

**Minute of Scottish Police Authority Board Meeting**

**PUBLIC SESSION**

<b>Meeting</b>	Scottish Police Authority Board PUBLIC Meeting 032	<b>Date/Venue</b>	Wednesday 16 <sup>th</sup> December 2015, Tollcross Leisure Centre, Glasgow
<b>Meeting Called By</b>	Andrew Flanagan, Chair	<b>Start Time</b>	14:00
<b>Reference Meeting No</b>	SPABM-161215	<b>End Time</b>	17:30

<b>Members Present</b>		<b>In Attendance</b>	
<b>Name</b>	<b>Title</b>	<b>Name</b>	<b>Title</b>
Andrew Flanagan (The Chair)	Chair, Scottish Police Authority	Deputy Chief Constable Neil Richardson (DCCNR)	Deputy Chief Constable (Designate), Police Scotland
Graham Houston (GH) (Present until agenda item 11)	Authority Member	Deputy Chief Constable Rose Fitzpatrick (DCCRF)	Deputy Chief Constable, Police Scotland
Moi Ali (MA)	Authority Member	Lesley Bain (LB)	Head of Analysis and Performance
George Graham (GG)	Authority Member	ACC Val Thomson (ACCVT)	Assistant Chief Constable, Police Scotland
Jeane Freeman (JF)	Authority Member	Angela Terry (AT)	Head of Leadership and Professional Development, Police Scotland
Douglas Yates (DY)	Authority Member	Janet Murray (JM)	Director of Finance, Police Scotland
Morag McLaughlin (MM)	Authority Member	John Gillies (JG)	Director of People & Development, Police Scotland
Iain Whyte (IW)	Authority Member	John Foley (JFol)	Chief Executive Officer, SPA
David Hume (DH)	Authority Member	Tom McMahon (TM)	Director of Strategy and Performance, SPA
Lisa Tennant (LT)	Authority Member	Catherine MacIntyre (CM)	Strategic Business Adviser, SPA
Elaine Wilkinson (EW)	Authority Member	Tom Nelson (TN)	Director Forensic Services, SPA
Nicola Marchant (NM) (Left after agenda item 6)	Authority Member	-	-
Ian Ross (IR)	Authority Member	-	-
Paul Rooney (PR)	Authority Member	-	-
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## **1.1 OPENING REMARKS: (Andrew Flanagan)**

The Chair welcomed attendees to the meeting of the Scottish Police Authority and apologised for the slight delay in starting the meeting as this was due to difficulties with the live stream broadcast set up. The Chair updated Members that since the last Board Meeting, the appointment of the New Chief Constable had been made and Phil Gormley would join Police Scotland, as Chief Constable on the 5<sup>th</sup> January 2016 and would attend the following Board Meeting in February 2016.

The Chair wished to record his thanks to DCC (Designate) Neil Richardson who had been and would continue to cover the Chief Constable's duties during this period of transition. The Chair invited DCCNR to provide an assurance to Members that he was content that he had the required authorities to carry out this role during the transitional period.

DCCNR took the opportunity to offer reassurance to anyone who may have misunderstood that Sir Stephen House's departure from the office of chief constable removed lawful authority from anything done in his name or otherwise bearing his signature. And stated it did not. DCCNR continued that those who were authorised to do certain things or possess certain items by virtue of an authorisation which was issued during Sir Stephen's time in office either as Chief Constable of Police Scotland or even as Chief Constable of Strathclyde Police continue to be authorised. DCCNR cited the example of those who were authorised to possess shotguns or firearms and who hold Shotgun or Firearms Certificates bearing a facsimile of Sir Stephen's signature are still authorised to possess those items. Their lawful authority to possess them does not exist only during the period that Sir Stephen held the office of chief constable. The Certificates were regarded as properly authorised at the time while he was in office and they continue to be properly authorised. DCCNR provided another example in the issuing of Fixed Penalty Notices or in issuing other Notices in terms of the Road Traffic legislation. The fact that an officer might bear a card indicating they are authorised to issue such Notices and where that card carries a facsimile of Sir Stephen's signature does not mean their authorisation falls away when he departed as chief constable. They were, and remained, properly authorised.

DCCNR continued stating 'My being designated to discharge the functions of chief constable carries particular significance in the types of cases where there is a legal requirement for the chief constable personally to do something as opposed to the great majority of things which a chief constable might delegate. For example, that might include a decision to require a probationary police constable to resign: the law regulating such matters clearly provides that these are decisions for chief constables, and for chief constables alone, and not to be delegated. Other than in those particular cases all other powers and duties are capable of being delegated and being carried out lawfully with Sir Stephen's departure from office having in no way interrupted the proper and lawful flow of daily Police Scotland business.'

The Chair thanked DCCNR for his comments.

IR sought clarity that arrangements had been put in place for the necessary separation of duties in terms of matters of conduct and standards. DCCNR confirmed such matters fell within the delegate authority and that it had been taken account of so there was neither compromise nor contradiction.

## **1.2 APOLOGIES**

There were no apologies noted.

## **1.3 DECLARATIONS OF INTEREST**

PR declared he would not participate in the discussion for agenda item 12 (Police Scotland i6 Update) given he had a commercial conflict. The Chair noted this and confirmed that PR would leave the table for that discussion.

## **1.4 ANY OTHER BUSINESS**

There were no items of any other business brought forward.

## **2.1 MINUTE OF THE BOARD MEETING HELD ON 27 OCTOBER 2015 (Andrew Flanagan)**

The Minute from the previous Board Meeting on the 27<sup>th</sup> October 2015 was agreed as an accurate record.

## **2.2 REVIEW of ROLLING ACTION LOG (Andrew Flanagan)**

Members noted the comments and recommendations for closure. No further comments were received.

## **2.3 MATTERS ARISING**

There were no significant matters arising that did not feature on the agenda.

## **3. COMMITTEE MINUTES AND CHAIRS' REPORTS (verbal)**

### **3.1 Complaints & Conduct – 4 August 2015**

3.1.1 IR provided a brief summary that advised the main focus of the Complaints and Conduct Committee Meeting was the scrutiny of SPA and Police Scotland complaint handling.

### **3.2 Human Resources & Remuneration – 11 August 2015 and 23 October 2015**

3.1.2 JF advised that the HRRC met most recently on the 6<sup>th</sup> December where Members fully endorsed and supported the recommendations from the SWDF Report on Pregnancy and Maternity. Members also received updates on the Modernisation Project and had requested further discussion on both Modern Apprenticeship Schemes and the proposed Code of Conduct.

### **3.3 Finance & Investment - 21 August 2015 and 29 September 2015**

3.1.3 PR informed Members the F&I Committee had met on the 10<sup>th</sup> November where the Standing Items had been progressed along with the continued monitoring of the 2015/16 budget.

### **3.4 Audit & Risk – 20 October 2015**

3.1.4 DH advised that the ARC had convened twice since the 20<sup>th</sup> October and both meetings had been focused on issues relating to the Annual Report and Accounts with other matters being scrutinised including Stop and Search and Whistleblowing.

**3.1.5 SPA Members Noted the Public Committee Minutes 3.1 – 3.4 and noted the verbal updates provided by the respective Committee Chairs.**

## **4. POLICE SCOTLAND OPERATIONAL PERFORMANCE REPORT (DCC Neil Richardson)**

4.1 DCCNR provided a brief overview of the report highlighting a number of matters to Members.

4.2 MM sought clarity on the reasons behind the rise in serious assaults and asked if there were any thoughts as to what had caused this and asked what work was being done to analyse this rise further with a view to developing prevention activities. LB informed Members the rise that had been seen at Force level was reflected across all divisions. One of the things this did reflect was a stricter adherence to the Scottish Crime Recording figures. The Chair asked for a further explanation of what changes had been made to the recording of crimes. LB clarified there had been no change to the definition of the crimes and there had been more effort placed into auditing the figures and to the scrutiny of all crime reports which had resulted in the changes. LB reported that crime reports could be dynamic records and would often change with for example medical updates. LB suggested that in her opinion the single Force had led to a more consistent reporting across the country and reiterated there had been no actual change to the standard of reporting. MM requested a briefing to provide Members with a better understanding of what the violence reduction Strategy involved and how it was being developed. **ACTION 161215-SPABM-001**

4.3 NM asked how the Leadership Exchange Programme work would be followed up, for example planned mentoring. DCCNR advised the approach was still being developed and was in the early stages and there was a shared agreement that the knowledge to be gained was very valuable and a mechanism would be found to capture the learning.

4.4 DY asked what happened to the vehicles that had been seized under Section 165 Road Traffic Act 1988. DCCNR was not able to answer but assured Members he would obtain this information and provide it to them. **ACTION 161215-SPABM-002**

4.5 DY asked if there were any disadvantages to the increased driver engagement and what benefits had been seen from the increased activity. DCCNR agreed to provide this information to DY in a briefing paper subsequent to the Board Meeting. LT requested that this briefing include details of the evidence base used to develop some of the tactics used in Road Policing. **ACTION 161215-SPABM-003**

4.6 GH asked if there was a view on why there had been a drop of 2.4% and 1.3% respectively in user satisfaction and public confidence in the service provided by the Police. LB commented this was not an uncommon fluctuation in the reported figures and was in line with trends seen so far over the period and had not caused any concern for her and her colleagues.

4.7 DH asked when the report on Strategic Policing Priority 3 would be populated with metrics and specifically asked for an update on the progress of the work in relation to project CI13 Procurement – Buying on Contract. LB explained there had been some challenges in collecting the data required and the reporting was being reviewed. It was her expectation that the report would look slightly different in the next Financial Year and this would hopefully be better for Members' interrogation of the information.

4.8 IW asked when the various Financial Planning projects would be expected to deliver. JM clarified there was an action on the F&I Committee Action Log for her to provide an update to Members for their discussion and to review the timelines involved.

4.9 EW asked if the SCoPE system was able to provide a breakdown of the mandatory and statutory training received by staff and officers. In addition, EW asked if SCoPE was able to provide an assurance in relation to levels of compliance for statutory and mandatory training and highlight areas of non-compliance. JG confirmed this level of detail could be taken from the SCoPE system and was already being done.

4.10 The Chair asked if Operation RAC had led to a sustainable position in Edinburgh or if any reduction in the focus would result in an increase in crimes. DCCNR expressed the view that he believed housebreaking would need continued focus.

4.11 GG asked what the issues were which were causing concern to Police Scotland Senior Leaders at this time in terms of performance issues. DCCRF responded there was no specific area in which she had concerns and stated that a much greater focus could now be seen in relation to consistency of delivery across the county. DCCRF commented there would continue to be a consistent focus on Domestic Violence and Abuse and the detection of Sexual Crime but that there was scope to flex the focus on a local basis.

4.12 Members Noted the content of the update report.

## **5. SPA STRATEGIC POLICE PLAN DELIVERY REVIEW (Tom McMahon)**

5.1 TM provided a brief summary of the report and advised it was drawn from Police Scotland, the SPA and the wider evidence base.

5.2 MA sought clarity on who had been approached to comment on the external impacts. TM advised he had been working with the Violence Reduction Unit and SIPR. MA commented that she welcomed external validation.

5.3 IW asked when and how the SPA would scrutinize the local Police Plans and when and how it would be reported to Members. TM confirmed there was a landscaping piece of work being done which would set out the variances in data and from that he expected an assessment would be able to be made. TM advised that it would also be part of the discussion alongside the Annual Review of Policing in June, but an update would be brought to Members in February. **ACTION 161215-SPABM-004**

5.4 Members Noted the content of the update report.

## 6. CHIEF CONSTABLE'S REPORT

6.1 DCCNR provided Members with a brief summary of the report and clarified the details of a technical issue in Call Centres between 0300 – 0600 on the 17<sup>th</sup> December 2015 which was related to a piece of hardware kit that did not perform as required and summarized the impacts on the service provided to the public. DCCNR advised Members that the contingency plans came into force and there was no impact to the provision of the 999 service.

6.2 DCCNR also updated Members that he had attended the Justice Committee on the 16<sup>th</sup> December 2015 and reported that IOCCO noted there had been no evidence of an intentional act by Police Scotland to avoid the requirements of the code, and actions had been taken by Police Scotland to address the issues raised by IOCCO, with IOCCO being satisfied with these actions. The Chair added that the SPA had requested that HMICS carry out an in-depth assurance review of the effectiveness and efficiency of Police Scotland's counter corruption practices.

6.3 DCCRF provided Members with a brief overview of the current issues and progress in relation to the steps taken to strengthen Local Policing in the North East. The Chair noted that as with any consultative process some parties will be unsatisfied with the outcomes and asked that any future feedback from stakeholders should be brought to the attention of the SPA at an the earliest opportunity as this would allow Members to be fully sighted, and if possible for proactive actions to be taken.

6.4 DCCNR finally highlighted the inaugural Excellence Awards which will take place on the 22<sup>nd</sup> January. JF asked for clarity on when and how the SPA Board had been engaged in the development of the Awards initiative as she had understood the Members would be involved in this process. JFol advised that he had agreed to sit on the panel for the awards. AF asked if there was any opportunity for Members views to be sought. DCCNR was not clear on this and undertook to identify any gaps and rectify if appropriate. **ACTION 161215-SPABM-005**

6.5 DY sought clarity on how Police Scotland colleagues had assessed the capacity to deal with Operation Forseti. DCCNR advised that the demand was likely to be higher than had been forecast and the Operation would need to be carried out in such a way that did not compromise service delivery by Police Scotland.

6.6 Members Noted the content of the update report.

1600 - 1610 Comfort Break

1600 - NM withdrew from the Meeting

## 7. CHIEF EXECUTIVE'S REPORT (John Foley)

7.1 The Chief Executive provided an overview of the key pieces of work being undertaken within the SPA Corporate and Forensic Services at the present time.

7.2 MA commented that the report (section 9.1, page 22) had not made clear the Audit and Risk Committee had not yet had sight of any Internal Audit plans and requested that this was clarified. JFol accepted this and clarified that there had been no Internal Audit Plans presented to the Audit and Risk to date and this would be presented in due course.

7.3 MM asked about the Scene Examination Forensics Data noting fewer scenes were being attended but that the proportion of scenes at which evidence was recovered remained the same and asked what this signified. TN advised that the way in which attendance at crime scenes had changed and this could have led to the changes. TN confirmed this was being discussed at the Forensic Services Strategic Partnership Forum and discussions were underway with Police Scotland to understand what was happening. TN confirmed this change could, in

part, be attributed to improved assessments of what scenes Forensic Services should be called to.

7.4 DH asked if JFol would review the Complaints Handling section of the report (6.1, page 13) to improve the terminology used and the presentation of the data to assist Members understanding of what was being reported. JFol agreed to this and would provide a refreshed report at the next update. **ACTION 161215-SPABM-006**

**7.5 SPA Board Members Noted the update.**

## **8. FINANCE REPORT MONTH 7 (Janet Murray)**

8.1 JM provided Members with a brief summary of the financial position for the seven month period ending 31 October 2015. JM also updated Members on the continuing work being done with Members at the Business Change Working Group on the budget recovery plan with further monitoring being planned at the Finance and Investment Committees before the Financial Year end.

8.2 IW commented that he had expected that the next report to be presented to Members would show some of the actions that have been taken as a result of the work being done at the Business Change Working Group. PR thanked JM and her team for the effort being put into the budget action plan and asked when the next report would be brought forward to Members. JM confirmed that it was her intention to circulate the monthly figures to Members for awareness when they are available. JM also provided an assurance that the information would be made available to Members on an ad-hoc basis between formal meetings, if appropriate, as this would allow Members to track the impacts of work being done. Members requested the savings be reported in a phased way to highlight the progress of the savings. **ACTION 161215-SPABM-007.**

**8.3 SPA Board Members Noted the update provided.**

## **9. AWARD RECOMMENDATION FOR PROVISION OF ACCIDENT DAMAGE REPAIRS (Susan Mitchell)**

9.1 SM provided a brief overview of the proposal which invited Members to Approve the award of a Contract in respect of the Provision of Vehicle Accident Damage Repairs for the initial period 15 January 2016 to 14 January 2020.

9.2 DH asked how the rural areas would be serviced and if any thought had been given to how this would be approached. SM confirmed there would be a range of approaches taken which would allow for rural areas to be serviced and ongoing negotiations would take place with local suppliers.

**DECISION: Members Approved the award of a Contract in respect of the Provision of Vehicle Accident Damage Repairs for the initial period 15 January 2016 to 14 January 2020.**

## **10. CLIMATE CHANGE REPORTING DUTIES (Susan Mitchell)**

10.1 SM gave a summary of the paper and reported this had been brought forward to provide Members with information on the Scottish Government's Climate Change legislation and the new Annual Report that is required to be submitted by Police Scotland and the SPA, and to seek Approval for the draft Annual Report for 2014/15 to be submitted to the Scottish Government.

10.2 LT congratulated SM on the work done to develop the Carbon Management Plan. LT commented the report was, in her view, focused on weather related issues and asked that consideration be given to future work on other areas that could impact. LT requested that future Board papers include a section on 'Environmental Issues' as standard in the report. **ACTION 161215-SPABM-08**



**DECISION: Members Approve the Final Annual Report on Climate Change Duties for 2014/15 to be submitted to the Scottish Government**

10.3 The Chair commented that this was SM's final Board Meeting before taking up a new position out with Police Scotland and thanked her for her contributions and commitment.

## **11. POLICE SCOTLAND CONTACT, COMMAND AND CONTROL**

### **11.1 Update (ACC Val Thomson)**

11.1.1 ACCVT provided Members with a summary of the paper which provided an update on the Contact, Command and Control Division Integration and Re-Modelling Project (C3IR), together with a number of business as usual issues including performance, absence, recruitment, finance, resource management, as well as the recent HMICS Assurance Review. ACCVT also confirmed that the grade of service was not adversely affected during the IT outages experienced on the 16<sup>th</sup> December and explained that this was evidence that the contingency plans had been effective.

#### **11.1.2 Members Noted the content of the update.**

### **11.2 PS Response to HMICS Review of Call Handling (ACC Val Thomson)**

11.2.1 ACCVT advised Members that the paper was intended to provide an update in relation to Police Scotland's response to the recently published HMICS Independent Assurance Review, Police Scotland – Call Handling. ACCVT confirmed that the Action Plan had been shared with SPA Colleagues and will then in turn be presented to the January Audit and Risk Committee (not in December as per the paper, section 2.3).

#### **11.2.2 Members noted the content of the report**

### **11.3 SPA Response to HMICS Review of Call Handling (Tom McMahon)**

11.3.1 TM provided a brief summary of the paper which provided Members with an overview of the SPA response to the recommendations within the HMICS Assurance Review of Police Scotland Call Handling. Notwithstanding the outcome of the Review of Police Governance, the SPA will give further consideration to the requirement for further independent assurance.

#### **11.3.2 Members noted the content of the report.**

## **12. POLICE SCOTLAND I6 UPDATE (verbal) (DCC Neil Richardson)**

12.1 DCCNR provided Members with an update of the i6 Project progress and clarified that due to commercial sensitivities he would not be able to go into detail. However, a briefing had been provided to Members in the earlier Closed Session.

12.2 DCCNR advised that Police Scotland had a number of concerns with Accenture's progress and as the proposal from Accenture had not met with Police Scotland satisfaction, the matter has been escalated with Accenture and a meeting was being arranged for early in the New Year. The Chair requested that he be invited to this escalation meeting and any future meetings with Accenture. DCCNR confirmed he would ensure this happened. The Chair noted the concerns and emphasised that the important next step was to find a resolution. **ACTION 161215-SPABM-009**

#### **12.3 Members noted the verbal update provided.**

## **13.1 Staff Opinion Survey – Action Plan and Next Steps (Angela Terry)**

13.1.1 AT provided Members with a summary of the progress with the 'Staff Opinion Survey: Next Steps' engagement programme. JF advised that this had been discussed in detail at the HRRC on the 8<sup>th</sup> December and Members had been impressed with the level of staff engagement. Some concern had, however, been expressed that there was an apparent lack of

engagement with SPA Staff based at Police Quay, Edinburgh provided an assurance this would be addressed. **ACTION 161215-SPABM-010**

### **13.2 HR Report (John Gillies)**

13.2.1 JG provided Members with a brief overview in relation to People & Development within Police Scotland/SPA.

13.2.2 Members requested clarification in relation to overspend in officer overtime. It was suggested that a significant element was due to officers' attendance at Court and DCCRF undertook to provide further detail. **ACTION 161215-SPABM-011**

13.2.3 MM requested future reports address progress made on the initial work to have a workforce that is more representative of our society. JG advised that this would become part of the People Development plan for the next 3 years. An initial update report will be provided to the HRRC, with the strategy coming forward to the Board in Q1 2016/17. **ACTION 161215-SPABM-012**

13.2.4 IW asked for an update on the Reward Modernisation project work. JG confirmed there was a steering group scheduled to meet on the 17<sup>th</sup> December which would look at how the range and inconsistencies of data would be addressed. Members were also advised that the work continued to determine job families which would form the basis of the next steps.

**13.2.5 Members Noted the update.**

### **13.3 Health, Safety and Wellbeing Report (John Gillies)**

13.3.1 JG provided a brief summary of the report in relation to Health and Safety performance within Police Scotland.

13.3.2 There were no questions or comments.

**13.3.3 Members Noted the update.**

### **14. AOB**

No further business was brought forward to the meeting and the meeting closed at 1735 hrs.  
*End.*