

SCOTTISH POLICE
AUTHORITY

Meeting	Public SPA Board Meeting
Date	25 May 2017
Location	Golden Jubilee Conference Hotel
Title of Paper	British Transport Police Integration
Item Number	14
Presented By	John Foley
Recommendation to Members	For Noting
Appendix Attached	No

PURPOSE

To provide Members with an update on the Programme to effect the Integration of British Transport Police (BTP) into Police Scotland

1. BACKGROUND

- 1.1 In November 2014 the Smith Commission published its report detailing Heads of Agreement on further devolution of powers to the Scottish Parliament and said that: *"The functions of the British Transport Police in Scotland will be a devolved matter"*.
- 1.2 The UK Parliament has since passed the Scotland Act 2016, which included provisions to transfer legislative competence, and enable the transfer of executive competence, over the policing of railways and railway property in Scotland to the Scottish Parliament. This provides the legislative powers required to integrate railway policing into Police Scotland's core duties and functions.
- 1.3 The Railway Policing (Scotland) Bill passed through parliament in December 2016. The Justice Committee backed the principles of the bill in their Stage 1 Report published on the 28th of April. The Stage 1 debate took place on 9 May when MSPs agreed to the general principles of the legislation. Stage 2 is due at the end of May. The final legislative step is Royal Assent, subject to passing Stage 2, scheduled for July 2017.

2. FURTHER DETAIL ON THE REPORT TOPIC

The Programme

- 2.1 The transition of BTP Scotland into Police Scotland is due to complete by April 2019. A Programme of work has been established by Scottish Government (SG) that includes a number of projects across the organisations involved.

Project	Lead Agency(s)
Legislation	SG
Workforce and Pensions	SG, Scottish Public Pensions Authority and BTPA
Communications	SG
Operational Policing	Police Scotland and BTP
Funding and Police Service Agreements	Transport Scotland (TS) and BTPA
Finance and Governance	SPA and BTPA
Assets and Liabilities	SPA and BTPA

A number of these projects are being run collaboratively with BTP and BTPA and the delivery of these projects is overseen by a Joint Programme Board chaired by Department for Transport (DfT) and SG with membership across BTP, BTPA, SPA, TS and PS.

The Landscape

2.2 BTP in Scotland currently operates to a budget of approximately £21m per annum. Further work is underway to gain a more detailed understanding of how the budget is currently allocated/spent. The latest figures indicate that there are 213 Police Officers, 38 Police Staff and 26 Special Officers based in Scotland.

2.3 BTP is wholly funded by the rail industry and Police Service Agreements (PSA) are in place with each rail provider, these are reviewed at regular intervals and will be progressed over the coming months to reflect the post March 2019 arrangements.

Engagement

2.4 The establishment of a Rail Industry Management Forum is outlined within the Railway Policing (Scotland) Bill. While this does not become a statutory requirement for SPA until after Royal Assent some early engagement has taken place with rail industry representatives. The Chief Executive Officer (CEO) has attended the current forum and will lead the development of the forum if Royal Assent is obtained.

Next Steps

2.5 The key tasks on the immediate horizon for SPA, in relation to the BTP integration are as follows:

- Development of agreed working principals with BTPA
- Development of Section 90/104 orders to support secondary UK legislation. (104 orders are the power to make provision within the UK legislation and 90 orders are the power to transfer property of cross-border authorities)
- "Due diligence" exercise completed to enhance understanding of costs and accounts – scheduled to start after royal assent.

3. FINANCIAL IMPLICATIONS

3.1 The assets and liabilities associated with the integration will be transferred to the SPA at the end of March 2019. A position will be agreed with BTPA on a fair and equitable basis to proceed with the division of assets and liabilities.

4. PERSONNEL IMPLICATIONS

4.1 One of the main assets of the BTP integration is the officers and staff. Ongoing communications will be a key requirement of the

SG led programme. SPA has a role in this process as the future employer and SPA and PS officers are already engaged on the workforce, pensions, operations and communications projects.

5. LEGAL IMPLICATIONS

- 5.1 PSAs are in place between BTPA and each of the rail providers operating in Scotland and cross-border. The development of these agreements to reflect the new post March 2019 arrangements will be the subject of ongoing engagement with the rail industry.

6. REPUTATIONAL IMPLICATIONS

- 6.1 The successful integration of BTP's Scottish Operations into Police Scotland and the adoption of BTPA's role and duties into SPA has clear reputational implications for all of the affected organisations, North and South of the border.

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 currently no identified equality implications associated with this paper.

10. ENVIRONMENT IMPLICATIONS

- 10.1 There are currently no environmental implications associated with this paper.

RECOMMENDATIONS

Members are requested to:

Note the information contained within this report and note that work remains ongoing on the transfer of BTP and BTPA functions and duties to Police Scotland and SPA.