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HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

# **Thematic Inspection of Police Scotland Training and Development - Phase 2 – Terms of Reference**

March 2021

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# HM Inspectorate of Constabulary in Scotland

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HM Inspectorate of Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012<sup>1</sup> 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).

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.<sup>2</sup>

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

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<sup>1</sup> Chapter 11, Police and Fire Reform (Scotland) Act 2012.

<sup>2</sup> HMICS, [Corporate Strategy 2017-20](#) (2017).

# Our inspection

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## Introduction

1. The HMICS Phase 1 Thematic Inspection of Police Scotland Training and Development<sup>3</sup> was published in September 2020. HMICS have committed in its Scrutiny Plan 2020-21<sup>4</sup> to a phase 2 statutory inspection of training and development, with a particular focus on Police Scotland's approach to equality, diversity and inclusion.

## Aim

2. The aim of this inspection will be to assess the effectiveness and efficiency of Police Scotland in relation to the recruitment, retention, development and promotion of people from underrepresented groups.
3. It will scrutinise how well Police Scotland is meeting its internal duties, responsibilities and commitments in relation to –
  - The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012<sup>5</sup>
  - The Police Scotland : People Strategy 2018-21<sup>6</sup>
  - Joint Strategy for Policing 2020<sup>7</sup>
4. Key questions the inspection will aim to address will include –
  - How can Police Scotland be more representative of the communities it serves?
  - How well prepared are the force to welcome people from underrepresented groups into the organisation?
  - How effectively do the force recruit, retain, develop and promote people from underrepresented groups?
  - What barriers are preventing the force from recruiting, retaining, developing and promoting more people from underrepresented groups?
  - What role does the Code of Ethics<sup>8</sup> play in relation to equality, diversity and inclusion?

## Background

5. The main focus of the Phase 1 Inspection report was on leadership training, continuous professional development and talent management, as well as appraisal and promotion processes. The report highlighted a lack of diversity training provided to those in leadership roles within Police Scotland, and HMICS recognised the need for a concentrated piece of work on equality, diversity and inclusion.
6. Issues of equality and diversity in society are important at any time, but have been amplified during 2020 by the varying degrees of impact of Covid-19 on different groups, and by protests around the world about racism in society.
7. These important issues were further highlighted within the context of Scottish policing in Dame Elish Angiolini's Independent Review of Complaints Handling, Investigations and

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<sup>3</sup> [HMICS Thematic Inspection of Police Scotland Training and Development - Phase 1 0.pdf](#)

<sup>4</sup> [HMICS | HMICS Scrutiny Plan 2020-21](#)

<sup>5</sup> [The Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012 \(legislation.gov.uk\)](#)

<sup>6</sup> [item-8-people-strategy.pdf \(spa.police.uk\)](#)

<sup>7</sup> [joint-strategy-for-policing-2020-v10-spa-amendment.pdf](#)

<sup>8</sup> [Code of Ethics for policing in Scotland - Police Scotland](#)



Misconduct Issues in relation to policing<sup>9</sup>. The report referred specifically to diversity, discrimination and cultural issues within Police Scotland and recommended a ‘broader, fundamental review of equality matters by an independent organisation.’

8. At the Scottish Police Authority Board on 25 November 2020, the Chief Constable announced that the force would be commissioning such a review of equality matters, as recommended. It has not yet been established who will be undertaking this review, however, HMICS will look to liaise with this organisation and take their work into account.

### **Inspection - Terms of Reference – Scope**

9. This inspection will be undertaken by HMICS in terms of the Section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012.
10. HMICS will consider the commitments made in the current People Strategy in terms of the recruitment, retention, development and promotion of people from underrepresented groups. We will also consider a comparative overview of approaches in other sectors and jurisdictions to identify any good practice or improvement areas.
11. HMICS will examine the structure, staffing (capacity and capability), facilities and funding of the training and development function, as it relates to recruitment, retention, development and promotion. The effectiveness of both internal (within Police Scotland) and external (by the SPA) governance and assurance will also be considered.
12. The inspection approach will encompass police officers and staff, as well as special constables, and will consider the level of support afforded to people from underrepresented groups by the force and by the staff associations.
13. The inspection will be holistic in nature and will cover all protected characteristics, however, in order to support the inspection, we will compare and contrast the progress of the force in relation to -
  - Sex, specifically the representation of women in policing; and
  - Race, specifically the representation of people from ethnic minority backgrounds in policing.
14. We aim to identify learning that can translate across all protected characteristics by examining the progress made in relation to these 2 protected characteristics.
15. Police Scotland Recruitment and Selection Department are currently working through a 4 stage restructuring programme. We will assess the effectiveness of the existing recruiting and selection processes and procedures, but will also provide an independent assessment of the proposed changes.

### **Exclusions from Scope**

16. The inspection will consider training delivered to new recruits in relation to equality, diversity and inclusion, however, subsequent phases of this inspection may focus on the new probationer training programme in its entirety.
17. The impact of community engagement on public trust and confidence within different communities, and the subsequent impact of this on the force’s ability to recruit from those communities, will be considered. The Inspection will, however, be primarily focused upon internal factors and will not extend to external service provision.

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<sup>9</sup> [Policing - complaints handling, investigations and misconduct issues: independent review - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/misconduct-reports/pages/10.aspx)



## Objectives and Outcomes

18. The HMICS objective for this inspection is to assess the recruitment, retention, development and promotion of underrepresented groups.
19. Our intended outcomes from this inspection and its publication are to:
  - Provide independent assurance as to the efficiency and effectiveness of the force in terms of its core role and commitments
  - Provide independent assurance on the proposed new recruitment and selection approaches and advise on potential options for improvement
  - Identify critical success factors for implementation of the new approaches
  - Highlight areas of good practice and any areas for improvement.

## User perspective

20. 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 of the service(s) in the scrutiny process. In this inspection we will use available information from and engage directly with Police Scotland officers (including Special Constables), staff and their representative organisations as “users” of training and development services. HMICS will also engage directly with key governance groups and stakeholders including the SPA and Scottish Government.

## Methodology

21. We will use the HMICS Inspection Framework which is based on 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 focused 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.
22. HMICS are mindful of the ongoing impact of the Covid-19 pandemic on policing. In recent weeks all non-essential training courses have been suspended and the force are experiencing levels of absence that have resulted in many officers from the training and development function being returned to front line duties.
23. HMICS will aim to minimise the impact of their inspection on Police Scotland by focusing on readily available information, and by only selecting a limited number of people for interview.
24. The inspection team will follow safe working practices in relation to coronavirus.
25. Depending upon prevailing circumstances, between February – May 2021 we intend to:
  - Identify a single point of contact for HMICS in Police Scotland to support the

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- inspection process and to facilitate appropriate access to people and information
- Liaise regularly with Police Scotland and maintain ongoing engagement with other key stakeholders
  - Observe a number of Police Scotland internal meetings and SPA Committee meetings (Public and Private)
  - Examine relevant documentation including policies, procedures, performance and management information including strategies, plans and course materials. Where possible we will access these documents from open sources, but this phase may require Police Scotland to provide information directly to us. This information will assist in determining our overall judgement as to how well the force fulfils its role relative to the defined scope of this inspection
  - Conduct a comparative overview of relevant training and development areas in other sectors and jurisdictions
  - Engage directly with academic researchers in this field
  - Conduct interviews and focus groups as appropriate

### **Publication and Reporting Timescales**

26. We anticipate publishing a report of our findings in July 2021. Our report 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 Chief Constable, the Scottish Police Authority and the Cabinet Secretary for Justice and laid before the Scottish Parliament. A copy will also be made publicly available on the HMICS website.
27. For further information about the inspection of Training and Development please contact Brian McNulty, Lead Inspector – [Brian.McNulty@Gov.Scot](mailto:Brian.McNulty@Gov.Scot)

### **Gill Imery QPM**

HM Chief Inspector of Constabulary in Scotland

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