

Date: 2 February 2023

Audrey Nicoll MSP
Convener, Criminal Justice Committee
Justice Committee Clerks
Room T2.60
The Scottish Parliament
Edinburgh
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By email



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Dear Convener

POLICING AND MENTAL HEALTH

I write in relation to correspondence between the Criminal Justice Committee and Police Scotland, most recently your letter dated 19 December, 2022 and further to information provided by Deputy Chief Officer David Page in his letter of 22 November 2022.

On behalf of Chief Constable Sir Iain Livingstone QPM, I thank you and the committee for your interest and work on the important matter of officer and staff wellbeing. Policing is a hugely rewarding but relentless and demanding vocation. The safety and welfare of our officers and staff, and their families, is a responsibility Sir Iain, and the Force Executive, take extremely seriously and is an absolute priority for Police Scotland.

I have read carefully the anonymised summary of the informal meetings committee members held with six serving and former police officers. Should any of the officers, or their staff associations, wish their specific circumstances to be considered to ascertain what further support may be available, please ask them to contact my office. Police Scotland is also contacting the Scottish Police Federation to offer to discuss the experiences of the officers.

Clearly it is difficult to provide a full response to specific cases without knowing all the circumstances behind them. Notwithstanding that, I know DCO Page shared details of the range of mechanisms we have in place to support the wellbeing of our officers and staff with the committee and I will seek to provide you with further specific detail in response to your questions in your letter of 19 December at Appendix 1.

I agree it is vital to understand the experiences of officers and staff and take action to continue to enhance how we respond to their needs.

That is why we commissioned an independent survey of almost 7,400 Police Scotland officers and staff, around a third of our workforce, by Durham University Business School. They have worked with over 30 police services and their experience and expertise enables credible, meaningful and comparable insights.

The survey, the results of which were published in October 2021, underlined the commitment to public service of our people and the significant demand policing places upon the physical, emotional and mental wellbeing of officers and staff. The results reported that emotional energy, a key indicator of wellbeing, was at a moderate level across Police Scotland, with average scores for police officers higher than that reported in many other forces involved in collaborative research with the business school.

An implementation plan has been established through engagement with policing divisions, the Scottish Police Federation (SPF), Association of Scottish Police Superintendents (ASPS), trade unions and the Scottish Police Authority to respond to the key themes identified within the survey. Additionally, divisions and business areas have been provided with insights to inform and develop local people plans.

Sir Iain has been clear on his determination to drive improvements in working practices, equipment and training to support operational policing and such progress is also important to improve wellbeing. We know, for example from independent research by Robert Gordon University, that equipping officers and staff with mobile devices provided safety, wellbeing, efficiency and service benefits.

Further to our commitment to provide officers and staff with the tools and training they need, we are investing in high quality leadership development for over 5,500 of our people to support police leaders to build and maintain teams which reflect our values, which support the wellbeing of officers and staff and which deliver the effective policing our communities need and deserve.

We also work across the wider justice system, and indeed society, to drive meaningful change which improves the experiences of officers and staff. For example, I agree that being cited for court while on annual leave or rest days causes disruption and frustration for officers and we have been liaising with the Crown Office and Procurator Fiscal Service and the Scottish Courts and Tribunal Service to improve processes in this regard.

When the Scottish Budget was announced in December Sir Iain was clear that, while the allocation for policing in 2023-24 is an improvement on the level indicated in the Scottish Government's Resource Spending Review, hard choices lie ahead to deliver effective policing within the revenue budget available and that our capital funding remains significantly lower than that needed to progress improvements to our technology, buildings and vehicles.

We also recognise the financial pressure upon the public sector in the United Kingdom and Scotland and, indeed, upon individuals and families which can drive vulnerability and displace need upon policing.

OFFICIAL

Police Scotland continues to work with the Scottish Government and Scottish Police Authority to deliver effective policing for our communities within the resources allocated. Supporting the safety and wellbeing of our officers and staff will continue to be a key consideration as we develop those plans.

Progress on wellbeing continues to be overseen through our Wellbeing Governance Board which I chair and which meets quarterly. Police Scotland reports to the Scottish Police Authority People Committee on a quarterly basis.

We work closely with the Scottish Police Authority to continually improve how we understand and respond to the experiences of officers and staff. We are fully engaged with the Authority's ongoing discussions about mental health in policing and we will co-host the next roundtable discussion in Spring with workforce representatives to consider in more detail the impact of exposure to trauma on officers and staff.

I trust this, and the further detail provided in Appendix 1, provides the committee with the information it seeks on this vital matter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'F Taylor', with a large, stylized flourish above the name.

Fiona Taylor QPM
Deputy Chief Constable

Appendix 1

Key issues

1. You asked about the TRiM policy and whether Police Scotland were undertaking a review, and what action was being taken to address the matters raised by officers direct to the Committee.

The TRiM programme has been subject to an in depth evaluation and review, with a number of actions identified for progression, including:

- The recruitment of a further 36 TRiM assessors across the organisation, targeting divisions and departments with lower than expected TRiM referral rates.
- The recruitment and training of a TRiM Co-ordinator for each specialist department.
- Development of a specific Trauma and TRiM training schedule targeting line managers and supervisors across divisions and departments.
- The development of a TRiM handbook specifically for line managers and supervisors, this will emphasise the role of a supervisor.

2. You asked us to confirm if we are reviewing our organisational welfare response.

We are conducting a health and wellbeing programme evaluation and review to develop a health and wellbeing framework and implementation plan.

3. You asked us to confirm how we are exploring opportunities to strengthen collaboration with NHS Boards and/or relevant third sector providers.

An external partner's forum is being introduced which will include partners from staff associations, public health, NHS and third sector colleagues. We also chair a Tri-service Health and Wellbeing Group, which consists of health and wellbeing leads from Police Scotland, Scottish Fire and Rescue Service and Scottish Ambulance Service. The group shares good practice and is a catalyst for collaboration on areas such as mental health and suicide prevention; as well as long term sustainability of health and wellbeing learning, training and the development of pre and post retirement support.

4. You asked about how the organisation will work towards a better understanding of the current attitudes and responses towards mental ill health

As indicated in the covering letter, Police Scotland is investing in our leaders and, as part of the Your Leadership Matters programme, a wellbeing and mental health module will enable line managers to have constructive conversations with their staff, to spot early signs of mental health and support understanding of tools they can employ to engage their people when they ask about their wellness.

To further enhance and extend understating of attitudes and responses to mental health, we convened our first Health and Wellbeing Advisory Group in November 2022, providing a platform for all business areas throughout the organisation and staff associations and Trade Unions.

Each meeting will feature a spotlight topic for discussion, and the first spotlight discussion resulted in our first 'Lived Experience Series'. This series is new and seeks to further understanding of mental health through the experiences of our own people. We will continue this over the next eight months to highlight the importance of safeguarding mental and physical health and to signpost to all available support.

5. You asked about reporting and oversight mechanisms as part of Return to Work Interviews.

Line managers are prompted to cover a range of issues during the Return to Work Interview stage, including mental health. We monitor completion of these interviews to ensure effective and consistent adherence with policy and process.

Discussions relating to welfare, and signposting to support mechanisms can, and do, take place before and/or during an absence. We also have wellbeing champions in place who can signpost officers and staff to resources available to them.

Support and signposting will be provided to officers and staff reporting absence related to mental health along with the provision of follow up advice to line managers via our 'People Direct' absence reporting and support line.

6. You asked for detail on procedures between Police Scotland and the Crown Office and Procurator Fiscal Service, and clarification around the protection of officer rest days for court citations.

I agree that being cited for court on annual leave or a rest day causes disruption and frustration for officers. We have been liaising with the Crown Office and Procurator Fiscal Service and the Scottish Courts and Tribunal Service to improve processes related to criminal justice matters.

All our justice partners accept the court excusal request process is an area which isn't working as well as we would like in all areas of the country. There is a working group considering several issues which are directly related to the impact of court citations which are impacting on officer wellbeing.

One of the main tasks for this group is looking at the court excusal system with the view of developing a new process. While this is ongoing, the team continues to highlight the negative impact that delays in the existing process have, most importantly, on the wellbeing of officers, as well as on our ability to deal with operational demands.

7. You asked for details around virtual court appearances for officers

The Remote Provision of Evidence (RPWE) pilot has been running since January 2022 with 43 Evidence Giving Rooms (EGR) within Police Scotland. This pilot relates to the provision of police witness evidence at High Court trials only. When cited to a High Court trial, all officers are automatically aligned to an EGR within their home division. Current figures indicate 30% of officers are providing their evidence remotely, with the remaining 70% being required to attend court. The decision as to the provision of evidence remotely rests with COPFS.

8. You asked about Mental Health Training

To date, 1029 officers and staff have attended Lifelines training. The training consists of three modules - staying well, understanding resilience and self-care; supporting your colleagues; and post trauma support providing psychological first aid. The Lifelines Scotland training is continuing and the Scottish Government have committed additional funding to extend the training provision and support until September 2023. A 'train the trainer' programme delivered by Lifelines Scotland is nearing completion and will further expand our capacity to continue to deliver Lifelines training through a Police Scotland and peer support lens. 80 officers and staff will undertake the 'train the trainer' programme in the coming months and will expand this offering to the entire organisation.

9. Ill health retirement pilot

Progress on the pilot, including an evaluation, will be reported to the Wellbeing Governance Board and, as appropriate, to appropriate governance within Police Scotland. Relevant updates will be reported to the Scottish Police Authority and we will be happy to update the committee on progress as appropriate.

Police Scotland's policies

1. Approving counselling sessions

The contract and service level agreement provides that following a mental health assessment, officers and staff can access six sessions of support where this has been deemed appropriate. Where clinicians feel additional sessions are required, the Employee Assistance Programme (EAP) will provide eight. If more are required, the EAP clinical psychologist will review the case and again if clinically appropriate these will also be provided.

Our EAP support services can also provide specialist trauma focused support for work place trauma. Officers and staff with symptoms of Post Traumatic Stress Disorder for personal trauma will be referred to their GP by EAP for the appropriate support. The NHS remain our primary health care provider with specialist care for longer term mental health the responsibility of the NHS. Police Scotland recognise the challenges the NHS currently face in the provision of support and it is certainly evident that these challenges are seeing individuals return to the employer to seek support, which when clinically appropriate is provided.

2. Ill health pay

Sick pay for police officers is governed by the Police Service of Scotland Regulations 2013 and the relevant determinations and provides for six months of full pay and six months of half pay. Sick pay arrangements for police staff are governed by our terms and conditions. Full to half pay, (depending on service) is up to a maximum of 6 months full pay and six months half pay.

Officers and staff are entitled to ask for a discretion to be applied not to reduce pay, with one of the accepted grounds being where our officer or member of staff's illness or injury is as a result of executing their duties.

I noted in the statements that the feedback you received came from officer/former officers in or through the Ill Health Retrial process. I can also advise that in recognition of some delays experienced due to the pandemic and reduced Selected Medical Practitioner provision, Police Scotland, maintains officers on full pay whilst in the IHR process.

3. Leavers

Officers leaving are offered pre-retirement courses. We have also recently developed a 'Leavers Site' which signposts retiring officers and staff to support organisations and provides case studies and information on life after retiral.

Police Scotland's HR department

1. Bespoke approach, 2. Communication and 3. Point of contact

Our People and Development (P&D) function works hard to treat everyone fairly and as an individual. We constantly seek to improve how we do that and, for officers beginning the ill health retirement process, an in person or Microsoft Teams meeting is offered with the officer, relevant line manager, Federation representative if appropriate and a colleague from P&D. This is to allow officers to meet their support representatives and build supportive and consistent relations through the process and we will seek feedback on whether this approach improves their experience.

Since April 2019, letters are no longer issued to officers or staff who are on sickness absence. Instead, line managers keep officers and staff updated regarding pay status as part of the absence contact process. Officers in the IHR process remain on full pay whilst in the process.

4. Repeating information

I recognise processes, for example for ill health retirement and injury on duty, at times require multiple consultations and this can be frustrating. In some circumstances, such as the IHR process, these steps are required as per the Police Pensions Regulation 2015 (Scotland) and The Police (Injury Benefit) (Scotland) Regulations 2007 and associated guidance, in order to access entitlements.

5. Accuracy of information

As mentioned, although it is difficult at times to provide comment without the benefit of knowing the full circumstances of a specific case, we are grateful for this insight and will consider how it can inform our practices.

By way of assurance, decision makers have the benefit of full medical opinions when reaching conclusions. Further, there is independent assessment and decision making by the SPA.

Support for officers

Pension payments

The Chief Constable has been clear that the commitment and public service of officers and staff should be recognised and rewarded, particularly at a time when officers and staff are concerned about the cost of living crisis and its impact on them and their families.

Pay awards are agreed through the Police Negotiating Board (PNB). The PNB includes the representatives from the Association of Scottish Police Superintendents (ASPS), Scottish Police Federation (SPF) and the Scottish Chief Police Officers Staff Association (SCPOSA), the Scottish Police Authority, Police Scotland and the Scottish Government with the most recent agreement reached in August 2022.

Financial advice for officers and staff is available through our Employee Assistance Programme, including information on budgeting, benefits and coping with financial crisis.

There are three occupational pension schemes for the Police in Scotland: the Police Pension Scheme (Scotland) 1987, New Police Pension Scheme (Scotland) 2006 and Police Pension Scheme (Scotland) 2015. These schemes are statutory and guaranteed by law, providing pensions and life assurance for police officers in Scotland.

These schemes are administered by the Scottish Public Pensions Agency on behalf of Scottish Ministers.