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HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

# Strategic overview of British Transport Police in Scotland including the proposed transfer to Police Scotland

August 2017

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# HM Inspectorate of Constabulary in Scotland

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The role of HM Inspectorate of Constabulary in Scotland (HMICS) in relation to British Transport Police is set out in the Railways and Transport Safety Act 2003. Section 63 of that Act states that British Transport Police shall, from time to time, be inspected by Her Majesty's Inspectors of Constabulary. It also states that the Secretary of State may request Her Majesty's Inspectors of Constabulary to inspect the force generally, or in respect of a particular matter. Following an inspection, inspectors are required to report to the Secretary of State on the efficiency and effectiveness of the force, and reports are published by the Secretary of State. In Scotland, inspections of British Transport Police are carried out by HMICS.

Under the Police and Fire Reform (Scotland) Act 2012, HMICS has wide-ranging powers to look into the state, effectiveness and efficiency of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority.

Our approach is to support British Transport Police, Police Scotland and the Scottish Police Authority to deliver services that are high quality, continually improving, effective and responsive to local needs.

**This review was undertaken by HMICS under section 63 of the Railways and Transport Safety Act 2003.**



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## Our review

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This review builds on joint work undertaken with HM Inspectorate of Constabulary in England and Wales (HMIC) and provides an overview of the performance of British Transport Police (BTP) in Scotland. The review was commissioned by the Parliamentary Under-Secretary of State at the Department of Transport under the Railways and Transport Safety Act 2003. Our review also provides a strategic overview of the proposed transfer of the Scottish operations of British Transport Police to Police Scotland. This transfer will be implemented through the Railway Policing (Scotland) Bill which was passed at Stage 3 by the Scottish Parliament on 27 June 2017, and by secondary legislation still to be drafted and approved by the UK and Scottish Parliaments.

In early 2017, we worked alongside HMIC on its force-wide PEEL inspection of BTP in which it addressed the leadership, legitimacy and efficiency of the force across England, Wales and Scotland.<sup>1</sup> The report of this inspection will be published shortly. Later in 2017, HMIC and HMICS will work together to assess the effectiveness of BTP using the PEEL methodology.

Part 1 of this report sets out baseline performance data relating to BTP in Scotland which can be used to help assess the state of railway policing post-transfer. It shows that BTP in Scotland has performed better than BTP as a whole in relation to many of its challenging targets set for 2016-17. It has performed less consistently in relation to its local targets, but has continued to achieve high rates of passenger confidence and user satisfaction.

Part 2 of this report highlights strategic issues which must be addressed for the successful transfer of BTP in Scotland to Police Scotland. Our review took place between February and April 2017. Our activity concluded just prior to the Railway Policing (Scotland) Bill being approved at Stage 1 by the Scottish Parliament Justice Committee. Preparation for the transfer is on-going and the findings of our review therefore represent a snapshot in time.

It is my view that the scope and scale of the challenges and complexity posed by the transfer should not be underestimated. It is not a merger of one complete organisation with another, but the partial extraction of a function from one organisation and its integration into another organisation. Throughout the transfer process, both BTP and Police Scotland must continue to deliver an effective service. While both organisations provide a policing service, there are fundamental and significant differences in the way they operate. BTP is a police service paid for entirely by the rail industry and which has an ethos and commercial awareness which is quite distinct from other police forces.

The proposed transfer is therefore quite different from the merging of the legacy police forces to form Police Scotland. Nonetheless, lessons from that experience can still be learned.

HMICS acknowledges that this has been a difficult time for the officers and staff of BTP who face uncertainty about their future. They have nonetheless remained committed to providing an effective service. Communication with officers and staff is essential, and issues relating to their terms and conditions and pension arrangements must be resolved at the earliest opportunity so as to provide them with reassurance and information on which to base decisions about their future. Until those issues are settled, regular updates should be provided as to the progress being made.

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<sup>1</sup> PEEL refers to police effectiveness, efficiency, legitimacy and leadership and is the programme under which HMIC in England and Wales assesses police forces. Visit the HMIC website for further information at [www.justiceinspectors.gov.uk/hmic](http://www.justiceinspectors.gov.uk/hmic).



During our review, we interviewed key personnel from a range of organisations. This included British Transport Police (BTP), the British Transport Police Authority (BTPA), Police Scotland, the Scottish Police Authority (SPA), the Scottish Government, the Department for Transport and Transport Scotland. We held focus groups with officers and staff working for BTP, reviewed relevant documentation and data, and observed a meeting of the Joint Programme Board. We also sought views from a range of stakeholders including rail operators in Scotland and in England and Wales, Transport Focus and those representing the interests of officers and staff within BTP and Police Scotland. We are grateful to all those who participated in our review.

While we have stated that the complexity of transferring railway policing in Scotland from BTP to Police Scotland should not be underestimated, we believe the transfer can be successfully delivered provided the issues highlighted in our report are addressed. We have not found it necessary to make formal recommendations, but have instead set out a number of key findings which should be considered by all those responsible for the transfer. Prior to 1 April 2019, it will be critical for BTP to maintain its focus on developing and improving its effective railway policing service, and for Police Scotland to sustain it thereafter.

**Derek Penman QPM**

HM Chief Inspector of Constabulary in Scotland



## Key findings

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- HMICS supports the general direction which British Transport Police is taking in relation to performance management and welcomes the engagement with key stakeholders which informed its development.
- The performance of BTP in Scotland (D Division) has been more consistent than the force as a whole with most national targets being met, however the division has not performed as well in relation to its local targets.
- BTP in Scotland, and the force as a whole, has achieved high rates of passenger confidence and user satisfaction.
- Performance measures specific to railway policing should be monitored up to and beyond the point of the transfer of railway policing in Scotland. Thereafter, railway specific performance measures should be reported publicly to the Scottish Police Authority.
- Detailed analysis of the benefits, disbenefits and risks of the transfer of railway policing is necessary and will fall to the Joint Programme Board to manage as part of the overall governance of the transfer programme.
- The full costs associated with the transfer of railway policing in Scotland have not yet been assessed, and there is uncertainty among stakeholders as to who will pay these costs. This will be addressed through the work of the Joint Programme Board.
- The financial impact on railway policing in England and Wales of the transfer of railway policing in Scotland has not yet been fully assessed.
- Audit Scotland's good practice guide on public sector mergers is a valuable resource which should inform the successful transfer of railway policing in Scotland.
- To manage expectations regarding the impact of the transfer of railway policing in Scotland, the Joint Programme Board should confirm that there is a consistent understanding of the no detriment principle and communicate this publicly to all relevant stakeholders.
- There would be value in developing additional performance measures specifically relating to the transfer of railway policing in Scotland which can provide reassurance regarding risks associated with the transfer.
- Police Scotland and BTP should consider the need for inter-operability post-integration, and arrangements for the provision of mutual aid.
- A railway policing workforce strategy should be developed to retain and sustain the railway policing specialism.
- The role of the Joint Programme Board requires further development.
- Railway policing should be delivered as a programme within the wider change portfolio within Police Scotland, with the SPA exercising appropriate oversight and governance.
- There would be value in the SPA exploring how it can secure expertise in the rail industry or in railway policing amongst its Board members.
- There will be a need for the SPA to consult rail operators on the establishment of the Railway Policing Management Forum.



- There is complexity in terms of decision making within the programme which the Joint Programme Board has recently sought to clarify.
- There is an expectation among rail operators that the Railway Policing Agreements will be more detailed than the current Police Service Agreements. Rail operators view the agreements as an important safeguard to maintain the standard of policing service.
- There has been much speculation about how the transfer of BTP's officers and staff will be effected and what impact there will be on their terms and conditions and pensions. These issues should be resolved at the earliest opportunity.
- There is a need for the Joint Programme Board to improve communication with BTP officers and staff affected by the transfer of railway policing in Scotland.
- The existing arrangements for BTP special constables and other police volunteers should be considered and safeguarded during the transfer process.
- BTP and Police Scotland may wish to agree a strategy for managing vacancies which arise between the Railway Policing (Scotland) Bill receiving Royal Assent and the date of integration.
- The integration of contact, command and control functions should be subject to separate planning, quality assurance, testing and exercising, about which the Joint Programme Board should seek assurance prior to the transfer proceeding.



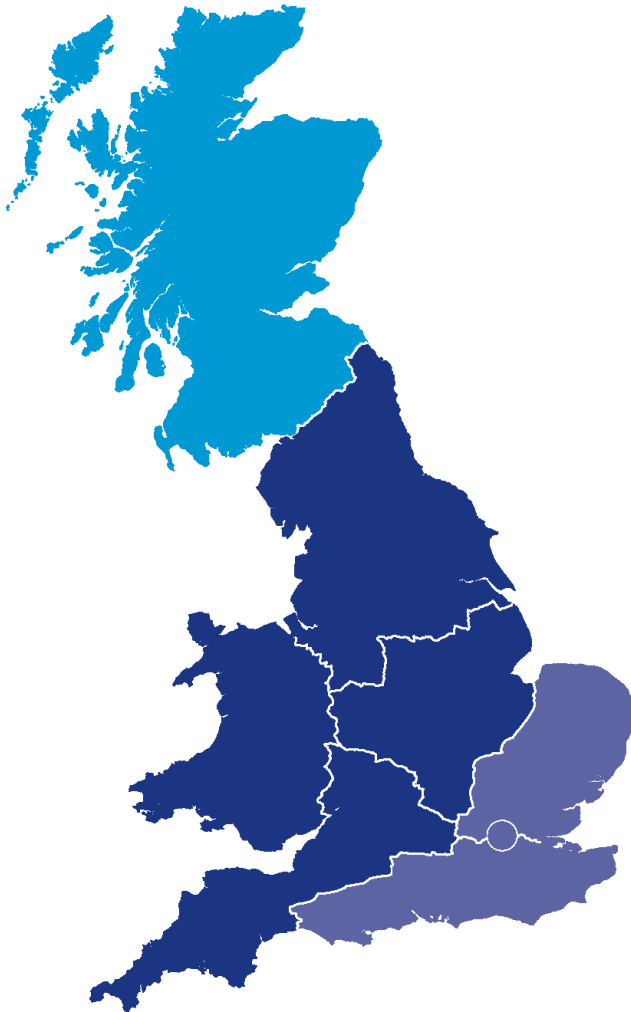


# Context

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## About BTP

1. The role of British Transport Police is to police the rail network in England, Wales and Scotland. BTP provides a service to rail operators, their staff and passengers across the country. BTP also polices the Glasgow Subway, the London Underground, Docklands Light Railway, Sunderland Metro, the Midland Metro tram system and Croydon Tramlink. The force is made up of 2,942 police officers, 1,893 police staff (including 317 police community support officers who operate in England and Wales only) and 330 special constables.<sup>2</sup>
2. There are three geographic divisions within BTP and a force headquarters based in London. The force headquarters is home to the BTP Chief Officer Group as well as corporate support functions and other centralised services, including some operational services. Some centralised services are located elsewhere (for example, one of the force's control rooms is located in Birmingham). The three geographic divisions are:
  - **B Division** – covering the South and East of England, and Transport for London
  - **C Division** – covering the Midlands, Pennine, Wales and West of England
  - **D Division** – covering Scotland



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<sup>2</sup> BTPA, *Draft Policing Plan 2017-18* (2017).

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3. The British Transport Police Authority (BTPA) is an independent body responsible for ensuring the railways are policed efficiently and effectively by BTP. Its duties and functions are similar to those of the Scottish Police Authority. The BTPA appoints the Chief Constable and other senior staff, determines the BTP budget and sets the strategic direction and policing priorities for the force.
  4. The role of BTP is different to that of other geographic police forces in several ways, including that:
    - its operations are dispersed across Great Britain and two legal systems
    - it does not have a resident population but provides a service to those who work or travel on the railway
    - it falls under the remit of the Secretary of State for Transport, rather than the Home Secretary (England and Wales) or the Cabinet Secretary for Justice (Scotland).
  5. Perhaps the most significant difference between BTP and other police forces is that railway policing is funded directly by the rail industry (made up of train operating companies, freight operating companies and Network Rail). BTPA defrays costs through individual Police Service Agreements with each operator which, taken together, cover the full cost of railway policing (including the costs of BTPA itself). BTPA determines the contribution each operator is expected to make using a cost allocation model based on a number of factors such as crime rates, size of railway network, staff levels and station usage. In 2016-17, BTP received £298.16 million from the rail industry for its policing budget across Great Britain.<sup>3</sup>
  6. As a result of the way in which railway policing is funded, there is a commercial awareness and imperative to the work of BTP which does not exist to the same degree for local police forces. While local forces may charge for some services, such as the policing of events, the funding received would represent only a very small proportion of the force's overall budget and would not tend to influence the force's policing priorities to any large degree. While BTP delivers a traditional policing role of protecting the public and preventing, investigating and detecting crime, it also plays a critical role in minimising disruption to the rail network.
  7. BTP describes its purpose as 'helping the nation's travelling public get home everyday safe, secure and on time'.<sup>4</sup> Its strategic objectives are to:
    - reduce disruption to the rail network
    - reduce crime
    - increase passenger and staff confidence in their personal security on trains and in stations
    - deliver value for money.

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<sup>3</sup> An additional £3.5 million was identified for counter terrorism should it be required.

<sup>4</sup> BTPA, *Policing Plan 2017-18* (2017).

8. BTP offers a specialist policing service based on an understanding of the requirements and priorities of the rail network. This has resulted in operational approaches that vary from those of local police forces. For example, in relation to fatalities on the rail network, a key consideration for BTP is reopening the line, in addition to the usual policing requirements of evidence collection and investigation. As a result, BTP estimates that it takes up to 50% less time to deal with a fatality on the railway than a local police force. BTP also works to prevent suicides on the rail network, stating that in 2015-16, its efforts led to 1,269 life-saving interventions by officers and rail staff. These interventions contributed to a 7% reduction in suicides on the rail network compared to 2014-15 (despite a national increase).<sup>5</sup> BTP has also sought to deliver a proportionate approach to dealing with bomb threats, keeping the rail network open whenever possible while also effectively managing risk. BTP states that similar threats dealt with by local forces result in station closures and overly restrictive cordons.<sup>6</sup>

### About BTP in Scotland

9. BTP in Scotland, known as D Division, is led by a chief superintendent who is based at the divisional headquarters in Glasgow. D Division is made up of 213 police officers, 38 police staff and 26 special officers<sup>7</sup> who work from 12 locations across Scotland. As with BTP's other divisions, D Division is supported by the command team and centralised services based in London, as well as centralised services based elsewhere. In 2016-17, D Division received £13.06 million of BTP's budget of £298.16 million (4.4%).

Table 1 – D Division resources<sup>8</sup>

Location	Police officers	Police staff	Special officers
Aberdeen	8	1	1
Dalmuir	5	0	0
Dundee	4	0	1
Edinburgh	47	2	7
Glasgow	109	32	10
Inverness	5	3	0
Kilwinning	7	0	3
Kirkcaldy	4	0	0
Motherwell	6	0	2
Paisley	4	0	0
Perth	9	0	0
Stirling	5	0	2
Total	213	38	26

Table 2 – D Division and BTP resources

	Police officers	Police staff	Police Community Support Officers <sup>9</sup>	Special officers
BTP	2,942	1,576	317	330
D Division	213	38	0	26
D Division as proportion of BTP resources	7%	2%	0%	8%


<sup>5</sup> BTP, *Self-assessment* (2017).

<sup>6</sup> BTP, *Written evidence to Scottish Parliament Justice Committee* (25 October 2016).

<sup>7</sup> Of the 26 special officers, three are special police sergeants. There are currently no special police sergeants in Police Scotland.

<sup>8</sup> BTPA, *Draft Policing Plan 2017-18* (2017).

<sup>9</sup> Police Community Support Officers are members of police staff. There is no such role in Scotland.

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10. In Scotland, BTP has responsibility for policing around 2,800 kilometres of track and 358 railway stations. Around 93 million passenger journeys are made in Scotland each year and the Scottish Government has said that demand is growing. About 91% of rail travel in Scotland (including passenger and freight) is within Scotland with the remainder using the two cross-border routes.<sup>10</sup> Several train and freight operating companies operate in Scotland, the largest being Abellio ScotRail Limited which operates the ScotRail franchise.

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<sup>10</sup> Scottish Parliament, [Railway Policing \(Scotland\) Bill: Policy Memorandum](#) (8 December 2016).



## Part 1 – Performance overview of BTP in Scotland

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11. In this section of our report, we have drawn together performance data relating to BTP in Scotland to indicate how the force is performing and what level of service is expected to continue post-integration. While this is the data that BTP itself and BTPA have used to monitor progress against current priorities, it should be noted that in 2017-18, BTP is introducing a new performance framework.
12. The force is moving away from numerical targets which, it says, can distort how the force deploys its resources and encourages a focus on the volume of crime rather than the severity of crime or its impact on victims. BTP has stated that while the objectives outlined in its strategic plan were appropriate when set in 2013, much has changed in the interim including the profile of crime, the threat of terrorism and an increased focus by the force on vulnerability and public protection. These changes have prompted BTP to redevelop its performance framework in consultation with passengers, the rail industry, rail staff, and BTP's own personnel. From 2017-18, BTP's performance will be monitored under seven 'pillars'.<sup>11</sup> Each pillar will be underpinned by a suite of indicators which will include traditional numerical measures such as crime rates, but also broader service delivery measures and qualitative assessments.<sup>12</sup>
13. While this new framework is in its infancy, HMICS supports the general direction which BTP is taking in relation to performance management and welcomes the engagement with key stakeholders which informed its development. The new approach should encourage a broader and more in-depth understanding of the force's performance. Given that it has not yet been fully implemented, HMICS has considered the performance of BTP to date using its existing performance framework.
14. Our overview of BTP's performance shows that the force as a whole has not consistently achieved its targets in 2016-17. The performance of BTP in Scotland (D Division) has been more consistent in achieving most national targets however the division has not performed as well in relation to its local targets. Despite this, we welcome the force's commitment to improvement by setting stretching targets and the high rates of passenger confidence and user satisfaction which it has achieved. We also welcome the force's approach to commissioning independent research to secure this feedback.

### Key findings

HMICS supports the general direction which British Transport Police is taking in relation to performance management and welcomes the engagement with key stakeholders which informed its development.

The performance of BTP in Scotland (D Division) has been more consistent than the force as a whole with most national targets being met, however the division has not performed as well in relation to its local targets.

BTP in Scotland, and the force as a whole, has achieved high rates of passenger confidence and user satisfaction.

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<sup>11</sup> The pillars are counter-terrorism, preventing crime, protecting vulnerable people, supporting the railway, supporting and valuing our workforce, building confidence and satisfaction, and improving effectiveness and efficiency.

<sup>12</sup> Further information about this approach can be found in [BTP Performance Framework 2017/18](#), a paper submitted by BTP to the BTPA Policing Plan Group in March 2017.

## Strategic objectives 2013-19

15. BTP describes its purpose as being to help the nation's travelling public get home safe, secure and on time. This purpose is supported by strategic objectives which were set by the BTPA during 2013 and are to be achieved by 2019. These objectives are:
  - to reduce disruption to the rail network by 20%
  - to reduce crime on the railway by 20%
  - to increase passenger and rail staff confidence in their personal security on trains and in stations by 10%
  - to deliver value for money.<sup>13</sup>
16. These objectives were particularly challenging given that when set, passenger journeys were predicted to increase 16% and freight traffic was predicted to increase 23% over the same period.<sup>14</sup> The extension of the rail network to include new routes and stations, such as the Borders Railway, was also expected to place additional demands on railway policing. A more congested network not only increases demand on BTP, but amplifies the impact of any disruption to the network.
17. Each year, BTP is set national and local targets to help achieve the long-term objectives outlined above. Although it is not yet known whether BTP will achieve these challenging objectives by 2019, progress to date can be assessed by considering whether its annual national and local targets have been met.

## National targets

18. In 2016-17, BTP's national targets were to:
  - reduce notifiable crime by at least 5%
  - reduce disruption by at least 5%
  - achieve a passenger confidence level of at least 80.2%
  - achieve a rail staff confidence level of at least 69.1%
  - increase the safety of young people, vulnerable adults and railway staff
  - reduce the cost of railway policing.

## Reducing crime

19. BTP's annual target of reducing notifiable crime by at least 5% underpins its strategic objective of reducing crime by 20% between 2013 and 2019. In England and Wales, 'notifiable' crimes are those that must be recorded for the purpose of reporting statistics to the Home Office. There is no direct equivalent in Scotland but for BTP's purposes, it has been broadly equated to 'crimes' in Scotland and excludes 'offences'.<sup>15</sup>
20. Over the first two years of its strategic plan, BTP saw crime reduce by 13.4% before increasing by 4.3% in 2015-16 and by 7.4% in 2016-17. While BTP did not achieve its annual target of reducing crime by 5% in 2016-17, crime has fallen 3.1% over the course of its strategic plan to date.

<sup>13</sup> To be measured by achieving its objectives within a medium term financial plan that keeps annual cost increases within RPI.

<sup>14</sup> BTPA, [Strategic Plan 2013-19](#) (2013).

<sup>15</sup> Contraventions of criminal law in Scotland are divided for statistical purposes by the Scottish Government into 'crimes' and 'offences'. 'Crime' is generally used for more serious criminal acts with seriousness generally relating to the maximum sentence that can be imposed.

Table 3 – Recorded crime

	2012-13	2013-14	2014-15	2015-16	2016-17
BTP	53,758	50,700 (-5.7%)	46,536 (-8.2%)	48,531 (+4.3%)	52,104 (+7.4%)
D Division	1,694	1,708 (+0.8%)	1,711 (+0.2%)	1,803 (+5.4%)	1,667 (-7.5%)

21. Of the crimes recorded by BTP nationally, around 3% are committed in Scotland. While crime increased across Great Britain in 2016-17, crime fell by 7.5% in Scotland meaning that D Division achieved its required reduction. The reduction in crime recorded by D Division follows a similar trend to crime recorded by Scotland's legacy police forces prior to 2013, and by Police Scotland since 2013 (see charts 1 and 2).<sup>16</sup>
22. When considering crime data in Scotland, it is useful to note our most recent audit of crime recording by D Division in which we found the quality of recording decisions to be very good.<sup>17</sup> We found that 98.8% of incidents were closed correctly and 95.2% of crime was counted and classified correctly, indicating a high degree of accuracy in D Division's crime data.<sup>18</sup>

Chart 1 – Crimes recorded by BTP in Scotland 2004-16

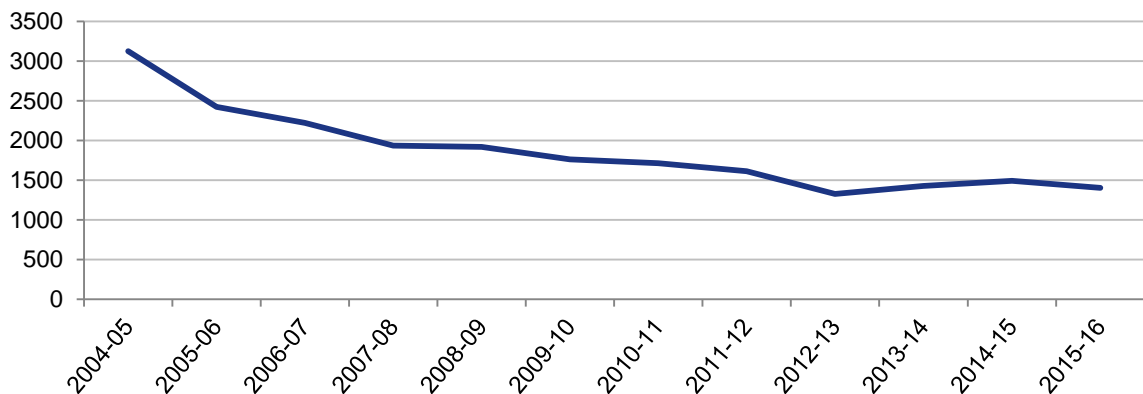
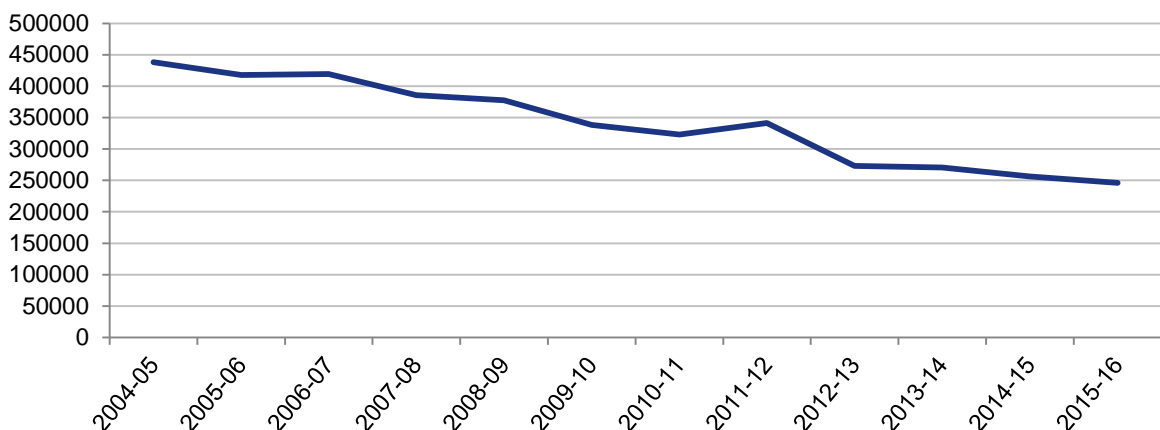


Chart 2 – Crimes recorded by territorial police forces in Scotland 2004-16



<sup>16</sup> The charts show crime data between 2004 (the year the Scottish Crime Recording Standard was introduced) and 2016. Official statistics for Police Scotland's recorded crime in 2016-17 will not be published until September 2017.

<sup>17</sup> HMICS, [Crime Audit: British Transport Police, Scotland Division](#) (2015).

<sup>18</sup> In the most recent HMICS review of crime recording by Police Scotland, we found that 92.7% of incidents were closed correctly and 95.1% of crime was counted and classified correctly. Our audit results for BTP and Police Scotland are not directly comparable due to the different incident types assessed (see HMICS, [Crime Audit 2016](#) (2016)).

23. BTP cites several reasons why it has faced challenges in meeting its annual target to reduce crime:
- the increase in crime recorded by BTP mirrors increases being recorded by Home Office forces in England and Wales. In contrast, the decrease in crime recorded by BTP in Scotland is more similar to the decrease in crime recorded by Police Scotland
  - there is an increasing demand for a railway policing service with an increase in stations, passengers and track across Great Britain. Furthermore, due to an increase in retail outlets and social venues, rail stations are increasingly being seen as destinations in their own right rather than transit points. While crime has fallen 3.1% since 2012-13, the rate of crime per passenger journey has fallen 15.8% during the same period (see Table 4)
  - across Great Britain, increases in some crime types, such as sexual offences, may be the result of improved confidence among the public in reporting such crimes to the police
  - continuous improvements in crime recording practice, as well as changes in recording guidelines in England and Wales in relation to public disorder offences.

Table 4 – Crime rate per million passenger journeys<sup>19</sup>

	2012-13	2013-14	2014-15	2015-16	2016-17
BTP	53,758	50,700	46,536	48,531	52,104
Passenger journeys (million)	2829.9	2953.1	3068.9	3218.8	3264.7
Crime per million passenger journeys	19.0	17.2	15.2	15.1	16.0

24. BTP also states that the increase the force has experienced in notifiable crime may be partly due to its efforts to improve its accessibility to rail users by introducing a text message service (61016). This service has made it easier for the public and rail staff to report incidents and crimes, and use of the service has grown significantly since it was introduced in 2013 (see Tables 5 and 6).

Table 5 – Incidents arising from texts to 61016

	2015-16	2016-17	% change
BTP	10,029	13,353	+33%
D Division	347	1,381	+298%

Table 6 – Notifiable crimes arising from texts to 61016

	2015-16	2016-17	% change
BTP	835	1,359	+63%
D Division	14	60	+329%

### Reducing disruption

25. In 2016-17, BTP sought to reduce police-related disruption by 5%. Disruption to the rail network is measured in minutes lost. The types of incidents which may result in police-related disruption include fatalities or injuries caused by being struck by a train; trespass on the network; cable vandalism or theft; vandalism such as placing objects on the rail line; and incidents at level crossings.

<sup>19</sup> Disaggregated data for D Division is not available.



26. While police-related disruption increased by 7.4% for BTP as a force, it increased by 3.9% in Scotland. Although the minutes lost due to police disruption rose, so too did the number of incidents which caused disruption. As a result, the minutes lost per incident remained static for both BTP as a whole (64 minutes in 2015-16 and in 2016-17) and for D Division (35 minutes).<sup>20</sup>

Table 7 – Police-related disruption (including primary and reactionary minutes lost)

	Incidents 2015-16	Incidents 2016-17	% change	Minutes lost 2015-16	Minutes lost 2016-17	% change
BTP	20,939	22,494	+7.4%	1,340,403	1,441,210	+7.5%
D Division	1,828	1,900	+3.9%	64,388	67,320	+4.6%

27. BTP has two categories of minutes lost: primary and reactionary. Primary minutes lost relates to trains directly affected by disruptive incidents. Reactionary minutes lost relates to trains indirectly affected by the incidents.<sup>21</sup> How efficiently BTP responds to the disruption has a direct impact on the primary minutes lost, but BTP is not able to directly impact on the reactionary minutes lost. In 2016-17, primary minutes lost rose by 5% across BTP as a whole, but fell by 5% in D Division, meaning that the annual target was met in Scotland when only primary minutes lost were taken into account.
28. Linked to its target of reducing disruption, BTP also aims to clear non-suspicious and unexplained fatalities from the rail network within an average of 90 minutes. In 2016-17, BTP achieved an average of 94 minutes, and D Division achieved an average of 99 minutes, falling short of target.

Table 8 – Clearance of non-suspicious and unexplained fatalities

	2013-14	2014-15	2015-16	2016-17
BTP	76 minutes	81 minutes	91 minutes	94 minutes
D Division	90 minutes	86 minutes	94 minutes	99 minutes

### Passenger confidence

29. To assess how safe and secure passengers feel when using the rail network, BTP uses data gathered from the National Rail Passenger Survey. This survey is administered by Transport Focus, an independent organisation which represents the views and interests of transport users. Twice each year, Transport Focus conducts the survey of passenger opinions from a representative sample of passenger journeys. This allows passengers' overall satisfaction with trains and stations, and satisfaction with specific aspects of service, to be compared over time. The most recent survey was conducted in Autumn 2016 in which 29,364 passengers across Great Britain were surveyed. BTP's passenger confidence level is calculated based on the number of survey respondents who rated their personal security 'at station' and/or 'on train' as being very good or fairly good.

Table 9 – Passenger confidence

	Spring 2015	Autumn 2015	Spring 2016	Autumn 2016
BTP	77.75%	78.71%	76.55%	78.22%
D Division	83.58%	83.98%	83.46%	82.56%

<sup>20</sup> It is likely that Scotland loses fewer minutes per incident because its network is less congested and the knock-on effect of one incident is therefore less widespread than in, for example, London.

<sup>21</sup> The difference between primary and reactionary minutes is illustrated by the following example. A fatality on the rail network occurs in London at 1200. Hours later, the impact of the incident is felt in Scotland due to congestion on the network. A train in Scotland is delayed by 15 minutes as a result. If this train goes on to accrue additional delays while on its route (unconnected to the fatality), then the overall delay can be attributed to the initial incident (the fatality in London).

30. While BTP's use of an independent and robust survey of passenger confidence is to be welcomed, the force has not yet met its target level of passenger confidence of 80.2% in 2016-17. However, the target was met in D Division with a passenger confidence level of 82.56%. Indeed, for a number of years, rail stations in Scotland have had some of the highest passenger confidence levels. For example, in Autumn 2016, the passenger confidence level at Glasgow Central was 86.48% and at Edinburgh Waverley was 83.31%. Despite these high levels of passenger confidence, D Division continues to analyse the passenger survey results to assess what more can be done to improve passenger confidence at individual stations. This analysis informs how the station is policed.

### **Rail staff confidence**

31. In addition to measuring passenger confidence, BTP carries out an annual social research survey of rail staff to understand how they feel about their personal security while working on the rail network. In 2016-17, BTP's target was to achieve a rail staff confidence level of at least 69.1%. Data from the 2017 survey is not yet available and so it is not yet known whether this target will be achieved, but the results of the most recent surveys, showing a slight increase in rail staff confidence between 2015 and 2016, are shown at Table 10. Confidence is measured by those rail staff who rate their personal security as either very good or good. It does not include those who say their security is neither good nor poor which, in 2016, accounted for an additional 20.5% of rail staff.

Table 10 – Rail staff confidence<sup>22</sup>

	<b>2015</b>	<b>2016</b>
BTP	64.8%	64.9%

32. The survey also asks rail staff specifically about their treatment when dealing with BTP. The 2016 survey found that the majority of rail staff felt BTP would treat them with respect (85.5%) and that BTP treats all rail staff fairly (83.5%).

### **Increasing safety for young people, vulnerable adults and rail staff**

33. In 2016-17, BTP sought to increase the safety of young people, vulnerable adults and railway staff. There was no numerical target for this objective. Instead, the national Safeguarding Unit reports actions taken in support of the force's safeguarding strategy. These included:

- development of a reporting system to ensure accurate and timely submission of safeguarding forms
- daily monitoring of safeguarding incidents and weekly assurance checks
- sharing all reports with the local police force where the victim resides
- peer review of domestic abuse procedures by another police force
- training and awareness raising of safeguarding issues relating to both children and vulnerable adults for officers.

<sup>22</sup> Disaggregated data for D Division is not available due to the way in which the survey is administered.

### Reducing the cost of railway policing

34. In 2010, Sir Roy McNulty was commissioned to review options for improving the value for money of the rail network in Great Britain by the Department for Transport and the Office of Rail Regulation. His review, published in 2011, recommended that the rail industry increase its efficiency by 30% and used the cost per passenger kilometre as a key metric.<sup>23</sup> BTP has adopted this metric and, in 2016-17, had a target to reduce the cost of policing per passenger kilometre to 0.32 pence. BTP is currently awaiting final data from the Office of Rail Regulation, but currently estimates that the cost of policing in 2016-17 was 0.32 pence per passenger kilometre, a small reduction compared to the previous year.<sup>24</sup> The efficiency of BTP is explored further in the joint HMIC and HMICS inspection report.<sup>25</sup>

Table 11 – Cost of railway policing per passenger kilometre<sup>26</sup>

	2015-16	2016-17
BTP	0.33	0.32

### Local targets

35. As well as national targets, BTP sets local targets that are specific to its policing divisions or subdivisions. The local targets for D Division in 2016-17 were to:
- ensure that at least 95% of safeguarding referrals are made within three working days
  - reduce the number of physical violent crimes against all staff and passengers by at least 10%
  - achieve a quality of service victim satisfaction rate of at least 90% for assaults and aggression against rail staff
  - increase the detection rate for football-related crimes to at least 64%
  - achieve a satisfaction rate of at least 75% for the single D Division-wide disruption problem solving plan.

Table 12 – D Division performance against local targets 2016-17

	Actual	Target
Safeguarding referrals within three working days	94%	95%
Reduce violence	-3%	-10%
Quality of service for rail staff	79%	90%
Detection rate for football-related crime	56%	62%
Satisfaction rate for disruption problem-solving plan	93%	75%

36. A draft policing plan for 2017-18 has been published which outlines BTP's high level commitments for the year although does not yet set out specific targets. D Division's commitments for the year ahead will include:
- policing football and other key events, ensuring those travelling to events and other passengers can use the rail network safely
  - ensuring the rail staff are able to work without fear of abuse or assault
  - minimising disruption
  - safeguarding vulnerable people on the rail network and preventing suicide.

<sup>23</sup> Sir Roy McNulty, Realising the potential of GB rail: report of the rail value for money study (2011).

<sup>24</sup> No data is available for previous years.

<sup>25</sup> HMIC and HMICS, *PEEL: Police efficiency, legitimacy and leadership – An inspection of British Transport Police 6 – 17 February 2017* (2017).

<sup>26</sup> No disaggregated data is available for D Division.

## Other performance measures

37. In addition to reviewing the performance of BTP and D Division in relation to its annual targets, HMICS has reviewed additional performance measures for railway policing relating to user satisfaction, complaints against the police, and detections.

### User satisfaction

38. To measure user satisfaction, BTP commissions an independent research agency to conduct a monthly telephone survey of victims of four crime types (theft, vehicle crime, violent crime and hate crime). The survey includes questions about the service provided by BTP, from ease of contact to satisfaction with police action and follow-up. Victim's responses are used by BTP to develop and improve its service. The survey results for 2016-17 are shown at Table 13. D Division consistently performs the same or better than BTP as a whole.

Table 13 – User satisfaction

	D Division	BTP
Overall satisfaction	84%	78%
Satisfaction with ease of contact	97%	91%
Satisfaction with police response/actions	83%	73%
Satisfaction with follow-up	71%	69%
Satisfaction with treatment	92%	92%

### Complaints

39. The number of complaints received by a police force provides an indicator of public satisfaction in policing. Table 14 sets out the number of complaint allegations recorded for BTP as a whole and for D Division. It also sets out the number of complaint allegations per officer, and shows that there are fewer complaints per officer in Scotland than across Great Britain.

Table 14 – Complaint allegations<sup>27</sup>

	2014-15	2015-16	2016-17
Complaint allegations recorded – BTP	772	905	751
Complaint allegations recorded – D Division	44	92	52
Complaint allegations per officer – BTP	0.26	0.29	0.26
Complaint allegations per officer – D Division	0.21	0.29	0.23

40. Further information about complaints (including data that shows BTP receives fewer complaints per officer than other forces in England and Wales) and BTP's Code of Ethics, values and the behaviours expected from officers and staff can be found in the joint HMIC and HMICS inspection report of BTP.<sup>28</sup>

<sup>27</sup> Complaint allegations recorded relates to all public complaints recorded and finalised, whether investigated by a local division within BTP or whether they were investigated by BTP's Professional Standards Department. It also includes complaints that were withdrawn.

<sup>28</sup> HMIC and HMICS, *PEEL: Police efficiency, legitimacy and leadership – An inspection of British Transport Police 6 – 17 February 2017* (2017).

## Detection rates

41. In 2016-17, D Division increased its detection rate for recorded crimes to 44.0%. There is no comparative data for BTP as a force.<sup>29</sup>

Table 15 – Detection rates

	2012-13	2013-14	2014-15	2015-16	2016-17
D Division	40.0%	41.3%	40.9%	41.8%	44.0%

## Summary

42. Part 1 of this report illustrates the performance of D Division compared to BTP as a whole. In particular, it highlights that policing performance specific to the rail environment needs to be robustly monitored up to and beyond the point of the transfer of railway policing to Police Scotland. This will help ensure the standard of service is maintained and establishes a baseline against which performance post-transfer can be measured. There is also a need for Police Scotland and the SPA to ensure that railway specific performance measures are reported publicly to the SPA post-transfer so that Police Scotland's Chief Constable can be held to account for the delivery of railway policing. These measures can also be included in any framework which evaluates the transfer itself.

### Key finding

Performance measures specific to railway policing should be monitored up to and beyond the point of the transfer of railway policing in Scotland. Thereafter, railway specific performance measures should be reported publicly to the Scottish Police Authority.

<sup>29</sup> Comparable detection rate data is not collected in England and Wales. Instead, the Home Office requires forces to report on 'outcomes'. All crimes result in some type of outcome, so there is no 'outcome rate'.



## Part 2 – The transfer of BTP in Scotland to Police Scotland

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### Context

43. On 27 November 2014, the Smith Commission<sup>30</sup> set out recommendations for further devolution of powers to the Scottish Parliament, as agreed by Scotland's five main political parties. Amongst its recommendations, the Smith Commission stated, 'The functions of the British Transport Police in Scotland will be a devolved matter'.<sup>31</sup> The UK Parliament passed the Scotland Act 2016, which gave effect to the Commission's recommendations, including devolving responsibility for the policing of railways and railway property in Scotland to the Scottish Parliament.
44. On 8 December 2016, the Railway Policing (Scotland) Bill was published. The Bill was being considered by the Scottish Parliament at the time of our review, and has since been passed at Stage 3. The Bill will enable the transfer of the functions of BTP and BTPA in Scotland to Police Scotland and the Scottish Police Authority (SPA). The intended transfer date is 1 April 2019.
45. Detailed scrutiny of the Bill at Stage 1 of the parliamentary process was carried out by the Scottish Parliament's Justice Committee. It received written and oral evidence from a range of individuals and organisations involved with the transfer or with an interest in railway policing. The Committee published its Stage 1 report on 28 April 2017, in which the majority of members supported the general principles of the Bill. A minority of members supported an alternative approach to the devolution of railway policing. In its report, the Committee makes a number of recommendations relating to more detailed aspects of the Bill and proposed subordinate legislation with a view to, 'ensuring that risks are identified and mitigated prior to integration so that there is a seamless transfer of policing and no reduction in the safety and security of staff and passengers'.<sup>32</sup> The Scottish Government responded<sup>33</sup> to the Committee's Stage 1 report prior to the Stage 1 debate and further consideration of the Bill took place at Stage 2.<sup>34</sup> The Bill was debated and passed at Stage 3 on 27 June 2017.<sup>35</sup> Given that all stages of the Parliament's consideration of the Bill can be found in the Official Report, we have not found it necessary to summarise them here.
46. The introduction of the Bill followed two previous proposals by the Scottish Government, in 2011 and 2013, to transfer the functions of BTP in Scotland to Police Scotland. The Bill also followed a consultation by the Scottish Government in 2016 on its plan to integrate BTP in Scotland into Police Scotland.<sup>36</sup>

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<sup>30</sup> Following the independence referendum in September 2014, the Prime Minister appointed Lord Smith of Kelvin to chair a commission (the 'Smith Commission') on further powers for the Scottish Parliament.

<sup>31</sup> Paragraph 67, The Smith Commission, [Report of the Smith Commission for further devolution of powers to the Scottish Parliament](#) (2014).

<sup>32</sup> Scottish Parliament Justice Committee, [Stage 1 Report on the Railway Policing \(Scotland\) Bill](#) (28 April 2017), Executive Summary.

<sup>33</sup> [Letter from Minister for Transport and the Islands to Convener of the Justice Committee](#), 8 May 2017.

<sup>34</sup> The Stage 1 debate took place on 9 May (see Scottish Parliament Official Report 9 May 2017, Col 35-81). The Justice Committee considered the Bill at Stage 2 on 30 May (see Scottish Parliament Official Report Justice Committee 30 May 2017 Col 38-63).

<sup>35</sup> Scottish Parliament Official Report 27 June 2017, Col 40-97 and 100-102.

<sup>36</sup> Further information about these earlier proposals can be found in a paper submitted by Dr Kath Murray to the Scottish Parliament Justice Committee during its consideration of the Railway Policing (Scotland) Bill. See Dr Kath Murray, [The integration of the British Transport Police in Scotland into Police Scotland: a review of the evidence](#) (2017).



# Outcomes

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## Business case, benefits and disbenefits

47. As the decision to transfer BTP's functions in Scotland to Police Scotland was a Ministerial decision, no single, detailed and authoritative business case which articulates the benefits, disadvantages or costs of the transfer to Police Scotland was developed.<sup>37</sup>
48. In 2016, the Scottish Government embarked upon a public consultation prior to the introduction of the Bill.<sup>38</sup> The responses to the consultation were compiled and published by an independent research company.<sup>39</sup> The Scottish Government thereafter sought to include the benefits and disbenefits captured from the consultation as main themes within the Policy Memorandum, highlighting three key benefits:
  - ensuring that railway policing in Scotland is accountable, through the Chief Constable of Police Scotland and the SPA, to the people of Scotland;
  - enhancing railway policing in Scotland through direct access to the specialist resources of Police Scotland; and
  - future proofing the infrastructure policing model in Scotland against changes that may arise from the review of infrastructure policing in England and Wales.<sup>40</sup>
49. We note that the key benefits set out in the Policy Memorandum only make reference to the future state of railway policing in Scotland. No benefits to BTP as an organisation or the future operation of railway policing in England and Wales have been articulated. Neither does the Policy Memorandum set out any disbenefits or risks of the proposed transfer of railway policing to Police Scotland, either for any of the organisations involved or for the state of railway policing in Scotland or in England and Wales. We acknowledge that the latter may be a consequence of the legislative competence of the Scottish Parliament and that there have been opportunities to build on the information contained in the Policy Memorandum during the parliamentary scrutiny process.
50. For example, in relation to the second benefit of enhancing railway policing in Scotland, the Policy Memorandum notes that integration will ensure there is a single command structure for all policing within Scotland. While this will streamline the command structure in Scotland, no consideration is given to the fact that by creating a single command structure for policing in Scotland, a dual command structure is created for railway policing across Great Britain. No information is set out regarding the impact this may have on railway policing, how this impact may be mitigated, or why a single command structure for policing in Scotland is more beneficial than a single command structure for railway policing across Great Britain. However, the Cabinet Secretary for Justice subsequently sought to address the benefits of the single command structure for policing in Scotland in his evidence to the Justice Committee.<sup>41</sup>

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<sup>37</sup> The Scottish Government did put forward arguments for transferring BTP in Scotland to Police Scotland in 2013 which articulated some additional benefits of the transfer, but these were not carried forward to the Policy Memorandum. These arguments were outlined in a letter from the Cabinet Secretary for Justice to Secretary of State for Transport, November 2013.

<sup>38</sup> Scottish Government, [The Integration of the British Transport Police in Scotland into Police Scotland: A consultation](#) (2016).

<sup>39</sup> Linda Nicholson, [Consultation on the integration of the British Transport Police in Scotland into Police Scotland: An analysis of responses](#) (2016).

<sup>40</sup> Scottish Parliament, [Railway Policing \(Scotland\) Bill: Policy Memorandum](#) (2016), paragraph 6.

<sup>41</sup> Scottish Parliament Official Report Justice Committee 28 March 2017, from Col 4.

51. The lack of detailed information about disbenefits arising from the transfer of BTP in Scotland to Police Scotland is problematic for two reasons. Firstly, without fully identifying the potential disbenefits, it is not possible to effectively plan to mitigate them. This may risk failing to realise the full benefits arising from the transfer and is particularly important from an operational policing perspective where all those involved are keen to ensure that the quality of service to the public and the rail industry is maintained. Secondly, a lack of detailed information about disbenefits is problematic given that there has been much debate about the scope of the 'no detriment' principle which applied to the Smith Commission's proposals (see paragraph 62). HMICS considers that detailed analysis of the benefits, disbenefits and risks of the transfer is necessary and will now fall to the Joint Programme Board to manage as part of the overall governance of the transfer programme.

### Key finding

Detailed analysis of the benefits, disbenefits and risks of the transfer of railway policing is necessary and will fall to the Joint Programme Board to manage as part of the overall governance of the transfer programme.

## Costs

52. The Financial Memorandum published by the Scottish Government to accompany the Railway Policing (Scotland) Bill sets out the costs to which the Bill will give rise.<sup>42</sup> Such memoranda are required to state the costs that will fall upon the Scottish Government, local authorities and any other bodies, individuals and businesses.
53. The Financial Memorandum describes the transitional and project costs associated with the transfer of BTP in Scotland to Police Scotland as being, 'minor transitional costs for SPA/Police Scotland such as the changing of police badges on uniform/vehicles, HR data transfer and aspects of operational integration. Such costs are expected to be small... The working assumption is that such costs can be accommodated within the overall overhead spend associated with railway policing, given the scope for efficiencies...'<sup>43</sup>
54. The transfer of responsibility for railway policing in Scotland involves extricating BTP in Scotland from BTP as a whole, and integrating it into Police Scotland. These tasks are complex and should not be underestimated. Each organisation involved (notably BTP, BTPA, Police Scotland and the SPA, as well as the Scottish and UK governments) will incur programme and project costs until at least 1 April 2019 as well as implementation costs. The BTPA has begun work to cost its contribution to the transfer of responsibility for railway policing, but it remains unclear to some of those we spoke to where these additional costs will fall. HMICS spoke to rail operator representatives who stated that, as the rail industry funds the BTPA, they did not expect to pay for the additional costs associated with the integration of railway policing into Police Scotland. Although the UK government's view is clear that the costs of BTP and BTPA will be met through the current funding mechanism for railway policing, this view may benefit from greater clarification among stakeholders.
55. Police Scotland and the SPA have begun to establish their costs associated with integration. We welcome their efforts, and their intention to seek clarity from the Scottish Government as to how they should be funded.

<sup>42</sup> Scottish Parliament, [Railway Policing \(Scotland\) Bill: Financial Memorandum](#) (2016).

<sup>43</sup> Scottish Parliament, [Railway Policing \(Scotland\) Bill: Financial Memorandum](#) (2016), paragraph 20.



56. HMICS supports the view of the costs set out in the Financial Memorandum expressed by the Scottish Parliament's Justice Committee. In its Stage 1 Report on the Bill, the Justice Committee states the Financial Memorandum does not provide enough detail on the expected costs of integration or who should pay. The Committee recommends that the Scottish Government report to the Parliament to, 'clarify who would pay any additional costs arising from integrating British Transport Police Scotland into Police Scotland.'<sup>44</sup> The Scottish Government has responded to the Committee's recommendation, confirming that the specific costs of transition will be developed through the JPB.<sup>45</sup>

### Key finding

The full costs associated with the transfer of railway policing in Scotland have not yet been assessed, and there is uncertainty among stakeholders as to who will pay these costs. This will be addressed through the work of the Joint Programme Board.

57. The importance of establishing the full cost of public body mergers has also been highlighted by Audit Scotland.<sup>46</sup> In 2012, Audit Scotland published a good practice guide on merging public bodies following a review of mergers that had recently taken place. This good practice guide highlights a range of issues that the government and merging bodies should take into account when planning and implementing a merger, many of which are applicable to the integration of BTP in Scotland into Police Scotland. In relation to costs, the guide notes the importance of measuring, controlling and monitoring the costs and savings resulting from a merger.<sup>47</sup>
58. The Financial Memorandum states that integration may result in economies of scale within Scotland. It notes that the cost of railway policing in Scotland in 2016-17 was expected to be almost £21 million. While 79% of this paid for operational policing in Scotland, 21% was allocated to BTP nationally, to provide services to support operational policing in Scotland. This includes corporate services such as finance, human resources or procurement; specialist services such as major investigation teams which are based elsewhere but operate in Scotland when required; and the force's senior leadership team. In the Financial Memorandum, the Scottish Government sets out its expectation that these services will be provided by Police Scotland in future. While Police Scotland may require additional capacity to deliver these services, the Scottish Government expects there to be scope for 'significant efficiencies'.
59. While the Financial Memorandum states that there may be scope for efficiencies in the cost of railway policing in Scotland, it does not consider what impact this may have on the efficiency of railway policing in England and Wales. The Scottish Government considers this to be outwith the scope of the Financial Memorandum. Currently, the costs of corporate services such as those described at paragraph 58 are defrayed across BTP as a whole. Following integration, the cost of corporate services will be defrayed across BTP in England and Wales only, meaning that it will likely suffer diseconomies of scale. The cost of railway policing in England and Wales may rise, and rail operators have expressed concern that the additional costs will fall on them. This is not highlighted as a disbenefit of integration in the Policy Memorandum or as a cost in the Financial Memorandum.

<sup>44</sup> Scottish Parliament Justice Committee, [Stage 1 Report on the Railway Policing \(Scotland\) Bill](#) (28 April 2017), paragraph 286.

<sup>45</sup> [Letter from Minister for Transport and the Islands to Convener of the Justice Committee](#), 8 May 2017.

<sup>46</sup> Audit Scotland, [Learning the lessons of public body mergers: good practice guide](#) (2012); and Audit Scotland, [Learning the lessons of public body mergers: review of recent mergers](#) (2012).

<sup>47</sup> Audit Scotland, [Learning the lessons of public body mergers: good practice guide](#) (2012), Part 3.

### Key finding

The financial impact on railway policing in England and Wales of the transfer of railway policing in Scotland has not yet been fully assessed.

60. The future cost of railway policing in Scotland will be the subject of negotiation between the SPA and rail operators. However the Financial Memorandum notes that it expects the cost to fall within a 'financial envelope' that is based on a current commitment from BTPA that the cost of railway policing will not rise by more than the cost of RPI inflation each year.
61. HMICS considers there is greater scope for collective activity to establish the costs of integration or the future cost of railway policing in Scotland. In its good practice guide on public body mergers, Audit Scotland notes the importance of the government working with merging bodies to regularly review cost and saving estimates as the merger proceeds.<sup>48</sup>

### Key finding

Audit Scotland's good practice guide on public sector mergers is a valuable resource which should inform the successful transfer of railway policing in Scotland.

## No detriment principle

62. While interviewing those involved in planning for the transfer of BTP in Scotland as well as other stakeholders, almost everyone cited the Smith Commission's 'no detriment' principle, although there was no agreement on what this meant. Some thought it was a wide-ranging principle meaning that no party should suffer detriment as a result of the devolution of railway policing. This would include the Scottish and UK governments, Police Scotland, the SPA, BTP (including its officers and staff), BTPA and the rail industry.<sup>49</sup> They also thought the detriment could be of any kind – that no one should experience a financial detriment but also that there should be no detriment to the quality of the railway policing service, or that there should be detriment to a person's terms and conditions of employment. Others we spoke to felt the no detriment principle was much more restricted and applied only to financial detriment experienced by the Scottish or UK governments.
63. Given the potential impact of the transfer of BTP in Scotland to Police Scotland described above (see paragraphs 52-61 regarding costs) on those involved, the no detriment principle required urgent clarification at the time of our review. The JPB is aware of the importance of the no detriment principle and has recently sought to clarify this for the benefit of relevant stakeholders.

### Key finding

To manage expectations regarding the impact of the transfer of railway policing in Scotland, the Joint Programme Board should confirm that there is a consistent understanding of the no detriment principle and communicate this publicly to all relevant stakeholders.

<sup>48</sup> Audit Scotland, [Learning the lessons of public body mergers: good practice guide](#) (2012), Part 3.

<sup>49</sup> The Financial Memorandum to the Railway Policing (Scotland) Bill, for example, states that a no detriment principle will be applied to the terms and conditions of BTP officers and staff, although it is not clear whether this is the same as the Smith Commission's no detriment principle. See Scottish Parliament, [Railway Policing \(Scotland\) Bill: Financial Memorandum](#) (2016), paragraph 22.



## Measuring success

64. During our interviews with those involved in the integration, it was clear that little thought had yet been given to measuring its success. All parties described the importance of maintaining the current quality of service delivered in Scotland by BTP, but limited work had been done as yet as to how this could be demonstrated.
65. In its good practice guide on public body mergers, Audit Scotland emphasises the importance of governments identifying the quality of service it expects public bodies to deliver and the criteria it will use to assess this. This will allow the government, parliament, the merged bodies, stakeholders and the public to know whether the merger has been a success.<sup>50</sup>
66. Various stakeholders told HMICS that they wished Police Scotland to continue to use performance measures already used by BTP, particularly in relation to passenger and rail staff confidence and satisfaction. This would allow the quality of service to be measured and compared pre- and post-integration. Some stakeholders hoped that Police Scotland would maintain BTP's policing priorities post-integration until new priorities could be established in consultation with stakeholders. Further information about BTP's current priorities and performance measures is available in Part 1 of this report.
67. Rail industry stakeholders also expressed a desire for performance measures specifically relating to the integration, including some measures to mitigate potential risks to the railway policing service arising from integration. For example, the rail industry has expressed concern that following integration, railway policing officers will be regularly abstracted to deal with Police Scotland's other, non-rail related priorities. They would feel reassured by the inclusion of an abstraction measure in Police Scotland's framework as this would help them assess the quality of service they are receiving and value for money.

### Key finding


There would be value in developing additional performance measures specifically relating to the transfer of railway policing in Scotland which can provide reassurance regarding risks associated with the transfer.

## Specialism

68. During our interviews with those involved in the integration of BTP in Scotland into Police Scotland, we have been concerned that the specialist and distinct nature of BTP's work has been underestimated by some organisations and/or individuals. At times, there has been a failure to appreciate that railway policing is funded entirely by the rail industry and thus the industry has a justifiably significant role in setting policing priorities. There is a commercial imperative to the work of BTP which simply does not exist to the same extent for other police forces. This is reflected in BTP's strategic objective of minimising disruption to the rail network. BTP is acutely aware that a single rail incident in Scotland can quickly have a knock-on effect across the rail network, including on cross-border routes. Rail industry representatives told us that their relationship with BTP is the 'best it has ever been' and that BTP effectively manages its role of protecting the public while at the same time responding to passenger and rail industry interests.

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<sup>50</sup> Audit Scotland, [Learning the lessons of public body mergers: good practice guide](#) (2012).

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69. For an effective railway policing service to be maintained post-integration, it is essential that this specialism is preserved. It should be well understood not only by those officers and staff working directly on railway policing, but also the senior leadership of Police Scotland and the SPA. We welcome recent efforts by both organisations to build a relationship with the rail industry in Scotland and the consideration being given by the SPA to whether it, as an organisation, possesses the skills necessary to liaise and negotiate with the rail industry.
70. To sustain the railway policing specialism, Police Scotland and BTP should also consider the need for inter-operability post-integration, and arrangements for the provision of mutual aid in the event of, for example, a major incident on the rail network. These issues should be addressed via the integration programme.

### **Key finding**

Police Scotland and BTP should consider the need for inter-operability post-integration, and arrangements for the provision of mutual aid.

71. Given that Police Scotland, the SPA, BTP and BTPA must work closely together to deliver integration, it is essential that the respective roles and priorities of each organisation are fully understood and respected. Effective working relationships will be critical to the successful delivery of integration.
72. Police Scotland has publicly committed to allowing any officers and staff who transfer from BTP to Police Scotland to stay working within a railway policing environment should they wish. However, the opportunities that will be available to those transferring have also been highlighted: officers and staff may wish to move to other specialisms. Police Scotland will have to develop a railway policing workforce strategy, to consider how best to balance preserving their specialist skills while also facilitating the opportunities and career development that have been promised.<sup>51</sup>

### **Key finding**

A railway policing workforce strategy should be developed to retain and sustain the railway policing specialism.

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<sup>51</sup> Scottish Parliament, [Railway Policing \(Scotland\) Bill: Policy Memorandum](#) (2016), paragraph 65, quoting letter from the Chief Constable of Police Scotland to the Cabinet Secretary for Justice dated 7 June 2016.

## Leadership and governance

### Joint Programme Board

73. The integration of BTP in Scotland into Police Scotland is being taken forward through a Joint Programme Board (JPB) chaired jointly by the Scottish Government and the Department for Transport. The JPB began meeting in January 2016. Its membership included representatives of the Scottish Government's Police Division and Transport Scotland, the Department for Transport, the SPA and the BTPA. At its seventh meeting in January 2017, its membership was extended to include BTP and Police Scotland.
74. The aims of the JPB are:
- To provide joint leadership and partnership working in order to deliver the shared objectives of the UK and Scottish governments for the devolution of policing of railways and railway property
  - To deliver the Scottish Government's intent for the integration of the BTP in Scotland into Police Scotland by a date subject to agreement
  - In doing so, to take appropriate account of implications for the policing of the railway across the whole of the UK, ensuring as far as possible that there is no detriment to Scotland or the rest of the UK from the proposed approach.
75. The work of the JPB is supported by a Programme Management Unit (PMU) within the Scottish Government's Police Division. The programme has been split into seven projects, led or jointly led by members of the JPB (see Table 16). Those leading each of the seven projects are responsible for the detailed development of work under their project and identifying options for the JPB to consider.

Table 16 – JPB projects

Project		Lead
1	Legislation (a) Scotland (b) UK	Scottish Government Police Division Department for Transport
2	Workforce (a) Terms and conditions (b) Pensions	Scottish Government Police Division and BTPA Scottish Public Pensions Agency and BTPA
3	Communications	Scottish Government Police Division (PMU)
4	Operational integration	Police Scotland and BTP
5	Rail funding and Railway Policing Agreements	Transport Scotland and BTPA
6	Governance and finance	SPA and BTPA
7	Assets and liabilities	SPA and BTPA

76. HMICS interviewed those involved in the JPB as well as those with an interest in its work, observed the eighth meeting of the JPB in March 2017 and reviewed programme documentation. There was general consensus that a joint programme board is a useful mechanism by which to deliver the integration of BTP in Scotland into Police Scotland. It offers an opportunity to provide clear, strategic leadership and consistent decision making that will create the conditions for successful integration. HMICS recognises that, at the time of our review, the Railway Policing (Scotland) Bill had not yet been passed and that the JPB was at an early stage of development. We look forward to seeing its role developed through:
- Strengthened oversight, direction, support and understanding of all relevant issues from the PMU.
  - Greater clarity regarding the objectives, deliverables and milestones of some projects.
  - Fully explored and managed project interdependencies to avoid duplication of effort and project creep.
  - Increased programme management discipline rather than a reliance on good working relationships to deliver integration.
  - Greater clarity on how decisions will be made and by whom.
  - Early resolution of key issues brought forward by the projects, such as those relating to terms and conditions and pensions.
  - An effective, coordinated communications strategy which meets the needs of all stakeholders.
  - Linked to the communications strategy, consideration of how the JPB as a whole engages key stakeholders in its work, including staff associations and the rail industry.
  - Fully explored and managed risks to successful integration. This is particularly important given that the disbenefits, risks and costs of integration had not been fully explored at an earlier stage (see paragraphs 47-61).
  - Guarding against a culture of optimism which prevents challenges and risks being fully addressed.
  - Open, honest and transparent approaches to delivering integration by all those individuals and organisations involved that are also respectful of the pressures facing their partners.
77. HMICS recognises the value of the JPB and its key role in the successful delivery of the transfer of railway policing. Now that the Bill has been passed by the Scottish Parliament, its role should be further developed to provide strategic oversight and robust governance of the detailed implementation plan, and to highlight the critical path in terms of key decisions prior to transfer. The active engagement of all parties in the projects will be critical to the successful delivery of the transfer.

### **Key finding**

The role of the Joint Programme Board requires further development.

78. HMICS acknowledges that the Bill receiving Royal Assent will provide some certainty about the future of railway policing in Scotland and may result in a shift in how individual organisations and the JPB collectively approach integration. Greater certainty will follow from the development and approval of the secondary legislation required to achieve the transfer. Nonetheless, there will continue to be a need for an overarching body to govern the transfer and the JPB will have an important role.

79. The JPB has recognised that it needs to further develop its role and we welcome the commissioning by the chairs of the JPB of an independent assurance review of the integration programme. This review took place in May 2017, shortly after our own review. We also welcome the commitment from the Scottish Government that it will seek an independent Gateway Review of the work of the JPB. The need for additional Gateway Reviews at key stages of the programme should also be considered.

### Role of the SPA

80. While the SPA has an oversight and governance role in relation to the transfer of railway policing to Police Scotland, and particularly in relation to assets and liabilities and officer and staff terms and conditions, it will be for Police Scotland to deliver integration. This will be one of a number of significant change projects being undertaken by the SPA and Police Scotland, including Policing 2026, the 10-year policing strategy for Scotland. We do not consider that the SPA currently has the capability or capacity to manage and deliver a programme of this scale and believe that integration can therefore be best managed as a programme within Police Scotland's transformational change portfolio, benefiting from the significant investment by Police Scotland in that portfolio in recent months.
81. This will allow interdependencies with other change projects relating to people, ICT and finance to be effectively addressed. This would effectively integrate the railway policing transfer within the overall change programme for policing in Scotland and allow the SPA to concentrate on its legitimate role in terms of governance and oversight as well as the authorising environment for key decisions. These decisions would also be informed by the wider change programme and investment plans.

#### Key finding

Railway policing should be delivered as a programme within the wider change portfolio within Police Scotland, with the SPA exercising appropriate oversight and governance.

82. With a view to the SPA's future role in relation to railway policing, several people we interviewed suggested that the SPA's board membership could be expanded in one of two ways. Firstly, they suggested that it may be beneficial to co-opt a member of the BTPA board to serve on the SPA board to ensure that expertise in overseeing railway policing is retained. Secondly, they suggested that it may be useful for there to be an SPA board member who has experience of the rail industry (as is the case for BTPA). HMICS believes there is merit in exploring both suggestions further: both options would ensure that an understanding of the rail industry is present on the board, while also ensuring the needs of the rail industry are considered in the context of policing more generally.

#### Key finding

There would be value in the SPA exploring how it can secure expertise in the rail industry or in railway policing amongst its Board members.

## Police Scotland

83. Within Police Scotland, preparation for the integration of BTP in Scotland is currently being overseen by a Gold Group. HMICS has previously commented on Police Scotland's use of Gold Groups for purposes for which they were not generally intended.<sup>52</sup> As stated at paragraph 80, oversight of Police Scotland's preparation for the integration of railway policing should form part of the service's wider transformational change portfolio and should not be delivered through a Gold Group.

## Accountability

84. The Railway Policing (Scotland) Bill requires the SPA to establish a forum through which it and Police Scotland can engage on a regular basis with railway operators about railway policing. The Bill also requires the SPA to take steps to agree each year with rail operators and the Chief Constable the priorities, objectives, arrangements and costs for railway policing as well as the means by which performance may be assessed. The Bill also places a duty on the SPA to obtain the views on railway policing of rail passengers, rail staff, police officers and staff, and any other interested persons or bodies.
85. The Railway Policing Management Forum will be the means by which operators may hold the SPA and Police Scotland to account for the delivery of railway policing. The rail industry views the forum as being an important opportunity to ensure railway policing priorities are delivered, given the many competing demands on Police Scotland's resources.
86. Little thought has been given as yet as to how the forum might operate and how it might link with the other duties placed on the SPA by the Bill in relation to priority setting and stakeholder engagement. The forum could be for rail operators only, but could also be used as wider forum for stakeholders with an interest in railway policing. In its Stage 1 report, the Scottish Parliament's Justice Committee recommended that the Scottish Government provide further information as to the proposed remit, membership and functions of the forum.
87. HMICS believes that the SPA should set up the forum in consultation with the rail operators, ensuring that it meets industry needs as well as those of the SPA and Police Scotland. There is an opportunity to learn lessons from the experience of local scrutiny and engagement bodies set up in each local authority area under the Police and Fire Reform (Scotland) Act 2012 to ensure the forum is effective.

### Key finding

There will be a need for the SPA to consult rail operators on the establishment of the Railway Policing Management Forum.

88. In relation to the SPA's duty to seek the views of other persons or bodies who have an interest in railway policing, the SPA should ensure this includes BTP and BTPA. This is important given the cross-border and interconnected nature of the rail network. There is an expectation among stakeholders that there will be efforts to align railway policing priorities in Scotland and in England and Wales post-integration or, at the least, to ensure priorities do not conflict.

<sup>52</sup> HMICS, [Independent Assurance Review: Police Scotland – call handling final report](#) (November 2015), paragraphs 143-145.





## Resources

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89. The transfer of assets and liabilities from BTP to Police Scotland is being addressed through Project 7 under the JPB. There appears to be agreement that assets located in Scotland will remain in Scotland, but far more complicated is the issue of BTP's national assets which support railway policing in Scotland or which have been partly paid for by rail operators in Scotland. Negotiating the transfer of assets and liabilities, and ensuring that neither party suffers detriment as a result, is likely to be a complex process. HMICS has identified a lack of clarity as to what happens if the parties do not agree nor is it clear who is ultimately responsible for decision making. However, the JPB has recently sought to clarify decision making within the programme, encouraging decisions to be made at appropriate levels by the projects. When issues cannot be resolved within the project, the JPB will be responsible for exploring issues that have been escalated and seeking to achieve consensus on the way forward.

### Key finding

There is complexity in terms of decision making within the programme which the Joint Programme Board has recently sought to clarify.

### Railway Policing Agreements

90. The Bill provides for rail operators to enter into Railway Policing Agreements (RPAs) with the SPA regarding the policing service to be provided in exchange for a charge. These will be similar in nature to the Police Service Agreements (PSAs) currently in place between rail operators and BTPA.
91. Under the current PSAs, the amount charged to each rail operator is calculated using BTPA's cost allocation model which considers a number of factors such as crime rates, size of railway network, staff levels and station usage. Work is already underway so that the SPA and Police Scotland can understand the BTPA model and develop one of their own. Key to this is developing systems so that the demands of railway policing can be understood (such as railway incident markers on Police Scotland's command and control and crime systems to determine the volume of relevant incidents and crimes).
92. Although BTP is responsible for railway policing in Scotland, on occasion Police Scotland will be the first to attend a rail incident or may manage an incident in its entirety. This is particularly true in areas where BTP does not have a permanent presence. The extent of the support already provided by Police Scotland to railway policing is unknown and cannot be easily established at present given the lack of a railway marker on incident and crime systems. This support from Police Scotland is currently provided free to the rail industry. Post-integration, it seems likely this support will simply form part of the service provided to the rail industry and charged for under the RPAs. Because the extent of this support has not been quantified, the impact that this will have on the cost of railway policing and the efficiency savings envisaged as a result of the transfer is unknown.
93. There is an expectation among rail operators we spoke to that the RPAs will be more detailed than the current PSAs. Rail operators view the agreements as an important safeguard to maintain the standard of policing service which they have received from BTP from a policing service whose sole focus is not railway policing. They expect to be involved in the early stages of their development, and anticipate the agreements setting out exactly the service they are paying for (such as information relating to officer and staff numbers, training requirements, performance indicators etc).



### Key finding

There is an expectation among rail operators that the Railway Policing Agreements will be more detailed than the current Police Service Agreements. Rail operators view the agreements as an important safeguard to maintain the standard of policing service.

94. One issue that remains to be resolved is how the current PSAs between rail operators and BTPA will be managed post-integration. These PSAs can only be terminated with 12 months' notice by the agreement of both parties, and with three years' notice if one party does not consent.<sup>53</sup> Some rail operators we spoke to suggested that the transfer of BTP in Scotland to Police Scotland represented a material change to their agreement to which they have not, and may not, consent. They believe they should have been given three years' notice prior to integration.

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<sup>53</sup> The agreements can also be terminated, with no notice, at the same time as a rail operator's franchise agreement is terminated.

95. The terms and conditions and pension arrangements of BTP officers and staff are different to those of the officers of Police Scotland and the staff employed by the SPA. Upon integration, it is expected that the officers and staff of BTP in Scotland will transfer to Police Scotland. There has been much speculation about how this transfer will be effected and what impact there will be on terms and conditions and pensions. These issues have not yet been resolved.
96. The Scottish Government has stated that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) do not apply, however it is the Government's intention to instead abide by the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector. It will ensure, so far as possible, that:
- the transfer (including terms of transfer) is effected by legislation; and
  - the staff transferred are treated no less favourably than they would have been had TUPE applied.<sup>54</sup>
97. The Scottish Government has also said that it will apply a 'no detriment' principle to the transfer and that there is a triple-lock guarantee to secure the jobs, pay and pensions of BTP officers and staff in Scotland. In a letter to the BTP Federation in December 2016, the Cabinet Secretary for Justice wrote that, 'we expect future terms and conditions to be similar in overall terms to those that BTP officers and staff enjoy at present, even if some of the details within the terms and conditions change over time. We will ensure that upon integration, pension entitlement is maintained...'
98. During our review, we spoke to a range of BTP officers and staff working in Scotland. While many questioned the benefits of integration, others saw opportunities to develop new skills and for career progression. All were agreed however that they needed more information and some certainty about what would happen to their terms and conditions and pensions upon transfer and in the longer term. They were unclear what the government's guarantees meant in practice given that the language used implied some caveats. They were concerned, for example, that terms and conditions might be maintained upon transfer, but would be changed at some later date, particularly if they were promoted or chose to take up roles in other specialisms within Police Scotland. Since the time of our review, the Scottish Government has sought to provide further clarity in Parliament regarding its guarantees on terms and conditions and pensions.<sup>55</sup>
99. As a result of the uncertainty about their future, officers described morale as being low. This was particularly true of BTP police staff who fear there is no place for them at Police Scotland given that a significant proportion of police staff have left the organisation since its creation in 2013. There was also uncertainty about BTP personnel based outside Scotland who nonetheless support Scottish operations in some way. It was not clear what, if any, impact there would be on them post-integration.

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<sup>54</sup> Scottish Parliament, [Railway Policing \(Scotland\) Bill: Policy Memorandum](#) (2016), paragraph 59.

<sup>55</sup> See, for example, a statement by the Minister for Transport and the Islands during the Stage 1 debate – Scottish Parliament Official Report 9 May 2017, Col 38.

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100. Officers and staff felt there was a need for improved communication around integration and the progress being made by the JPB generally, and particularly in relation to terms and conditions and pensions. They would welcome more regular updates, even if the update is that no progress has been made. They had begun self-briefing, gathering information from the media and evidence submitted to the Scottish Parliament during its consideration of the Railway Policing (Scotland) Bill. The lack of a coordinated communications strategy from the JPB meant they sometimes picked up on mixed messages from members of the JPB or speculation from alternate sources which was unhelpful.
  101. Another issue which arose during our review was whether officers and staff could be compelled to transfer to Police Scotland. It was not clear what would happen if they could not be compelled to transfer, and if they were not able to relocate and remain with BTP in England and Wales.
  102. At the time of our review, there were 26 special constables operating in Scotland. Little consideration had as yet been given to what would happen to them following the transfer of railway policing. They sought information and assurance that they, and other police volunteers, would be able to transfer to Police Scotland. The special police sergeants operating in Scotland were also uncertain what the transfer would mean for them, given that Police Scotland does not have special officers of any rank except constable.
  103. Proposals to transfer the Scottish operations of BTP to Police Scotland have been circulating now for several years. Two and half years have passed since the Smith Commission reported, and it has been a year since the Scottish Government indicated that integration into Police Scotland was its preferred method for the devolution of railway policing. The officers and staff have been living with uncertainty regarding their futures for some time but have nonetheless remained committed to providing an effective service throughout. Issues relating to their terms and conditions and pension arrangements must be resolved at the earliest opportunity so as to provide them with reassurance and information on which to base decisions about their future. Until those issues are settled, regular updates should be provided as to the progress being made.

### **Key findings**

There has been much speculation about how the transfer of BTP's officers and staff will be effected and what impact there will be on their terms and conditions and pensions. These issues should be resolved at the earliest opportunity.

There is a need for the Joint Programme Board to improve communication with BTP officers and staff affected by the transfer of railway policing in Scotland.

The existing arrangements for BTP special constables and other police volunteers should be considered and safeguarded during the transfer process.

## Vacancies

104. We heard that a significant proportion of BTP officers and staff based in Scotland will be able to retire prior to integration, including key members of the command team. This raises questions as to how BTP will manage vacancies arising up to the date of integration given that BTP must maintain its service up to that point; and how the railway specialism can be sustained post-integration if a significant proportion of the relevant expertise has been lost. BTP and Police Scotland may wish to agree a strategy for managing vacancies which arise between the Bill receiving Royal Assent and the date of integration. For example, rather than BTP recruiting new officers and staff on its terms and conditions who will later have to transfer to Police Scotland, it may be appropriate for Police Scotland to recruit the necessary personnel and second them (and/or existing personnel) to BTP. This approach would fill vacancies while also providing Police Scotland personnel with an opportunity to develop expertise in railway policing. For Police Scotland, any agreement with BTP on how to manage vacancies arising prior to integration should form part of its wider workforce strategy on retaining and sustaining the railway policing specialism.

### Key finding

BTP and Police Scotland may wish to agree a strategy for managing vacancies which arise between the Railway Policing (Scotland) Bill receiving Royal Assent and the date of integration.

## Training

105. Prior to integration, a training needs analysis will be needed for those BTP officers and staff transferring to Police Scotland in its processes and systems, and for Police Scotland officers in the delivery of railway policing and, in particular, how to operate safely on the rail network. Training for Police Scotland personnel will not be confined to those working directly on the rail network, but also those supporting the delivery of railway policing, such as staff working in service centres and control rooms. Consideration should be given to what training should take place prior to the date of integration and how any absences for training will be managed.
106. Some confusion has been generated as a result of evidence given to the Justice Committee during its consideration of the Railway Policing (Scotland) Bill about how many Police Scotland officers will be trained in railway policing, the content, extent and refreshing of that training, and how it will be paid for. Police Scotland has sought to clarify the position, by submitting additional written evidence to the Justice Committee regarding training.<sup>56</sup>
107. The rail operators we spoke to during our review had expectations regarding the training of those involved in railway policing and indicated that training could be an issue addressed via the new RPAs. They noted the importance of those officers working on the rail network having Personal Track Safety Certificates, and that their expertise must be maintained through regular application of their training and through refresher training.
108. Police Scotland has indicated that railway policing may form part of a wider transport policing department within its Operational Support Division. This division is led by a chief superintendent who currently reports to the Assistant Chief Constable with responsibility for Justice and Support. Consideration will need to be given to what support is given to senior leaders within Police Scotland to help develop their awareness and experience in railway policing and at what level strategic engagement with the rail industry will take place.

<sup>56</sup> Letters from Police Scotland to Convener of the Justice Committee, [27 March 2017](#) and [30 March 2017](#).

## Planning and process

109. Many of the issues that arose during our review in relation to planning and process concerned the operational integration of BTP in Scotland and Police Scotland. Operational integration is being addressed via the JPB's Project 4, and is being jointly led by Police Scotland and BTP. At the time of our review, this project was in its early stages. Much work remains to be done, but the issues that arose most often during our review are listed below.
110. **Cross-border services.** During our review, we noted some concern about jurisdictional issues on cross-border services. There was an expectation that post-integration, BTP officers should be able to exercise their powers in Scotland should the need arise. There has since been some reassurance on this point with members of the JPB indicating that cross-border powers will be addressed via secondary legislation. On this point, and more broadly, HMICS anticipates that via the JPB, the issue of how Police Scotland and BTP will work together in future will be addressed, including whether a formal agreement or memorandum of understanding may be needed to address cross-border issues, joint working and mutual aid.
111. We have already noted an expectation among stakeholders that there will be efforts to align railway policing priorities in Scotland, and in England and Wales, post-integration (paragraph 88). In addition, stakeholders suggested that operational alignment or coordination may also be beneficial. For example, they questioned what differing approaches to risk management by Police Scotland and BTP would mean for cross-border services post-integration.
112. **Crime recording.** Post-integration, Police Scotland and BTP will adhere to the national crime recording standards applicable in Scotland and in England and Wales respectively. They should ensure that recording practice is compatible, and that there is clear and consistent guidance as to how crimes taking place on cross-border services should be recorded. This includes guidance on who should record those crimes where the jurisdiction in which the crime actually took place is unknown.
113. **Contact, command and control.** This has been identified as a key risk and much work will need to be done around the interface of each organisation's contact, command and control systems and processes, as well as the interface between Police Scotland and Network Rail's control systems. This will be a critical area to ensure the safety of officers and the travelling public as well as managing the impact of incidents in Scotland that affect the rail network across Great Britain. This particular aspect of the transition should be subject to separate planning and robust quality assurance, testing and exercising.

### Key finding

The integration of contact, command and control functions should be subject to separate planning, quality assurance, testing and exercising, about which the Joint Programme Board should seek assurance prior to the transfer proceeding.

114. In 2013, BTP introduced a text message service (61016) through which it can be contacted by the public. The service can be used to report incidents, as well as for other purposes such as general enquiries or making complaints. Since its introduction, BTP has attended 10,000 incidents and recorded over 4,300 crimes as a result of a text message. BTP have credited the service with improving its accessibility to the public, and providing the public with a discrete means by which they can contact the police when travelling. Police Scotland has no equivalent service and consideration will have to be given to future arrangements.



115. **Transitional arrangements for on-going enquiries.** Consideration will have to be given to how investigations on-going at the point of integration are taken forward. This includes, for example, how crimes committed on the rail network in Scotland prior to integration and which have been first recorded and subject to enquiries by BTP will be managed post-integration.



HM Inspectorate of Constabulary in Scotland

1st Floor, St Andrew's House

Regent Road

Edinburgh EH1 3DG

Tel: 0131 244 5614

Email: [hmic@gov.scot](mailto:hmic@gov.scot)

Web: [www.hmics.scot](http://www.hmics.scot)

### **About Her Majesty's Inspectorate of Constabulary in Scotland**

HMICS operates independently of Police Scotland, the Scottish Police Authority and the Scottish Government. Under the Police and Fire Reform (Scotland) Act 2012, our role is to review the state, effectiveness and efficiency of Police Scotland and the Scottish Police Authority. We support improvement in policing by carrying out inspections, making recommendations and highlighting effective practice.

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