

SCOTTISH POLICE
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AUTHORITY MEETING
26 May 2022

Minute of the SPA Authority Meeting held on Thursday, 26 May
2022 via Video-conference

Board Members Present: Martyn Evans (Chair)
Jane Ryder (Vice Chair)
Paul Edie
Tom Halpin
Alasdair Hay
Katharina Kasper
Grant Macrae
Fiona McQueen
Michelle Miller
Mary Pitcaithly
Catriona Stewart
Caroline Stuart

In attendance: Police Scotland
Chief Constable Iain Livingstone
Deputy Chief Constable Fiona Taylor
Deputy Chief Constable Malcolm Graham
Deputy Chief Officer David Page
Assistant Chief Constable Emma Bond (Item 9)
Assistant Chief Constable John Hawkins (Item 9)
James Gray, Chief Financial Officer

Scottish Police Authority (SPA)
Lynn Brown, Chief Executive
Chris Brown, Deputy Chief Executive, Resources
Barry Sillers, Deputy Chief Executive, Strategy and
Performance

Forensic Services
Fiona Douglas, Director of Forensic Services

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SPA Secretariat

Karen Vallance, Governance Support Officer

1. WELCOME AND STANDING ITEMS

The Chair opened the meeting and welcomed all Authority Members and representatives from the Police Scotland senior leadership team. He confirmed Jane Ryder would chair the meeting if he were disconnected from the video-conference.

The Authority **RESOLVED** to:

- **NOTE** no apologies;
- **NOTE** Paul Edie and Fiona McQueen declared an interest in Item 9;
- **NOTE** no other business;
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Board would consider items 10 to 13 in private for the reasons set out on the agenda.

2. MINUTES AND ACTIONS FROM PREVIOUS MEETING

The Authority **RESOLVED** to:

- **ADOPT** the minute of the 23 March 2022;
- **NOTE** the action log with the caveat that action 20220223-001 would remain open. There were no matters arising.
- **NOTE** no business was approved via correspondence.

3. SPA CHAIR'S REPORT

The Chair referred to his written report and thanked Members for their contribution to the Committee membership review.

The Chair congratulated Lord Scott who had been made a Senator of the College of Justice, and referred Members to Lord Scott's letter regarding the Independent Advisory Group (IAG) on the Policing of Covid-19. The Chair referenced the work undertaken by the IAG, SPA and Police Scotland in relation to Covid-19, and the extraordinary measures which services and individuals had to adhere to and the role which Police Scotland played.

The Board **RESOLVED** to:

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- **NOTE** the report.
- **APPROVE** the changes to Committee Membership as outlined within the paper.

4. COMMITTEE CHAIRS' REPORT

Members considered the report which provided an update on business progressed since the last Authority meeting through the:

- Audit, Risk and Assurance Committee
- Complaints and Conduct Committee
- Legal Committee
- Forensic Services Committee
- Resources Committee

In addition to the written reports, the following areas were highlighted:

- Paul Edie, Legal Committee Chair, noted a Committee took place on 19th May which included an update on backlogs of ill health retirements and injury on duty awards. The Chair requested the Authority be kept updated on progress.
- Tom Halpin (THalpin), Forensic Services Committee Chair, commented that the level of drug driving on Scotland's roads was unacceptable and at a level significantly higher than originally estimated, a position also reflected in England and Wales. As previously reported to the Authority, one part of the challenge in keeping up with the demand for toxicology services, is testing the blood of suspected drug drivers. The Forensic Services Director reported that demand continues to exceed the in-house capacity, and capacity has been enhanced by outsourcing some of the blood testing to private forensic services companies. Work is also underway with partners to understand the demand, to improve processes and develop a more sustainable toxicology service. The Committee will continue to closely monitor the issue and Forensic Services response to managing it, and will ensure the Authority is kept fully informed.

The Board **RESOLVED** to:

- **NOTE** the report

5. CHIEF CONSTABLE'S REPORT

Chief Constable Iain Livingstone (CCLivingstone) provided a detailed introduction to his report, specifically drawing attention to the following areas:

- Policing Response to Covid-19
- Serious crime and significant convictions
- Mental health
- Policing in a Digital World Programme
- Public Inquiry into the death of Sheku Bayoh
- Equality, diversity and inclusion
- Employment Tribunal

In discussion the following matters were raised:

- Members sought assurance that the increase in officer retirements would have no service impact and sought comment on any potential recruitment challenges. Members heard the increase in retirements was due to pension changes affecting officers over the age of 50 with more than 25 years service, and there was no change in the number of officers under the age of 50 leaving the service. Members were informed recruitment had slowed due to Covid-19 and COP26. However there are structures and measures in place to maintain services and ensure challenges are mitigated, which are similar to the structures put in place during Covid-19. Members were advised however, that the decrease in officer numbers could potentially impact and delay some long term change programmes including cyber. Members were assured that all workforce changes would inform the refresh of the strategic workforce plan.
- The Chair sought comment on CCLivingstone's decision to provide mutual aid for the Commonwealth Games in Birmingham. CCLivingstone highlighted Police Scotland had greatly benefitted from mutual aid, including during COP26, therefore on ethical grounds he believed the organisation should reciprocate. CCLivingstone confirmed that each request for mutual aid is considered closely and emphasised the primary responsibility of ensuring effective policing within Scotland would remain. The Chair requested the Authority be kept updated on any operational areas impacted by officer capacity.
- Members questioned how well placed Police Scotland were to avoid the type of situations which had given rise to the recent employment tribunal judgement. CCLivingstone confirmed Police

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Scotland do not tolerate any type of discrimination and highlighted that other sectors face the same challenges in respect of workforce diversity and inclusion. DCC Fiona Taylor (DCCTaylor) confirmed equality, diversity and inclusion (EDI) work was progressing but that Police Scotland had consistently acknowledged there were areas that needed improving. DCCTaylor summarised steps taken forward to address these issues including work on sexism and misogyny; a review of the grievance process which would now have Director oversight, and delivering leadership training to ensure better understanding of EDI responsibilities. DCCTaylor confirmed the PSNI report commissioned by Police Scotland following the Employment Tribunal had been received and work was ongoing to agree how recommendations are tracked. Progress would be reported to the Authority. The Chair requested DCCTaylor and the People Committee Chair discuss how findings in respect of culture from the PSNI report are shared with the People Committee.

- Members questioned whether there was any learning with regard to the policing of football fixtures. CCLivingstone confirmed he was satisfied with the policing response to recent high profile fixtures, but reported that the force had seen an increase in pyrotechnic use in all leagues. Members heard Police Scotland undertake a full debrief with the Scottish Professional Football League at the end of each season to look at lessons learned. Members were offered the opportunity to meet with officers who oversee policing of football matches.
- Members sought comment on what action is being taken to improve retention of officers and staff in areas other than retirals, and in particular to those with protected characteristics. CCLivingstone commented that loss of experience is an issue other sectors are also currently experiencing, and that retention work is part of wider EDI work. DCCTaylor confirmed Police Scotland are working with diversity staff associations to understand issues faced by colleagues across the organisation. Work has also been commissioned to understand why women may leave at a different stage of their career to men and an organisation wide diversity action plan has been launched.
- Members sought comment on the benefits of international work and heard it brought a wide range of benefits from tactical awareness to understanding global issues which impact policing. CCLivingstone

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provided an example of input received from Denver Police Department which looked at mental health and integrated work between different sectors.

- THalpin informed Members of two events he had been involved in, in relation to the additional responsibilities he has taken on, on behalf of the Authority. The first was attendance at a European Study Week on behavioural training in Berlin, to offer insight on the governance and oversight arrangements of policing in Scotland. The second was, in response to the Authority's core purpose of promoting and supporting continuous improvement in the policing of Scotland, providing input to a masterclass of fifteen American delegates from police departments across the US. The delegates were visiting Scotland as part of an International Collaboration on Policing programme.
- Members referenced the Policing in a Digital World programme and sought comment on how Police Scotland monitor the effectiveness of change. DCC Malcolm Graham (DCCGraham) highlighted the launch of the Scottish Cyber Co-ordination Centre and the roll out of the first responder's guide, which includes practical advice and tools to assist officers and staff. DCCGraham referenced current constraints as the service ensures frontline policing is prioritised, and noted that resource issues have impacted pace. Members were informed progress would be measured through internal governance meetings and the Policing Performance Committee, along with the Professional Reference Group co-chaired by DCCGraham and Authority Member Caroline Stuart. The Chair suggested Resources Committee Chair, Grant Macrae, DCCGraham and DCO David Page discuss the capital issue and revenue implications.

The Authority **RESOLVED** to:

- **NOTE** the Chief Constable's Report;
- **AGREE** the following action:

Discussion to be held with Chair of People Committee regarding how to share any findings in respect of culture from PSNI report with the SPA, through the People Committee.

2022056-SPABM-001

6. SPA CHIEF EXECUTIVE'S REPORT

Members considered the report which detailed activities involving SPA corporate staff since the previous Authority Meeting and sought approval to adopt a new code of conduct. Lynn Brown (LBrown) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- The Vice Chair referred to the proposed Code of Conduct, noting the Model Code was consulted on during 2021 and published by Scottish Government Ministers in December 2021. The Vice Chair commended the work undertaken on the SPA Code and confirmed, in accordance with good practice, it had been discussed at a recent Members' Seminar.
- On behalf of the Authority, the Vice Chair formally recorded thanks to ICVS volunteers and the SPA ICVS team, noting the Covid-19 challenges and their contribution to policing COP26. The Vice Chair noted the Annual Conference drew out themes of vulnerability, in particular children in custody, mental health and the appropriate adult scheme. The Chair endorsed the Vice Chair's comments and welcomed the continuous improvement of ICVS work and the annual report scheduled to be presented to the Policing Performance Committee on 7 June.

The Authority **RESOLVED** to:

- **NOTE** the report
- **APPROVE** the Code of Conduct

7. FORENSIC SERVICES DIRECTORS REPORT

Members considered the report which provided an update on recent key activities across Forensic Services. Fiona Douglas (FDouglas) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- The Chair requested further comment on demonstrating value and heard it was important to understand how forensic services contributes to the overall justice system to enable better prioritisation. However, quantifying the value Forensic Services brings to the justice process was challenging and Northern Ireland

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and the Home Office were currently undertaking work to better understand quantifying value.

- Members sought further information on a timeline for a sustainable model for capacity in delivering Section 5a legislation cases. FDouglas confirmed outsourcing was being used to bridge the capacity gap; Forensic Services, Police Scotland, Crown Office and Scottish Government were working collaboratively to develop options for a long term sustainable model; and a related paper was with Scottish Government for consideration. In the medium term, process improvements are being made internally but FDouglas emphasised the requirement for investment and significant change to deliver a longer term solution.
- Members questioned whether there were challenges in recruiting people with the right skills and heard that senior management positions have been advertised externally. FDouglas also indicated that a number of Forensic Services' staff have undertaken temporary management positions, and there is internal expertise to draw on. With regards to general recruitment, management look to balance bringing in external expertise with providing internal career development opportunities for existing staff. Recruitment can take 6-9 months but new recruitment performance measures have been put in place, and regular discussions take place with Police Scotland to see if any areas can be prioritised and accelerated.
- Members sought information on the progress of consultation on the Forensic Services operation model and heard this was slightly slower than anticipated, due a significant number of ideas and proposals from staff during engagement. FDouglas noted it was encouraging to see the high level of engagement and it was right and proper that staff ideas are given consideration. Consultation was now in the final stage and is expected to conclude in the summer.
- Members sought comment on how Forensic Services increase opportunities for women in science and were informed of the Equality, Diversity and Inclusion sub section of the internal People Board which is looking across a range of areas. Forensic Services are also engaging with the Scottish Women's Development Forum and looking at new routes into the area such as apprenticeships and the sponsorship of part-time degrees, and at how these could be directed to under-represented groups.

The Authority **RESOLVED** to:

- **NOTE** the report

8. FINANCIAL OUT TURN 2021/22

Members considered the report which provided an update on the provisional 2021/22 financial outturn. James Gray highlighted a number of key points as detailed in the paper.

Resources Committee Chair Grant Macrae commended the Finance Team for the work undertaken.

The Authority **RESOLVED** to:

- **NOTE** the paper

9. MENTAL HEALTH CALLS FOR SERVICE

In introducing this discussion, the Chair highlighted the Authority's advocacy role with regard to the impact of mental health demand on policing, and the response of policing to mental health demand.

Members considered the Police Scotland report which provided an update on the challenges for Police Scotland in supporting members of the community who are in mental health crisis or distress, and the ongoing activity designed to address these challenges. ACC Emma Bond summarised a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members heard the draft Mental Health Strategy had been subject to internal and external consultation and the time taken for review would be dependent on feedback, however it was hoped it would be complete by the end of summer. The strategy will highlight key partners and outline collaborative effort.
- Members questioned when the dashboard would be complete and were informed the Demand and Productivity Unit were aiming to finalise this by the end of June.
- Members sought comment on the demand challenges of out of hours calls. ACCBond briefed members that out of hour's calls were pressure points, but officers have a desire to ensure support is provided to those in distress, even when beyond what is viewed as

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the traditional policing remit. Mental health issues are a 24 hours a day concern, with a higher level of incidents out of office hours. ACCHawkins highlighted the requirement for all linked sectors to contribute, including to out of hours response, to make sure that members of the public get the right response from the right service. ACCHawkins reported on progress being made through the Strategic Oversight Group involving Police Scotland, NHS and the Scottish Ambulance Service.

- Members queried whether mental health pathway outcomes had improved, and heard initial work was showing signs of positive outcomes with less than 10% of Police Scotland referrals to NHS hubs ending in subsequent emergency response. Members were informed there were some recruitment challenges during the pandemic, but this has now improved.
- Members sought information on what specific and informed support was available when officers come into contact with neuro-minority people. Police Scotland confirmed that training and awareness raising was ongoing, and was particularly well developed in the custody setting.
- Members were informed Police Scotland were developing new technological ways of contacting police. This included supporting a research programme which looks at how best to use technology to assist contact, including contact with neuro-diverse people.
- Members sought assurance that the dashboard would include all relevant data. Police Scotland assured members all relevant policing data would be included, and it was noted that further work on data sharing agreements would be required to include a greater range of partner information. The dashboard would also give a baseline which will inform understanding of any gaps.
- Members were informed of a national mental health governance group supported by a mental health working group, both of which will include people with lived experience of mental health issues.
- Members sought information on how outcomes will be defined and evaluated, and heard that the dashboard would contribute to recognising indicators of success. Evaluation from regulatory bodies and multi-agency responses would also help understand the strategy's effectiveness. Members also heard the mental health pathway has gone through proof of concept and evaluation will continue.

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- Members sought comment on what was required to address problems identified and heard that despite good collaborative work there was not yet a systemic commitment to help address problems. Members were encouraged to advocate for a joint approach across all sectors.
- Referring to the Scottish Government Mental Health Strategy 2017 – 2027, Members sought clarity on whether additional investment ‘over next 5 years’ is five years from 2017 or 2022. Members also sought clarity on the number of health boards providing dedicated mental health professionals within police custody and requested an update on strategy progress.

The Authority **RESOLVED** to:

- **NOTE** the report.

END.

DRAFT