

Minute of Scottish Police Authority Board Meeting

Meeting	Scottish Police Authority Board Meeting (Live streamed to the SPA website)	Date/Venue	29 March 2018. Pollock Halls, University of Edinburgh
Meeting Ref No / Minute Reference	SPAPBM-29032018 / MIN-B.03.20180329	Start Time	10:00
		End Time	15:55

Board Members Present: Susan Deacon (Chair)
Robert Hayes
Graham Houston
David Hume
Grant Macrae
Matt Smith
Iain Whyte
Elaine Wilkinson

Board Member Observing: Tom Halpin

In attendance: Scottish Police Authority
Kenneth Hogg, Interim Chief Officer (*all items*)
Robin Johnston, Head of Legal & Compliance (*Items 14-18*)
Asma Ali, Solicitor (*Items 14 – 18*)
Catherine MacIntyre, Head of Business Services (*all items*)
Gary Devlin, Scott Moncrieff (*Items 1-12*)
Clare McFadyen, SPA Committee Co-ordinator (*all items*)

Police Scotland
DCC Iain Livingstone, Interim Chief Constable (*all items*)
DCC Rose Fitzpatrick (*Items 1-13*)
DCC Johnny Gwynne (*Items 1-13*)
DCO David Page (*Items 1-17*)
Inspection Gregg Banks (*Items 1 – 17*)
Inspector Greg Robertson, Executive Support (*Items 1 – 17*)
Neil Dickson, Director of Change (*items 1-13*)
Tom McMahon, Director of Business Integration (*Items 1-13*)
James Gray, Chief Financial Officer (*Items 1 - 13*)
Colette Sherry, Head of Commercial Services (*Items 14-17*)

1. WELCOME AND APOLOGIES

- 1.1 The Chair welcomed Members and attendees to the Board Meeting, noting that, Mr Tom Halpin, who had been appointed to the Board with effect from the previous day, would be observing the proceedings on this occasion. The Chair also confirmed that Nicola Marchant had informed the Cabinet Secretary for Justice on 12 March 2018 of her intention to stand down from the SPA Board.
- 1.2 Apologies were received from Board Member, Caroline Stuart.

2. DECLARATIONS OF INTEREST

- 2.1 No declarations were made.

3 MINUTE AND ROLLING ACTION LOG

- 3.1 **The Minute of the Board Meeting held on 27 February 2018 was APPROVED as an accurate record of proceedings.**
- 3.2 **The Board APPROVED the action log from the meeting held on 27 February 2018.**
 - 3.2.1 It was noted that there were 7 items proposed for closure and 6 actions which would remain ongoing.

4 DECISION ON TAKING BUSINESS IN PRIVATE

- 4.1 In accordance with paragraph 27 of the SPA Governance Framework, the Board **AGREED** to consider items 14-18 in private for the reasons set out in the agenda.

5. INTERIM CHIEF CONSTABLE'S REPORT

Report by Iain Livingstone, Deputy Chief Constable Designate, Interim Chief Constable, Police Scotland

- 5.1 The Board considered the report presented to them by DDC Iain Livingstone (DCCILivingstone). In addition to the items which were contained within the report, DCCILivingstone noted that, as a result of the significant nerve agent attack which had taken place in Salsbury, Police Scotland would review their training programme for chemical incidents and adapt it as appropriate based on the learning from this incident. DCCILivingstone also highlighted the resilience and dedication of staff during the recent period of severe weather.
- 5.2 In response to a question from the Board, DCC Johnny Gwynne (DCCGwynne) provided an update on the current status in respect of Temporary Traffic Restriction Orders (TTROs). Discussions with COSLA were ongoing, but a way forward had been identified and a further report would be given to the Board in due course.
- 5.3 Following a discussion about the impact of human trafficking in the UK, DCCJGwynne advised that Police Scotland was very focused on this issue and on finding improved means of both proactively and reactively reaching out to those who could potentially be affected but unable to speak out.

5.4 The Chair commented on the way public services support vulnerable people which often falls to the police service and referred to the Reform Collaboration Group (RCG) comprising Ambulance, Fire and Police services. DCCILivingstone advised that there was scope for the RCG to make a greater impact and Police Scotland was committed to driving this work forward. DCC Rose Fitzpatrick (DCCFitzpatrick) pointed out that much had been achieved at a local level but that more work was required at a national level.

5.5 The Board NOTED the Interim Chief Constable's Report.

6. FINANCIAL PLANNING

6.1 Future Financial Planning

6.1.1 Kenneth Hogg (KHogg) provided brief background in respect of the papers which were to be submitted for Board consideration. The commitment was to return to financial balance and eliminate the underlying operating deficit by 2020/21 and the financial position at the end of year 1 of that 3 year transition period was that Police Scotland were on target to achieve that.

6.1.2 DCCILivingstone advised that the intention had been to present the Board with the 3 and 10 year financial plans at this meeting, which had been shared previously with Board Members and discussed at the SPA Finance Committee. However, he had been keen that both plans benefit from further consultation and engagement before coming to the Board for approval. The Board agreed that these plans should therefore be presented at the Board meeting on 2 May 2018.

6.1.3 The Board NOTED the report.

6.2 Draft Revenue and Capital Budget 2018/19

(a) Report by Interim Chief Officer, SPA

6.2.1 KHogg presented the report which provided contextual information about the SPA's role in setting the revenue and capital budget for 2018/19. He commented that the work undertaken by James Gray (JGray) and his team had produced a thorough and robust budget for the coming financial year.

6.2.2 The Board NOTED the report.

(b) 2018/19 Draft Budget Report

6.2.3 JGray presented the 2018/19 Draft Budget Report to the Board. He outlined the key points from the revenue, capital and reform budgets which were contained within the report. Information was also given about the approach taken in respect of the budget preparation and how this approach supported the delivery of the 2026 strategy.

6.2.4 Members noted that further work would be undertaken to provide the necessary assurance prior to making any reduction in police officer numbers.

6.2.5 The Chair thanked JGray and his team for the work which had been undertaken in respect of the 2018/19 budget.

- 6.2.6 In response to questions from the Board regarding the management of risks within the budget and the monitoring of spending against plan, JGray advised that the budget framework was much improved and there was a high degree of confidence that the underlying risks had been identified and were being managed. Plans were also being developed by Police Scotland's HR team which would see less reliance on VR/VER.
- 6.2.7 Following discussion around the timeline for production of the 2018/19 budget, Members noted that as a result of the work and detailed scrutiny which had been undertaken this year by the Finance Team, the 2019/20 budget would have a much stronger starting position.
- 6.2.8 Members also discussed dependencies and other significant costs which would occur in future years but which could not yet be quantified including ICT. It was noted that these issues would be addressed within the 3 and 10 year financial plans which would be presented to the Board in May. JGray also advised that development of the 3 year financial plan would continue to be an iterative process over the next 12-18 months as the underpinning strategies continued to be developed. The Board requested that a separate section for yet unknown items of expenditure be included within the 3 and 10 year financial plans.
- 6.2.9 DCC Livingstone concluded by referring to the process of releasing police officers from back office support functions and protecting frontline capacity. He was confident that Police Scotland could give the required assurance to HMICS. Unfortunately it had not been possible to evidence the required assurance prior to this Board meeting, but Police Scotland would bring further assurance to the Board meeting on 2 May 2018. The Chair welcomed the commitment by Police Scotland to work with HMICS to bring forward the assurance to the next Board meeting, and commended the quality of the 2018/19 budget presented.
- 6.2.10 The Board APPROVED the Revenue and Capital Budget 2018/19 and AGREED the following actions:**
- 6.2.10.1 CFO James Gray to ensure that the 3-year Financial Plan includes a section for "unknown" items and to submit the 3 and 10 year Financial Plans to the Board for consideration at the meeting on 2 May 2018.**
- SPABM-001**
- 6.2.10.2 DCC Livingstone, Interim Chief Constable, to ensure that the required assurance is provided to HMICS and brought to the Board meeting on 2 May 2018.**
- SPABM-002**
- 7 2026 – SERVING A CHANGING SCOTLAND**
- 7.1 KHogg presented the paper which provided contextual information about the SPA's role in monitoring the implementation of 2026: Serving a Changing

Scotland. The Board agreed to take the next three agenda items together to allow for a more rounded discussion of the implementation of the 2026 strategy.

7.2 Serving a Changing Scotland – 3 Year Implementation Plan.

7.2.1 Neil Dickson (NDickson) presented the paper and outlined the progress made since the 3 Year Implementation Plan had been presented to the Board in December 2017. He explained the connection between the Key Performance Indicators and the Police Scotland performance framework, as well as the financial planning approach.

7.2.2 The Board noted that there had been some delays due to resourcing issues, but that overall good progress had been made with Year 1 deliverables.

7.3 Corporate Services Transformation Plan

7.3.1 Tom McMahan (TMcMahon) presented the paper which provided the Board with an overview of the plan and approach being implemented on Corporate Services Transformation within the Transforming Corporate Support Services Programme.

7.3.2 TMcMahon noted that the plan represented an ambitious change and a complex process for staff, but that it was progressing with pace in a measured and phased manner.

7.4 Digital, Data and ICT Strategy – verbal update

7.4.1 David Page (DPAGE) provided the Board with an update on the ICT strategy which would underpin the implementation of the 2026 project. He advised that this was a substantial undertaking and that there was a considerable amount to do to get this work back on track. A significant amount of planning and preparation was required in order to bring all the strands of this project together and to progress towards the strategic target of creating a national police force which was equipped for the future in line with the commitments contained in the 2026 Strategy.

7.4.2 DPage advised that a fuller update would be brought to a Board meeting in May.

7.5 The Board thanked the presenters for their contributions and insights into the work being undertaken to take forward the 2026 strategy.

7.5.1 Following detailed discussion of the Implementation Plan, including questions around the financial benefits of the plan and queries about how the plan linked to both the 3 year and 10 year Financial Plans, it was agreed that a decision on whether to approve the Implementation Plan should be deferred until it could be considered alongside the related 3 year Financial Plan on 2 May 2018.

7.5.2 Members commented that the Corporate Services Transformation Programme Plan was clear, but noted that the Target Operating Model had not yet been presented to the Board. The Board also asked for a written update on the Digital, Data and ICT Strategy to be brought to the next Board meeting.

7.5.3 The Board highlighted the importance of maintaining a strong governance structure through this complex transitional period and also determining the most

appropriate and constructive level of oversight of the transformation process, including the information requirements of the Board and Committees.

7.5.4 In conclusion, the Chair said that it was important to have plans in place to take forward the significant change required, but also equally important to remember that the reason for change was to build a sustainable police service for the future.

7.5.5 The Board NOTED the 3 Year Implementation Plan, reports on the Corporate Services Transformation Plan and the Digital Data and ICT Strategy and AGREED the following actions:

7.5.5.1 DCO Page to ensure that the Corporate Services Target Operating Model and a fuller update on the development of the Digital, Data and ICT Strategy are submitted to the Board in May 2018.

SPABM-003

7.5.5.2 DCO Page to ensure that the Implementation Plan is resubmitted to the 2 May Board meeting, supported by the 3-year financial plan, both of which will be considered for approval.

SPABM-004

8. BTP INTEGRATION PROJECT UPDATE – verbal update

8.1 TMcMahon provided a verbal report outlining the progress that had been made in respect of the BTP Integration Project since his last update to the Board in February 2018. A meeting of the Joint Project Board was scheduled to take place in May after which further information would be available. Further updates would be provided to the Board in May.

8.2 The Board NOTED the BTP update.

9. ANNUAL POLICE PLAN 2018/19

9.1 DCCILivingstone confirmed that following presentation of the draft Annual Police Plan (APP) to the Board at its February meeting, the feedback received from the Board at that time had been incorporated into the final document provided to Members at today's meeting.

9.2 DCCILivingstone also advised that the quarter 1 2018/19 performance report would be aligned with the objectives within APP.

9.3 The Board NOTED the Annual Police Plan 2018/19.

The meeting was adjourned for a short break.

10. SCOTTISH POLICE AUTHORITY

10.1 Report by Susan Deacon, Chair

10.1.1 Members considered a report by the Chair which provided an overview of significant business, engagements and improvement activity since the last report to the SPA Board meeting on 27 February 2018, including:

- Board membership and development
- A more streamlined and strategic approach to governance
- Parliamentary and public scrutiny
- A range of engagement activity including staff, public and media
- Forthcoming Chief Officer recruitment process

10.1.2 The Chair also noted the retirement of Derek Penman, HMICS, and said that she was grateful for his advice and support over the last few months. She also welcomed Gill Imery as the incoming HMICS and looked forward to working with her in the future.

10.2 Report by Kenneth Hogg, Interim Chief Officer

10.2.1 Members considered a report by KHogg which provided an update on significant business and improvement activity since the previous report to the SPA Board meeting on 27 February 2018, including:

- Supporting improved SPA Corporate Governance
- Building SPA capacity and capability
- Complaints handling
- Business continuity
- Engagement and relationships

10.3 The Chair suggested that Members should contact herself or KHogg directly if they had any comments or suggestions in relation to these updates.

10.3 1 The Board NOTED the updates provided by the Chair and Interim Chief Officer.

11. CHIEF OFFICERS' RECRUITMENT

11.1 The Chair provided Members with an update on the ongoing process for the recruitment to key positions in Police Scotland and the SPA, including the Chief Constable (CC), Deputy Chief Constables (DCC), Assistant Chief Constables (ACC), the SPA Chief Officer (CO) and other staff at the SPA.

11.2 The importance of strengthening Police Scotland leadership was highlighted by the Chair as a priority and an indication given of the timeline for appointments to be made. Building a strong team, prepared for the challenges of implementing the Transformation Plan, and also ensuring a robust and rigorous recruitment process, would be vital for these pivotal positions at Police Scotland and the SPA.

11.3 The Chair made particular note of the following steps being undertaken in relation to the recruitment process:

- Establishing a Succession Planning and Appointments Committee, as per item 12.1 of the agenda.
- Dedicating a specific HR resource for this task.
- Undertaking discussions with staff forums and other stakeholders to further encourage engagement on the development of PS and the SPA.

11.4 Following discussion about establishing the new Committee and the proposed approach to recruitment, KHogg confirmed that the relevant appointments panels would undertake the appointment processes. The Committee would ensure that appropriate recruitment processes were in place.

11.5 The Board NOTED the Chief Officer recruitment update provided by the Chair and Interim Chief Officer.

12. GOVERNANCE AND ACCOUNTABILITY

12.1 Proposal to Establish a Succession Planning and Appointments Committee

12.1.1 The Board considered the paper which had been prepared by KHogg and set out the proposal to establish a Succession Planning and Appointments Committee.

12.1.2 The Board noted that this matter had been discussed in full at item 11.

12.1.3 The Board APPROVED:

(a) the proposal to establish a Succession Planning and Appointments Committee with the Terms of Reference appended to the paper;

(b) the appointment the Chair of the Board as Chair of the Committee; and

(c) the appointment of the members of the Committee by the Chair, in consultation with the Interim Chief Officer.

12.2 Internal Audit Plan 2018/19

12.2.1 KHogg provided the Board with context around the need for an Internal Audit function and explained that it formed a critical part of the assurance required by the Board and Accountable Officer.

12.2.2 Gary Devlin (Scott Moncrieff) presented the Internal Audit Plan for 2018/19 noting that it had been developed in consultation with the SPA (including Forensic Services), and Police Scotland management. The plan was mapped onto key risks, including those which had already been discussed by the Board under other items earlier on the agenda at today's meeting.

12.2.3 David Hume (DHume), the Chair of the Audit Committee (AC), advised that the Internal Audit Plan had been presented to the AC in January 2018 and a number of changes had been suggested. The AC had subsequently agreed at the meeting in March 2018 meeting to recommend the plan for submission to and approval by the Board.

12.2.4 The Board APPROVED the Internal Audit Plan 2018/19.

13 COMMITTEE REPORTS

13.1 Audit Committee

13.1.1 DHume advised Members that in depth review would take place by the Audit Committee on the preparations being made by PS and the SPA in relation to the implementation of the General Data Protection Regulation (GDPR) in May 2018.

13.1.2 The Board NOTED the report by Committee Chair, DHume.

13.2 Complaints & Conduct Committee**13.2.1 The Board NOTED the report by Committee Chair, Matt Smith (MSmith)****13.3 Finance Committee**

13.3.1 Elaine Wilkinson (EWilkinson), the Committee Chair, advised that the Finance Committee had scrutinised the 3 Year Financial Plan which had been discussed at items 6 and 7, commented that it was disappointing that the plans had not been presented to the Board for approval at this meeting, and looked forward to discussing them on 2 May 2018.

13.3.2 The Board NOTED the report by the Committee Chair, EWilkinson.

Before moving to private business, the Chair highlighted the importance of the work being undertaken by Committees. This allowed the Board to consider business at a more strategic level, but informed by the deliberation at Committees. Work was underway to further develop governance in both the SPA and Police Scotland which the Board would consider at a workshop towards the end of April.

The Chair thanked all those in attendance and those on line for their interest in the meeting. The next scheduled meeting would take place on 2 May 2018 and the agenda would be published in due course.

Meeting adjourned at 13:45 and resumed at 14.30.

The following agenda items were taken in private.

14 MINUTE AND ROLLING ACTION LOG

14.1 **The Minute of the Board Meeting held on 27 February 2018 recording items heard in private was APPROVED as an accurate record of proceedings.**

14.2 **The Board APPROVED the action log from the meeting held on 27 February 2018 for items heard in private.**

15. TRANSFORMATION RESOURCE CONTROL GROUP (TRCG) BUSINESS CASE

15.1 DPage confirmed that the business case had been updated following the Board and Finance Committee's request for additional information around benefits realisation. The business case now provided the Board with the demonstrable benefits of this programme including the financial benefits and implications which had been identified.

15.2 The Board discussed the potential impact of the transformation programme and noted the importance of maintaining the correct level of oversight and governance around this programme. The importance of keeping stakeholders aware that progress was being made was also noted. Members also raised concern about the cost implications and Police Scotland's ability to demonstrate value for money.

15.3 KHogg commented that the SPA needed to determine appropriate governance of the transformation programme. Police Scotland also needed to produce a simpler, summary overview of progress with the programme: a suggestion which DCCILivingstone supported.

15.4 The Board continued to discuss the matter in some depth and considered the need for audit and assurance at different stages, as well as the issue of sustainability of the organisation in the longer term and the need to embed the TRCG capability in the organisation's systems, practice and culture.

15.5 The Board NOTED the update and agreed the following actions:

15.5.1 DPage and KHogg to consider the approach and methodology for the oversight of the 2026 transformation programme and alignment between SPA and PS governance structures. The Finance and Audit Committees to feed into this process, as necessary, over the coming months.

SPABMP-001

15.5.2 DPage to provide the Board with a high level briefing to a May meeting, linking the work of Professional Services and the Transformation Resource Control Group to the three year implementation plan. The briefing should include any core messages which the Board should be aware of.

SPABMP-002

16. CONTACT AWARD RECOMMENDATION FOR VEHICLE CONVERSION

16.1 Colette Sherry (CSherry), Head of Commercial Services, presented the paper to the Board and invited members to consider and approve the award of contracts to AJ Engineering Limited and Cebotec Limited for the provision of Vehicle Conversion Services for a 4 year period from 1 April 2018 to 31 March 2022.

16.2 The Board highlighted the importance of keeping contract business within the Scottish economy, where possible. CSherry confirmed that the Framework did include Scottish suppliers and that the majority of the expenditure would be in Scotland.

16.3 It was noted that this paper had previously been presented to and considered by the Finance Committee who had been content to recommend to the Board for approval.

16.4 The Board APPROVED the award of a contract to AJ Engineering Limited and Cebotec Limited for the provision of Vehicle Conversion Services for a 4 year period from 1 April 2018 to 31 March 2022.

16.5 Following approval, and as part of service provision to the SPA by police staff permitted under section 83 (2) of the Police and Fire Reform (Scotland) Act 2012, the Board instructed Procurement staff within Police Scotland on behalf of the SPA to prepare and issue, on behalf of the SPA, contract documentation for the contract period and facilitate contract signature by the SPA Chief Officer.

17. RADIO MAST LEASES – EXTENSION OF LEASES AT CRUBENMORE AND NEW LEASE AT CRAIG COILLICH

17.1 CSherry, Head of Commercial Services presented the paper which provided details on the proposed extension of a lease of existing radio mast sites at Crubenmore and Craig Coillich.

17.2 It was noted that this paper had previously been presented to and considered by the Finance Committee who had been content to recommend to the Board for approval.

17.3 The Board APPROVED:

- **the extension of the ground lease in respect of the radio mast site at Crubenmore until 27 November 2030, at an initial rental of £8,000 per annum, and on the further terms and conditions within the paper;**
- **entering into a new lease in respect of the radio mast site at Craig Coillich until 31 March 2035, at a rental of £6,100 per annum, and on the further terms and conditions within the paper, and entering into a renunciation of the existing lease;**
- **authorisation and instruction for the Head of Estates and the Interim Head of Legal Services to conclude a minute of extension and variation of lease in respect of the site at Crubenmore and a new lease and renunciation of the existing lease in respect of the site at Craig Coillich**

DCO Page, SuptGregg Banks and T/Insp Greg Robertson and Colette Sherry left the meeting.

18. LEGAL SETTLEMENT

Reports by Head of Legal and Compliance, SPA and Asma Ali, Solicitor, Police Scotland

18.1. The Board received reports by Robin Johnston (RJohnston), Head of Legal and Compliance, SPA and Asma Ali, Solicitor, Police Scotland about the proposed settlement of a civil action.

18.2 The Board noted the importance of learning from this incident in relation to officer training and further noted that it would be useful if matters of this kind were brought before the Board for consideration at an earlier stage for Board decision-making, for example before the point at which legal liability was accepted.

18.3 The Board granted APPROVAL in accordance with the recommendations within the reports.

There being no further business, the Chair thanked everyone for their attendance and the meeting ended at 15.55.