



Meeting	Authority Meeting
Date	24 August 2023
Location	COSLA, Edinburgh
Title of Paper	Committee and Oversight Group Reports
Presented By	Committee and Oversight Group Chairs
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

To provide the Authority with an update on business progressed through the following meetings which have met since the last Authority Meeting:

- Audit, Risk and Assurance Committee
- Legal Committee
- Resources Committee
- Forensic Services Committee
- Police Negotiating Board

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Committee	Chair	Meeting Date	Page
Audit, Risk and Assurance Committee	Mary Pitcaithly	22.06.23+ 02.08.23	3
Legal Committee	Jane Ryder	01.08.23	8
Resources Committee	Grant Macrae	08.08.23	10
Forensic Services Committee	Paul Edie	10.08.23	13
PNB	Jane Ryder	22/06/23	16

Summary report from Audit, Risk and Assurance Committee

22 June 2023 + 2 August 2023

Mary Pitcaithly, Committee Chair

The formal minutes of the public items of business will be available at the meetings scheduled for 2 August and 7 November 2023. These will also be published on the SPA's website. A full recording of the public items of business taken at these meetings can be accessed at - [Scottish Police Authority \(spa.police.uk\)](https://www.spa.police.uk) and - [Scottish Police Authority \(spa.police.uk\)](https://www.spa.police.uk).

ITEMS OF BUSINESS CONSIDERED AT BOTH MEETINGS

- Internal Audit Reports (DESC Change Management; Organisational Design Change Management; and Forensic Services Physical Data Management (22/6/22) and Core Financial Systems (2/8/23))
- Internal Audit Updates
- Police Scotland and SPA Audit and Improvement Recommendation Trackers
- Police Scotland Change Portfolio Update
- Police Scotland and SPA Risk Management Reporting
- DESC

ITEMS CONSIDERED AT 22 JUNE MEETING

- Annual Internal Audit Report
- Internal Audit Charter
- External Audit Progress Update
- Integrated Assurance Statement 22/23
- SPA Corporate 2022/23 Year End Performance
- Audit, Risk and Assurance Committee Annual Report
- Evaluation of Committee Effectiveness
- Police Scotland and SPA Information Management year end reports
- Cyber Security

ITEMS CONSIDERED AT 2 AUGUST MEETING

- Police Scotland and SPA Best Value
- Police Scotland SPA Annual Whistleblowing Reports
- HMICS Scrutiny Plan

- Draft Annual Report and Accounts
- Police Scotland Annual Data Loss, Fraud and Theft Report
- National Fraud Initiative

KEY ISSUES RAISED

- **Internal and External Audit Reporting**
 - **Internal Audit Report on DESC Change Management.** Members were assured that 5 of 8 recommendations had progressed but stressed that resource and capacity issues need to be resolved.
 - **Internal Audit Report on Organisational Design Change Management.** Members heard efforts are underway to bring consistency and nationwide standards; and welcomed the commitment to provide more detail on progress against recommendations. The Committee noted that red risk actions were within the Internal Audit annual report, and having sought assurance on timescales, heard that high risk actions were due to be delivered by the end of 2023.
 - **Internal Audit Report on Forensic Services Physical Data Management.** Members heard Forensic Services welcomed the report as it supported plans already in place to address issues highlighted and already known. Members raised concern on the lack of weeding and casefile disposing after 2019 and heard changes in policy had attribute to delays. However, processes were now in place along with plans to ensure work is progressed. The Committee sought comment on why not all recommendations were fully accepted, and accepted the rationale provided which was based on a number of factors including policy changes, resource capability and best value.
 - **Internal Audit Report on Core Financial Systems.** The Committee were informed it was a deliberate choice for core financial systems to be the first audit undertaken by BDO in order to gain a fresh opinion, and Members were encouraged to receive substantial assurances and a list of good practice. Members received updates in relation to scope for data cleansing and were assured all actions were on target.
 - **Annual Internal Audit Report.** The Committee noted the Annual Report which concluded that the SPA, Police Scotland

and Forensic Services have a framework of governance, risk management and controls in place that provide reasonable assurance regarding the effective and efficient achievement of objectives. Members noted this opinion was except in relation to resource deployment unit change management and compliance arrangements relating to PAVA spray and airwave terminal units.

- **Internal Audit Update.** In August, the Committee were presented the first Internal Audit Update from BDO and were supportive of intentions for future reports to include follow up work of all open recommendations.
- **Assurance Reporting**
 - **Police Scotland Audit and Recommendation Tracker.** Discussion focussed on ensuring work is undertaken to review timelines and Members were assured they remain realistic. Members sought further comment on benefits realisation and questioned whether the agreed process is useful without evidence. Members heard BDO would be reviewing a Police Scotland project allowing them the opportunity to comment within the next update.
 - **Police Scotland Change Portfolio Update.** Members raised concern over the number of projects which were reporting red from a previous status through to a forecasting status. Members heard those statuses were over a three-month period and it was anticipated some would move to amber and/or green by the next Committee report in November. The Committee reinforced the importance of prioritisation and requested further information on long term expectations.
 - **Audit, Risk and Assurance Committee Annual Report.** Members noted there was one criterion from the National Audit Office (NAO) best practice guidance which the Committee were not compliant with, which related to assurances of the risk and controls environment encompassing services outsourced to external providers. Members were assured SPA and Police Scotland procurement staff are liaising to determine how reporting in this area can develop.
 - **Information Management Year End Report.** Members heard an update from Police Scotland's Senior Information Risk Owner and discussed issues related to increased mandatory staff

training. Members were also provided with an update from SPAs perspective.

- **DESC.** Members were provided with an update on the DESC project and progress on the pilot. The Committee noted and were assured by the robust levels of oversight from the SPA.
- **Cyber Security.** An update was provided of current activity and strategic direction, and discussion thereafter focussed on prioritisation and financial resource.
- **Police Scotland Best Value Update.** Members welcomed the feedback on learning from the pilot on procurement and received further information on roll out intentions.
- **SPA Best Value Update.** Members sought more detail on issues of non-compliance and were informed it was in relation to Best Practice. More detail is anticipated to be provided in future reports.
- **Police Scotland Annual Whistleblowing Report.** Members sought and received more information on how assessments are reviewed, and sought assurances that staff have knowledge of whistleblowing and confidence of using the system. Members heard there is not a process of assessing all complaints to determine whether or not they are from whistle-blower's and that this process is overseen by a senior officer. Members heard the subject of whistleblowing is included in a session relating to professional standards which recruits attend early in their training.
- **SPA Annual Whistleblowing report.** Discussion focussed on awareness within Forensic Services and Members reinforced the need for recording confidence to be the next step.
- **Risk Management Reporting.** Members received updates from Police Scotland and SPA where discussion focussed on risks out with tolerance and appetite. Member sought assurance that work was progressing to move those risks.
- **HMICS Scrutiny Plan.** Members welcomed an overview of the plan, noting changes from consultation were around prioritisation.
- **Draft Annual Report and Accounts.** The Committee received their first presentation of the draft Annual Report and Accounts and sought further clarity and provided feedback on a number of areas. The

Committee will be provided with an updated draft at a meeting in September 2023 where recommendation to the Authority for approval will be sought.

CONCLUSIONS/ACTIONS REACHED

- Members requested to be provided with timescales for progressing the three overdue actions from the 2018 ICO SPA Audit – GDPR compliance.
- Future Police Scotland Change Portfolio reports to present a strategic overview of change, with a long-term road map to be provided to Members. SPA and Police Scotland colleagues to also consider providing deep dives on key change projects.
- Reporting frequency of Police Scotland’s strategic risk register to be considered.
- Internal project plan for productions remodelling to be provided to Members.

Summary report from Legal Committee

1 August 2023

Jane Ryder, Committee Chair

The formal minute of the public items of business will be available at the meeting scheduled for Legal Committee. This will also be published on the SPA's website. A full recording of the public items of business taken at this meeting can be accessed at [Legal Committee - August 2023 on Livestream](#)

MAIN ITEMS OF BUSINESS

- Statistical Report on Ill Health Retiral and Injury on Duty Awards
- Legal Services Claims Handling - Quarterly Statistical Information Report - Trends & Analysis in litigation
- Legal Committee Work Plan
- Public Inquiries and Fatal Accident Inquiries - Overview Report
- Operation Sonnis Update
- Litigation Overview
- Legal Assistance Appeals
- Pension Forfeiture Update
- Potential Forfeiture of Police Pension

KEY ISSUES RAISED

Statistical Report on Ill Health Retirement and Injury on Duty Awards

The Committee noted a report detailing applications received, the recommendations from Police Scotland and decisions taken in relation to ill health retirement and injury on duty between 4 March 2023 and 14 July 2023.

Legal Services Claims Handling - Quarterly Statistical Information Report - Trends & Analysis in litigation

Members noted a report which detailed d the number of claims settled by Police Scotland during the period April - June 2023 (Q1) under the general headings of Employers' liability, Public liability and motor vehicle claims. Members also welcomed the 5 year history of claims with discussion of consistency nd outliers. Members sought clarity around specific detail of liability claims and were assured that this

information would be available in coming months following the implementation of changes to reporting, which was welcomed.

Legal Committee Work Plan

The Chair advised that in common with good practise the committee will look to have a Development Day in January 2024, outcome of which will be incorporated into the statement of assurance.

Public Inquiries and Fatal Accident Inquiries – Overview Report

Members were updated and assured around the progress in relation to Police Scotland’s response to the Public Inquiry (PI) into the death of Sheku Bayoh and the Fatal Accident Inquiry into the death of John Yuill and Lamara Bell.

Operation Sonnis Update

Members were updated on Police Scotland’s response to the UK Inquiry and separately the Scottish Inquiry into COVID-19. Members enquired about the proposed timescales for completion of the Scottish Inquiry and the cumulative impact of major enquiries.

Litigation Overview

Members were provided with a report which detailed significant ongoing litigation involving Police Scotland and the SPA.

Legal Assistance Appeals Update

Members considered two ongoing Legal Assistance Appeals and took a final decision on each appeal.

Pension Forfeiture Update

Members were updated on an ongoing pension forfeiture case. Members also considered the publication of the number and outcome of pension forfeitures considered and agreed that this information should be noted within the Committee Annual Report to the SPA Board.

Potential forfeiture of Police Pension

Members carefully considered and took a decision around a forfeiture of a police pension.

Summary report from Resources Committee

8 August 2023

Grant Macrae, Committee Chair

The formal minute of the public items of business will be available at the meeting scheduled for 15 November 2023. This will also be published on the SPA's website.

A full recording of the public items of business taken at this meeting can be accessed at - [Scottish Police Authority \(spa.police.uk\)](https://spa.police.uk)

MAIN ITEMS OF BUSINESS

- Financial Monitoring and planning:
 - o Financial Monitoring Report (Q1 2023/24)
 - o Draft Forecast Scenarios (2023/24)
 - o Capital Strategy (5 Year Outlook)
 - o Budget Strategy (2024/25)
- Procurement Annual Report
- Estates Improvement Programme Update
 - o Revision to Police Scotland Scheme of Delegation
 - o Officer and Staff Pay (verbal update)
- Business Cases:
 - o Strategic Outline Business Case – Digital Strategy
 - o Change request - Digitally Enabled Policing (DEPP)
 - o End of Project Report - Chief Data Officer Target Operating Model

KEY ISSUES RAISED

Financial Monitoring and planning

- The Committee considered the Q1 Financial Monitoring Report and details of forecast scenarios. A forecast £18.9m revenue overspend was highlighted.
- Members discussed at length the need to immediately progress actions to deliver savings, while continuing to prioritise the protection of the most vulnerable individuals and communities. Members were clear on

their expectation that plans should be put in place which will bring the revenue budget back to a break-even position. The Committee also require enhanced monitoring and reporting, internally and to the Committee on progress towards achieving savings.

- The Committee considered early work on the Capital Strategy and noted further discussion on this work will take place through the Budget Development Group.

Estates Improvement Programme Update

- The improvement activity was discussed at length and Members challenged several areas with Committee focus on the plans to improve the asset management capacity within the organisation.

Business Cases

Digital Strategy Strategic Outline Business Case.

- Members welcomed the strategic context and were supportive of the programme.
- The costs of the programme were considered, particularly given the context of the indicative Capital Strategy. Discussion focused on the prioritisation of individual projects both within Digital Division and across the wider service as well as considering timescales/ pace of change, business benefits and available project management resources.

CONCLUSIONS/ACTIONS REACHED

- Additional oversight to provide detail of the savings and actions being taken to achieve a break-even budget – this to include details of the phasing and progress towards achieving savings.
- Appropriate senior officers (Deputy Chief Constable/Assistant Chief Constable) to attend future Committee meetings where there are operational implications to be able to answer Members' questions.
- Committee to be provided with detail of how the Strategic Workforce Plan will be used to inform the budget setting for 2024/25 and beyond.
- Recommendation to the Authority the proposed revisions to Police Scotland's Scheme of Delegation.
- Recommended the Strategic Outline Business Case for Digital Strategy to the Authority for approval with the caveat that greater clarity is to

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be provided on how the service will prioritise the available funding both within Digital Division and across the wider service.

- Work to further refine the Capital Strategy to be carried out and considered as part of the Budget Development Group.



Summary report from Forensic Services Committee

10 August 2023

Paul Edie, Committee Chair

The formal minute of the public items of business will be available at the meeting scheduled for 30 October 2023. This will also be published on the SPA's website. A full recording of the public items of business taken at this meeting can be accessed at [Forensic Services Committee - August 2023 on Livestream](#)

MAIN ITEMS OF BUSINESS

- Forensic Services performance, including financial
- Drug Driving / Forensic Toxicology Improvement
- Forensic Services Change Programme
- Memorandum of Understanding (MoU)
- Operational Risk

KEY ISSUES RAISED

Forensic Services Performance

Members welcomed a positive update in relation to UKAS, following noticeable progress since their previous visit. Members have asked for more work to be done in relation to benchmarking and have encouraged SPA Forensic Services staff to look at this area strategically with organisations across the UK (e.g. university partners), requesting that SPA Corporate staff support this activity.

When considering the 2022/23 year-end performance report members raised concerns about performance of post-mortem toxicology since the service went live in December 2022. The Director updated that there was an expectation that there would be an increase in turnaround time following the transfer of staff from Glasgow University, however this increase has been more significant and longer lasting than anticipated. Given concerns in this area, members have requested that monthly performance updates are provided and that any further slippages are flagged immediately to members. The Director provided assurance that the service will return to a 5-week turnaround for non-priority work by October and that the backlog will be addressed.

Members considered Quarter 1 23/24 performance in the new format report, welcoming progress in this area and providing feedback on a number of areas of development to the template report. The Director assured members that this was a live and iterative process, with the Q2 report being developed in line with feedback. To support development of the performance approach members have agreed to undertake a deep dive, which will take place before the next committee meeting.

Members were also updated on the financial position of Forensic Services for Q1 23/24 and the forecast break-even revenue position. Members sought clarity on the operational impacts of the current underspend on staffing. Members also consider the efficiency plan, focused on areas that have yet to deliver and were assured that there is active ongoing management of savings to deliver on budget.

Drug Driving / Forensic Toxicology Improvement

Members were provided with an update on current performance within criminal toxicology (drug driving) and noted concerns around implications of the cessation of the current extension to the statutory time limit from 6 to 12 months. The Director and Head of Function provided assurance around the planning currently underway within the service for this, however they advised committee that a return to a 6-month statutory time limit with immediate effect in December 2023 would result in a significant volume of time barred cases as a result and have made Scottish Government aware of this. Members were advised that the service are in constant dialogue with the outsourcing provider, who have emphasised challenges this would cause, however, have provided assurance that they are developing their own capacity to meet the demand for service in Scotland. Members have requested more information on all possible options available to allow them to take a view on what further action can and should be taken to mitigate for this.

Members were also provided with an update on agreed improvement actions being delivered by both SPA Forensic Services and SPA Corporate Services in response to recommendations made in the HMICS Assurance Review of Forensic Toxicology. HM Chief Inspector of Constabulary in Scotland noted thank to the service for the work done in response to the recommendations and the immediate actions already underway. around the action plan that had been set out. Specifically, Mr Naylor noted a desire to see inhouse capability and capacity improve along with an improvement in sample processing times from Police Scotland.

Forensic Services Change Programme Update

Members were updated on progress against the Forensic Services Change Programme and were assured to hear that the Resources Committee had approved progression to a full business case, whilst noting some concerns

highlighted by them. Members were advised that the level of investment around the new operating model was not as anticipated therefore there is a phasing element to the model.

Members were also provided with an update on implementation of the Forensic Science Regulators Code of Practice for England and Wales and work underway to assess voluntary compliance with this in Scotland.

Memorandum of Understanding (MoU)

Members were provided with a final revised Memorandum of Understanding and commended all partners involved for reaching this point.

Operational Risk

Members were provided with the opportunity to review FS Operational Risks.

CONCLUSIONS/ACTIONS REACHED

Members **AGREED** that benchmarking should consider organisations from across the UK (e.g. university partners) and should be supported by SPA corporate performance.

Members **AGREED** that monthly updates were required in relation to toxicology performance given current pressures and sought further detail in relation to volume, caseload levels and any backlog/lags in reporting as well as progress in returning to the committed turnaround time for post-mortem cases and the expected 21-day turnaround on volume crime.

Members **AGREED** to undertake a deep dive to inform the next iteration of the performance report and framework.

Members **AGREED** the need for a deep dive to be provided with evidence and assurance and explain complexities in a simple and straightforward whilst also providing measurements of improvement.

Members **AGREED** the need develop further detail around people data for future performance reports, which will be part of the agreed performance deep dive.

Members **AGREED** that more information is required on all possible options regarding the shift back to a statutory time limit of 6 months to allow them to take a view on what further action can and should be taken to mitigate for this.

Members **AGREED** the need for a timeline for delivery which will allow members to monitor progress against the HMICS Improvement Plan.

Summary report from Police Negotiating Board

22 June 2023

Jane Ryder, Committee Chair

The meeting covered business as detailed below. This was also intended as the last meeting of PNB in its current form before the commencement of PNB Scotland, as reported via the SPA Chief Executive report.

Pay

Following agreement on Police Pay for 2022/23 work has been ongoing to implement the terms and conditions agreed as part of pay agreement. At the time of drafting, discussions and negotiations remain ongoing in relation pay for 2023/24.

PNB Strategic Commitment

The 2022/23 pay agreement included a strategic commitment from the Official Side, which is summarised as follows:

- to work with the Staff Side to look to reduce the working week and the level of disruption to police officers (provided it is financially sustainable, does not impact on current service provision and also seeks to enhance the delivery of policing)
- the need to fully review working and management practices and the demands placed on officers to ensure officers receive re-rostered rest days in a timely manner
- Establish a joint working group with areas of focus being jointly agreed through collaboration with the intention to bring forward joint proposals to the PNB in June 2023.
- Involves commitment from senior representation within Police Scotland, SPA and Scottish Government in recognition that the strategic commitment cannot be delivered by a single organisation

Since the 2022/23 pay agreement, the Strategic Commitment Working Group and supporting sub-groups have made progress in identifying key steps to ensure an appropriate focus is placed on working with stakeholders across policing and with external partners to seek to reduce unnecessary demands placed on policing. The focus has primarily been

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on the police witness process for court and mental health demand. The outcome of this work has been to establish longer term working groups that appropriately align and feed into relevant and existing governance/engagement structures with partners e.g. Criminal Justice Programme Board.

Given the changes to follow, this was assumed as the last meeting of the outgoing Chair, Ian McKay and the parties all thanked him for his excellent chairing throughout his tenure.

End