

MINUTES OF THE SCOTTISH PRISON SERVICE ADVISORY BOARD MEETING HELD IN THE DUMYAT MEETING ROOM, SPS COLLEGE, POLMONT ON 29 NOVEMBER 2023

Present: Ann McKechin, Non-Executive Director and Advisory Board Chair
Linda Pollock, Deputy Chief Executive, SPS
Sue Brookes, Interim Director of Strategy and Stakeholder Engagement, SPS
Lynne Clow, Non-Executive Director
Ian Harley, RMAC Chair and Non-Executive Director
Adam Jobson, Head of Organisational Development, SPS
Sharon Lawson, Executive Personal Assistant, SPS (Minutes)
Gerry O'Donnell, Director of Finance, SPS
Ali Purdie, Interim Director of Operations, SPS
Gareth Rose, Head of Communications, SPS
Rob Strachan, Head of Strategy and Improvement, SPS
Lisa Taylor, Head of OCE Branch, SPS
Stephen Uphill, Non-Executive Director

In Attendance: Dr Anna MacKenzie, Head of Learning and Development, SPSC (for paper AB(NOV)03/23 only)

Introduction and Welcome

1. The Chair welcomed all present to the meeting and thanked Ms Arnold and Ms Salmons for hosting the earlier visit for Advisory Board members to HMP Stirling; those who attended agreed that it had been an interesting and worthwhile experience.
2. Seventy-eight applications had been received in relation to the recent advertisement for additional Non-Executive Directors (NEDs). Following the sift process, 8 interviews had been held and it was hoped to make an announcement in the very near future. Feedback received from the interviewees had been very favourable in respect of the Corporate Plan.
3. Ms McKechin advised that she was due to meet with the Cabinet Secretary for Justice and Home Affairs in January; the meeting had been delayed due to other Ministerial commitments.

Apologies for Absence

4. Apologies for absence were received from Teresa Medhurst and Gill Stillie who were both on annual leave.

Declarations of Interest

5. There were no new declarations of interest.

Draft Minutes of the Advisory Board Meeting Held on 28 September, Action Points and Matters Arising

6. The draft minutes of the meeting held on 28 September were agreed as a true record. The Action Tracker was updated during the discussion, with several items being closed.

Action: Ms Lawson

Chief Executive's Update

7. In the Chief Executive's absence, Ms Pollock advised that the risk in relation to population levels had increased on the Corporate Risk Register. The increasing population was now starting to impact on establishment regimes, with a large amount of additional work being generated.

8. A visit by the Permanent Secretary to HMP Edinburgh was planned for 8 December to view the arrangements for Home Detention Curfew (HDC). [**Note:** this visit was subsequently postponed until the New Year at the Permanent Secretary's request.]

9. It was announced that SPS' policy on the management of transgender individuals would be published on 5 December. The substantial work that had gone into this review by Mr Strachan and his team, in particular, was acknowledged, and the Advisory Board passed on their appreciation to everyone involved in the process.

10. The publication of the Scottish Government budget was expected on 19 December. Members noted that the Chief Executive and Mr O'Donnell had attended the Criminal Justice Committee on 8 November on the pre-budget scrutiny.

11. The Chief Executive and Director General (Learning and Justice) had attended and given evidence to the Scottish Child Abuse Inquiry and were due to return to give further evidence on 15 December.

12. There were challenges around noise complaints from external residents living next to HMP Stirling. A number of meetings had been held with the residents, local councillors and constituency MSPs to seek a resolution and SPS is currently looking at solutions to mitigate the issues.

13. It was agreed that current pressures around prison numbers and budgets are significant, and consideration was being given to the impact of this. The NEDs appreciated that difficult decisions would require to be made and offered their assistance, with Ms McKechin suggesting that a separate meeting outwith the AB routine meeting schedule be held to discuss priorities in fuller detail.

14. Ms Pollock provided NED members with an update on the current situation in respect of the pay award.

15. Members noted the substantial works being undertaken by all throughout SPS and thanked Ms Pollock for her helpful update and subsequent discussion.

AB(NOV)01/23: Improvement Framework Report Quarter 2 (July-September 2023)

16. As requested at the meeting on 28 September, this report now includes updates on Performance Monitoring, Deaths in Custody, Operations, Prison Population and Private Sector Contracts.

17. The Improvement Framework (IF) provides an integrated account of organisational performance (including a review of the Annual Delivery Plan (ADP) and risk), and this paper provided a summary update as at the end of Quarter 2 (Q2) of 2023-24.

18. Key observations this quarter were:

- There were 7,958 people in our care on 24 November.
- During the 2 month period from 21 September-22 November, there were 52 significant incidents reported across the estate.
- Sadly, there had been 10 deaths in custody within the reporting period: 5 due to apparent natural causes and 5 as a result of apparent suicide.
- There was one non-extreme risk escape recorded in September and one breach of temporary release license during the reporting period.

Scottish Court Custody and Prisoner Escort Service (SCCPES)

19. As a result of the continual issues within the SCCPES contract, SPS has, over the last 12 months, negotiated with the contractor to resolve many of the outstanding issues prevalent across all areas of the contract. This has resulted in a formal contractual review and re-calibration of the contract.

20. The Court Recovery Programme continues to see an increased demand on the contractor as SCTs maximise the number of solemn courts across Scotland. This resulted in difficulties in GEOAmev providing this service in some areas of the country which may impact on the speed of roll-out.

21. Continual consideration has been given on how Justice partners can reduce the demand on current services to concentrate on delivery of the essential contracted core service requirements. This includes more efficient transfer of prison to court custodies in the morning and working with Police Scotland to transfer custodies to court earlier in the morning to free-up staff earlier to carry out non-court appointments. SPS has also worked with GEOAmev to plan to carry out other non-court appointments at weekends.

22. Mr Strachan presented the dashboard to members and a discussion of the data included therein followed, with all agreeing that this was helpful. The Advisory Board members noted the Q2 performance report.

23. A lengthy discussion about the increasing prison population, resources and likely impact then took place. It was agreed that together with internal consultation, there was also a need to hold discussions with external agencies and sponsors about what can be achieved. The Chair recommended that following these discussions, Directors should develop a plan with preferred options which could be presented to the January Advisory Board for endorsement.

Action: Directors

AB(NOV)02/23: Financial Update/Budget Monitoring

24. This paper provided an update on the 2023-24 financial position as of 30 September and following discussion, was noted by members. It was noted that the s.22 audit report from the Auditor General for Scotland would be published shortly.

AB(NOV)03/23: Scottish Prison Service College: Overview of Current Learning and Development Provision and Strategic 5+ Year Plan

25. Dr Anna MacKenzie, Head of Learning and Development, was welcomed to the meeting at this point for this discussion. She advised that the paper provided an overview of SPS' current provision of staff learning and development, recent progress and the longer-term strategic vision.

26. In 2019, the organisational provision of learning and development re-structured from a localised to a centralised resourced, managed by SPS College (SPSC). Embedded in this re-structure was the intention to professionalise the role of the prison officer, including the implementation of direct to Residential Officer recruitment. SPSC staffing was re-structured to reflect this strategy, replacing the previous local Staff Training Officer (STO) with Learning and Development (L&D) Managers. The profile of the L&D Manager is broader than the STO in that it encapsulates not only training delivery, but also design, quality assurance, assessment and internal verification processes. The establishment-based L&D Managers also create and oversee local training plans to ensure competency to role training and relevant CPD is maintained.

27. SPSC now delivers Officer Foundation Programme to new Operations Officers, and Residential Officer Foundation Programme to new Residential Officers. Intake numbers have grown exponentially each year meaning re-development of a professional qualification has slowed but remains the long-term intention.

28. The refreshed Leadership Strategy was developed and launched in 2022 following a period of consultation, benchmarking and desk research. The Leadership Strategy sets out the Vision for SPS Leadership against 3 Strategic Themes: Developing Leadership, Empowering Leadership and Enabling Leadership. It focuses on a relational, values-based approach and is presented, to qualify strategic priorities

for leadership and to enable development of appropriate action plans against the Strategy. Several development opportunities have been piloted to middle management and senior leaders and are currently being reviewed to ascertain effectiveness in line with the strategic and corporate aims for leadership development.

29. The longer-term vision for SPSC is to embed learning and development more comprehensively and consistently throughout the organisation and achieve a wider reach into establishment-based learning. Our current provision of recruit training based solely at SPSC and Fauldhouse is an inflexible mode of delivery and one that has proved a block for some potential applicants. Two pilot groups of establishment-based recruit foundation training are scheduled for 2024-25 to analyse our capacity to deliver to a more localised flexible model. Many establishments have also created successful mentoring schemes to support new staff through the early challenges of the role. The College aims to draw these schemes together by designing an overarching mentoring package for new staff that can be used by all locations.

30. While the on-going development of officer CPD and professionalisation remains the largest aim on the College's longer-term strategy, we will continue to work on wider corporate training needs.

31. The Chair thanked Dr MacKenzie for her presentation and helpful insight into the work of the College. Members noted the update on SPS' current provision of staff learning and development, recent developments, and the longer-term strategic vision and asked Mr Jobson to provide a further update for the March meeting on on-going analysis of the probationer's experience, together with criteria in relation to time points for training and development. [Dr MacKenzie left the meeting at this point.]

Action: Mr Jobson

AB(NOV)04/23: Learning from External Reviews into Culture, Tackling Inappropriate Behaviours

32. This paper provided an update on learning from external cultural reviews, alongside actions being taken across SPS to support cultural change, and is in response to a request from the NEDs to better understand how SPS could learn from external cultural reviews undertaken by other organisations, including the Metropolitan Police Service and London Fire Brigade. It follows previous papers on the 2022 People Survey results, and actions taken across SPS in response to the Survey.

33. Mr Jobson advised that analysis of the "Independent Culture Review of London Fire Brigade", Baroness Casey's "Review of Culture and Behaviours within the Metropolitan Police Service", and the Interim Report of "Police Scotland's Independent Review" highlighted behaviours and practices which SPS should note.

34. It is recognised there is more required to understand the culture, experiences and challenges experienced by those who work within SPS, and SPS has committed to a deep dive review of organisational behaviours and practices to help our understanding. This review, anticipated to commence early 2024, will be informed by, but not restricted to, the findings of the internal audit of SPS' culture governance and reporting mechanisms, commissioned by the Chief Executive, which is scheduled to conclude in November 2024.

35. In the meantime, SPS continues to undertake a range of activities across SPS designed to promote cultural change, including senior leadership workshops, dedicated development programmes for middle managers, peer support and lessons learned within the HR community, additional training sessions and guidance for First Line Managers in tackling difficult conversations. It is also ensured that policies are accompanied by training for relevant functions and the organisation is reviewing its policy development processes to ensure the voices of the workforce and those in our care are captured.

36. Members noted that SPS continues to undertake a range of activities designed to create a healthy and engaged organisation, and is committed to developing a culture where everyone feels safe.

AB(NOV)05/23: Draft Advisory Board Development Plan 2024-25

37. Ms McKechin tabled a draft Development Plan for consideration by members.

38. Following a brief review at the meeting, members were asked to submit any comments they may have to Ms McKechin directly.

Action: All Members

RMAC Chair's Verbal Report

39. Mr Harley provided the Advisory Board with a summary of recent RMAC activity, as follows:

- A standard template for risk registers and the methodology was being rolled-out across establishments to ensure a consistent approach to reporting.
- Lorraine Roughan, Project Executive, attended the last RMAC meeting and a 'deep dive' on the HMP Kilmarnock project had taken place.
- Mr Shepherd from the SG Internal Audit team spoke to the comprehensive Effectiveness Review which had taken place. The NED RMAC members had completed a questionnaire in this respect.

40. Members thanked Mr Harley for his update.

SPS Strategic Development Group (SDG) Verbal Update

41. There had been no further meetings of SDG since the last update was provided. Ms Clow advised that a review of governance groups and options would be undertaken at the next meeting.

42. Members thanked Ms Clow for her update.

Major Projects Management Group (MPMG) Verbal Update

43. Mr Uphill advised that MPMG had met on 28 November and received a presentation on HR transformation which was proceeding well.

44. Members thanked Mr Uphill for his update.

Any Other Business

45. There was no further business discussed.

Draft Agenda for January 2024 Meeting

46. The agenda for the next meeting was agreed as drafted.

Date of Next Meeting

47. The next Advisory Board meeting will be held on Wednesday 24 January from 1300-1630hrs, in the Dumyat Meeting Room, SPSC. It was noted that HM Chief Inspector of Prisons would be attending.

Advisory Board Secretariat November 2023