



Scottish Police Authority (SPA) Review of Police Governance.

UNISON Scotland Submission to the Review of Governance of
the Scottish Police Authority

December 2015

Scottish Police Authority – Review of Police Governance

Introduction

UNISON Police Staff Scotland welcomes the Scottish Police Authority 'Review of Police Governance', and would like to thank the Authority for the invitation to submit evidence to the review.

UNISON represents the majority of police staff employed by the Scottish Police Authority (SPA).

The review announced by the Justice Secretary had a remit to examine

- Localism and Community Accountability
- SPA Structures and Skills
- Information Requirements and Processes
- Wider Stakeholder Engagement Requirements

These issues are both overlapping and interdependent this submission reflects that fact. A realisation that none of these issues can be tackled in isolation will be necessary if the SPA is to carry out its functions of holding to account and ensuring quality and improvement in police services.

Background

As the union representing staff in the legacy Scottish Constabularies and Police Boards, UNISON had to respond organisationally to the creation of Police Scotland. We did so by forming the single branch UNISON Police Staff Scotland (UPSS) in April 2013. So in our own structures we have had an analogous process to that of the Police service as a whole in the creation of a single body with the same challenges; overcoming divergent practices and finding convergent solutions required to deliver a 'best value' service covering a large geographic area using existing knowledge and ingenuity.

UNISON has repeatedly stated that the lack of a Detailed Business Case (DBC), the savings target and the Scottish Government (SG) commitment to 1000 extra police officers, has significantly hampered the ability of Police Scotland and The SPA to develop a modern and sustainable Police Service. It is our belief that this has promoted unhelpful behaviours and practices leading to a climate typified by 'the false enforcement of unpopular norms'. This has not been conducive to Police staff making a full contribution to the effective delivery of services. Nor does it represent what is 'best value' for policing and Scottish Communities.

Localism and Community Accountability

There are a number of different strands to localism and community accountability and why this has not been stronger since the creation of a single Force.

Of concern is the division of responsibility in community engagement and how this takes place between the SPA, Police Scotland and local authorities. There seems to be little coherence in approach across Scotland.

Police Scotland lead on engagement with elected representatives at a local level but there exists a massive variation in how this is resourced and prioritised. This variation appears to be based more on the attitudes of managing officers in a locality than any application of strategy.

A frequent criticism of legacy Police Boards has that their wasn't proper scrutiny or governance but the very nature of these smaller scale operations meant that they facilitated proper management and better stakeholder engagement to the extent that local service delivery was truly bespoke and designed from the ground up. This is far from the case in the new structure.

UNISON Police Staff Scotland have communicated with community councillors, local councillors and MSPs to gather their views on local engagement. Some of this engagement was during our cooperation with the Scottish Labour Review into Policing, the report of which we would recommend to this Review as containing useful material and proposals.

We believe an area of failure of oversight of the SPA has been in examining with a view to maintaining and strengthening the link between policing and community councils/councillors. The effects of changes to resource deployment models for community officers and station closures, has impaired engagement.

What we discovered from community councillors is:-

- A lack of continuity of staffing at all levels. Inspectors and sergeants regularly changing posts. One area reported having 4 Community Inspectors in 2 years.
- There appears to be no community engagement from officers who are pulled away, sometimes at the last minute, from community matters. Some would like certain officers to be given a community role in a particular community that doesn't see them pulled into other policing priorities, or to other communities.
- Members of the community would like to see local stations remain open to encourage better communication between residents and Police and allow for community access and to raise problems face to face with Police officers.
- Response times to minor crimes are very poor, and in some cases there is no response when the expectation is every person reporting a crime should expect at least a phone call or a visit.

There also seems to be a lack of strategic oversight at the council level. Local Authorities have differing structures (Names and remits of key committees varying for example.) prompting varying levels of beneficial engagement with stakeholders.

There is role for the SPA here to help prescribe what is actually required of Police Scotland and promote models of best practice to local authorities.

Local councillors also reported feeling “uninformed and uneducated” as to what is required to effectively fulfill a scrutiny role at a local level. There is also an over reliance on establishment data and information supplied to them by Police Scotland. As has been demonstrated recently in the HMICS Call Handling Review recommendations (whereby HMICS reported difficulties in obtaining information from C3), there are both gaps in and limits on just how much they can trust this data. Even leaving aside these issues there are questions as to the fitness of purpose of the information being supplied as one Councillor put it ;

“Police Scotland’s decision to only report on the outcomes of the multi member ward priorities may well suit them. However, I am concerned that this denies our communities the opportunity to fully understand how they are being impacted by crime.” (Cllr Watson McAteer, Hawick News Nov 11 2015)

If the SPA is to fulfill its remit of ensuring Community accountability in policing then it will need to take a role in ensuring that Police Scotland in both providing the right data and that the data being provided is right.

We would draw the Reviews attention to the SIPR and University of Dundee Study from 2011. [Reforming Police Structures; A Review of UK and International Evidence](#). This contains a number of international examples outlining the change in perceptions which can occur in the event of Force mergers. The experience of officers, staff and other stakeholders – has been that Police Scotland is physically and mentally distant from local communities. (Not helped by an agenda of cost cutting and centralisation)

Ensuring Localism and community accountability has been one of the major failings of the SPA. We believe part of the reason for this has been a combination of circumstance and organisational culture.

Policing in Scotland has been through enormous change in the last three years. In the wake of this a variety of stakeholders and other third parties have sought to challenge what they believe to be, and frequently are, inappropriate and inefficient practices of the single force

With the weight of managing public expectations in the face of huge challenges and changes within the service, the SPA/Police Scotland is reluctant to air dissenting views or communicate the negative aspects to local communities. Increasingly communities are subject to positive spin as opposed to honest appraisals.

It often seems that in the face of criticism or challenge from local communities the priority is to defend Police Scotland and debunk the story, rather than seeking to engage with any issues raised. This is undermining confidence amongst staff and in communities who are aware of the variance between the official communications and the reality on the ground. Witness the highly conflicting local engagement practices and contradictory communications.

This tendency has served to undermine the credibility of the SPA. If this is to change then the SPA must make efforts to be clearly seen to be placing more emphasis on upholding high standards than police actions and procedures.

Structures and Skills

A lack of policing knowledge and education is very apparent amongst the SPA as a scrutiny board. Moreover there has been little sign of attempts by the SPA board to engage with staff or develop a real understanding of the work they do and are expected to do. We have grown increasingly concerned by the approach of SPA which either exhibits a lack of knowledge of policing and/or a unwillingness to challenge and intervene where limitations in their knowledge exist.

We encounter this during official meetings/minutes and in the scrutiny of organisational change proposals whereby the SPA appears to be not much more than a 'rubber stamp' endorser of Police Projects.

UPSS called for and was involved in the design of 'Your Survey' such was our concern for our members and the apparent lack of awareness from our employer as to what was happening within the organisation and how best to address it.

So far the SPA's application of its corporate governance model has been sadly lacking. The current approach may be sufficient for scrutiny of corporate strategy and overarching principles of policy and plans, but ensures that the SPA is at arms length from detail. This means its scrutiny of the validity and execution is inadequate. This can be seen in the drive to 'streamline' governance in the sphere of People & Development policies (for instance (invoking the Scheme of Administration (November 2013) Paragraph 2.2) which shows a reluctance on the part of Police Scotland & SPA, for the SPA to be fully immersed in the organisational scrutiny of standard operating procedures.

One consequence of this is that the SPA is comfortable to allow other stakeholders such as trade unions and staff associations to bear the burden of detailed scrutiny and flag up areas of concern. This is in part being addressed through the development of the SPA P&D Policy Governance Framework but it has taken in excess of 2 years to get to this stage and this was in part down to the work of trade unions to highlight failings.

Until now the SPA has shown a capacity for mitigating risk and minimising the SPA's corporate exposure. This however does little to build confidence as a body able to hold Police Scotland to account, and is a quintessential trait of the 'principal-agent problem'. It points to a scenario where a significant level of 'asymmetric information' defines the relationship between the SPA and Police Scotland.

We believe that the SPA must develop a greater capacity to interrogate Police Scotland plans and data. A closer relationship with Police Staff would be of great assistance with this and we would urge a greater degree of engagement by the

board with Police Staff. As part of this we believe that the board of SPA should have a member with specific responsibilities to examine staffing issues and concerns.

Information Requirements and Processes

The SPA lacks the ability to challenge assertions and establishment figures presented by Police Scotland or even validate their accuracy. This leads to acceptance by the SPA in the scrutiny of organisational change proposals. There are numerous examples of this:-

- The i6 project
- The C3 strategic direction being entirely shaped by the experiences of legacy Strathclyde and the absence of data and quality of experience which reinforces the end state model.
- Legislative changes and their impact in the areas of Forensic Sciences and Firearms enquiries and the slowness of the organisational response - e.g. changes to controlled drug legislation (new psychoactive substances), impact of air weapon licensing.
- The Legal Document Server pilot which was based entirely in G Division and featured a disproportionately high number of commercial premises, leading to skewed service delivery results.
- Public Counter closures which were based on outdated footfall analysis which predated Police Scotland at a time when the police estate was larger.
- The increasing number of redesigned structures which are returning and subject to further redesign.

A pattern emerges where inaccurate data justifies restructuring (or not), ensuring profound changes take place, shaping how we police and affecting the lives of police staff. Frequently this is based on the most optimistic of projections to assist with the operational realisation of a desired outcome.

We have seen the wholesale application of private sector theories and practices such as economies of scale and centralisation. We believe that many of these ideas have no real place within public sector knowledge based environments such as policing. Indeed they are obstacles to successful local service delivery outcomes as explored within the aforementioned SIPR study and in the work of Professor Tom Johnson, John Seddon and Simon Guilfoyle. Yet, despite their significant implications the SPA shows little interest in interrogating these ideas when presented by Police Scotland

UPSS have voiced concern about organisational change proposals, the machinations of restructure and the outcomes staff experience but this does not always appear welcome as the single force reserves the right to manage 'the business' how it sees fit and even choose to dismiss stakeholder input, if it so wishes unless compelled to do otherwise.

It has often taken entirely remote organisations/scrutiny bodies such as HMICS or Audit Scotland to scrutinise Police Scotland properly. The often overwhelming

evidence produced by these external bodies/third parties has made the lack of SPA scrutiny particularly obvious.

The Justice Sub-Committee on Policing from 3rd December 2015 and the comments of the Convener Christine Grahame offer some insight as to a perception of a lack of SPA scrutiny on the C3 proposals.

In addition, our own experiences with departments such as C3 and CCU over the past 18 months would suggest there has been a reluctance by the SPA to proactively pursue information which suggests any degree of impropriety by the body it is scrutinising.

The over reliance on other stakeholders and the driving force of Police operational requirements combined with unrealistic time frames and budgetary constraints, invites a less than diligent approach and an absence of truly long term planning.

Recently UPSS were surprised to learn of the lack of early engagement between the SPA and SG on the outstanding Trade Union pay claim submission and the commitment to no compulsory redundancy despite this being an annual occurrence.

Trade Unions submitted the claim timeously in September 2015 and as of JNCC on 10th December 2015 our understanding is that no discussion had yet taken place between the SPA and SG despite the weight of importance these issues have and the wider implications for Police Staff and the tension this places on trade union relations.

Procedurally the SPA often appears poorly organised and lacking either in interest or ability to ascertain that it has the necessary information to carry out its functions properly. This must be changed.

Wider Stakeholder Engagement and Requirements

Stakeholder engagement is vital in developing the organisation however it is only possible if cultivated and viewed with mutual honesty, integrity, fairness and respect. In our experience we have not always had meaningful engagement or indeed been granted an opportunity to represent the views and interests of Police Staff by the SPA. We welcome the idea of stakeholder engagement but the process has to be meaningful and mutually beneficial in terms of improving standards and outcomes.

One example of failings here has been the SPA's failure to comply with their own standing orders and the inability to keep to their own prescribed time frames for notice of meetings and paper publication. This has minimised the level of preparation stakeholders have for agenda items and our capacity to contribute meaningfully to matters which which may have far reaching implications..

As a branch we have questioned and been critical of the role of the SPA both as our employer and the governing body of Police Scotland.

This has stemmed from our experience that on a range of subjects (such as the arbitrary nature of the budget, 17234, i6 and C3, 'Your Survey' and service inequality) SPA have not been prepared to engage in full and frank debate. The failure of SPA to drive discussion on critical areas of policy and organisational development, shows a clear inability to exercise objectivity free from constraints and interference. We would argue that the true benefits of the single force cannot be achieved without such a debate.

We would welcome a fresh approach which embraces such principles and it is our belief such approaches would best be initialised through better engagement with Trade Unions.

Conclusion

The SPA has not functioned as it should. This has been to the detriment of both policing in Scotland and staff in Police Scotland.

There has been an over emphasis on the management of perception and opinion. This is stifling debate, restricting stakeholder engagement and the ability to pursue genuinely progressive and innovative solutions.

There needs to be a greater degree of transparency and engagement of the part of the SPA with stakeholders in general and Police Scotland Staff in particular, we have outlined some of the specific measures that need to be taken

Our earnest hope is that this review will contribute to making Police Scotland the body it needs to be.

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