

Meeting	Authority Meeting
Date	29 September 2022
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 following Committee and Oversight Group which have met since the last Authority Meeting:

- Complaints and Conduct Committee
- People Committee
- Legal Committee
- Forensic Services Toxicology Oversight Group
- Audit, Risk and Assurance Committee
- Resources Committee

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Committee	Chair	Date	Page
Complaints and Conduct Committee	Alasdair Hay	18.08.22	3
People Committee	Fiona McQueen	31.08.22	6
Legal Committee	Jane Ryder	06.09.22	9
Forensic Services Toxicology Oversight Group	Paul Edie	07.09.22	11
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Resources Committee	Grant Macrae	16.09.22	14

Summary report from Complaints and Conduct Committee

18 August 2022

Alasdair Hay, Committee Chair

The formal minute of the public items of business will be available at the next meeting which is scheduled for 15th November 2022. There will also be a public version of private items available, both items will also be published on the SPA's website.

The full recording of the public items of business taken at this meeting can be accessed at [Complaints & Conduct Committee - 18 August 2022 on Livestream](#)

Main items of business – 18th August 2022

- Police Scotland Professional Standards Quarterly Performance Report (Q1 - 22/23)
- SPA Quarterly Report (Q1 - 22/23)
- PIRC Quarterly report on Police Scotland Handling of Complaints and Investigation Referrals
- Joint Audit SPA/PIRC
- Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing – SPA and Police Scotland Updates

Key issues raised

Action Logs Members discussed the scheduling and timing of work coming to the committee and noted the need to consider realistic dates for work to be completed. It was agreed that there was a need to be effective and efficient however not be detrimental to wider work within Police Scotland. Members agreed that analysis of actions and the discharge dates should take place ahead of the next committee workshop to allow for this matter to be discussed more broadly along with routine reporting.

Police Scotland Professional Standards Quarterly Report (Q1) Members noted statistical information on the overarching performance activity in relation to complaints and conduct matters about members of Police Scotland for period (1 April 2022 – 30 June 2022). Members were advised that a further analysis of allegations of Discriminatory Behaviour was currently being undertaken and should be complete by November 2022. Members will be provided with an update on this matter at the committee workshop on 19th October 2022. The committee had a discussion around the National Gateway Assessment Unit, noting that Business Interest and

Notifiable Association continue to be the highest volume referral categories. Members were assured by Police Scotland that they welcomed the volumes received as an indication that the process is effective. It was noted that in the past these matters were undeclared which posed an unknown risk for the organisation. Members sought clarity on what Police Scotland are doing to roll out learning from Fife throughout the force to address Excessive Force and Assault allegations and how they will monitor impact. Members also asked if there was any evidence in policing around officers previously subject to assault and allegations of Excessive Force on their part. Police Scotland advised they would report back on this area. The committee discussed Quality of Service Complaints, how that can relate back to response times and in turn sought clarity around how discussions were being joined up within the organisation with those around police officer numbers within local communities. Police Scotland do not believe there is a direct correlation with police numbers, but advised that there is a wider organisational discussion in respect of response times, noting focus on tri-service collaboration work with the fire service, ambulance service and wider health partners.

SPA Quarterly Report (Q1) Members were provided with a report which detailed key statistics reflecting the position at the end of Q1, 2022/23. Members welcomed the reduction in time taken to resolve complaints and further welcomed the positive and clearly presented report.

PIRC Annual and Quarterly report on Police Scotland Handling of Complaints and Investigation Referrals Members were provided with a report which noted statistical information in relation to PIRC Complaint Handling Reviews and Investigation Referrals. The report included key statistics reflecting the position at the end of Q1, 2022/23. Members noted concerns around the PIRC not currently having an online form due to IT issues but were assured that they were doing all they can to assist the public to ensure they are not disadvantaged. Members sought assurance around follow-up by PIRC of recommendations for reassessment of complaints and were assured that Police Scotland are asked to implement all learning points, recommendations and reconsideration directions within 56 days. These are tracked and there is ongoing dialogue between PSD and PIRC around the progress. Members were further assured that PIRC provide training inputs and workshops to areas they feel need to be addressed. This was the first time that the committee were provided with an overview of statutory referrals. Members were assured that PIRC monitor the implementation of recommendations and allow 3 months for Police Scotland to respond on what action has been taken. Police Scotland assured members that when recommendations are received from PIRC they are recorded and tracked along with there being regular interaction. In addition there is further oversight via the SPA Audit Risk and Assurance Committee.

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Joint Audit SPA/PIRC Members were advised that the audit was progressing and a report being drafted before moving into the quality assurance stage. It is hoped that it will be complete by the end of September 2022 and report to committee in November 2022.

Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing SPA and PS Members welcomed a further report from the SPA and a verbal update from Police Scotland in relation to the Lady Elish Angiolini Review and were assured on the progress being made.

Private items discussed

- Police Scotland Restricted Duties and Suspended Officers
- SPA Review of Complaint Handling Procedures
- Committee Annual Report (21/22)
- Review of Improvement Plan
- Committee Effectiveness

Conclusions reached / actions agreed

- SPA colleagues to consider whether all actions captured at committee are being given realistic discharge dates and further consider which items which may be incorporated into work plan as routine reporting.
- Police Scotland to report back any evidence in policing around officers previously subject to assault and allegations of Excessive Force on their part.

Summary report from People Committee

31 August 2022

Fiona McQueen, Committee Chair

A full recording of the public items of business taken at this meeting can be accessed at <https://livestream.com/spa/people310822>

The formal minute of the public items of business will be available at the next meeting which is scheduled for 30 November 2022. This will also be published on the SPA's website.

Main items of business

- Q1 Workforce Report 2022/23
- Embedding Fair Work into Policing
- HMICS Assurance Review of Strategic Workforce Planning
- Q1 Wellbeing Report 2022/23
- Health & Wellbeing Statement of Intent
- HMICS Thematic Inspection of Police Scotland Training and Development Phase 2 Update
- Bi - annual Leadership Development Update
- Q4 and Year End Health & Safety Report 2021/22
- Bi-annual Your Safety Matters Update
- Exit Interview Trend Analysis
- Re-Rostered Rest Days – Next Steps
- EDI Strategy
- Workforce Impact of changes to Police Pensions
- Recruitment Updates

Q1 Workforce Report 2022/23

The Committee considered the report and agreed that as this reporting evolves and provides more data over time, it will give a better understanding of changes and trends across the reported data which will in turn allow the committee to be assured the appropriate interventions are being planned where required.

Embedding Fair Work into Policing and Health & Wellbeing Statement of Intent

The Committee endorsed the Fair Work Statement and its overarching principles. The challenging financial position going forward was highlighted demonstrating the important need to prioritise investment and

activity to maximise the delivery of fair work. The committee were informed of an annual assessment process against fair work good practice which will seek to inform continuous improvement and will be reported to Committee on an annual basis. Staff Associations and Trades Unions confirmed they will participate in the initial annual assessment process to then take a decision as to whether to commit to a joint Fair Work Statement with SPA/Police Scotland.

HMICS Assurance Review of Strategic Workforce Planning

The Committee welcomed Her Majesty's Chief Inspector of Constabulary in Scotland to the committee to provide an overview of the recent Assurance Review.

Wellbeing

The Committee considered 2 reports with a quarterly update and the outcome of a Health and Wellbeing Programme Review to inform the future direction of Health and Wellbeing Programmes. The committee sought and received assurance that a proactive approach to health and wellbeing is a priority for the Force.

HMICS Thematic Inspection of Police Scotland Training and Development Phase 2 Update

The Committee sought and received an assurance that the Action Plan aligns to the SPA Equality Outcomes and the draft Equality Diversity and Inclusion Strategy. Progress updates will now be mainstreamed into the regular EDI committee reporting.

Bi - annual Leadership Development Update

The Committee received assurance that a plan is in place to ensure internal learning as part of the external investment in Leadership Development which will support future capability to deliver leadership development internally. Members also questioned what was being done to ensure traditionally underrepresented groups were supported in this area and were assured that Police Scotland was working with various organisations to support this work. The committee encouraged the use of feedback and learning to shape leadership development going forward.

Q4 and Year End Health & Safety Report 2021/22 and Bi-annual Your Safety Matters Update

Members considered the Health and Safety dashboard and welcomed the improved reporting and better insights. Members agreed it would be beneficial to consider Your Safety Matters in more detail at a separate session to give better understanding of all that this involves.

Exit Interview Trend Analysis

Members considered updates on both of these areas which included the importance of using Exit Interview data to inform improvements alongside

learning that can be taken from other sources such as the Staff Survey. Members heard insights will improve as more data is gathered and that improving approaches to Exit Interviews and analysis is a key part of the worked being progressed under the leadership of DCO Page.

Re-Rostered Rest Days

Members were updated on the main causes in relation to re-rostered rest days and a commitment was given to seek to address this as part of the ongoing work in this area.

EDI Strategy

The draft strategy was considered and subject to some additional clarity in respect of timelines and measures recommended this to the Authority for approval.

Workforce Impact of changes to Police Pensions

Members were advised the higher levels of people leaving the organisation as a result of the pension changes were now trending downwards and it was expected this would continue. The intention to continue to report this to the committee as part of the future workforce reports was noted.

Recruitment Update

The committee considered updates on the senior officer recruitment process and the current Director of P&D vacancy.

Conclusions reached/actions agreed

Committee reporting to continue to be developed through joint working so that the Committee receives the assurances being sought. Additional sessions to be arranged for Members to explore some topics and gain better insight into these areas of activity.

Summary report from Legal Committee

6 September 2022

Jane Ryder, Committee Chair

Main items of business

- Legal Assistance Appeals
- Operation Tarn Public Inquiry Update
- Legal Services Claims Handling - Quarterly Statistical Information Report - Trends & Analysis in litigation (PS)
- Litigation Tables
- Non-Disclosure Agreements – Statistical Update
- Pension Forfeiture Update
- Operation Iona Update
- Settlement of Claim Update
- Internal Audit Report
- Committee Reflection

Key issues raised

- Legal Assistance Appeals The committee considered at significant length and decided the appeals in 3 cases. Members have sought further clarity in relation to one appeal, with a decision being deferred pending that request.
- Operation Tarn Public Inquiry Update - Members were provided with an update in relation to the Public Inquiry. It is intended that a fuller update will come to the next committee in December 2022.
- Legal Services Claims Handling – Statistical Report Members received a bi-annual report which detailed claims settled by Police Scotland. Members sought clarity on a number of areas and were advised that no further data was available. The committee will be considering the whole issue of satisfactory data in more detail over the foreseeable future
- Litigation Tables – Members were provided with a report which detailed significant ongoing litigation involving Police Scotland. Again members had numerous queries as to available data,

including age profile and overall financial exposure as well as lessons learned

- Non-Disclosure Agreements – Statistical Update – Members were provided with a report. Following new and stronger governance procedures relative to Police Scotland’s use of Non-Disclosure Agreements 8 cases were reported in the period January to June 2022. Members discussed the sensitivity and appropriateness of fuller reporting, and associated with this members stressed the importance of having a clear and robust narrative around Police Scotland’s use of NDA’s.
- Pension Forfeiture Update – Members were provided with an update in relation to 2 cases and had a discussion around the appropriateness of publication of the outcomes of these cases. Consideration is ongoing but members indicated that retrospective publication was unlikely to be appropriate.
- Settlement of Claim Update – Members were provided with a report on the progress of settlement negotiations following committee discussion and authorisation in relation to a particular case. A further update on this matter will be shared with members in due course
- Internal Audit Report – The Internal Audit report of September 2021 was particularly relevant in a number of areas under discussion during the meeting. Full consideration of the report recommendations and outcomes will be a substantive item at the committee meeting. This conclusion formed part of the committee reflection together with the need to reflect and consider overall issues of Transparency and visibility for the work of the committee

Summary report from Forensic Services Toxicology Oversight Group

07 September 2022

Paul Edie, Committee Chair

Main items of business

- Update on Toxicology Matters
- Risk Management
- Spiking
- Project Weaver, Progress on Implementation
- HMICS Assurance Review

Key issues raised

Update on Toxicology Matters – Members were provided with an overview report which covered performance, outsourcing, long term sustainability and accreditation as well as an update on the number of cases that had been unable to progress to prosecution and the improvement activity underway to reduce the backlog and average age of the caseload. Since the last report to the Authority in August of 11 cases unable to proceed for the month of July, a further 4 cases were unable to proceed to prosecution in the month of August.

- Performance – Members were provided assurance around the improving performance of this function, with a reducing average caseload age by month along with a reducing backlog. It was confirmed that the focus remains on reducing the time for analysis of drug driving cases to around 3 months, with an aim to achieve this by the end of 2022.
- Outsourcing – Members had a detailed discussion around the additional financial investment required to continue with outsourcing of cases, which is essential in the immediate term to support the reduction in backlog cases. Current additional interventions and activity will be reflected in future reports, including projections and graphs which fully articulate the current and forecast position.
- Long-term Sustainable Model - there was a detailed discussion on options, including future Scottish Government financial support, to deliver a Long-Term Sustainable Model. Scottish Government

confirmed that they will not have a final position on this until the completion of the HMICS Review, as this will ultimately suggest and recommend changes which will have an impact on what the Long-Term Sustainable Model will look like.

- **Accreditation** – Members were updated on a follow-up visit to Toxicology on 11th August by UKAS, which covered the current backlog of drug driving cases (and underlying trend), the number (and profile) of cases which could not be progressed to prosecution, plans for outsourcing, extension of the validation of stability studies given the age of the samples being analysed and progress regarding the inclusion of caveats in reports (which is a wider forensic community issue). Members sought clarity on the impact of accreditation being withdrawn and were assured that work is underway to understand and manage risk around this.

Risk Management – Members took assurance from ACC Smith on the more collaborative approach to identification and movement of risk and improved governance in this area.

Spiking – The Group were provided with a detailed overview of current management of drug spiking cases including the current mix of in-house or outsourced analysis.

Project Weaver, Progress on Implementation – Members were provided with a detailed update in relation to the project and were assured that although this area of work was busy, substantial progress had been made and it is not thought there will be any obstacles to going live on 1st December 2022 and confirmation that no backlog will transfer at that point. Members have sought more information in relation to the finance aspect of this work which will be reported back to the group in due course following discussions with COPFS.

HMICS Assurance Review - The meeting was also attended by HMICS who were able to confirm that document reading was now underway, with further field work and interviews planned for October 2022.

Summary report from Audit, Risk and Assurance Committee

15 September 2022

Mary Pitcaithly, Committee Chair

During the period of national mourning for Her Majesty Queen Elizabeth, as a mark of respect the Authority only dealt with urgent business during this time, with a Minutes silence held at the start of the Committee. This meeting only considered the Authority's Draft Annual Report and Accounts. Other business will be considered at a future meeting to be scheduled.

Main items of business

- Audit Scotland 2021/22 Annual Audit Report
- Draft Annual Report and Accounts for the Year to 31 March 2022

Key issues raised

The Committee received positive feedback from Audit Scotland that the Annual Report and Accounts had been completed in line with the agreed timescale and to a high standard.

Audit Scotland outlined in detail the findings from their audit of the financial statement and wider scope work as outlined in their report. It was noted that management accepted all findings.

Members considered the findings from the audit including the adjusted and unadjusted audit. The changes from the draft Annual Report and Accounts reported in July 2022 being highlighted by management.

Thanks were paid to Audit Scotland staff, who were attending their final Committee meeting as the Authority's External Auditors.

Conclusions reached / actions agreed

The following items were recommended to the Authority for Approval:

- Audit Scotland's Annual Audit Report; and
- Draft Annual Report and Accounts

Summary report from Resources Committee

16 September 2022

Grant Macrae, Committee Chair

During the period of national mourning for Her Majesty Queen Elizabeth, as a mark of respect the Authority only dealt with urgent business during this time, with a Minutes silence held at the start of the Committee. This meeting only considered urgent matters that required to be progressed. Other business will be considered at a future meeting to be scheduled.

Main items of business

- Contract Award: Travel and Accommodation
- Contract Award: Desktop Client Devices & Associated Services
- Co-location of Maybole Police Station, Carrick Community Campus
- Police Scotland Scheme of Financial Delegation Review

Key issues raised

- **Contracts**
 - **Contract Awards:** Members considered proposals in respect of the provision of Travel and Accommodation and Desktop Client Devices & Associated Services.
- **Co-location of Maybole Police Station, Carrick Community Campus**

Having previously considered the indicative costs for this project, the Committee agreed the updated spend.
- **Police Scotland Scheme of Financial Delegation Review**

The Committee agreed to recommend to the Authority the refreshed Police Scotland Scheme of Financial Delegation which is aligned to the increased delegations that were approved earlier this year.

Conclusions reached / actions agreed

- The following item was recommend to the Authority for Approval:
 - Police Scotland Scheme of Financial Delegation

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- The following contract awards were approved by the Committee
 - Travel and Accommodation
 - Desktop Client Devices & Associated Services