

Meeting	Authority Meeting
Date	26 May 2021
Location	Video-conference
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:

- A. Policing of Cop26 Oversight Group
- B. Forensic Services Committee
- C. Audit, Risk and Assurance Committee
- D. Resources Committee
- E. Complaints and Conduct Committee
- F. Legal Committee

Committee	Chair	Date	Page
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Audit, Risk and Assurance Committee	Jane Ryder	05.05.21	10
Resources Committee	Robert Black	18.05.21	12
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Legal Committee	Paul Edie	20.05.21	19

Summary report from COP26 Oversight Group

7 April 2021

Tom Halpin, Oversight Group Chair

Main items of business

- Finance and Operational Update
- Forensic Services Preparations
- Officer, Staff, Canine and Equine Wellbeing
- Communications and Engagement
- Risk and Assurance

Key issues raised

- The Oversight Group began with an update from Police Scotland on the UK Government's determination for the event to proceed on an 'in-person' basis, with operational planning continuing in line with this intention.
- Detailed discussion took place in relation to that operational planning, with assurances being provided by Police Scotland on mutual aid arrangements; logistics; transport; and personnel implications, including hotel accommodation and UK-wide Staff Association engagement.
- Members were assured by Gold Commander, ACC Higgins, that operational planning remains under constant review, with the ability to react to changing circumstances in relation to numbers of delegates attending.
- The Oversight Group considered a detailed Finance Update and were reassured of spend approval processes to ensure recovery of costs and mitigation of risk.
- Members were provided with a detailed update from Forensic Services and their preparations to manage potential demand during COP26. With Forensics fully involved in training and exercising,

planning is well developed, with excellent engagement at both strategic and tactical level, along with reassurance on the ability to maintain the business as usual service alongside COP26.

- The Group gave continued focus to the health and wellbeing of all Police and Support Staff personnel, in recognition of the unique operational demands of policing COP26. In addition, Members received specific reports in relation to Police Canine and Equine health and welfare through a specialised welfare strategy.
- Members were provided further assurance in relation to integrated communications and engagement, primarily through the Get Glasgow Ready (GRG) Communications sub group. The SPA continues to play a key role in the strategic communications plan in place by Police Scotland, and will receive ongoing updates going forward in relation to progress and outcomes.

Conclusions reached / actions agreed

- The next meeting of the Oversight Group will give detailed consideration to the recommendations made in the Metropolitan Police Service Review into COP26, and any operational or strategic impact.
- Members will also consider and assess the available legislative powers in relation to the event. A report will be brought to the next Meeting.
- The Group will continue to engage with Her Majesty's Inspectorate of Constabulary (Scotland), as well as Internal Audit assurance processes, and will give due consideration to findings going forward.
- The next meeting will give additional focus to local policing and the plans to mitigate operational impact during COP26.

Summary report from COP26 Oversight Group

18 May 2021

Tom Halpin, Oversight Group Chair

Main items of business

- Finance and Operational Update
- Legislative Powers
- Aviation Safety and Security
- Maintaining Local Policing
- External Assurance and Review

Key issues raised

- Members of the Oversight Group began by hearing a comprehensive update on current expenditure and cost projections from the Police Scotland (PS) Finance Team. Baseline planning assumptions were confirmed, and assurances were provided by PS and the Scottish Government on the ongoing financial principle of 'no financial detriment or gain' and that all current and future costs for policing the event are expected to be fully recovered.
- Gold Commander, ACC Higgins, provided Members with a detailed update on operational planning and delivery, with assurances being provided on the 'Island Site' security firm appointment; confirmation His Holiness Pope Francis' planned attendance; strategic risk; and transport arrangements.
- Members also welcomed confirmation of the Operation Urram Workforce Agreement for federated ranks, and look forward to the development of similar such agreement for the Association of Scottish Police Superintendents (ASPS) in the near future.
- After previously raising the issue, Members were given assurance that the issuing of Temporary Traffic Regulation Orders (TTROs) will be processed in line with recent protocols agreed by Local Government (COSLA) and PS.

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- In a discussion around the available legislative powers to police the event, Members were assured that the currently available legislation remains sufficient for a safe and secure COP26. PS will assume responsibility to ensure Mutual Aid Officers from other jurisdictions are fully briefed on the differences in powers between Scotland and the rest of the UK.
- Members were provided with a detailed update on aviation safety and security preparations, and were assured that any deployment of this technology would be subject to standard operating procedures (SOP) and in line with legal advice on current legislation, data privacy, equality and human rights impact assessments.
- Police Scotland gave a comprehensive update on plans to engage with the public and partners to provide reassurance about the potential impact of the event on local communities; the mitigating structures, processes and actions being put in place to ensure that 'business as usual' activities continue to be delivered to an appropriate standard across the whole country; and that a sufficient number of specialist resources will be available to respond to serious incidents which occur in local communities in the run up to and during COP26.

Members were provided with further assurance around the interim findings and conclusions of both the Metropolitan Police Peer Review of Operation Urram and Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) Review of Police Scotland's response to COP26.

Conclusions reached / actions agreed

- The next meeting of the Oversight Group will give further consideration to the wider Justice System implications and preparations, with a particular focus on custody capacity and independent custody visiting.
- Police Scotland undertook to bring a comprehensive briefing on the wide ranging strategic engagement that has taken place to date and the plan for community and stakeholder engagement going forward.
- The Oversight Group will receive an update on the work of the Independent Advisory Group, chaired by John Scott QC.
- A detailed update will be provided by PS on the programme of testing, exercise and readiness through the Scottish Multi-Agency Resilience Training & Exercise Unit (SMARTEU).

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Summary report from Forensic Services Committee

19 April 2021

Tom Halpin, Committee Chair

Main items of business

- Performance Report Quarter 4 2020/21
- FS COP26 Update
- FS 2026 Update
- Biometrics Update
- HMICS Update
- Drug Driving Update
- Azets Audit Management Actions Update
- Morbid Toxicology Report
- Memo of Understanding development update
- Forensic Services 2026;
 - Operating Model Project Full Business Case Update
 - Access to Scene Examination Project Full Business Case Update
 - Access to Laboratory Project Full Business Case Update
 - Core Operating System Project Update
- FS Budget and Capital Investment Report
- Forensic Services Committee Annual Assurance Statement 2020/21

Key issues raised

- Demand remained strong during quarter 4. The laboratory outputs and capacity were consistent (despite physical distancing requirements) and laboratory work focusing on urgent and major casework.
- The Drug Driving Toxicology casework demand has been significant over the last year as a result of new Drug Driving legislation (S5A of the 1988 Road Traffic Act). External support assisted in reducing the high caseload during quarter 4.
- As current COVID restrictions reduce and the organisation moves into the 'new normal' Forensic Services will continue to work closely with partners Police Scotland and COPFS to manage and prioritise

workload. A short-life working group has been established, with representatives from Police Scotland and COPFS, to manage cases reporting dates as the extended case reporting brought about by the COVID Act is removed.

- The committee considered levels of staff absence during the past year and sought further clarity on the reasons behind the higher levels in April and October 2020 reported as COVID related absence. It was noted there was no evidence of significant transmission of Covid in the workplace for Forensic Services staff. Staff absence levels would continue to be benchmarked against Police Scotland and other public sector organisations.
- Committee Members received an update on FS engagement re planning and oversight of COP 2026. FS will continue to engage with the planning group and to determine considerations re BAU and staff Health, Safety and Wellbeing.
- The Demonstrating Value work was discussed re consideration to widening the focus of value beyond Criminal Justice settings – that could include how forensic services demonstrate value to communities, public health and the environment for example missing and vulnerable persons.
- The Committee received an updated on the FS 2026 programme and underpinning projects and progress made. It was noted all people aspects of change would be a priority given the impact of moving to a new operating model. Members were provided with assurance that staff associations were fully engaged as part of the consultation process for the new Operating Model.
- Biometrics update was on the key principles of the SPA FS Biometric Strategy, that all relevant stakeholders were fully engaged as part of this work.
- HMICS – no change since previous committee – status is of the 23 recommendations; Forensic Services has had confirmation from HMICS that 14 are now complete. The remaining 9 recommendations are largely aligned to FS 2026 Change Programme.

Conclusions reached / actions agreed

- Work to continue to monitor demand as we return to new normal and to engage with our partners on planning as restrictions.
- Absence data to be benchmarked against PS and other public sector organisation for the next committee.

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- Drugs Driving - Meeting to be arranged with COPFS and Police Scotland to explore the prevalence of Drug Driving in Scotland and the implications for Forensic Services capacity to meet demand.
- FS 2026 - Members agreed to recommend the Operating Model Full Business Case, Access to Scenes Business Case and Access to Laboratories Business Case to the Resources Committee and thereafter to be submitted to the Board for approval.
- Annual Assurance Statement – members will recommend the statement to the Audit Risk and Assurance Committee.
- Work to continue on developing a draft Workforce Plan to be presented to members in July 2021
- Memorandum of Understanding (MOU) – FS to ensure alignment of the MOU with the workforce 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 [Forensic Services Committee - 19 April 2021 on Livestream](#)

The formal minute of the public items of business will be available at the next meeting which is scheduled for 26 July 2021. This will also be published on the SPA's website.

Summary report from Audit, Risk and Assurance Committee

5 May 2021

Jane Ryder, Committee Chair

Main items of business

- Internal audit annual report
- Internal audit reports on:-
 - Performance management
 - Payroll
 - Non pay expenditure follow up
 - Home working security
- Updates on SPA and Police Scotland audit and improvement recommendations
- SPA ICO progress update and information management year-end review
- Annual audit plan 2021/22 (Audit Scotland)
- Best value in Scottish policing (Audit Scotland)
- Project plan for the preparation of annual accounts
- SPA and Police Scotland risk updates
- Deep dive – cyber security
- Review of committee effectiveness

Key issues raised and actions or recommendations agreed

Internal audit and other reports

- Members recognised and welcomed the fact that the full internal audit plan had been delivered during the year, with the annual report provided to this committee earlier than in previous years.
- Internal auditors provided an opinion of “*reasonable assurance that there are no major weaknesses in the whole system of internal control*”. This was the first time that SPA has received a clean internal audit opinion across SPA and Police Scotland.
- Members noted and welcomed the trend of reducing number of open and over-due improvement recommendations. The unqualified internal audit opinion, completion of the internal audit plan on time

and reducing number of open recommendations are all indicators of positive progress made

- Members considered and scrutinised four new internal audit reports that included a total of 13 grade 2 (yellow) and 5 grade 3 (amber) recommendations. The report on performance management was the most significant in terms of action required
- Members also considered the status of recommendations arising from a range of other reports including detailed consideration of progress against recommendations from the Information Commissioners Office. Members considered progress against HMICS reports, particularly identifying the recent Crime Audit report and the wider issues of data quality as meriting more detailed consideration

External audit

- The ARAC welcomed the paper on Best Value from Audit Scotland and look forward to considering further how demonstration of Best Value can be evidenced across Scottish policing.
- It was noted that the SPA's business plan for 2021/22 will include an objective in this regard.

Risk

- ARAC considered risk register reports from SPA and Police Scotland. Following previous Member feedback the reports had been revised in a new format that aims to provide an appropriate level of strategic oversight of risk, which members welcomed.
- Reporting to ARAC will continue to evolve to reflect feedback discussed during ARAC.

Committee effectiveness

- ARAC considered an annual review of the committee effectiveness and agreed to an annual assurance statement with no significant issues to highlight to the Chair or Accountable Officer.

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 [Audit Risk and Assurance Committee - May 2021 on Livestream](#)

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The formal minute of the public items of business will be available at the next meeting which is scheduled for 15 July 2021. This will also be published on the SPA's website.

Summary report from Resources Committee

18 May 2021

Robert Black, Committee Chair

Main items of business

- Provisional 2020/21 financial outturn.
- Quarterly transformational benefits tracking report.
- COP26 finance update.
- Contracts:
 - non-competitive actions (NCAs) update for noting; and
 - three contract awards: two recommended to the Board to approve and one recommended to the Board for SG to approve.
- Estates – options paper provided to obtain premises for morbid toxicology services. Members recommended to the Board the preferred option.
- Revised Police Scotland scheme of financial delegation (minor updates).
- Annual bad debt write off – recommended to the Board.
- Annual review of committee effectiveness.

Key issues raised and conclusions reached/actions agreed

Provisional 2020/21 financial outturn

- Members recognised the early figures provided noting that the position, excluding the late additional funding provided, was in line with previous forecasts.
- Members looked forward to receiving full detail of the outturn relative to the original budget and felt it was important to clearly explain the budget movements approved by the Scottish Government at the end of the financial year.

Quarterly transformational benefits tracking

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- The committee scrutinised the report with discussion on how cashable benefits translate to annual budget setting and budget monitoring.
- Members also welcomed a further review being undertaken of Police Scotland's benefits reporting to the Authority.

Project weaver property options and lease

- The committee carefully considered options to accommodate this service. Members scrutinised the proposed decisions including consideration of: planning permission, property size, Best Value, purchase versus lease and lease term.
- Members recognised the quality of the work and were content to recommend the preferred option to the Board.

Bad debt write off

- In recommending the proposed bad debt write off to the Authority, Members welcomed an assurance that a planned review of Police Scotland's Charging for Events and Other Services Policy would explore opportunities to further mitigate against future bad debts.

Committee effectiveness

- The committee considered an annual review with a broad discussion including Members and attendees who reflected on resources committee's previous challenges, the improvement journey and future developments.
- The committee agreed to an annual assurance statement with no significant issues to highlight to the Chair or Accountable Officer.

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 [Resources Committee - May on Livestream](#).

The formal minute of the public items of business will be available at the next meeting which is scheduled for 17 June 2021. This will also be published on the SPA's website.

Summary report from Complaints & Conduct Committee
19 May 2021
Alasdair Hay, Committee Chair

Main items of business

- Quarter 4 2020/21 and annual performance reports from SPA, Police Scotland and the PIRC in relation to complaints handling, including Police Scotland report on use of suspension/restricted duties.
- SPA and Police Scotland updates on response to Dame Elish Angiolini Independent Review of Complaints Handling, Investigations & Misconduct Issues in Relation to Policing
- Report outlining proposals on public reporting of Committee items taken in private
- SPA ongoing complaints update report
- 2020/21 Committee effectiveness report

Key issues raised

Public Session

- SPA quarter 4 and annual complaints handling performance report, including update on matters considered at recent multi-agency meetings. Members noted key statistics and trends in complaints data over the period, including the continued trend of the majority of complaints received being outwith the Authority's remit. Ongoing work to ensure appropriate signposting, and to improve accessibility, were noted. Members were also advised of work to improve future reporting, to include more detailed information on complaint handling timescales.
- Police Scotland Professional Standards Department quarterly and annual complaints handling performance report. Members heard that the increase in complaints against the previous year was largely due to matters relating to COVID. Members noted the potential benefits of the new Complaints Handling Model, which will be subject to quarterly review. The majority of PIRC Complaint Handling Reviews (CHRs) considered were assessed as being handled to a reasonable standard and, in the case of Police Scotland referrals to PIRC, the majority were determined as not requiring investigation. In respect of conduct matters, Members noted the ongoing trend of significant numbers of officers resigning prior to matters being concluded.

- PIRC quarterly and annual report on Complaints Handling Reviews. The number of Complaints Handling Review applications in 2020/21 was slightly below the previous 5 year average. The majority of those accepted for review were assessed as being handled to a reasonable standard, as part of an overall improving trend, with no supervised reconsideration directions being made. There were some delays in timescales for receipt of information from Police Scotland, due in part to COVID, but also to earlier localised complaints handling arrangements. The new Complaints Model should serve to minimise delays, as well as recommendations relating to sufficiency of complaint enquiries and quality of response letters.
- SPA report on the Dame Elish Angiolini Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, including presentation of a detailed plan outlining SPA implementation actions (a number of which are planned for completion prior to the next Committee meeting) and an update multi-agency discussions via national governance and reporting structures. An SPA submission has been submitted for inclusion in the first triannual thematic progress report, scheduled for publication in June.
- Police Scotland verbal update on the Dame Elish Review, advising delivery against the majority of recommendations from the Preliminary Report, with a focus now on recommendations from the Final Report within their gift and not requiring legislative change. A submission has similarly been provided for inclusion in the first triannual progress report. Members were asked to consider approach to future reporting of progress to Committee.

Private Session

The Committee received and discussed the following:

- A report on police officers and police staff who are currently suspended or restricted in their duties within Police Scotland.
- Public Reporting of Items Taken in Private
- A report on current ongoing complaints and workload being managed within the SPA Complaints Team.
- Committee Effectiveness

Conclusions reached / actions agreed

- The benefits of now having complaints and conduct performance reports from SPA, Police Scotland and the PIRC were acknowledged

in terms of transparency and public confidence, alongside the importance of taking learning from complaints and seeing it being applied. They also noted interest in monitoring progress against the potential benefits of Police Scotland's new Complaints Handling Model going forward.

- Members emphasised the importance of Dame Elish's report and noted the seriousness with which partners were taking delivery of recommendations. They acknowledged the SPA update and that further discussion would take place with Police Scotland in respect of future reporting to Committee.
- Members received assurance of a robust, but proportionate approach to use of suspensions or restricted duties by Police Scotland in cases where officers face misconduct allegations. Members noted the inspection of the management of criminal allegations against the police being conducted by HM Inspectorate of Prosecution in Scotland, which may make comment in respect of associated timescales.
- Members considered proposals in relation to Dame Elish's recommendation regarding the content of Committee meeting minutes and agreed to progress discussions further in advance of the next meeting.
- Members considered an evaluation of Committee effectiveness for the period 2020/21 and agreed the content of the formal assurance report to be submitted by the Committee Chair.

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/candc19may2021>

The formal minute of the public items of business will be available at the next meeting which is scheduled for 19 August 2021. This will also be published on the SPA's website.

Summary report from Legal Committee

20 May 2021

Paul Edie, Committee Chair

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 20 May 2021 were:

- Areas of Business Approved under delegated authority of the SPA Chief Executive
- Public Inquiry Update
- SPA and Police Scotland Litigation Tables
- Claims Handling - Quarterly Statistical Information Report
- Reporting on Annual Global Settlement Figures
- Legal Committee Evaluation of Effectiveness

Key issues raised

- Members considered an update on the activity to progress a number of Ill Health Retirement and Injury on Duty cases which had been delayed due to impacts of Covid19 and welcomed the update that progress was being seen in recent weeks and the expectation was that BAU levels would return in the coming months. The Committee requested future reports provide any benchmarking data available in this area.
- Members considered an update on the Public Inquiry into the death of Sheku Bayoh and the Terms of Reference of the Police Scotland Professional Reference Group were noted.
- The members were provided with details of recent developments in cases on the litigation tables.

Conclusions reached / actions agreed

- Members considered the quarterly statistical information report on claims handling and noted that no further training or investigation had been identified as necessary to reduce the number of said claims however welcomed the assurance this data would continue to be monitored and actions taken should any areas for improvement emerge.
- Members approved the settlement of the expenses in a Police Scotland case.
- Members considered a recommendation in relation to future public reporting of global settlement figures. The Committee agreed that given the small number of cases and due to risk of individuals or cases being identified from that information, it was not appropriate to publically report the settlement figures. Members were assured that Audit Scotland were content with the approach currently taken to disclosure of total legal costs for SPA and Police Scotland for the year. (Annual Report and Accounts disclose total legal costs for SPA and Police Scotland for the year).
- Members agreed to recommend the contents of the draft content of the formal assurance report by the Committee chair to the Chair of the Authority and ARAC.