

<b>Meeting</b>	<b>Authority Meeting</b>
<b>Date</b>	<b>22 January 2021</b>
<b>Location</b>	<b>Video-conference</b>
<b>Title of Paper</b>	<b>Committee and Oversight Group Reports</b>
<b>Presented By</b>	<b>Committee and Oversight Group Chairs</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>No</b>

**PURPOSE**

To provide the Authority with an update on business progressed through the:

- A. Complaints and Conduct Committee
- B. Legal Committee
- C. Resources Committee
- D. Policing of COP26 Oversight Group

<b>Committee</b>	<b>Chair</b>	<b>Date</b>	<b>Page</b>
Complaints and Conduct Committee	Matt Smith	27.11.20/ 22.12.20	3
Legal Committee	Mary Pitcaithly	02.12.20	4
Resources Committee	Elaine Wilkinson	18.12.20	6
Policing of COP26 Oversight Group	Tom Halpin	12.01.22	11

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## **Summary report from Complaints and Conduct Committee**

**27 November 2020 & 22 December 2020**

**Matt Smith, Committee Chair**

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### **Main items of business**

The Complaints & Conduct Committee met twice and considered and agreed further action in relation to ongoing complaints.

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## **Summary report from Legal Committee**

**2 December 2020**

**Mary Pitcaithly, Committee Chair**

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### **Main items of business**

As meetings involve the provision of legal advice much of the business of the Committee requires to be considered in private. The main items of business considered on 2 December 2020 were

- Public Inquiry Update
- Areas of business approved under delegated Authority
- Litigation Table
- Data Processing Agreement
- Case Update

### **Key issues raised**

- In discussing the Public Inquiry into the death of Sheku Bayoh it was noted the Inquiry formally opened on 30 November 2020 and Police Scotland working on collating requested information.
- Members sought assurance in relation to possible delays as a result of Covid-19 to ill health retirement and injury on duty cases that are delegated to the Interim Chief Executive.
- In discussing the litigation tables Members sought assurance that there would be organisational learning following a complex case and requested for consideration to be given to the oversight of that learning.
- Members considered issues arising from the draft Data Processing Agreement in relation to the provision of forensic medical services to Police Scotland.

### **Conclusions reached / actions agreed**

- In respect of the Public Inquiry it was agreed that any updates required between formal committee meetings should be done via SPA Board Services

- It was noted that despite Covid-19 it was anticipated that ill health retirement and injury on duty cases would be progressed within the 6-12 month time scale.
- The members requested updates by correspondence on a number of cases on the litigation table, and requested a briefing in relation to the background of another case.
- A course of action was agreed in respect of the data processing agreement.
- In respect of the case update the members approved the further action to be taken.

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## **Summary report from Resources Committee**

**18 December 2020**

**Elaine Wilkinson, Committee Chair**

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### **Main items of business**

- Period 7 financial monitoring report
- Transformational projects benefits tracking (Q2)
- Mobile working – academic evaluation of project benefits
- Workforce Equality, Diversity & Human Rights
- Wellbeing and Engagement - Employee Survey Update
- People Strategy Mid-Year Review
- Business cases – one business case recommended to the Board
- Contracts – three standard contract awards recommended to the Board. Further regular reports on Q2 NCA compliance and review of contract expenditure – continued progress noted in both areas.
- Property – one lease extension recommended to the Board
- Brexit preparedness (supply chain and finance report)
- Reform Business Case for VR/VER for 2020/21
- Projects updates received in relation to: SPRM, ESMCP and commercial excellence lessons learned.
- Flexible response unit review
- Draft Strategic Workforce Plan

### **Key issues raised and conclusions reached/actions agreed**

#### **Period 7 Financial Monitoring Report**

Members noted the report and the higher level of confidence that the forecast is deliverable. Members welcomed the additional £8m SG funding in support of the budgeted COVID-19 income pressures. Risks to the delivery of the capital and reform budgets were discussed with questions raised on the effectiveness of what has been delivered from reform spend, including specific benefits and skills transfer from use of professional services.

### **Transformational benefits**

A report was presented outlining the actual and forecast benefits from transformational projects. Members found the improved format of reporting helpful and welcomed the significant increase in benefits actually delivered. There was discussion around the need to demonstrate how the delivery of additional capacity in Officer time translates into benefits to communities and the wider service which should be an important aspect of the Strategic Workforce Plan.

### **Mobile working – academic evaluation of project benefits**

Members considered an academic evaluation report of the benefits from the project which Members felt demonstrated well and brought to life the real benefits of mobile working. Members discussed how benefits are reported and resources allocated, particularly where there are new or increasing demands.

### **Workforce Equality, Diversity & Human Rights**

Members received a report outlining a number of key developments including: development of an Equality, Diversity and Inclusion (Employment) Framework; work to develop revised equality outcomes; launch of a revised induction programme (with work underway to mainstream equalities into wider training programmes); work focussed on EQHRIA compliance and training linked to HMICS recommendations; EHRC Section 23 closure letter on flexible working action plan; and early dialogue with Diversity Staff Associations in respect of Dame Elish Angiolini Report recommendations. Members noted presentation of updated data dashboards, including profiles for local areas, with further work being undertaken to improve breadth and depth of analysis, including generation of further data (through employee survey and a revised exit interview process). Police Scotland to engage with SPA officers on potential measures for presentation to the new People Committee.

### **Wellbeing and Engagement - Employee Survey Update**

The survey is planned for launch on 2 March 2021. The provider is experienced in working with other policing organisations, results enabling external and internal benchmarking. To mitigate risks regarding participation levels and ownership of results (and corresponding actions), Members noted the establishment of a Survey Steering Group, a communications plan (which will update on progress against earlier survey results), and governance arrangements to support organisational and local action planning. Members emphasised the importance

incorporating equality and diversity considerations, particularly in light of the Angiolini Report.

### **People Strategy Mid-Year Review**

Despite the impact of COVID-19, Members were advised that Police Scotland were on track to deliver on the majority Annual Delivery Plan commitments. Key highlights include launch of MyCareer proof of concept; new national promotion processes; a new probationer training programme; Officer Handbook; and progress to implement e-Recruitment/EDRMS. Members noted that actions in respect of succession planning and modified duties are off track (in the latter case emphasising the need for prioritisation given impact on officer availability). Querying implementation of the Leadership Framework, Members were advised that a programme for Chief Superintendent/Superintendents will be rolled out in January (another for Chief Inspectors in 2021/22, subject to funding). Noting instances where matters were not progressed for reasons of resource, Members emphasised the importance of ensuring sufficient budget during the action planning stage.

### **Brexit preparedness (supply chain and finance)**

A report was presented that provided visibility of the supply chain and resilience work Police Scotland has been undertaking in addition to providing limited estimates of the potential financial impact of Brexit. There remains significant uncertainties for Police Scotland and it is noted that work is ongoing. Members were assured by the steps taken to date by Police Scotland.

### **Reform Business Case for VR/VER for 2020/21**

Members considered report requesting funding drawdown for VR/VER which will result from organisational change and outlining return on investment. Members advised content to recommend to Board for approval.

### **Project updates**

Members received and noted project update reports on:

- SPRM - Work remains on target (98% of hearings concluded by 12 November) and within budget (final evaluation of costs to be provided at the end of the project). Noting that there is no scope to compress timescales, Members noted that prior planning of the appeals phase may have enabled earlier communication of outcomes. Members acknowledged progress to date and the efforts of those involved (including Local Authority support in providing panel chairs).

- ESMCP - A report was received that provided assurance to Members on the robust approach adopted by Police Scotland in ensuring that Scotland's needs were met in the development of the business case. A further FBC will be provided in the New Year by the Home Office which resources committee will consider in due course.
- Commercial Excellence lessons learned - Broad discussion of the project and its challenges particularly related to data. Progress was noted and agreed that ARAC would have sight of recommendations made.

### **Flexible response unit review**

Members received and noted a report that provided an overview of the use of and benefits of Police Scotland's flexible response unit (FRU). There was further discussion on how the service demonstrates value for money from officer resources and the limitations of current demand data. Further discussion to take place as part of the strategic workforce plan and forthcoming demand updates.

### **Draft Strategic Workforce Plan**

Members acknowledged that progress had been made and recognised the work done by Police Scotland to move the SWP forward during the year. The increasing maturity of the demand data was noted and it is recognised that this will further improve with time. The Committee observed that the guidance discussed in the October workshop, with respect to using clearly stated reasonable assumptions based on senior professional judgement to give a working estimate demand baseline across the service was yet to be included in the draft. Members highlighted other areas to be enhanced in the ongoing development relating to earlier comments from the Auditor General in 2018 and to criteria set out in the Audit Scotland Good Practice Guide in respect of assessing the quality of a SWP.

In particular, Members noted a number of areas where the current draft required more work to meet their expectations which have been consistently articulated at Resource Committees:

- the description of an innovative top-down strategic vision of the shape of the future workforce, based on the future role of the Police;
- a reasonable prediction of future demand levels;
- how demand will be met through changes to skillset and resource allocation;

- the impact of the current and planned transformation portfolio on creating capacity, addressing demand and workforce requirements and utilisation; and
- scenario planning in respect of areas of uncertainty, including financial modelling based on a range of possible future capital, reform and revenue allocations.

The Committee supported the view that the current draft is part of a wider system design approach to be overseen by the Organisational Design & Development Board. It is an important step to facilitate iterative refinement of the plan going forward. The number of proposed workstreams within the draft gave an indication of areas of further work, which when taken into the overall design process would lead to the future delivery of an implementable workforce plan with clear timelines and resourcing implications.

The Committee confirmed that they were supportive of continued focused work on the development of the SWP, but at this point the document did not meet the expectations set out previously and consistently by the Authority, or deliver the standards laid down by Audit Scotland, which would merit the consideration of the current draft as a final product. Members requested that the SPA Interim Chief Executive work with Police Scotland in advance of the January meeting of the Authority, to ensure that the report to the Board focuses on defining a planned approach to future iterations.

Members noted that it was critical for any case for additional resource requirements to be supported by a robust evidence base to inform discussions with Scottish Government for ongoing funding and further investment. Members view was that the current draft SWP did not have sufficient supporting evidence at this time to enable the SPA to advocate for the additional resources set out in the plan.

During the current period of social distancing and other restrictions as a result of the COVID-19 pandemic, a full recording of the public items of business taken at this meeting can be accessed at <https://livestream.com/spa/resources18dec20>.

The formal minute of the public items of business will be available at the next meeting which is scheduled for 9 February 2021. This will also be published on the SPA's website.

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## Summary report from COP26 Oversight Group

12 January 2021

Tom Halpin, Oversight Group Chair

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### **Main items of business**

- Finance
- Gold Strategy Overview
- Officer and Staff Wellbeing
- Maintenance of Local Policing
- Partnership and Engagement
- Legislative Powers
- Risk and Assurance

### **Key issues raised**

- The Oversight Group considered a report on key milestones, with Police Scotland confirming existing timelines will be met and spending required secured.
- With the budget now approved by the SPA Board, the Group sought assurances around the recovery of costs and mitigations in place in the event of a failure to recover full costs.
- Police Scotland reported the UN/UK Government remain confident that the event will proceed in-person with a dynamic review of changing circumstances ongoing. Although Covid-19 remains a significant risk, recent announcements on vaccines gives cause for optimism.
- Police Scotland's 13 Strategic Aims within the operational Gold Strategy were welcomed by Group members, while specific assurance was sought around the use of new technologies, RPAS and Body Worn Video in particular. Police Scotland reported no current plans for the operational use of RPAS beyond currently agreed missing person searches.

- A Police Scotland programme of engagement continues with Staff Associations, Trade Unions and other representative bodies, including through the establishment of a Wellbeing sub group. The forum focuses on the health and wellbeing of all Police and Support Staff personnel, taking cognisance of the unique operational demands of policing COP26 and to ensure best practice is captured for the policing of future events.
- Wider stakeholder engagement across civic Scotland is being assisted through an Independent Advisory Group, be chaired by John Scott QC. The IAG has already met once, and Terms of Reference are in the process of being finalised with the Group due to consider them at a future meeting.
- The Oversight Group sought assurances around the maintenance of local policing and business as usual, with Police Scotland confirming there would be a strong message of reassurance delivered by local commanders through a Local Policing COP26 Steering Group and comprehensive communications strategy. Police Scotland also gave an update on CAM and C3 ICT, as far as their response to the delivery of COP 26.
- Police Scotland provided a report providing assurance around the operational use of Automatic Number Plate Recognition (ANPR), its legal basis, privacy implications and legislative requirements. There are no planned additional public interest deployments associated with COP26.
- Scottish Government colleagues provided an update on temporary legislative changes in relation to the event. While the Group were fully content to support the proposed changes required by Police Scotland, it was agreed that further consideration should be given to The Authority's role in oversight of proactive requests by Police Scotland to secure additional legislative powers.

### **Conclusions reached / actions agreed**

- Future reports to include additional narrative which provides Oversight Group members with an understanding of whether the reported progress is in line with Gold Commander's expectation.
- Any significant changes to the Op Urram Gold Strategy (v2.1), as shared with the Oversight Group, to be highlighted to the Group at future meetings, as and when they arise.
- Meeting to be arranged to discuss arrangements required to ensure the appropriate governance and oversight of proposed use by Police

Scotland of new technology and other public interest/security sensitive issues(e.g. in respect of fast tracking any proposed use of Body Worn Cameras, security sensitive briefings and seeking legislative change).

- Police Scotland to attend future meeting of the Oversight Group to provide Members with a deeper understanding of the work that is being carried out and planned by the Wellbeing Team.
- Discussion to take place to agree appropriate SPA involvement/representation in local stakeholder engagement to ensure the Oversight Group has discharged its responsibilities in this regard.
- Police Scotland to provide additional narrative on any risks which are out of tolerance to provide the Group with a better understanding of each relevant risk and what mitigating actions have been taken to get the risk back within the tolerance levels.
- Request from the Oversight Group for practical examples of how the Environmental Strategy is being considered/implemented for Op Urram, particularly around Estates and Fleet.
- Proposal to be considered at next meeting which outlines how Staff Associations views can be fed into the Oversight Group in accordance with the Oversight Group's Terms of Reference.