



Terms of Reference

Continuous Improvement Review

of

Scottish Police Authority

Leadership & Governance

Version 1.0

October 2014

1. Background

- 1.1 Our Annual Scrutiny Plan for 2014-15 sets out how HM Inspectorate of Constabulary in Scotland (HMICS) will meet its statutory purpose to inquire into the state, efficiency and effectiveness of both the Scottish Police Authority (SPA) and the Police Service of Scotland (Police Scotland). In the plan, we have introduced a new programme of *Continuous Improvement Reviews*, working closely with both the SPA and Police Scotland to report on how they are meeting their obligations to secure best value and continuous improvement.
- 1.2 The intention of the new approach is to ensure that continuous improvement and best value are at the heart of our scrutiny programme. We have considered a number of review models and will ensure that each review is appropriately tailored to meet our objectives and that of the subject organisation.

Legislative Framework

- 1.3 Section 37 of the Police and Fire Reform (Scotland) Act 2012 states that it is the duty of the Scottish Police Authority (SPA) to make arrangements which secure best value for the Authority (that is, a continuous improvement in the carrying out of the Authority's functions). Similarly the Chief Constable also has this duty for Police Scotland.
- 1.4 HMICS is required to provide assurance that both the SPA and the Chief Constable are meeting these requirements. The new HMICS inspection framework has been mapped against the requirements of Best Value and incorporates elements of statutory guidance, Best Value characteristics and Best Value Toolkits and is aligned to both the Public Sector Improvement Framework (PSIF) and EQFM. This provides a framework which is used to establish a set of Key Lines of Enquiry (KLOE) and assessment criteria specifically assessing the SPA in terms of its role as a Board and its organisational support role.

Duty of User Focus

- 1.5 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. The review team has assessed the opportunities for user involvement during the scoping and design process.
- 1.6 In this review we will undertake dialogue with a variety of stakeholders who could potentially be defined as 'users' of the SPA as part of our defined methodology. The involvement of Police Scotland in the review process will also provide a degree of user perspective. Similarly engagement with Scottish Government will also form part of the review process.

Previous HMICS Inspections

- 1.7 HMICS has not undertaken any formal inspection of the SPA to date. However legacy Police Boards and Authorities were considered as part of Best Value inspections of the eight legacy Scottish police forces between 2008 and 2012. A number of key issues were set out in our overview report¹ which remain applicable

¹ Best Value in police authorities and police forces in Scotland – Overview Report – November 2012

to the new authority arrangements. HMICS will consider these as part of its review work.

2. Project Scope and Objectives

- 2.1 HMICS seeks to support the SPA to be effective and efficient in discharging its statutory functions.
- 2.2 The aim of this continuous improvement review will be to **assess the efficiency and effectiveness of leadership, governance and strategic planning within the Scottish Police Authority and benchmark this against good practice.**

This will include:

- An assessment of how well the SPA are fulfilling their statutory duties
 - An assessment of how the SPA are delivering against the *Strategic Police Priorities* set by Scottish Ministers and the SPA *Strategic Police Plan* – to include an assessment of performance reporting arrangements
 - Offer independent evaluation and validation of the SPA self evaluation process
 - Provide a baseline against which progress can be measured in the future
- 2.3 The review will focus on Leadership and Governance and use the following sections of the HMICS inspection framework. Other elements of our framework will be considered as part of our future scrutiny programme:
- Leadership and Governance
 - Planning & Processes
 - Outcomes
- 2.4 The review will be undertaken in terms of our scrutiny powers under Section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012. It will be proportionate and tailored to reflect the current maturity of the SPA as a new organisation operating within the new Scottish policing landscape. A concise report will be produced which will highlight areas of strength and areas for improvement. A copy of this report will be provided to the Chair of the Scottish Police Authority, the Cabinet Secretary for Justice and laid before the Scottish Parliament in terms of Section 79(3). It will also be published on the HMICS website
- 2.5 This programme of review is designed to meet our obligations under the *Police and Fire Reform (Scotland) Act 2012* to assure that continuous improvement is being delivered.

3. Methodology

- 3.1 We will undertake a review of Leadership and Governance in the SPA between August 2014 and January 2015. This will be a three stage process and involve HMICS undertaking an evidence based assessment of the SPA self-evaluation process; supplementing this assessment with a routine scrutiny risk assessment and bringing both of these together through a gap analysis to identify strengths and areas for improvement.
- 3.2 The SPA Board approved the implementation of a simplified version of the Public Service Improvement Framework (PSIF-Lite) on 26 March 2014 and considered this further on 2 September 2014. SPA officers are currently working with the Improvement Service and Quality Scotland on the development of this self-evaluation approach. HMICS are being consulted in order to ensure alignment with our Inspection Framework, which will reduce the scrutiny burden on SPA members and officers. It is recognised that the SPA are at the early stages of development of self-evaluation and are still developing their capacity to support the process.
- 3.3 **Stage 1** - HMICS will observe and undertake an evidence based assessment of the SPA self-evaluation process and review the documentation and quality of evidence used as well as improvement plans produced. HMICS Staff will undertake the same training as SPA staff in the PSIF approach, in order to objectively assess the self-evaluation process.
- 3.4 **Stage 2** - HMICS will undertake a routine scrutiny risk assessment of the SPA and use evidence gathered by:
- Observations from Board and Committee meetings
 - Review of Board and Committee papers
 - Feedback from Police Scotland liaison process
 - Feedback from PIRC and Audit Scotland
 - Feedback from Police Staff Associations and Unions
 - Evidence gathered during thematic inspection activity to date
 - Audit Scotland Police Reform report and follow-up
 - Internal and External Audit reports
 - Evidence at Justice Committee and Justice Sub-Committee
 - Media coverage

Stage 2 will be completed in parallel with Stage 1.

- 3.5 **Stage 3** - HMICS will then engage with the SPA to undertake a gap analysis across the scrutiny risk assessment and the self-evaluation to identify strengths and prioritise areas for improvement. This will have regard to any improvement plan identified by the SPA from the self assessment process. HMICS will then focus its future support activities through continuous improvement reviews in specific areas using its new inspection methodology.

Validated or Supported Self Evaluation

- 3.6 Validated (or supported) self-evaluation (VSE) is **not** inspection. It is a voluntary process which aims to support and challenge the work of public sector bodies to improve the quality of provision and delivery of outcomes. The approach is used by both Education Scotland and the Care Commission.

- 3.7 The self-evaluation process will be led by the SPA. We will encourage the SPA to use the skills of the Improvement Service and Quality Scotland in the initial process to develop best practice approaches. HMICS will observe the authority during the process and apply its knowledge of effective governance arrangements and policing delivery and expertise in evaluation. The purpose of this is to support, extend and challenge the authority's own self-evaluation, to affirm (or otherwise) its conclusions and strengthen its improvement approach and overall performance.
- 3.8 VSE acknowledges that the responsibility for improving services and outcomes lies with the SPA. It recognises that self-evaluation is increasingly well embedded across the wider Scottish public sector landscape and that high quality self-evaluation can lead to continuous improvement and the achievement of excellence in practice and provision.
- 3.9 The VSE process is designed to accord with the principles recommended by the Crerar [Reducing the Burden Action Group](#), in that it is:
- focused on outcomes
 - proportionate to need
 - owned by those carrying out the self-evaluation
 - flexible, with the scope to recognise differences in service levels and types
 - built on existing good practice and relevant existing standards
 - rigorous and transparent
 - designed to secure continuous improvement.
- 3.10 In advance of the review, there will be engagement with the Chief Executive and Director of Strategy of the SPA to discuss methodology and approach. A formal letter will be issued to the Chair by HMICS to notify the review objectives, scope and approach providing indicative dates of on-site activity and other key milestones through to publication.
- 3.11 An information request will be made of the SPA. This will include:
- Governance, reporting and structural charts
 - Strategies, policies and standard operating procedures
 - Agendas and minutes
 - Risk registers and improvement plans
 - Staffing structure and numbers, including any planned changes
 - Performance data
 - Details of any significant events or pre-planned operations (to be factored into the fieldwork to ensure minimum disruption to day to day business).
- 3.12 The review approach will be in four phases:
- Pre-visit/pre-interview preparation, literature review, training, development of review tools and document review
 - Scrutiny risk assessment including interviews with key stakeholders, mapping governance arrangements and observation of meetings
 - Validated/Supported Self Evaluation – observation of process
 - Report preparation and publication

4. Project Impact and Outputs

4.1 Working with the SPA and stakeholders, using the validated self-evaluation process and scrutiny risk assessment, we seek to:

- build the capacity of the SPA to evaluate their own performance through independent evaluation and validation
- promote continuous improvement in leadership, governance and strategic planning
- promote and develop good practice and best value in Scottish policing
- improve the quality of services and outcomes
- provide information to Scottish Ministers and the public on the quality of leadership, governance and strategic planning
- assure the delivery of the benefits of reform and best value more generally

Outputs

4.2 This continuous improvement review will result in the publication of a summary report which will highlight our scrutiny activity, key findings, areas of strength and areas for improvement . It will contribute to our wider assessment of how the Authority has met its statutory obligations to secure best value and continuous improvement. We will also publish a summary of our findings in our Annual Report.

4.3 Outputs from the review will also include:

- Presentations for SPA at initiation and completion of review
- Hot debrief with Chair and relevant senior executives after onsite work
- Press release(s) & supporting FAQs
- Ministerial Minute and Briefings
- Report laid before Parliament

Outputs will support communication of key findings and the report as a whole.

5. Timescale

5.1 The initial project timetable detailed in the HMICS Scrutiny Plan for 2013/2014 indicated that on site review work would be undertaken between April and September 2014. This has since been revised to August 2014 to December 2014.

Key Tasks	Dates*
HMICS Scrutiny Work Plan for 2014/2015 includes a Continuous Improvement Review of SPA	Published April 2014
Scoping Phase	July-August 2014
Preparation of review tools	July-August 2014
SPA Executive Meeting to Finalise Terms of Reference	September 2014
Terms of Reference (Final Version))	September 2014
Notification letter issued (including document request)	Mid September 2014
PSIF Training	Mid September 2014
SPOC identification and meeting to set up interview schedule and agree document provision	End September 2014
Stage 1 – Self-Assessment	15/9/14 – 24/10/14
• Board approve Improvement Plan	30/10/14
• Improvement Plan in place	19/12/14
Stage 2 – Scrutiny Risk Assessment	August - December 2014
Stage 3 – Gap Analysis & Assessment	December - January 2014
Write up report	January – February 2014
Quality assurance of report	February 2014
Factual accuracy check by SPA	February 2014
Final report approved by HMICS	March 2014
Press release	March 2014
Laying before Scottish Parliament and publication of report (report posted on HMICS website)	March 2014
Presentation to SPA Board	April 2014

*All dates are subject to agreement with the SPA.

Further information

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