



HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

Scottish Police Authority - Forensic Service: Terms of Reference for HMICS Thematic Inspection

December 2016



© Crown copyright 2016

Produced and Published by Her Majesty's Inspectorate of Constabulary in Scotland

www.hmics.org.uk



HM Inspector of Constabulary in Scotland

HM Inspectorate for Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012 and 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 (SPA).¹

We have a statutory duty to ensure that the Chief Constable and the SPA meet their obligations in terms of best value and continuous improvement. If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate. We also have an established role in providing professional advice and guidance on policing in Scotland.

- Our powers allow us to do anything we consider necessary or expedient for the purposes of, or in connection with, the carrying out of our functions.
- The SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to enable us to carry out our functions.
- When we publish a report, the SPA and the Chief Constable must also consider what we have found and take such measures, if any, as they think fit.
- Where our report identifies that the SPA or Police Scotland is not efficient or effective (or best value not secured), or will, unless remedial measures are taken, cease to be efficient or effective, Scottish Ministers may direct the SPA to take such measures as may be required. The SPA must comply with any direction given.
- Where we make recommendations, we will follow them up and report publicly on progress.
- We will identify good practice that can be applied across Scotland.
- We work with other inspectorates and agencies across the public sector and co-ordinate our activities to reduce the burden of inspection and avoid unnecessary duplication.
- We aim to add value and strengthen public confidence in Scottish policing and will do this through independent scrutiny and objective, evidence-led reporting about what we find.

Our approach is to support Police Scotland and the SPA to deliver services that are high quality, continually improving, effective and responsive to local needs.²

This Inspection will be undertaken by HMICS in terms of the Section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012 and will be laid before the Scottish Parliament in terms of Section 79(3) of the Act.

¹ Chapter 11, Police and Fire Reform (Scotland) Act 2012.

² HMICS, [Corporate Strategy 2014-17](#) (2014).

Our inspection

Aim

The aim of this inspection will be to assess the effectiveness and efficiency of leadership, governance, management and delivery of forensic services provided by the Scottish Police Authority. It will scrutinise how the Scottish Police Authority is meeting its statutory obligations under Section 31 of the Police and Fire Reform (Scotland) Act 2012 by providing forensic services to the Police Service, the Police Investigations and Review Commissioner and the Lord Advocate and Procurators Fiscal.

Background

The Scottish Police Authority (SPA) was established under the Police and Fire Reform (Scotland) Act 2012 and has a statutory responsibility to provide forensic services to the police service, the Police Investigations and Review Commissioner, the Lord Advocate and Procurators Fiscal. The Chief Executive of the SPA has oversight of the management of the Forensic Service in Scotland.

The Forensic Service plays a crucial role in supporting police in the investigation and detection of crime. The services include:

- Chemistry;
- DNA;
- Drug analysis;
- Scene examination;
- Specialist services;
- Fingerprints;
- Biology; and
- Multimedia unit.

Leadership and governance

The senior management structure of the service consists of a Director supported by:

- 3 x Functional Scientific Heads (Biology, Scene Examination and Physical Sciences),
- 1 x Head of Quality and
- 1 x Head of Business Support.

The Director reports to the Chief Executive of the SPA. Each business area is led by a Head of function supported by operational managers. The current resource allocation is 494.86 members of staff (485.86 full time equivalent).

A Strategic Partnership Forum has been formed with the Forensic Service, Police Scotland and COPFS. Public scrutiny of the service is currently restricted to regular performance reports to the full SPA Board.

Organisational structure

The Forensic Service modernisation programme began in 2010 and was completed in 2013, resulting in five distinct functions reflected in the current management structure:

- Biology and DNA
- Physical Sciences
- Scene Examination and Imaging
- Business Support
- Quality

Resources

Scene Examination is delivered from seventeen satellite offices across Scotland, including four which are co-located with the laboratory based activities. There are two high volume processing centres in Glasgow and Dundee with four local satellite labs in Glasgow, Dundee, Aberdeen and Edinburgh. A firearms unit is based in Glasgow (using the National Ballistics Intelligence System NABIS) with links to UK and EU. Drugs are dealt with in the two main high volume processing centres with an additional two FTE posts based in Aberdeen for this purpose. Imaging is delivered through a two centre model based at Glasgow and Dundee and the Multi-media unit is based in Glasgow. All productions are transported to stations by police personnel, however an outsourced transport provider conducts the productions to/from laboratories.

The operational budget in 2014/15 was £23.81m rising to £23.95m in financial year 2015/16. The service had made £2m efficiency savings in 2012/13 and was required to make £1.3m in 2013/14. This financial year (2016/17) the Forensic Service has a significant financial challenge to deliver £1.8m of efficiencies against a budget of £26.7m. The Forensic Service is forecast to have a net spend of £27.3m in 2015/16 which is an overspend against budget of £1.5m. HMICS will consider plans for delivery of savings as part of this inspection.

The Forensic Service currently has no ongoing established capital programme, but has an allocation of £600k in 2016/17. This enables current standards to be maintained and seeks to maintain scientific equipment at an acceptable level with only business critical expenditure requested from the core capital budget. This allows for bids on a project by project basis, as with all other Police Scotland and SPA functions, for capital allocation.

Legislative Basis

In terms of legislative requirements on the SPA, chapter 3, paragraph 31 of the Police and Fire Reform (Scotland) Act (2012) states that :

The Authority must provide forensic services to the Police Service, the Police Investigations and Review Commissioner and the Lord Advocate and procurators fiscal.

No other specific requirements are placed on the SPA in terms of the Forensic Service itself, although other provisions in the Act will apply e.g. Chapter 13 – ability to provide goods and services to any other public body or office-holder. This provides for some flexibility in the governance and delivery model for the Forensic Service. Any move to separate the Forensic Service from the SPA would require legislative change.

Managing Demand

Work has been ongoing for some time to understand the demand profile for forensic services and how the service is set up to meet this demand. This work has a number of key areas of focus:

- identification of the current and anticipated demand for the service and how demand can be managed.
- assessment of the Forensic Service's capacity to meet demand with regards how it undertakes capacity planning and management, including where resources are located, how they are utilised and an assessment of key business processes.
- an assessment of the delivery of services, taking into account the existing performance management framework and adherence to Service Level Agreements and use of technology.
- identification of areas where Forensic Services could potentially position itself within the competitive forensic market and income generate to support improved service delivery to the Partners.



A short life working group (SLWG) has been set up with the key stakeholders and a project/delivery plan is now in place to deliver the benefits associated with the Joint National Forensic Gateway (JNFG) and how it can assist with the management of demand for forensic services.

Chair's Governance Review

Andrew Flanagan was appointed as the new Chair of the SPA Board in September 2015. At that point the Cabinet Secretary for Justice commissioned him to deliver a Review of Governance by March 2016. This Review was published on 23 March 2016. The Scottish Government formally responded to the Review in May 2016.

In the Review, the Chair notes that there are a number of other public bodies which have influence and powers over policing in Scotland creating a complex landscape which can lead to confusion about responsibilities, respective boundaries and demarcation lines and that some anomalies persist. The Chair provides the example of the Forensic Service which sits with the SPA, deliberately separated from the police service in order to preserve the integrity of evidence. However, the Forensic Service does not have responsibility for the growing forensic area of ICT/Cyber evidence as this still sits within Police Scotland.

Recommendation 11 of the Review states that:

'Consideration should be given to reorganising or removing the service delivery responsibilities of the SPA and reinforcing its purpose as a governance body. This would focus particularly on its current service delivery responsibilities for Forensic Services, Independent Custody Visiting and Complaints & Conduct.'

Responsibility for this recommendation was allocated jointly to the Scottish Government and SPA and was estimated to be completed by the end of September 2016 (6 months). SPA Board Members have since agreed that custody visiting and the Forensic Service should remain under the control of the SPA. Complaints handling will continue to be overseen by the SPA, but with the processing and investigation of complaints proposed to be carried out by the Police Investigations and Review Commissioner.

Inspection Terms of Reference

This inspection will be undertaken by HMICS in terms of the Section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012 and will be laid before the Scottish Parliament in terms of Section 79(3) of the Act.

The terms of reference for this inspection are designed to enable HMICS to independently assess the effectiveness and efficiency of the leadership, governance, management and delivery of forensic services to meet the demands of Police Scotland, COPFS and the PIRC across specialist services and volume analysis.

The inspection will also assess the effectiveness and efficiency of partnership engagement and collaboration with key customers and stakeholders.

Objectives

- Undertake an assessment of leadership, governance, management and service delivery to meet current and future demand
- Review progress on the implementation of the recommendations of the Short Life Working Group (SLWG) and delivery of benefits of the Joint National Forensic Science Gateway to assist in the management of demand.

Our intended outcomes from this inspection and its publication are to:

- Provide independent assurance as to the efficiency and effectiveness of the provision of forensic services in Scotland; and
- highlight areas of good practice and any areas for improvement.

User perspective

As set out in the Public Services Reform (Scotland) Act 2010, HMICS has a duty to demonstrate continuous improvement in user focus i.e. involving users in the scrutiny process. In this inspection we will use available data from the SPA and the users of its services namely Police Scotland, PIRC and COPFS. HMICS will engage directly with the Strategic Partnership Forum and key stakeholders. Similarly, direct engagement with police officers, staff associations and unions, staff and professionals from the agencies involved will also form part of the inspection process.

Methodology

We will use the HMICS Inspection Framework³ which is based on the Public Service Improvement Framework (PSIF), the European Foundation for Quality Management (EFQM) Excellence Model and Best Value Characteristics. The Inspection Framework will provide a structure to our inspection which will be risk-based, proportionate and focussed on improving the delivery of policing in Scotland. We will structure our inspection around six themes:

- Outcomes
- Leadership and Governance
- Planning and Processes
- People
- Resources
- Partnership

The inspection will be delivered over four stages, some of which will be undertaken concurrently. Lead Inspectors will commence scoping the inspection in October 2016. Onsite work will be limited to a 2-3 week period in January 2017 to minimise our scrutiny footprint.

Stage 1 – Scoping

- Initial engagement with key stakeholders and establishment of Single Points of Contact.
- A review of existing key documents including reports to SPA Board, strategies, plans etc.
- Observations of key governance and other meetings.
- Provision of professional advice in respect of Recommendation 11 of the Chair's Governance Review.

Stage 2 - Fieldwork

The fieldwork phase will focus on areas of risk identified in the initial scoping phase. Specific topics and questions for interviews and focus groups will be structured around our Inspection Framework. Dependent on our scoping, and our ongoing assessment of progress, we will conduct:

- A formal review of progress on ongoing work and progress of the SLWG (since July 2015).
- Selected inspection visits across the Forensic Service's sites.
- Interviews and focus groups, where appropriate, with officers and staff from the Forensic Service including users of their services. Key staff to be interviewed will be identified and a

³ HMICS, [Inspection Framework](#).

schedule of meetings agreed.

- Questionnaires and/or self-assessments dependent on the risks and issues identified.
- Observations of key governance and other meetings.

Stage 3 – Analysis of Evidence

During this stage, the Lead Inspector will review and evaluate the information and evidence collected during the inspection. This will be assessed against current guidance, procedures and best practice across the UK.

Stage 4 - Publication & Reporting

We anticipate publishing a report of our findings in April 2017. Our reports will be published in terms of Section 79 of the Police and Fire Reform (Scotland) Act 2012.

A copy of the report will also be provided to the Scottish Police Authority, the Chief Constable, the PIRC, COPFS and the Cabinet Secretary for Justice and laid before the Scottish Parliament. A copy will also be made publicly available on the HMICS website.

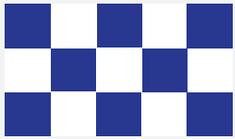
The report will outline our methodology and approach, report on our key findings, conclusions, and any recommendations.

For further information about the inspection of the Forensic Service please contact Gill Imery, Assistant Inspector of Constabulary Gill.Imery@gov.scot or Tina Yule, Lead Inspector Christina.Yule@gov.scot

Derek Penman QPM

HM Chief Inspector of Constabulary in Scotland

December 2016



HMICS HM INSPECTORATE OF
CONSTABULARY IN SCOTLAND

HM Inspectorate of Constabulary in Scotland
1st Floor, St Andrews House
Regent Road
Edinburgh EH1 3DG

Tel: 0131 244 5614

Email: hmic@gov.scot

Web: www.hmics.org

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.

© Crown copyright 2016