

Meeting	SPA Board Meeting
Date	30 August 2018
Location	Maryhill Burgh Halls, Glasgow
Title of Paper	British Transport Police Integration Update
Reference	B 07.2018/38
Presented By	Tom McMahon, ACC Mark Williams, Police Scotland
Recommendation to Members	For Discussion
Appendix Attached	Yes – Appendix A - BTP Integration Programme Organisation and Governance

PURPOSE

To provide an update on the re-planning exercise currently underway to enable the integration of British Transport Police functions into Police Scotland.

1. BACKGROUND

- 1.1 The Smith Commission stated in 2014 that 'the functions of the British Transport Police in Scotland will be a devolved matter'. The UK Parliament passed the Scotland Act 2016, which gave effect to the Commission's recommendations, including devolving responsibility for the policing of railways and railway property in Scotland to the Scottish Parliament.
- 1.2 The transfer of legislative competence gives the Scottish Parliament the ability to determine how – and by whom – those policing services on the railways will be delivered in the future in Scotland.
- 1.3 In 2016-17, the Railway Policing (Scotland) Bill set out how competence over devolved railway policing was to be exercised by the Scottish Parliament by conferring railway policing powers on Police Scotland and the Scottish Police Authority. Royal Assent was achieved in August 2017. The date of commencement of the Railway Policing (Scotland) Act 2017 was originally stated by Scottish Ministers as 1 April 2019 and this was to be the date on which full integration occurred.
- 1.4 Delivery of the programme of work to integrate BTP functions in Scotland into Police Scotland, as per the Railway Policing (Scotland) Act 2017, is overseen and managed by a Joint Programme Board (JPB) which is chaired jointly by the Scottish Government (SG) and Department for Transport (DfT). Membership of the JPB includes Police Scotland, BTP, British Transport Police Authority (BTPA), the Scottish Police Authority (SPA) and Transport Scotland. Recently the BTP Federation and Transport Salaried Staff Association (TSSA) have become members of the JPB. The Joint Senior Responsible Owners for the Integration Programme are Senior Civil Servants from the Scottish Government and DfT.
- 1.5 The original proposed date for 'go live' of integration, as stated above, was 1 April 2019. Following significant work and analysis the JPB recommended to Scottish Ministers in February 2018 that this date could not be met safely and that a re-planning exercise should be conducted to establish a new date for operational integration. This advice was accepted by Scottish Ministers, who agreed that a re-planning exercise should be undertaken, to conclude in Autumn 2018, which would provide an evidence-based recommendation for a revised 'go live' date for integration.

2. CO-ORDINATION OF THE RE-PLANNING PROCESS

- 2.1 Scottish Government took lead responsibility for the co-ordination and delivery of the re-plan shortly after the decision to delay 'go live' in February and in support of that, Police Scotland agreed to stand down the joint governance machinery it had established with BTPA (Mobilisation, Transition and Transformation (MTT) Board, previously reported to the Authority). Police Scotland and the SPA are partners in the SG led re-planning process.
- 2.2 A dedicated Programme Management Office (PMO), led by an SG-appointed Programme Director, has been set up to oversee and co-ordinate the re-planning exercise, and to report progress to the JPB. The PMO is staffed by personnel from SG, Police Scotland and BTPA. The professional services resource originally commissioned to support the MTT has been re-assigned to work in support of the PMO during the re-planning exercise.
- 2.3 It is intended that the outputs of the re-planning exercise will be subject to an independent Gateway Review to ensure that the proposed new integration date and underpinning assumptions, dependencies, costs and risks are tested prior to advice and recommendations being provided to Ministers by the JPB.
- 2.4 An organogram detailing the organisational structure of the integration programme and re-plan work-streams is included at **Appendix A**.

3. RE-PLANNING PROCESS PROGRESS

- 3.1 The re-planning exercise is ongoing and advice is being developed through the JPB for submission to Ministers in the coming weeks.
- 3.2 Police Scotland are committed to affording SPA members the opportunity to scrutinise the re-plan product before agreeing any new 'go live' date. At the time of writing, the re-plan is not a completed product and so is not being presented for scrutiny by SPA members at today's meeting.
- 3.3 Police Scotland were asked by the Programme Director in week beginning 20th August to undertake a risk based assessment, drawing on the materials within the developing re-plan, to establish the optimal date at which 'go live' could be achieved.

- 3.4 A critical review was conducted by Police Scotland and it has been agreed in consultation with the Chief Constable and Deputies that there is insufficiently detailed evidence at this point on which to reach a conclusion on a revised 'go live' date. Central to our considerations has been whether the issues raised by SPA members in previous Board discussions, Committees and the BTP Integration Working Group have been adequately addressed in the emerging product e.g. clarity on costs, benefits and risk mitigation; the establishment of an evidence based critical path to arrive at a revised 'go live' date; confirmed indemnification for SPA from Scottish Government for potential future pensions liabilities; the future funding arrangements for railway policing in Scotland; the future performance requirements and reporting expectations; the available level of medium to long term resources for Police Scotland's proposed investment in digital, data and ICT capability and capacity; clarity on the impact on wider Police Scotland transformation if further transformation and / or BAU resources are dedicated to BTP integration.
- 3.5 While the re-plan exercise has been well structured, has benefitted significantly from professional services input and has been conducted with full engagement from Police Scotland, we are not currently satisfied that the substantive matters raised by SPA members or associated issues of concern to Police Scotland have been adequately resolved or that there is sufficient clarity around the future timeline or process to address these issues. In light of that, Police Scotland are not currently in a position to recommend any revised 'go-live' date to either the JPB or SPA. This position has been communicated to the Scottish Government and PMO.
- 3.6 Police Scotland are committed to the process and we have made clear throughout the current work that the re-plan should produce a credible and firmly evidence based critical path of activity required to achieve the safe and successful integration of railway policing functions to Police Scotland.
- 3.7 As a result of the substantial body of joint work developed through the PMO and overseen by the JPB, the complexity and associated risks of this proposed integration are now much clearer than at any earlier stage and the re-planning exercise has enhanced our shared understanding of the issues. Police Scotland's expectation is that the re-planning exercise for full integration should provide a solid foundation from which to proceed, taking account of our low

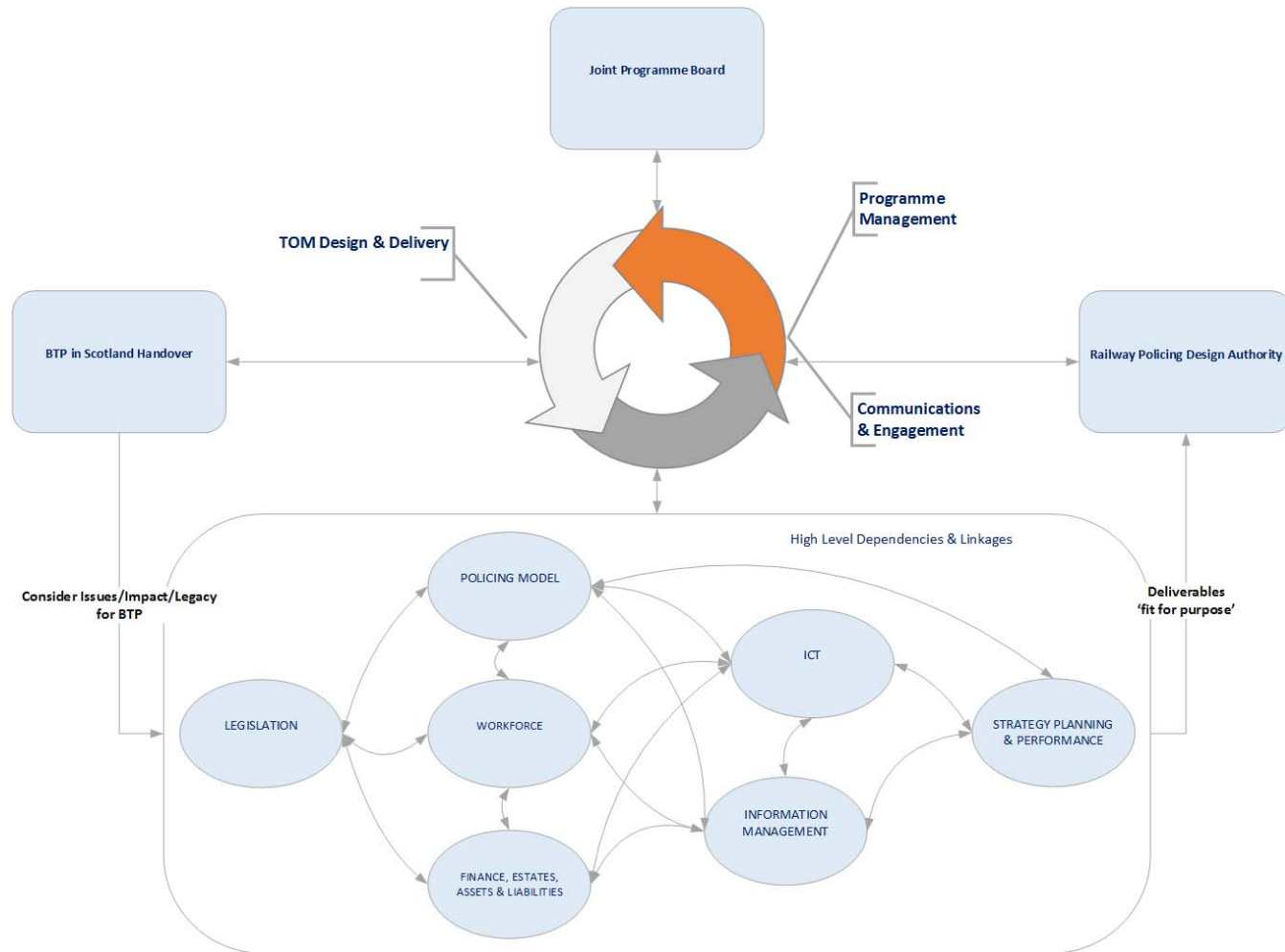
organisational risk appetite and focus on public safety. Due to the complexity which has now become apparent and remaining questions and issues, at this point, Police Scotland cannot make any recommendation to the SPA on a viable 'go live' date.

- 3.8 Discussions are ongoing with Scottish Government and we await guidance as to proposed next steps and will update SPA members in due course.

RECOMMENDATION

Members are requested to note and discuss the information contained within this update report and that a further update will follow in due course.

Appendix A: BTP Integration Programme Organisation and Governance



SPA Public Board
British Transport Police Integration Update
30 August 2018