



Audit, Risk and Assurance Committee

6 February 2024

Minutes of the Audit, Risk and Assurance Committee held on Tuesday 7 November 2023 at 10am via MS Teams

Committee Members present:	Mary Pitcaithly (Committee Chair) Paul Edie Katharina Kasper Grant Macrae Catriona Stewart
Committee Member apologies:	None
In attendance:	<u>Scottish Police Authority</u> Lynn Brown, Chief Executive Officer John McNellis, Head of Finance, Audit and Risk Graham Stickle, Audit and Risk Lead Lauren MacLeod, Audit, Risk and Assurance Officer (Items 2.2-5) Jackie McKelvie, Corporate Management Lead (Items 4.2-5) Karen Vallance, Governance Support Officer <u>Forensic Services</u> Craig Donnachie, Head of Quality and Assurance <u>Police Scotland</u> Deputy Chief Constable Alan Speirs James Gray, Chief Financial Officer Detective Chief Superintendent Suzanne Chow

	<p>Chief Superintendent Gillian Docherty Alastair Corfield, Head of Best Value Angelo Gustinelli, Head of Accounting and Control Donna Adam, Audit Manager - transformation Sara Mackenzie, Enterprise Risk Manager Kerry Harvey, Data Protection Officer Kerri MacIver, Head of Portfolio Management (Items 2.2-5) Paul Stewart, People Services Manager (Items 1-3.1)</p> <p><u>Grant Thornton</u> Rebecca Lister, Senior Manager</p> <p><u>BDO</u> Claire Robertson, Risk and Advisory Services Director</p> <p><u>HMICS</u> Alan Wright</p>
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1. WELCOME AND STANDING ITEMS

The Committee Chair opened the meeting and welcomed all attendees. The Chair confirmed should any Committee Member drop off the call, Grant Macrae would Chair the meeting until the Committee Chair was reconnected.

The Committee **RESOLVED** to:

- **NOTE** no apologies.
- **NOTE** no declarations of interest.
- **ADOPT** the Minute of the 2 August 2023 meeting.
- **NOTE** the action log.
- **AGREE** that, in accordance with paragraph 20 of the SPA Standing Orders, the Committee would consider items 6-8 in private for the reasons set out on the agenda.

DCC Alan Speirs (DCCSpeirs) introduced Sara Mackenzie, Police Scotland's new Enterprise Risk Manager.

2. AUDIT AND IMPROVEMENT

2.1 INTERNAL AUDIT UPDATE

Members considered the report which provided review conclusions on the Decision-Making Processes (governance) audit, Ill Health Retirements and Injury audit, and the Biometrics audit; as well as the Quarter 2 review results. Members commended BDO for the easy-to-read report.

The Committee **RESOLVED** to:

- **NOTE** the report.

2.2 POLICE SCOTLAND AUDIT AND IMPROVEMENT RECOMMENDATION TRACKER Q2

Members considered the report which provided an update of current open recommendations from all audit and improvement activity. DCCSpeirs introduced the paper, advising there had been a large increase in open recommendations in the last quarter, with an overall increase of 150% in the last 12 months. DCCSpeirs noted this was reflective of the volume and range of scrutiny which has taken place during the last year. Donna Adam highlighted a number of key points within the report.

In discussion the following matters were raised:

- Members were informed the Policing Performance Committee had provided feedback on action plans. Whilst the plans assist in planning and prioritising, business areas are encouraged to reflect on commitments to help assess the impact. Members were advised most recommendations are not single activities but are complex due to being across various teams with interdependencies. Members were informed early feedback from business areas on the vetting and mental health action plans was positive in identifying alignments. Further evaluation will take place as work progresses.
- Although Members noted explanations for delays were understandable, the Committee raised concern on the number of open recommendations and sought comment on whether Police Scotland would reassess the ability to undertake such a large volume. DCCSpeirs assured Members that audits and recommendations are scrutinised on a regular basis through internal governance meetings. Members heard the current challenge was the large number of HMICS recommendations which were organisational wide and therefore more complex. Police Scotland

meet regularly with HMICS to discuss progress, but recommendations remain open until Police Scotland can suitably demonstrate they have delivered on every aspect. DCCSpeirs suggested that HMICS recommendations are presented separately in future reports.

- Member sought comment on the financial implications of addressing recommendations and were advised the majority don't require additional cost. James Gray (JGray) added if financial resource was required the budget holder would need to reprioritise otherwise it would be factored into future years budget planning. Members heard if a technological change was required it would be escalated through appropriate channels to ascertain if it can be prioritised in year although JGray emphasised timescales and cost are factored into timescales. Members were assured finance is not an issue in any of the high-risk recommendations. Lynn Brown (LBrown) stressed the importance for high-risk recommendations to be prioritised.
- The Committee Chair sought further detail on the delay relating to mobile phone data extractions. Members heard initial recommendations have been substantially addressed but there are some residual matters that need to be progressed. A follow up report from ICO has introduced new recommendations which have interdependencies with the Crown Office and add additional complexities.

The Committee **RESOLVED** to:

- **NOTE** the report.

2.3 SPA AUDIT AND IMPROVEMENT RECOMMENDATION TRACKER

Members considered the report which provided an update on Progress against the SPA Corporate Strategy achievement of milestones for Q2 2023/24, and open recommendations from all SPA corporate audit and inspection activity. John McNellis (JMcNellis) highlighted a number of key points within the report.

Members sought clarification of why recommendation 6 from the HMICS Assurance Review of the Toxicology was proposed that HMICS set aside. JMcNellis committed to updating Members prior to the next Committee.

The Committee **RESOLVED** to:

- **NOTE** the report.

- **AGREE** the following action:

Members to be provided with further information on the proposal to set aside recommendation 6 from the HMICS Assurance Review of the Toxicology.

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3. INTERNAL AUDIT REPORTING

3.1 INTERNAL AUDIT REPORTS

Members considered three new internal audit reports.

Decision Making Processes - governance

Claire Robertson (CRobertson) highlighted a number of key points as detailed within the report.

In discussion the following matters were raised:

- The Committee Chair noted Police Scotland had requested the audit be undertaken.
- Members sought managements perspective on whether committed improvements on paper issuing were realistic, given the breadth of the governance structure. DCCSpeirs explained that the majority of papers brought to the Senior Leadership Board are firstly discussed at DCC Boards. The nature of policing and operational demands is the greatest challenge to delivering papers on time, however Police Scotland were committed to making improvements. One improvement was adopting the public sector target of paper circulation 7 days in advance.
- Members noted some papers are thereafter reported to SPA governance meetings and questioned if there was any way to minimise the amount of drafting. DCCSpeirs confirmed Police Scotland have a template that is replicated across all internal meetings. Kerri MacIver (KMacIver) added that if a paper is then taken to SPA, only the cover paper is required to be rewritten.
- The Committee Chair highlighted the Chief Constable Farrell had committed to reviewing decision making processes.

III Health Retirements and Injury

CRobertson highlighted a number of key points as detailed within the report, confirming BDO were content with the partial acceptances received.

In discussion the following matters were raised:

- Members were satisfied that the backlog had reduced but agreed it was key that recommendations are progressed and documented to help ascertain if further refinements were necessary.
- Members recognised the links to the People Committee and were assured the report would be shared. Members also heard the People Committee would be undertaking a deep dive on ill health retirements and injuries, where issues around monitoring would be discussed. ARAC will continue to monitor progress on recommendations. LBrown advised that ill health retirements and injuries used to sit within the Legal Committee but following a governance review to identify improvements, it was agreed it was more beneficial for it to sit within the People Committee remit.

Biometrics

CRobertson highlighted a number of key points as detailed within the report.

In discussion the following matters were raised:

- Members heard the Biometrics Commissioner had been involved in the audit and as such the report would be shared with him.
- Members were informed Police Scotland agree and accept all recommendations, and resource was being increased to provide an appropriate structure to take the recommendations forward. Members were assured completion dates were achievable.
- The Committee Chair noted that the observation sections in all reports were helpful to provide further understanding to the Committee.

The Committee **RESOLVED** to:

- **NOTE** the report.

4. ASSURANCE REPORTING

4.1 POLICE SCOTLAND CHANGE PORTFOLIO UPDATE

Members considered the report which provided a summary of current work undertaken within the Police Scotland Change Portfolio. KMacIver provided a summary of the paper, highlighting a number of key points within the report.

In discussion the following matters were raised:

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- Members noted this was the final report presented to the Committee as oversight of change will in future be considered by the Resources Committee.
- Members sought assurance that all change requests are being reported at the right time and heard Police Scotland maintain an overview of all change requests which are shared monthly internally and with SPA colleagues.
- Members sought comment on the impact and risks that current budget pressures bring to change activity. KMacIver confirmed there was an increased risk of non-delivery, but no projects have been stopped. Members were informed the main challenge will be if there are any new requests for additional work arise, or if resource reduces. Members were assured that financial pressures were built into the planning for all projects.
- KMacIver informed the Committee that Superintendent Graham Binnie, the new Programme Lead for DESC, took up post on 7 November.

The Committee **RESOLVED** to:

- **NOTE** the report.

4.2 ICO AUDIT OF POLICE SCOTLAND

Members considered the report which provided an initial update following a consensual audit undertaken by ICO in respect of Police Scotland's processing of personal data. DCCSpeirs introduced the report, highlighting it was a technical audit that goes into significant detail, which has resulted in a number of recommendations. Approximately 30 will be concluded by the end of the calendar year. Kerry Harvey highlighted a number of key points within the report.

In discussion the following matters were raised:

- Members heard ICO monitor implementation and will conduct a further review in March 2024, with an interim progress discussion scheduled for December 2023.
- The Committee Chair requested a progress report be brought back to the next Committee meeting.

The Committee **RESOLVED** to:

- **NOTE** the report.
- **AGREE** the following action:

Progress report be brought back to the next meeting.

20231107-AUD-002

4.3 BEST VALUE – SPA CORPORATE

Members considered the report which provided an update on the results from the Authority's annual Best Value self-assessment. JMcNellis highlighted a number of key points within the report.

In discussion the following matters were raised:

- Members acknowledged the amount of work undertaken and agreed documenting progress was important.
- Members questioned if there were any barriers to being able to implement actions, and heard the main barrier was resources, albeit this is not a current concern within the SPA workforce governance team. Members were assured every area is risk assessed to help determine how and when they are progressed.
- Members sought further comment on why performance and equalities were chosen for a deep dive and heard whilst other areas have room for improvement, it was felt there was more value in looking at best practice across performance and equalities.

The Committee **RESOLVED** to:

- **NOTE** the report.

4.4 SPA PUBLIC DUTIES

Members considered the report which provided an update of the findings and proposed recommendations for improvement from the recent SPA self-assessment on the Authority's compliance with public body duties. Jackie McKelvie (JMcKelvie) highlighted a number of key points within the report.

In discussion the following matters were raised:

- Members heard SPA will engage with the Scottish Public Information Forum to gain insight on what other organisations do, to ensure SPA's approach and progress is appropriate.
- Members sought further comment on the impact assessments relating to the Islands Duty recommendations. JMcKelvie confirmed more work was required on impact assessment as there was not a lot of evidence of strategic decision making relating to policing issues that affect the Islands. SPA intend to work with Police

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Scotland to address non-compliance, and develop a process where issues are brought to Authority in a timely manner to help inform decision making.

- JMckelvie confirmed Forensic Services are included by default on anything which comes under SPA Public Duties.

The Committee **RESOLVED** to:

- **NOTE** the report.

5. AUDIT, RISK AND ASSURANCE COMMITTEE WORK PLAN

Members were presented with the work plan which proposed Committee items for the next 12 months.

The Committee **RESOLVED** to:

- **NOTE** the plan.

end