

BOARD MEETING
28 June 2018

**Minute of the Scottish Police Authority Board Meeting held on
Thursday 28 June 2018 in Rothes Halls, Glenrothes**

Board Members Present: Susan Deacon (Chair)
Tom Halpin
Robert Hayes
David Hume
Grant Macrae
Michelle Miller
Mary Pitcaithly
Jane Ryder
Matt Smith
Caroline Stuart

In attendance: Scottish Police Authority (SPA)
Kenneth Hogg, Interim Chief Officer *(all items)*
Catherine MacIntyre, Head of Business Services *(all items)*
John Maclean, Interim Head of HR Governance *(all items)*
Clare McFadyen, SPA Committee Co-ordinator *(all items)*
Hilary Pearce, Director *(all items)*
Police Scotland (PS)
DCC Iain Livingstone, Interim Chief Constable *(all items)*
DCC Johnny Gwynne *(items 1-12)*
ACC Malcolm Graham *(item 16)*
ACC Steve Johnson *(items 13 - 14)*
ACC Wayne Mawson *(item 16)*
Supt Gregg Banks *(items 1-14 & 16)*
Supt Ian Thomson *(items 1- 6)*
T/Insp Greg Robertson, Executive Support *(items 1-14 & 16)*
DCO David Page *(all items)*
Neil Dickson, Director of Change *(item 16)*
Kevin Dornan, Project Manager *(item 16)*
James Gray, Chief Financial Officer *(items 1 – 14 & 16)*
Jude Helliker *(items 13 - 15)*
Kerri Maciver *(item 16)*

Tom McMahon, Director of Business Integration (*items 1-7*)
Colette Sherry (*item 16*)

Contributor: Alex Adrain, Community Improvement Partnership,
Wheatley Group (*items 1 - 6*)
Will Linden, Interim Director, Scottish Violence
Reduction Unit (*items 1 - 6*)

Observer: Tina Yule, HMICS (*items 1 – 14 & 16*)



1. WELCOME AND APOLOGIES

The Chair welcomed Members and attendees to the meeting and introduced a new Board Member, Michelle Miller, who had taken up her appointment on 1 June 2018.

Apologies were received from Board Members David Crichton, Graham Houston, Iain Whyte and Elaine Wilkinson.

The Chair extended her thanks to officers and staff from Police Scotland in Fife and members of Fife Council with whom she had met the previous day.

2. DECLARATIONS OF INTEREST

None.

3. MINUTE AND ROLLING ACTION LOG

The Board **APPROVED** the minute and action log from the Board meeting held on 31 May 2018 subject to replacing the word “committee” with “organisation” in line six of paragraph 11.1.3 of the minute.

4. DECISION ON TAKING BUSINESS IN PRIVATE

In accordance with paragraph 27 of the SPA Governance Framework, the Board **AGREED** to consider items 13-16 on the agenda in private for the reasons set out in the agenda.

**5. INTERIM CHIEF CONSTABLE'S REPORT
(paper B 06.2018/19)**

DCC Iain Livingstone, Interim Chief Constable (DCCILivingstone), presented his report on the Police Service, policing and crime highlighting key activities and events in relation to Police Scotland's priorities, strategic engagement, significant operational events and delivering strategic change.

DCCILivingstone commented on the incident which resulted in serious injury to two Police officers in Greenock on 1 June 2018. He praised the officers for their bravery and professionalism and thanked the public for the overwhelming support expressed for them and for the police service more broadly. The Chair formally recorded the Board's appreciation of the officers' bravery and courage which served as a reminder of the risks police officers are willing to take for the benefit of the communities they serve, and expressed warm wishes to both officers for a full recovery.

DCCILivingstone advised the Board about a potential visit to Scotland by the President of the United States, Donald Trump, as part of his planned trip to the UK in July 2018. Although there had been no formal confirmation of the visit, a command and planning structure, led by ACC Williams, had been established to consider the impact of the visit and coordinate a policing response. In response to questions about the potential cost implications, DCCILivingstone advised that current estimates were in the region of £5m with no clarity as yet over how those additional costs would be met. Kenneth Hogg (KHogg) asked that he be provided with the cost information when it was available to enable him to forward it to Scottish Government for re-imburement by the UK Government in line with normal practice.

Members raised further questions about:

- the recently published Audit Scotland update report on the Scottish Fire & Rescue Service and whether there were any aspects of it which were relevant to Police Scotland;
- missing children, particularly figures which had recently been reported in the media relating to the number of children growing up in care who were reported missing;
- TTROs (Temporary Traffic Regulation Orders) and the policing of community events; and
- recent reports relating to the breach of a Home Detention Curfew (HDC) licence, the subsequent strategic reviews commissioned by the Cabinet Secretary for Justice from both

HMICS and HMIPS, and the need to provide assurance to communities about the management of offenders.

In response:

- DCCILivingstone acknowledged common themes affecting both the Police and Fire & Rescue Services particularly in the areas of ageing estates, the need for a flexible workforce, ICT and pressures on terms and conditions and pensions, and advised that he would give consideration to the Audit Scotland report;
- DCC Johnny Gwynne (DCCJGwynne) noted that of the 23,000 people reported missing in 2017/18, around 60% were children with the majority being in the care system. He outlined the importance of partnership working to address this issue and the strength of collective and collaborative working. On a follow-up question about what the Board could do to promote or support partnership working with equivalent governing bodies, DCCILivingstone welcomed the shared approach to reducing harm and protecting the vulnerable and undertook to reflect further on how to take that forward;
- DCCILivingstone acknowledged the importance of community based events and accepted that that there had not always been a consistent approach to the use of TTROs. Work was now being taken forward in partnership with COSLA to develop an appropriate policy. In the meantime, previous local policies had been reinstated;
- DCCILivingstone assured the Board that a robust review of the specific incident which followed the HDC licence breach was being undertaken to establish what lessons could be learned. He welcomed the forthcoming reviews by HMICS and HMIPS, the outcomes from which would be reported to the Board.

The Chair commented positively on the recent intake of probationers and the excellent progress made by Police Scotland to increase diversity in the workforce. To facilitate continuous improvement in this area, the Chair proposed that diversity in Police Scotland should be a topic for broader discussion at a future Board meeting.

The Board noted the report and agreed the following actions:

- (a) DCCILivingstone to provide further information to KHogg as it is obtained about the cost of the proposed visit to Scotland by the President of the United States to enable KHogg to liaise with Scottish Government on how that cost will be met.**

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- (b) **DCCILivingstone to report back to the Board on the outcomes of the strategic reviews being undertaken by HMICS and HMIPS.**

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**6. VIOLENCE PREVENTION IN SCOTLAND – STRATEGIC REVIEW
(paper B 06.2018/20)**

The Board was joined by Superintendent Ian Thomson (SuptIThomson), Police Scotland's operational lead for violence prevention; Will Linden (WLinden), Interim Director, Scottish Violence Reduction Unit; and Alex Adrain (AAdrain), Community Improvement Partnership, Wheatley Group, who contributed to a partnership discussion on Police Scotland's approach to reducing violent crime through violence reduction strategies.

SuptIThomson presented a short report. He explained the public health approach taken by Police Scotland to address the causal factors rather than the symptoms of violence and the significant work undertaken with partners and the community to tackle these problems. WLinden and AAdrain outlined how the Scottish Violence Reduction Unit and the Wheatley Group had been working collaboratively with Police Scotland in the prevention of violent crime through data sharing, providing tailored support for local activities and communities, and developing community resilience. In commenting on the progress made, SuptIThomson acknowledged continuing challenges and the need to address them in a collaborative manner, and highlighted the importance of solutions being designed and delivered through local engagement.

- Members engaged in a wide ranging discussion and suggested a number of areas for further consideration and development, including looking at approaches from outwith the UK and expanding the collaborative approach to other agencies. The importance of early intervention, listening to young people and involving them in co-designing solutions to deliver change was also emphasised.

The Chair acknowledged the significant work undertaken by Police Scotland and collaborative partners in relation to violence prevention and encouraged Members to reflect on how the Authority could build upon the public discussion.

7. BRITISH TRANSPORT POLICE INTEGRATION UPDATE (paper B 06.2018/21)

Tom McMahon (TMcMahon) introduced his report which provided an update on the work undertaken to support the integration of British Transport Police functions into Police Scotland. Information was provided on progress with the re-planning process and on the SPA's responsibilities under the Railway Policing (Scotland) Act 2017.

KHogg advised the Board about progress being made by the Joint Programme Board (JPB) to recommend a revised 'go live' date to Ministers. The re-planning exercise was due to conclude by the Autumn. He advised that the SPA would take on a number of statutory responsibilities upon integration and, once re-planning work had concluded, the SPA should consider its wider corporate governance of this process.

Members expressed a number of concerns and sought additional information and assurance on a range of matters including:

- the role of the Board in actively considering any revised output from the re-planning exercise, including the implications for the SPA;
- clarity on the costs of integration to be in place before a revised plan is endorsed;
- the impact which integration would have on the overall change programme underway within Police Scotland;
- the need for a comprehensive risk management and project assurance process;
- engagement with BTP Authority.

The Chair confirmed that she had met the previous Chair and Chief Executive of BTPA alongside DCCILivingstone and the Chief Constable of BTP and was scheduled to meet the new Chair in July.

David Page (DPage) said that BTP integration was being considered as part of Police Scotland's wider change portfolio, and that resources were currently being redirected from the core change programme to progress this work. He gave an assurance that Police Scotland would not incur unnecessary risk or costs to the core change programme without setting out the implications to the Board.

KHogg said that SPA and Police Scotland were fully engaged with the JPB and that any views expressed by the Board on a proposed revised date for integration, once that was available, would be communicated to Scottish Ministers before a final decision was taken on a revised date. However the SPA Board would not itself make the decision on the revised 'go live' date as this was a matter for Ministers. KHogg confirmed that the Board would continue to be kept informed of progress and that reports would be brought to the scheduled Board meetings in the Autumn.

The Chair emphasised the significance of this issue and the importance of continued oversight by the Board.

The meeting was adjourned for a short break.

8. SCOTTISH POLICE AUTHORITY GOVERNANCE (paper B 06.2018/22)

KHogg presented his report and outlined progress made over recent months, including a number of improvements to simplify and consolidate the SPA's governance arrangements. The Board was now being asked to:

- approve the new Governance Framework and its subsidiary documents, noting that the latter were the subject of further work which would be reported on in the autumn;
- approve an adjustment to the Terms of Reference for the Forensic Services Committee; and
- consider the appointment of Members to vacancies on the Audit and Forensic Services Committees.

In implementation of the action agreed at the last Board meeting, KHogg advised that a review of the business undertaken by those committees which were currently paused had been completed and would be circulated to Members.

The Chair reiterated her commitment to continuous improvement in the SPA's approach to governance, particularly in light of critical comments made by inspection bodies in their reviews of the SPA.

With regard to Committee membership, the Chair proposed that:

- Jane Ryder be appointed to the Audit Committee;
- Tom Halpin be appointed to the Forensic Services Committee;
- Graham Houston be confirmed as a permanent member of the Forensic Services Committee.

Having been authorised by the Board at its meeting on 31 May 2018 to appoint members to the Transformation Working Group, the Chair confirmed that Michelle Miller and Elaine Wilkinson had been appointed and that Martyn Evans would join them from 1 August 2018. Mary Pitcaithly (MPitcaithly) would chair the Group in accordance with the Board's decision on 31 May 2018.

MPitcaithly advised Members that meetings of the Working Group would be arranged and an interim report from the Group brought to the Board meeting on 30 August 2018.

David Hume (DHume) requested that consideration be given to adding a whistleblowing procedure for Members in the next iteration of the Governance Framework document.

The Board:

- (a) noted the purpose and coverage of the Governance Framework as set out in the report;**
- (b) approved the updated Governance Framework and the subsidiary documents set out in appendices 1-5 to the report, recognising that further work is in progress during this period of transition and improvement;**
- (c) approved the adjustment to the Forensic Services Committee Terms of Reference; and**
- (d) appointed Jane Ryder to the Audit Committee and Tom Halpin and Graham Houston to the Forensic Services Committee.**

**9. SPA Chair's Report
(paper B 06.2018/23)**

The Board considered a report by the Chair which provided an overview of significant business, engagements and improvement activity since her last report on 31 May 2018, including:

- senior leadership recruitment;
- Board development;
- the role of the Vice-Chair;
- the independent review of Police complaints announced by the Cabinet Secretary for Justice on 19 June 2018; and

- the ASPS (Association of Scottish Police Superintendents) conference which she had attended and addressed.

Referring to recent changes in Ministerial responsibilities within Scottish Government, the Chair expressed her thanks and appreciation to the outgoing Cabinet Secretary for Justice, Michael Matheson MSP, and welcomed his successor, Humza Yousaf MSP.

**10. Report by SPA Interim Chief Officer
(paper B 06.2018/24)**

The Board considered a Quarter 1 progress report report by KHogg on delivery of the SPA's Improvement Plan 2018/19 showing good initial progress had been made.

**11. PROVISIONAL OUTTURN 2017/18
(paper B 06.2018/24)**

The Board considered a report by James Gray (JGray) presenting the provisional outturn position in relation to revenue, capital and reform expenditure for financial year 2017/16, noting that the figures contained therein were still subject to external audit.

**12. 2026 – SERVING A CHANGING SCOTLAND – PROPOSED
BUSINESS CASES
(paper B 06.2018/26)**

KHogg provided a contextual summary of the change programme and acknowledged the significant progress made to date. He commented on the complexity of the programme, explaining that the aim of the paper was to simplify the overall structure and implementation plan in preparation for consideration by the Board of four business cases.

DPage presented an overview report of the current portfolio of work including a short description of the four business case proposals (Criminal Justice Hub; Productions Re-modelling; Transformation Support; and Demand, Productivity and Performance and Local Policing Development Project) and how they would fit into the wider change portfolio activity.

Members welcomed the summary 'portfolio on a page' which gave visibility to the entire change programme and illustrated its scale. Questions were asked about the management of priorities and communication to staff about the changes taking place. DPage advised that careful consideration was being given to competing priorities in order to manage them in the most effective way, with due regard being given to risks, benefits and obtaining the best value for money. In respect of messaging to the workforce, DPage advised that this was being led by ACC Wayne Mawson who was undertaking a series of roadshows, supported by a comprehensive programme of communication, leadership forums and change champions, and acknowledged that communication was an area for improvement.

The Chair noted that this matter would be considered in more detail at the next Board Development event. She also recorded the Board's interest in ensuring there was effective two way communication with the workforce throughout the change programme and acknowledged the continuing challenges faced by Police Scotland in recruiting the necessary skills and capacity to deliver the programme in a highly competitive marketplace.

13. COMMITTEE REPORTS

Reports were submitted from the Chairs of the following committees:

- (a) Succession Planning and Appointments Committee
(paper B 06.2018/27)**
- (b) Finance Committee
(paper B 06.2018/28)**

Verbal reports were received from the Chairs of the following committees :

- (c) Audit Committee**

David Hume (DHume) reported on the meeting which had taken place on 20 June 2018 to discuss the ICO review of Data Protection in the SPA. He advised that the Committee had commented on the management responses to the recommendations and the action plan with a view to strengthening them, in consequence of which he anticipated that the Committee would be able to derive the assurance it needed at

the next meeting on 24 July 2018. He also advised that the ICO would be carrying out a follow up audit later in 2018.

(d) Complaints and Conduct Committee

Matt Smith (MSmith) reported on the meeting which had taken place on 27 June 2018. He noted the steady progress being made in the work of the Committee and that a report from the Working Group looking at the PIRC complaints handling review was expected to be considered by the Committee at its meeting in August 2018.

The Chair referred to the **C3 Governance and Assurance Group** which had been set up in 2015 and which held its last meeting on 25 June 2018, having completed its remit. MSmith noted that the Group had been constituted in response to a report from HMICS containing 30 recommendations and had made good progress with all recommendations now having been completed.

Meeting adjourned at 13:30 and resumed at 14.20.

The following agenda items were taken in private.

14. MINUTE & ROLLING ACTION LOG

The Board APPROVED the minute and action log from the meeting held on 31 May 2018 for items heard in private.

15. POLICE SCOTLAND EU EXIT PLANNING AND PREPARATION

ACC Steve Johnson (ACCSJohnson) provided the Board with a verbal report regarding the potential impact of EU exit on Police Scotland. His report included:

- a summary of the steps taken to date to mitigate against identified risks;
- an overview of the plan in place to progress the matter over the coming months; and
- an outline of the governance arrangements established within Police Scotland to direct and oversee this area of work.

ACC Johnson undertook to provide Members with a paper containing the main points of his verbal report.

The Chair commended Police Scotland for their pro-active and pragmatic approach to the issue and Members discussed how the SPA could assist in supporting and engaging with Police Scotland on it. The Chair proposed that EU exit planning and preparation should form part of a wider Board discussion in a public forum.

The Board noted the verbal report and agreed the following actions:

- (a) **ACCSJohnston to provide a paper capturing the main points of his verbal report for circulation to Members.**

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- (b) **the Chair and KHogg to consider the manner in which the Board could support and engage with planning work relating to Brexit.**

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ACC Steve Johnson withdrew from the meeting

The Chair adjusted the order of the agenda at this point. The remainder of this minute records the order in which the items were taken.

ACC Malcolm Graham, ACC Wayne Mawson, Neil Dickson, Kevin Dornan, James Gray, Kerry Maciver and Colette Sherry joined the meeting.

**16. Demand, Productivity and Performance (DPP) & Local Policing Development Project (LPDP)
(paper B 06.2018/30)**

ACC Malcolm Graham (ACCMGraham) presented a report seeking approval:

- of the Business Case for a combined Demand, Productivity and Performance and Local Policing Development Project;
- to award a contract for the provision of professional services to support development of the project; and
- to recommend the Business Case to Scottish Government for the purpose of securing reform funding.

At its meeting on 12 June 2018, the Finance Committee had agreed to recommend the Business Case to the Board for approval.

ACCMGraham explained that:

- the project was part of an enabling programme critical to understanding the shape and size of the workforce required for the future;
- the core purpose of the programme was to build sustainability within the workforce and reduce reliance on external support.

Attached as an appendix to the report was a further report by Colette Sherry (CSherry) recommending the award of a contract under the Business Case to Bloom Procurement Services Ltd. sub-contracting to PricewaterhouseCoopers (PwC) for the provision of professional services (the covering report erroneously referring to a direct award to PwC).

Members raised questions about the governance process and sought assurance that SPA Forensic Services' requirements had been captured within the scope of the programme. ACCMGraham outlined the review process for the Business Case, including input from various Programme and Project Boards in addition to consideration by the Finance Committee. In relation to Forensic Services, ACCMGraham confirmed that its requirements were in scope and that he would communicate further with Forensic Services on this matter.

On a question about the procurement process, CSherry confirmed that PwC would be engaged as a subcontractor through the Bloom Procurement Services Framework Contract with the North East Procurement Organisation, having been identified following a mini-competition tender process. DPage and CSherry committed to providing Members with a briefing note explaining the contractual relationships and providing assurance on the due diligence procedures carried out.

The Board approved:

- (a) the combined Demand, Productivity and Performance and Local Policing Development Project Full Business Case;**
- (b) submission of the Business Case to the Scottish Government to secure reform funding; and**

- (c) the award of a contract or contracts to Bloom Procurement Services sub-contracting to PwC under the Framework Contact with the North East Procurement Organisation, with a contract value of up to £1.468m exc. VAT.**

The Board also agreed the following action:

CSherry/DPage to provide Members with a briefing note explaining the contractual relationships with Bloom Procurement Services Ltd. and PwC and providing assurance on the due diligence procedures carried out.

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**17. Transformation Support
(paper B 06.2018/31)**

The Board considered a report presented by Neil Dickson (NDickson) seeking approval of a Business Case for the provision of Transformation Support across a broad spectrum of Police Scotland's change function. At its meeting on 12 June 2018, the Finance Committee had agreed to recommend the Business Case to the Board for approval.

Attached as an appendix to the report was a further report by Paul Donovan (PDonovan) recommending the award of a contract under the Business Case to Bloom Procurement Services Ltd. sub-contracting to KPMG for the provision of professional services.

The Board approved:

- (a) the Transformation Support Full Business Case;**
- (b) the award of a contract to Bloom Procurement Services sub-contracting to KPMG under the Framework Contact with the North East Procurement Organisation for a total contract value of £2,250,000 inclusive of VAT; and**
- (c) submission of the Business Case to the Scottish Government for approval in accordance with the Financial Regulations and to secure reform funding in the amount of £990,000.**

**18. CJSD Custody Remodelling (Criminal Justice Hub) Project
(paper B 06.2018/32)**

The Board considered a report presented by ACC Wayne Mawson (ACCWMawson) seeking approval of a Business Case for the creation of Criminal Justice Hubs and the subsequent remodelling of the functions within the Criminal Justice Services Division. At its meeting on 12 June 2018, the Finance Committee had agreed to recommend the Business Case to the Board for approval.

Members suggested that consideration be given to referring to “community” rather than “criminal” Hubs.

The Board approved:

(a) the Full Business Case proposal for the establishment of Criminal Justice Hubs and the associated capital and revenue costs:

- £1.2million of capital in 2018/19 and £2.8million in 2019/20;
- £138k of reform revenue in 2018/19 and £13k in 2019/20;
- £254k of non-reform revenue in 2018/19, £4million in 2019/20 and c.£4million every year thereafter.

(b) submission of the Business Case to the Scottish Government for approval in accordance with the Financial Regulations and to secure reform funding.

**19. Productions Remodelling
(paper B 06.2018/33)**

Members considered a report presented by ACCWMawson seeking approval of a Business Case to redesign and develop Police Scotland’s productions’ operation and facilities. At its meeting on 12 June 2018, the Finance Committee had agreed to recommend the Business Case to the Board for approval.

In response to a question, ACCWMawson confirmed that Forensic Services’ requirements had been considered as part of the project and undertook to provide that assurance direct to the Service.

The Board approved:

- (a) **the Full Business Case for a remodelled Productions facility and the associated capital and revenue costs:**
- **£1million of capital in 2018/19 and £2.5million in 2019/20;**
 - **£27.5k of reform revenue in 2018/19, £516k in 2019/20 and £507k in 2020/21.**
- (b) **submission of the Business Case to the Scottish Government for approval in accordance with the Financial Regulations and to secure reform funding.**

**20. Provision of Forensic Biology Case Work
(paper B 06.2018/34)**

The Board considered the report presented by CSherry seeking approval to award a contract for Forensic Biology Casework Services to enable more effective demand and capacity management of the forensic casework handled in Scotland. The report outlined the tender process carried out and noted that the proposal had been approved for recommendation to the Board by the Finance Committee on 12 June 2018.

The Board approved the award of a contract in the form of a nil-commitment framework agreement to Eurofins Forensic Services and Key Forensic Services for the provision of Forensic Biology Casework Services. The proposed contract is for an initial period of two years from 4 July 2018 to 3 July 2020 with the option to extend for an additional one year to 3 June 2021. The total estimated contract value for the three year term is £5,000,000 (excluding VAT).

ACC Malcolm Graham, ACC Wayne Mawson, Neil Dickson, Kevin Dornan, James Gray, Kerry Maciver and Colette Sherry withdrew from the meeting

Mary Pitcaithly withdrew from the meeting

Jude Helliker joined the meeting

**21. POLICE OFFICER PAY CLAIM 2018/19
(paper B 06.2018/29)**

John McLean (JMcLean) presented a report which provided contextual information about the police officer pay negotiating process for 2018/19.

Following detailed discussion, the Board **AGREED** to authorise engagement in further non-binding, without prejudice discussions.

Jude Helliker withdrew from the meeting

There being no further business, the Chair thanked everyone for their attendance and the meeting ended at 17:05.

APPROVED