



Forensic Services Committee

7 May 2024

Minutes of the Forensic Services Committee held on 5 February 2024 via MS Teams.

Board Members present:	Paul Edie (Committee Chair) Caroline Stuart (Committee Member) Mary Pitcaithly (Committee Member) Katharina Kasper (Committee Member) Jane Ryder (Committee Member)
Board Member apologies:	
In attendance:	<u>SPA Forensic Services</u> Fiona Douglas, Director of Forensic Services Vicki Morton, Chief Operating Officer Alastair Patience, Head of Function Craig Donnachie, Head of Quality and Assurance Joanne Tierney, Head of Change & Development Derek Scrimger, Head of Function <u>Crown Office</u> Ruth McQuaid, Procurator Fiscal High Court <u>Police Scotland</u> Suzanne Chow, Detective Chief Superintendent Chief Superintendent, Conrad Trickett <u>HMICS</u> Craig Naylor, Chief Inspector of Constabulary <u>SPA</u> Barry Sillers, Deputy Chief Executive

	Amanda Coulthard, Head of Strategy and Performance Lesley Carnegie, Performance & Impact Lead Graham Stickle, Audit and Risk Lead Colette Craig, Governance Support Officer
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1. Introductions and Welcome:

1.1 Chair's Opening Remarks

The Chair welcomed attendees to the meeting.

1.2 Apologies

ACC Bex Smith

1.3 Declarations of Interest and Connections

There were no declarations of interest or connections.

1.4 Decision on taking business in private (Item 7 and 8)

Members **AGREED** to take items 7 and 8 in private.

2. Minute and Actions from previous meeting:

2.1 Minute from meeting held on 30 October 2023 for approval

Members **AGREED** the Minute from the Forensic Services Committee on 30 October 2023 was an accurate record of the meeting.

2.2 Rolling Action Log and Matters Arising

Members **NOTED** and **AGREED** the written updates provided.

There were no matters arising.

2.3 Decisions since last meeting

There were no decisions since the last meeting.

3. Performance

3.1 Forensic Services Director's Report

The Chair and Director of Forensic Services paid tribute to Gary Holcroft for his services to forensic services and wished him a happy retirement.

Fiona Douglas (FDouglas) provided an overview of recent key activities across Forensic Services. During discussions the following matters were raised:

- The Chair commended the significantly improved picture in relation to Post Mortem Toxicology and sought reassurance that Forensic Services that the 35 days for non-priority cases for January 2024 will be achieved. FDouglas confirmed that for cases received towards the end of December 2023 onwards will comply with the 35 days turnaround time for non-priority cases.
- Members commended the positive assurance statement following a successful Biometrics internal audit.

Members **NOTED** the report.

3.2 Forensic Services Performance Report – Q3

Vicki Morton (VMorton) provided the Forensic Services Performance Report, Q3 2023/24 for consideration. During discussions the following matters were raised:

- The Chair noted concerns around the amount of red highlighted throughout the report and advised that members will want some reassurance on certain areas.
- Members referred to volume crime, which had improved, and sought clarity on whether the drop in demand or the new Scenes Tasking Unit had assisted in this improvement. In addition, members sought clarity around the plan to bring this area down to target. VMorton advised that as the new operating model is being implemented there are a number of new roles and opportunity across the organisation. 63% of the permanent posts were filled by internal staff, which impacts on capacity with backfilling taking a significant amount of time. There were significant changes to how work was done within scene examination, therefore there has been period of bedding in and looking at processes. However, due to demand decreasing it has allowed the service to take stock. They are now confident that an improvement will be seen over the next 6 months. Members welcomed the career progression for staff, but

noted the need to review the workforce element to allow more resilience. The Chair noted frustrations and concerns around staff levels and delays with recruitment. FDouglas shared her frustrations around the challenges with recruitment, however noted the importance to have career paths within the organisation for staff development and retention. The impact of staffing is more evident due to the new operating model, however, there is a need to go through the internal recruitment processes. The Chair noted the need to find a faster way to backfill posts and reduce the issues around performance as noted throughout the report. FDouglas advised that performance of Forensic Services is strong in comparison to historical performance and whilst there are some areas of challenge, there are improvements in these areas and the staff are continuously working to progress those areas. The new operating model is the long-term solution to a more flexible and responsive service.

- Members referred to Health and Safety and near misses and sought clarity on what was being done to address this. VMorton advised that she had no concerns around near misses as no trends had been identified. VMorton assured members that they continuously look at the statistics across the year along with union engagement in relation to the matters.
- Members sought clarity on when the target of 90% to scene attendance would be met and if it was going to take some time, would consideration be given to this target. VMorton advised that the 90% target has been in existence for a number of years and is set out within the MoU, so there would be no amendment to that at this time. Members were assured that this area is continuously monitored, but Group 1, 2 and 8 – relating to the most serious crime and incidents, that performance has consistently met the 90% target. FDouglas advised that victims of crime are owed this target and they know that this target is improving as capacity increases with a clear plan in place to reach a green status.
- Members sought assurance around what measures were being taken to improve service within firearms. VMorton agreed that what was being presented was a less positive picture than would be liked. Firearms is a very small and specialised team and it is hoped that further investment in the new operating model will assist to allow flexibility in this area. There has been a recent recruitment into this area, however, there is complicated and novel casework in this area which is taking some time, but it is hoped that this area will move to a better position in a relatively short period of time. Members sought clarity on whether there was any opportunity for collaboration with external organisations to provide more resilience. FDouglas advised that there are specific and unique challenges in the team at this time, however, they are growing capacity above

the budgeted establishment, noting they have sufficient but not excess capacity.

- The Chair referred to Management System audits not being performed as defined by the FS Management System and ISO 17025 Standard and sought assurance that evidence had been submitted with no threat to the accreditation. Craig Donnachie (CDonnachie) assured members that any sanction or limitation from UKAS was not welcome, however, this was something raised in 2022 when remedial action was taken and a recovery plan put in place to address this and move forward. The evidence has been submitted and feedback is due at the end of March, however, there will be no impact on further extensions to scope. VMorton further assured members that they have received confirmation that accreditation had been maintained, therefore there will be no operational performance impact on Forensic Services.
- The Chair referred to complaints by PS and asked what the outcome was. VMorton took members through the process of dealing with received complaints and noted that with these particular complaints there was no impact on the judicial system, however, learning points have been taken.
- The Chair referred to search and recovery scenes with 19% of requests triaged which resulted in no attendance, compared to 13% prior to the STU being established, and sought clarity on this. VMorton advised that there had been significant effort around improving awareness on scene attendance policy guidance.
- Members were provided with assurance around the Key Performance Indicators in relation to Priority 2 and Priority 3 delivery requests, noting that the reduction in performance is due to the backlog being cleared.

Members **NOTED** the report.

3.3 Drug Driving Update

Members were provided with an update on progress on the Drug Driving Toxicology Service. During discussions the following matters were raised:

- Members were advised that outsourcing would be required throughout 24/25 to allow development work to continue.
- Members sought further clarity around the statutory time limit. FDouglas advised that it will be a decision for Scottish Government with parliament voting on that in December 2024, however, noted the importance of being prepared for the statutory time limit to reduce to 6 months. FDouglas assured members that Forensic Services know what is expected in terms of reducing laboratory analysis and resource required, outsourcing allows time to make

this happen. Ruth McQuaid (RMcQuaid) advised that there is no guarantee of a further extension at the end of November 2024, therefore as the months go on the time limit reduces each month. DCS Suzanne Chow (DCSSChow) provided further assurance that PS, Forensic Services and COPFS were all working collaboratively, with open and honest conversations as and when required.

- Members noted that having the end-to-end process of achieving the 6 month statutory time limit would be helpful for members. FDouglas advised that the report would be restructured to ensure it was clearer for members at the next meeting, ensuring that the table on page 7 includes the new activity that needs to be done to futureproof around the section 4 cases. FDouglas added that timings would be included within the updated chart as part of the planning work.
- Members asked if there would be a UKAS accreditation required if the process is changing. APatience advised that planning with UKAS will take place to gain accreditation.
- Members sought clarity on when members would have sight of the Long-Term Sustainable Model. FDouglas advised members on what work was required as part of their internal strategy before they refresh the work that has been done on the options for a Long-Term Sustainable Model and submit a business case to allow this piece to be part of budget discussions. FDouglas noted that this piece of work remains as Forensic Services highest risk.
- The Chair referred to the deterioration in the timeliness of provision of drug driving reports from the outsource partner during the latter part of Q3 2023/24 and asked that members were provided with regular updates (fortnightly or monthly) ahead of the next committee in relation to this. FDouglas assured members that FS had received a detailed presentation to understand reasons for the outsourcing provider for being offtrack and now their level of demand had dropped significantly was providing confidence that their recovery plan will deliver to timeframes initially set out.

Members **NOTED** the report and **AGREED** the following actions;

20240205-FSC – 001: Alastair Patience to ensure future reports are restructured to detail the end-to-end process of achieving the 6-month statutory time limit.

20240205-FSC – 002: Alastair Patience to provide regular updates (fortnightly or monthly) in relation to the deterioration in the timeliness of provision of drug driving reports from the outsource partner during the latter part of Q3 2023/24.

3.4 Forensic Services Financial Monitoring Report Q3

Members were provided with an update on the financial position of Forensic Services for quarter three (three months ending 31 December 2023) of the financial year 2023/24, as well as forecasting the full outturn to the year end.

Members **NOTED** the report.

4. HMICS Assurance Review of Forensic Toxicology Provision – Improvement Plan

Members were provided with an update on progress on the HMICS Assurance Review of Forensic Toxicology Improvement Plan and timeline for delivery. During discussions the following matters were raised;

- Craig Naylor (CNaylor) advised that there had been some very good progress made in some areas of the business, however, noted his concerns around the Long Term Sustainable Model and where the funding for that would come from. CNaylor noted that to keep people safe on the roads in Scotland there is a need to have this capability and capacity available to every police officer. CNaylor advised that HMICS has had conversations with the Cabinet Secretary and others on the 12-month statutory time limit and advised that he believes preparation and planning should be underway for a reduction to a 6-month statutory time limit as this is the view of members of the criminal justice committee. RMcQuaid advised that the COPFS unit are underway with planning towards a reduction to a 6-month statutory time limit.

Members **NOTED** the report.

5. Forensic Services Change Programme Update

Members were provided with an update on progress against the Forensic Services Change Programme Plan and to introduce our Benefits Realisation Management Framework & Plan. During discussions the following matters were raised;

- Members noted concerns around the absence of a programme manager and sought assurance that this would not impact on timelines. FDouglas agreed there had been some challenges within the programme management office which has given cause for concern and resulted in some gaps within documentation. Work is

ongoing with the external provider to ensure there is additional resilience in place and is confident in the timescales set out.

- Members sought clarity on when the intention would be to go out to tender. Alan Connell (AConnell) advised that they are currently creating the full business case and the ITT (Invitation to Tender) is now complete and with procurement. The next stage will be to look for a preferred supplier for the system. AConnell is confident that the August timeline will be achieved and had no concerns.
- Members sought assurance that there would be sufficient resource to deliver this. AConnell advised that he was confident that the current resource will get this over the line.
- Members were assured that there was ongoing engagement with Police Scotland ICT in terms of requirements as the project progresses.
- Members felt that timescales are tight, but have been assured that although they are tight, Forensic Services have been working on this for a number of years therefore not starting from a standing position.
- Members welcomed the presentation of the benefits realisation within the report.
- Members sought clarity on when members will receive feedback on the external review of the tasking and deployment processes carried the Metropolitan Police. FDouglas confirmed that a detailed report will come to the next committee, which will include the post implementation review activity also.

Members **NOTED** the report and **AGREED** the following action:

20240205-FSC – 003: Report on the feedback on the external review of the tasking and deployment processes carried the Metropolitan Police.

6. Digital Forensics – Next Steps and timeline for progression

Chief Superintendent Conrad Trickett (CSCTrickett) provided members received with a report on Police Scotland's progress towards obtaining ISO 17025 within Digital Forensics. The committee have been assured that a revised timeline will come within the next 6 monthly report which should hopefully include the UKAS timeline and steady state of work. Members were advised that there were no concerns over the March 2026 end date. During discussions the following matters were raised;

- The Chair sought clarity on any risks identified associated with timelines being achieved and compliance with ISO 17025. CSCTrickett advised that the risk with the timeline is that they don't control the UKS resource and their other pressures and priorities. There will be no understanding on how achievable the timeline is

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until there is a liaison officer appointed, however, he is optimistic that they will work within PS parameters.

- Members welcomed a handbook approach to setting up each site by summer next year.
- Members were advised that following the departure of the Quality Manager, there is a need to recruit that position.

Members **NOTED** the report and **AGREED** the following action:

20240205-FSC – 004: Chief Superintendent Conrad Trickett to ensure the next 6 monthly report to includes a revised timeline including the UKAS timeline and steady state of work.

APPROVED