

**Minute of Scottish Police Authority Board Meeting**

<b>Meeting</b>	Scottish Police Authority Board Meeting (Live streamed to the SPA website)	<b>Date/Venue</b>	31 May 2018. COSLA, Verity House, Edinburgh
<b>Meeting Ref No / Minute Reference</b>	SPAPBM-31052018 / MIN-B.05.20180531	<b>Start Time</b>	09:30
		<b>End Time</b>	18:15

Board Members Present: Susan Deacon (Chair)  
David Crichton  
Tom Halpin  
Robert Hayes  
Graham Houston  
Grant Macrae (*items 1 - 11*)  
Mary Pitcaithly  
Jane Ryder  
Matt Smith  
Caroline Stuart (*items 1 - 19*)  
Elaine Wilkinson

In attendance: Scottish Police Authority (SPA)  
Kenneth Hogg, Interim Chief Officer (*all items*)  
Robin Johnston, Head of Legal (*item 20*)  
Catherine MacIntyre, Head of Business Services (*all items*)  
Clare McFadyen, SPA Committee Co-ordinator (*all items*)  
Tom Nelson, Director Forensic Services (*items 1 – 13*)  
Graham Stickle, Risk & Policy Specialist (*items 14-16*)  
Hilary Pearce, Director (*items 14 - 20*)  
Catherine Topley, Director (*item 19 - part*)

Police Scotland (PS)  
DCC Iain Livingstone, Interim Chief Constable (*items 1 - 18*)  
DCC Johnny Gwynne (*items 1-18*)  
DCI Martin Black (*items 14-15*)  
DCO David Page (*items 1-18*)  
Supt Gregg Banks (*items 1-18*)  
T/Insp Greg Robertson, Executive Support (*items 1-18*)  
Fiona Davidson, Enterprise Risk Manager, Police Scotland (*items 14 - 16*)  
Neil Dickson, Director of Change (*items 1-14 & 17*)  
Paul Donovan, Head of ICT Commercial Strategy & Procurement (*items 14-17*)  
James Gray, Chief Financial Officer (*items 1 - 13*)  
Martin Low, Interim Director of ICT (*items 1 - 13*)  
Tom McMahon, Director of Business Integration (*items 1-13*)

Others  
Gill Imery, HMICS (*items 1 - 13*)  
Stephen Millar (*item 20*)

## **1 WELCOME AND APOLOGIES**

- 1.1 The Chair welcomed Members and attendees.
- 1.2 Apologies were received from Board Members David Hume and Iain Whyte.

## **2 DECLARATIONS OF INTEREST**

- 2.1 Tom Halpin declared a non-financial interest in agenda item 6, the Interim Chief Constable's report, in his role as Chief Executive of SACRO which was a partner with SafeLives in providing training to police officers on identifying controlling behaviours to support the introduction of the Domestic Abuse (Scotland) Act 2018.

## **3 MINUTE AND ROLLING ACTION LOG**

- 3.1 **The Board APPROVED the minute and action log from the Board Meeting held on 2 May 2018 subject to addition of the followings words at the end of paragraph 16.1:**
  - 3.2.1 **“...and asked that Police Scotland gives consideration to building a technical design authority.”**

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## **4 DECISIONS SINCE THE LAST BOARD MEETING**

- 4.1 **NOTED** the decision on Settlement of Litigation taken by email correspondence on 11 May 2018.

## **5 DECISION ON TAKING BUSINESS IN PRIVATE**

- 5.1 In accordance with paragraph 27 of the SPA Governance Framework, the Board **AGREED** to consider items 14-20 in private for the reasons set out in the agenda.

## **6 INTERIM CHIEF CONSTABLE'S REPORT**

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

- 6.1 DCC Iain Livingstone, Interim Chief Constable (DCCILivingstone), presented his report which provided the Board with an update on key activities and events in relation to delivering on Police Scotland's priorities, strategic engagement, significant operational events, and delivering strategic change.
- 6.2 DCCILivingstone advised that the outstanding homicide referred to in the report had subsequently been solved. He also provided an update on armed policing deployment advising that the model was being carefully managed to ensure it remained within the parameters agreed by Police Scotland and the SPA Board and that local scrutiny partners were being kept informed of progress.

6.3 Questions were asked on violence prevention through collaborative inter-agency working, and the recommendations and outcomes of Exercise Border Riever. DCCILivingstone stressed the importance of connecting national and local strategies to ensure that local needs were being addressed with the appropriate local response. On the Border Riever counter terrorism exercise, he advised that further consideration would be given to reporting on the lessons learned.

**6.4 The Board NOTED the report and agreed the following action:**

**6.4.1 DCCILivingstone to determine the best forum for the Board to consider fuller feedback from the lessons learned in relation to Exercise Border Riever, including budget implications.**

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## **7 POLICE SCOTLAND - 5 YEAR REVIEW**

7.1 Before inviting DCCILivingstone to present his report, the Chair noted its focus on Police Scotland's submission to the Justice Committee and reiterated the Board's request for a more rounded and reflective assessment of comparative performance. DCCILivingstone confirmed that the information sought would be expanded upon in a future report.

7.2 Members suggested a number of areas for further development. While the report did highlight work which had been undertaken to date and the significant progress made, more information about future areas for focus and improvement should be provided.

7.3 The Chair acknowledged the significant efforts of the workforce and substantial progress made by Police Scotland over the last 5 years.

**7.3 The Board NOTED the report and agreed the following action:**

**7.3.1 DCCILivingstone to report to a future meeting of the Board expanding on the information provided and with a focus on the next stages of transformation.**

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## **8 2026 – SERVING A CHANGING SCOTLAND**

### **8.1 Digital, Data and ICT Strategy Report**

8.1.1 Kenneth Hogg (KHogg) noted the significance of the Digital, Data and ICT Strategy, highlighting that it is a key enabler for successful implementation of the wider Policing 2026 strategy.

8.1.2 David Page (DPage) introduced the paper which provided an update on the work undertaken by Police Scotland in respect of the development of the Digital, Data and ICT Strategy. He acknowledged that the digital element of improvement within Police Scotland was overdue, that there had been insufficient investment in technology since 2012 and that the investment required to remedy the current shortcomings and to deliver the integrated strategy was significant.

- 8.1.3 Martin Low (MLow) spoke about the aims and rationale for creating an integrated strategy. He acknowledged that the plan was ambitious but highlighted the importance of being able to align with and support delivery of the 2026 programme as well as other parts of the justice and wider public sectors, and the benefits that would be realised through investment.
- 8.1.4 The Board raised questions in relation to:
- monitoring of progress, particularly around costs and funding, but also in respect of organisational and people development;
  - how integration with other public services would be achieved; and
  - how the impact of potential reputational risk would be addressed.
- 8.1.5 DPage noted the Board's concerns in respect of monitoring and confirmed that they would be taken into consideration. He advised that relationships and opportunities were being explored in respect of integration with other public services, and this important aspect of the strategy was included in the 100-Day plan.
- 8.1.6 The Board APPROVED the overall direction of travel outlined in the report and AGREED the following action:**
- 8.1.6.1 DPage/KHogg to consider how best the Board can monitor the progress being made in relation to the Digital Data and ICT Strategy to ensure that the direction of travel remains on track.**

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*The meeting was adjourned for a short break.*

## **9 PERFORMANCE REPORTS**

### **9.1 Financial Performance Report - 2017/18**

- 9.1.1 James Gray (JGray) introduced the report which provided the Board with an update on the provisional 2017/18 financial outturn. He commented on the improved financial controls while acknowledging that further improvements could still be made.
- 9.1.2 It was noted that the Finance Committee had considered and endorsed the report at its meeting on 15 May 2018. KHogg commended the provisional 2017/18, which had exceeded expectations, and the Board acknowledged the strengthened financial stewardship now in place.

#### **9.1.3 The Board NOTED the report.**

### **9.2 Police Scotland Performance Report Q4**

- 9.2.1 The Chair advised that this was the final report to be presented to the Board in the current format. Going forward, performance reports would be presented in a renewed format aligned to the revised performance framework and would be more reflective of the aims and objectives of the 2026 strategy for policing.
- 9.2.2 DCCILivingstone and DCC Johnny Gwynne (DCCJGwynne) presented the Police Scotland 2017/2018 Q4 performance summary update. This showed an increase

in total crime of 3.4% compared to the same period last year. However, 1.7% of this increase was due to a change in recording practices, with separate crimes now being recorded for possession of a weapon when used in the commission of a crime.

9.2.3 In looking forward to receiving the new style of report, Members suggested there would be benefit in involving other agencies in future discussions, for example in relation to tackling violence.

**9.2.4 The Board NOTED the report.**

### **9.3 Forensic Services Performance Report**

9.3.1 Tom Nelson (TNelson) presented the report, adding that an application had been made for multi-site accreditation and that, in March 2018, Forensic Services Dundee had been formally awarded for Globalfiler in Relationship testing.

**9.3.2 The Board noted the report.**

## **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 her last report on 2 May 2018, including:

- senior leadership recruitment;
- external engagement;
- submission to the Justice Committee on the Police and Fire Reform (Scotland) Act 2012.

**10.1.2 The Board NOTED the report.**

### **10.2 Report by the Interim Chief Officer**

10.2.1 Members considered a report by KHogg which provided an update on significant business and improvement activity since his previous report to the meeting on 2 May 2018, including:

- delivery of the SPA Improvement Plan;
- strengthening external relationships and engagement;
- SPA statutory delivery for quarter 4 2017/18.

**10.2.2 The Board NOTED the report.**

## **11 GOVERNANCE AND ACCOUNTABILITY**

### **11.1 Improving SPA Corporate Governance Arrangements: Next Phase**

11.1.1 KHogg presented the report outlining proposed next steps in the SPA's ongoing programme to improve its corporate governance and decision making processes,

particularly in relation to Police Scotland's delivery of its transformation and change portfolio as part of implementing the 10 year strategy 'Policing 2026'.

- 11.1.2 KHogg highlighted the need for the SPA's oversight to be able to respond to the size and scale of the Police Scotland's transformation work, particularly where individual change programmes spanned the remits of several Committees in the current structure. He explained the recommendations being made, both in terms of the interim proposal to reconstitute the Transformation Working Group and the longer term establishment of a new Strategy, Resources and Performance Committee which could engage with change programmes more holistically.
- 11.1.3 Members supported the direction of travel, although concerns were expressed about the volume of work proposed to be undertaken by a single committee, the potential for ongoing work and actions being progressed through the existing committee structure to be lost during the transition period, and the importance of developing an overarching governance and assurance structure for the committee. The need for a full and objective assessment of the detailed proposal by the Working Group during the transition period was emphasised as was the need to involve stakeholders. KHogg advised that, as part of the transition arrangements, all ongoing business was being analysed to ensure it was properly identified, considered and channelled to ensure it had the necessary oversight and that no areas of ongoing work were overlooked. He reminded Members of the change in direction set out in the SPA Improvement Plan which was designed to deliver enhanced strategic oversight backed up by strengthened Executive level support. Following a full discussion, the Chair summarised the views of Members and the caveats expressed by them concerning how business will be managed during the transition period, noting that further discussion with Members would take place and that the Working Group would give further consideration to the workings of the proposed new Committee.
- 11.1.4 **With the exception of Robert Hayes (RHayes) who recorded his dissent, and subject to the action noted below, the Board NOTED the report and AGREED:**
- (i) **the phased approach recommended for the next phase of SPA Committee development, including the use of the SPA's Transformation Working Group for an interim period in advance of the establishment in the autumn of the Strategy, Resources & Performance Committee; and**
  - (ii) **to appoint Mary Pitcaithly as Chair of the Working Group; and**
  - (iii) **to authorise the SPA Chair and Vice Chair to appoint the other members of the Working Group.**

**11.1.5 ACTION**

**K Hogg to provide assurance to Board Members about how their concerns in relation to the practical next steps being taken to strengthen the SPA's Corporate Governance arrangements will be addressed, including a review of actions and workplans from Committees.**

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*Grant Macrae withdrew from meeting*

**12 BTP INTEGRATION PROJECT UPDATE**

12.1 Tom McMahon (TMcMahon) provided a verbal update on the current status of the integration of British Transport Police (BTP) functions into Police Scotland. He described the workstreams underway, the level of resource and support which would be required and recent issues around planned engagement activity.

12.2 Members asked questions about the resources required in relation to this project and the impact this could have on the policing budget. Clarification of the SPA's responsibilities and oversight role was also sought. It was agreed that fuller reports addressing the points raised by Members was required for the Board's consideration.

**12.3 The Board NOTED the verbal report and AGREED the following action:**

**12.3.1 TMcMahon to ensure that the BTP Integration report to the next meeting of the Board includes background on the process so far outlining the various workstreams and structures underpinning the project.**

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**13 COMMITTEE REPORTS**

**13.1 The Board NOTED reports from the:**

- **Complaints and Conduct Committee**
- **Forensic Services Committee**
- **Finance Committee**
- **Succession Planning and Appointments Committee**
- **Policing Committee**

*Meeting adjourned at 14:10 and resumed at 14.55.*

The following agenda items were taken in private.

**14 MINUTE & ROLLING ACTION LOG**

**14.1 The Board APPROVED the minute and action log from the meeting held on 2 May 2018 for items heard in private.**

**15 PREVENT ACTIVITY UPDATE**

15.1 DCCJGwynne and DCI Martin Low (DCIMBlack) presented the paper which provided Members with an overview of activity being undertaken by Police Scotland in relation to the 'Prevent Duty' as set out within the Counter Terrorism and Security Act 2015.

15.2 Following discussion, the Board **AGREED** that this topic should move to a bi-annual report, unless there was an increase to the current threat level.

**15.4 The Board NOTED the report.**

*DCI Martin Low withdrew from the meeting*

**16 RISK MANAGEMENT REPORTING - QUARTER 4 2017/18****16.1 Police Scotland Risk Management Report**

16.1.1 Fiona Davidson (FDavidson) presented the report and explained the process for escalating and managing risks within Police Scotland. The report had been considered by the Audit Committee on 18 April 2018 with no issues of significance arising.

**16.1.2 Following discussion, the Board NOTED the report.**

**16.2 SPA Risk Management Report**

16.2.1 Graham Stickle (GStickle) presented the report which provided an update on SPA risk management, noting that it had also been considered by the Audit Committee on 18 April 2018 and the Forensic Services Committee on 30 May 2018, with no significant issues arising.

**16.2.2 Following discussion, the Board NOTED the report.**

*Fiona Davidson and Graham Stickle withdrew from the meeting.*

**17 INTERNAL AUDIT CONTRACT**

17.1 KHogg provided a summary of the procurement process undertaken and invited Paul Donovan (PDonovan), Head of ICT Commercial Strategy & Procurement, Police Scotland, to present the paper. It was noted that the recommendation had been scrutinised and endorsed by the Finance Committee on 15 May 2018 and the Audit Committee on 18 April 2018.

**17.2 The Board noted the report and APPROVED the award of the contract. :**

*Paul Donovan withdrew from the meeting.*

**18 STRENGTHENING RESILIENCE WITHIN THE POLICE SCOTLAND LEADERSHIP TEAM**

18.1 The Chair summarised the current challenges for the leadership team before inviting DCCILivingstone to introduce the paper. She noted the need for wider discussion at a future date about the command team and chief officer structure.

18.2 DCC I Livingstone provided an update on the current temporary structure in the Leadership Team and explained why further strengthening was required to secure appropriate resilience.

**18.3 Following discussion of this matter, the Board noted the report and APPROVED the increase in the Assistant Chief Constable establishment from 7 to 9 substantive posts.**

*DCC Iain Livingstone, DCC Johnny Gwynne, DCO David Page, Supt Gregg Banks and T/Insp Greg Robertson, Executive Support withdrew from the meeting*

*Catherine Topley joined the meeting*

## **19 SPA CAPACITY AND CAPABILITY BUSINESS CASE**

19.1 KHogg presented the paper which outlined the business case for restructuring the SPA's executive team. He advised that the proposal within the business case would provide the necessary increases in capacity and capability required by the SPA Executive to support effectively the Board and its Committees and to carry out its statutory functions effectively.

19.2 Members acknowledged the urgent need to enhance the capacity of the SPA team.

*Catherine Topley withdrew from the meeting*

**19.3 The Board APPROVED the SPA Capacity and Capability Business Case.**

*Caroline Stuart withdrew from the meeting*

*Robin Johnston and Stephen Millar joined the meeting*

## **20. EMPLOYMENT TRIBUNAL**

20.1 The Board considered a report from Robin Johnston (RJohnston) and Stephen Miller (SMiller) providing a summary of developments since the last update.

*The Chair withdrew from the meeting*

**20.2 The Board AGREED the approach set out in the report.**

*The Chair re-joined the meeting*

There being no further business, the Chair thanked everyone for their attendance and the meeting ended at 18:15.