed, following an invitation to quote through the Consultancy One framework, as change management provider for the MTT programme. The costs of the fixed term contract (till 31st March 2019) - £400,000 (plus VAT) are being met jointly by Police Scotland/ SPA and BTP/A. A Programme Manager and Programme Analyst will join the programme w/c 20th November 2017.

Police Scotland Due diligence update

- 2.2 Police Scotland continues to define its due diligence requirements to deliver the integration. The scope of the due diligence exercise is currently being determined and is likely to focus on finance and

assets initially. Estimated procurement costs are being developed and SPA will be approached for authorisation to procure where expected spend exceeds delegated limits. Work is well progressed and it is planned that an approach to market with the ITQ can take place in the coming weeks with provider/s appointed to start in March 2018.

Risk Management

- 2.3 The MTT project have develop a risk management approach and associated risk register. This approach was approved at the MTT Programme Board. Risk will be recorded and managed at project and programme level. As agreed at the JPB the MTT risk register and Scottish Government PMU risk register are in the process of being aligned to ensure they are aligned and appropriate mitigation activities are managed at the correct programme/project level. These risks will be appropriately escalated to the relevant governance boards and the mitigation activities will be incorporated in to the programme and project plans as they are developed and refined.
- 2.4 The following risks have been identified as currently scoring higher than the agreed risk appetite developed by the MTT and are therefore the subject of particular focus in establishing mitigation actions:
- Failure to Agree Key Asset Transfer/Contract Decisions;
 - Inadequate Information Sharing to Progress Integration;
 - BTP Officers – Terms and Conditions of Service;
 - Partners providing sufficient resources to meet project deadlines and deliver efficient and effective Programme Management support;
 - Reduced Quality and/or Level of Due Diligence; and
 - Exit of BTP Staff and Officers in Scotland.
- 2.5 In the consideration of any risk score, it has been agreed that the impact shall be assessed taking into account the interests of all affected stakeholders; Police Scotland, the Scottish Police Authority, British Transport Police, the British Transport Police Association,

transferring staff, the Scottish Government, the Department for Transport, Railway Operators and the public.

MTT Programme and project resourcing

- 2.6 The emerging resource requirements of delivering the MTT Programme are set out below and both Police Scotland and BTP/A have met these costs within their own organisational budgets.
- 2.7 Resource commitments are based on 1FTE, unless otherwise stated, and do not include project teams and sponsors who are subsuming the integration work as part of their normal roles. All posts are new and as a minimum allocated for the mobilisation period (until 31st March 2019) subject to extension and business need dependent.

Programme/Project	Role/s	Additional information	Cost met by
MTT Programme	Programme Manager	Ernst & Young contracted to deliver change management	MTT (jointly by Police Scotland and BTPA)
	Programme Analyst		
	Senior Project Manager		BTPA
	Information Manager and Programme Officer		BTP
	Project Manager		Police Scotland
	Project Support Officer	0.5 FTE	Police Scotland
	Business Analyst	Request to be submitted	Police Scotland
Target Operating Model	Superintendent 2 FTE Inspectors Sergeant Constable	5 FTEs requested	Police Scotland
	Police officer		BTP

Strategy, Planning & Performance	Strategy Officer 2FTE Planning and Performance Officer	3 FTE's requested	Police Scotland
Workforce Development	Senior HR Business Partner 2 FTE HR Adviser National Pensions Manager Shared Services Administrator	5 FTEs, recruitment commenced	Police Scotland
	HR Manager		BTP
	0.2 FTE Pensions Adviser		BTPA
Stakeholder and Customer Engagement	Communications Manager	Request to be submitted	Police Scotland
	Communications & Engagement Manager		BTPA
Finance	Contracts Manager		BTP

Emerging integration costs

- 2.8 The Scottish Government has agreed that costs falling to bodies in Scotland can be funded from the Reform budget. In addition to the emerging staff resource costs for the MTT programme – those detailed above in the region of £1.5m for Police Scotland and £1m for BTP (including on costs and till 31st March 2019) - there are other emerging transition costs which are expected to be balanced by organisational efficiencies over time.
- 2.9 Police Scotland are working to understand the full extent of the risks and implications of staff transferring over from BTP. It is anticipated that there will be a likelihood that external legal advice may need to be sought in circumstances where by reason of capacity or capability (for example when seeking actuarial advice in

relation to pensions and liabilities) the in-house function is not able to assist.

- 2.10 It is expected that Police Scotland will commit £400,000 of Reform funding to set up the new pension fund for staff transferring from BTP.
- 2.11 Police Scotland PMO will meet with the SG PMU in December 2017 to discuss and agree the format for capturing resources and costs at full programme level and whether a programme business case is required for the MTT; which is a project within the overall integration programme.

Summary of confirmed mobilisation costs (for the period November 2017 – 31st March 2019)

- MTT programme change management - £400,000
- Police Scotland resource costs till 31st March 2019 - £1.5m (approx.)
- BTP/A resource costs till 31st March 2019 – £1m (approx.)
- Police Scotland pension set up funds - £400,000

To be further assigned:

- Police Scotland due diligence costs – tbc.
- Any further costs that may be incurred in setting up a new section of the railway pension scheme - tbc.
- BTPA legal fees to novate and renegotiate existing commercial contracts – tbc.

MTT projects mobilisation event on 24th October 2017

- 2.12 Following the approval of the new JPB programme structure at the 11th JPB, a projects mobilisation event was held for MTT project team members (comprising Police Scotland, SPA, BTP/A, Police Federation and stakeholder colleagues). The purpose of the session was to empower project sponsors and teams to drive forward the work of the projects in order to deliver the objectives of the MTT Programme and the integration of the British Transport Police in

Scotland. The outputs from the session were a list of deliverables for each of the eight MTT projects, identification and disaggregation of project and MTT programme risks, delivery timescales and milestones and high level costs and resource allocation.

Rail Industry Round Table

- 2.13 A round table event with the railway industry also took place on 29th November. This enabled the Police Scotland and SPA team to provide an update to the Rail Industry Forum on the integration of British Transport Police in Scotland into Police Scotland, from an operational perspective. This meeting will now be formalised into a regular meeting to enable increased collaborative working and ensure the required input is given by the Rail Industry representatives.
- 2.14 It was acknowledged that there needed to be a commitment from all sides to proactively support the integration process and continue to further develop the communication between the organisations.

April 2019 integration of railway policing into Police Scotland

- 2.15 The policy objective of the underpinning legislation (The Railway Policing (Scotland) Act 2017) was to pave the way for the integration of the responsibility for railway policing in Scotland into the Police Service of Scotland (Police Scotland) by (a) providing the Scottish Police Authority (SPA) and the Chief Constable of Police Scotland with new powers in relation to the policing of railways and railway property and (b) removing powers in relation to such policing in Scotland from the British Transport Police Force (BTP) and the British Transport Police Authority (BTPA).
- 2.16 'Integration' in the current context was not fully defined in the Scottish Government's consultation or draft legislation. It is not a term which appears in the 2017 Act.
- 2.17 At the 11th JPB, the JPB agreed that Police Scotland should aim to be as self-sufficient as possible at the point of transition but acknowledged that in some cases Police Scotland might wish to ask

BTPA to provide administrative and back office service and that will be a decision for BTPA taking into account both risks and operational needs.

- 2.18 Our clear view is that with the support of BTP/A 'operational integration' can be achieved by 1st April 2019 but that associated administrative and back office functions may take longer to fully integrate into Police Scotland. The latter 'enablers' should be achieved through an agreed collaborative approach which minimises risk and costs to the BTP, Police Scotland, tax payer and travelling public, so long as the intention of the 2017 Act is fulfilled and Police Scotland assumes practical operational control of railway policing in Scotland at the target date of 1 April 2019.
- 2.19 Police Scotland's intention is to maintain the current BTP operational approach and service levels across railway policing in Scotland on 1st April 2019 and beyond while offering enhanced access to Police Scotland's assets and capabilities. Significant work is ongoing between Police Scotland and BTP counterparts to fully establish the optimal operational model that will be mobilised in April 2019.

Joint Programme Board update

- 2.20 The 12th JPB on 27 November agreed to progress with the drafting of secondary legislation to transfer BTP officers to Police Scotland with their current status 'as is' and to retain their current status as constables and employees. The 12th JPB also agreed to draft a pension provision for the SPA to be considered a railway body and provisions to allow BTPA to have a power to provide transitional services and enter into agreements with SPA and to enable the BTPA to charge for these services. A question and answer briefing for all BTP officers and staff in Scotland on a wide range of topics including terms and conditions of service and pensions is expected to be published online w/c 11 December.

Scheduled activity

- Target Operating Model session for senior operational members of the MTT took place on 11th December to define the current model

and consider the best approach to maintaining that within Police Scotland for 1st April 2019 while enhancing the existing model with access to broader range of assets and capabilities.

- Further meetings scheduled (next meeting in January 2018) with the Office of Rail and Road and with the Rail Industry representatives following initial meeting with Police Scotland in November. Key issues raised around the ability of officers to effectively discharge their duties, maintaining performance and KPI setting and reporting, protection of specialist capabilities, risk management and mitigation as well as commitment to regular engagement.
- Scottish Government and Police Scotland senior leaders and legal advisers meeting in December to discuss staff transfer and associated terms and conditions.
- Work is progressing on the development of an assurance framework for the MTT and JPB's work to ensure the successful integration of railway policing functions into Police Scotland. An update will be provided to the next meeting of the SPA Working Group.
- The SG led Programme Management Unit (PMU) are leading work in liaison with the MTT Programme team to develop a single overarching Programme Plan which will make clear all critical milestones and decision points for Police Scotland and SPA in the months ahead.

3. FINANCIAL IMPLICATIONS

3.1 There are financial implications in this report as set out above.

Further financial implications for Police Scotland will be articulated to the SPA Working Group in the coming months and reported to the Authority at regular intervals.

4. PERSONNEL IMPLICATIONS

4.1 There are personnel implications associated with this update paper given resource requirements set out above. Wider personnel implications are primarily around the transferring status of officers into Police Scotland and associated terms and

conditions which is currently work in progress being overseen by the JPB.

5. LEGAL IMPLICATIONS

5.1 All legal implications from integration will be considered through the MTT and JPB.

6. REPUTATIONAL IMPLICATIONS

6.1 The successful integration of railway policing has significant reputational implications for Police Scotland.

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 environmental implications associated with this paper.

RECOMMENDATIONS

Members are requested to: *Note the information contained within this update report.*