

Meeting	Authority Meeting
Date	25 March 2020
Location	Tele-conference
Title of Paper	Vice Chair's Report
Presented By	David Crichton, Vice Chair
Recommendation to Members	For Discussion
Appendix Attached:	No

PURPOSE

To update Authority Members on activities carried out by the Vice Chair and to offer comment on significant areas of development since the previous Board meeting on 19 February 2020.

Covid-19

At time of writing this report, COVID-19 has already had a dramatic impact on the personal and working lives of all of us and no doubt there will have been further impacts by the time of our Authority meeting on 25 March. At a practical level for the Authority, we are of course following national guidelines and all of our meetings will be held via video or tele-conference until circumstances improve. We remain committed to conducting our business transparently, and will ensure that the proceedings of our meetings are communicated fully. More detail of our approach to this has been posted on our website.

The current emergency presents a huge challenge to operational policing. Many of us who are fortunate enough not to have our livelihoods placed at risk are also fortunate enough to be able to change our working arrangements and work remotely. This is not the case for most of our police officers and staff. At this time more than any other, the public need the reassurance that the police service has sufficient capacity and visibility to protect their safety and wellbeing. I know that the Chief Constable and his leadership team are already taking all necessary measures to maintain the resilience of the force, and the Authority will do everything in its power to support that. I have agreed with the Chief Constable that the Authority will not be introducing any additional oversight or scrutiny arrangements during this period, and that any reporting or requests for support which fall within the Authority's remit will be channelled through our existing procedures. The Chief Constable and I will continue to be in regular contact and he and I will ensure that all necessary information and decisions will be brought to Authority Members expeditiously.

Our police service has a unique capability to adapt to rapidly changing circumstances and major events, as already demonstrated in the last year by Brexit planning and COP26. I know that the same will apply in the face of COVID-19.

System Review

Since the Authority's last meeting on 19 February, there has been much comment and speculation on the need for further review of the overall system of policing scrutiny. The Interim Chief Executive and I gave evidence to the Parliament's Public Audit and Post-Legislative Scrutiny Committee (PAPLS) on 27 February, a meeting convened to enable consideration of the Auditor General's 2018-19 Annual Audit Report on the Authority and her subsequent evidence to PAPLS. The report of the 27 February meeting is now on public record and the Interim Convenor has since written to the Cabinet Secretary proposing a "comprehensive and wide-ranging review" of the system. I also attended the "roundtable" event involving all the key

players in the scrutiny system on 11 March, chaired by the Cabinet Secretary for Justice.

I want to reiterate my own position on the need for a review, one that I made clear at the PAPLS meeting and again since. I would welcome such a review. Any system that has been in operation for seven years should be willing to accept examination in a constructive, forward-looking way and the Authority will be happy to play its part in that.

I do however have some reflections on the scope and purpose of any review. First, I have yet to hear from any of the voices past and present which have contributed to the discussion any coherent, specific, well-evidenced statement of what exactly the problem is that a review would be intended to solve. I have no doubt that there are important issues to address but the scope of work has to be based on a clear statement of their nature, causes and consequences rather than generic comments that the system is broken and something needs to be done about it.

Second, I completely agree with the Auditor General's comments that the focus needs to be on the whole system and not just on the role of the Scottish Police Authority. To focus only on the Authority – and much of the discussion does only that – would miss an opportunity to remove overlaps, fill gaps and clarify responsibilities across all the organisations involved.

Third, the Auditor General and others have emphasised that the policing scrutiny system needs a period of stability and consolidation. This does not mean that it should stand still or that review is unnecessary. But it does require that the scope and conduct of a review should not freeze or disrupt the important work that the Authority and others do in both scrutinising and supporting our police service. Apart from anything else, the Authority's role and responsibilities are defined in statute and unless and until legislation changes – a lengthy process - there is an obligation on the Authority to continue to deliver those responsibilities. This is not complacent or disingenuous as has been suggested. It is a statement of fact, and Authority members and staff will continue to perform their statutory duties diligently, driven by public interest.

It should also be recognised that a considerable amount of review and improvement work is already under way: Dame Elish Angiolini's review of the police complaints system; the refresh of the Governance and Accountability Framework between Scottish Government and the Authority; the independent review of Authority Members' role and time commitments; the Authority's demonstrable progress in implementing recommendations made by HMICS and Audit Scotland; and, following discussion at this Authority meeting, publication of its Corporate Plan.

Meanwhile, amidst the often arcane debate on scrutiny systems, Police Scotland continues to deliver a professional, highly motivated and compassionate service to the people of Scotland and is facing up to the immediate challenges posed by COVID-19 and COP26 as well as maintaining business as usual. Good oversight, scrutiny and maintenance of the service is essential but any review of that system must not be allowed to inhibit or reflect upon the quality of service which police officers and staff provide.

In summary, the Authority will welcome a system-wide review and contribute to it positively and openly. But its scope, intent and method must be well defined and must not prevent the Authority and its partners in the system from meeting their current responsibilities.

Budget settlement

There is a full report on the 2020-21 budget for discussion and approval at this meeting. We very much welcome the additional funding made available to policing beyond what was originally announced on 6 February. It is important to say of course that the revised settlement does not enable any additional activity – it simply reduces the budget deficit which the Authority faces. Allowing a deficit to continue, as we have repeatedly said, is not sustainable for any public body. But the settlement does provide additional breathing space which we and Police Scotland will use to drive on with the improvements in demand analysis, productivity and workforce planning which are essential both to improving policing and reducing the deficit. We need to be able to provide hard evidence of progress in these areas to show that additional investment in policing and transformational change generates demonstrable returns and, as I indicated in my last report, this will be a top priority for the Authority in the year ahead.

Stakeholder engagement

During the course of the month I have continued my regular round of meetings with the Cabinet Secretary, Scottish Government officials, the Chief Constable and his leadership team, and HMICS.

There are a number of other events and contacts which I would like to mention. I attended the Board of Governance of the Scottish Institute for Policing Research (SIPR) on 17 February. SIPR's research priorities for the year ahead are very much aligned with the Authority's own interests, and I look forward to us working with SIPR to promote longer term thinking and public debate on the opportunities and challenges facing policing.

Also on 17 February, I met with Councillor Kelly Parry who as I have previously reported will be COSLA's representative on our Policing Performance Committee and we discussed a number of matters concerning local policing, including local scrutiny, COP26 and funded officers.

On 1 March, I chaired for the first time our Partnership Forum which brings together the Authority, Police Scotland, officer associations and staff unions for informal discussions on workforce and wider policing issues. I am seeking to bring more structure and follow through on these Forum meetings than was the case in the past.

We held a Board Seminar on 3 March at the Scottish Crime Campus at Gartcosh, focusing primarily on the work of Forensics Services and the new challenges and opportunities which it faces. I am intent that the Authority finds more time to work with Tom Nelson and his team, and that the Forensics Division figures more prominently at Authority meetings.

On 8 March, along with DCC Kerr and ACC Ritchie I met with NHS officials in St. Andrew's House to discuss the issue of policing and mental health. We have known for some time the extent of officer time devoted to calls associated with people in mental health distress and the inappropriateness of this for those living with mental illness. Both Police Scotland and the NHS now have a growing body of evidence and experience on this issue and there are a number of excellent initiatives underway at community level across the country. These must be encouraged further but there is a need to do much more, including introducing a degree of governance to set targets, allocate resources, monitor progress, measure impact and promote the scaling-up and spread of best practice.

I met with Robert Black CBE FRSE on 11 March to assist with his independent review of the roles, responsibilities and time commitments of Authority Members, which will feed into our next round of recruitment.

And finally on 12 March we held a focus group for Authority Members led by Dame Elish Angiolini to discuss her review of the police complaints system. This is a hugely important piece of work, the initial conclusions and recommendations from which we fully support.

Corporate development

Finally, I want to report on the continuing improvement of capability and capacity within the Authority. Our Corporate Plan is on today's agenda for approval and will fill a long-standing gap which Audit Scotland, HMICS and others have identified. We have made significant progress in implementing Audit Scotland and HMICS recommendations. Our organisational development work is now under formal consultation. We have prepared a process for formally co-opting members to our Committees which will give us access to additional skills and experience when required. We have benefitted from the deployment of two experienced Scottish Government officials to work with us on policy and organisational development. There is still much to be done – not least the recruitment of a new Chair and

Authority Members which I will continue to pursue with Scottish Government – but I am reassured that the capability and confidence of the organisation continue their recent progress.

RECOMMENDATIONS

Members are requested to:

- Discuss and note the information contained within it.