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LETTER SENT BY E-MAIL ONLY

Audrey Nicoll MSP
Convener
Criminal Justice Committee
Room T2.60
The Scottish Parliament
EDINBURGH
EH99 1SP

3 February 2023

CO-141-2023

Dear Ms Nicoll

Policing and mental health in policing

I refer to your correspondence of 19 December 2022 and our ongoing correspondence and dialogue over the last 9 months on this important area of shared interest.

I read in detail the Criminal Justice Committee's summary of its informal discussions with six current or former officers, published on 7 December 2022. The experiences described to the Committee fall short of the standards of support the Authority would expect for any officer or member of staff to access. In response to your correspondence of 24 October 2022, the Authority has made contact with the Scottish Police Federation to discuss the experiences of these officers. We await a response to our requests.

The Authority and Police Scotland are working hard to promote and embed an inclusive approach to wellbeing across the organisation where officers and staff feel informed, valued and supported. In December 2022, the Authority hosted a conference to discuss the impact of mental health and vulnerability on policing and we are grateful for your input to that. The discussion will continue with a further conference in April which will focus on the impact of trauma on the workforce. This will be jointly hosted

with Police Scotland and we will work with representatives to ensure their experiences and suggestions inform that discussion.

Authority members consistently seek evidence and insights to understand the effectiveness of the health and wellbeing support provided to officers and staff. The views of workforce representatives inform all of our considerations, in particular at our People Committee where health and wellbeing activity is discussed at every meeting, and which staff associations and trades unions regularly attend. Additional internal forums also exist for representatives to raise concerns, including regular meetings led by myself and attended by Fiona McQueen as Chair of our People Committee and our Chief Executive Lynn Brown. I am satisfied that my correspondence with you has been informed by these ongoing dialogues.

The additional queries raised in your correspondence are answered below:

Ill-Health Retirement (IHR) & Injury on Duty (IOD) process review

I can confirm that the Authority's People Committee will consider this review work on 28 February 2023. Improvements to date include the introduction of single points of contact for all officers in the process; an increase in the number of Statutory Medical Practitioners (SMP) working on cases referred by Police Scotland, and the creation of a dedicated post to oversee the IHR and IOD process and drive improvement. We do anticipate ongoing review of these complex processes which are underpinned by guidance and regulation requiring separate consideration by relevant bodies such as the Police Negotiating Board (PNB).

In my correspondence of 25 November, I confirmed that there were 39 'live' Ill-Health Retirement cases in the process for more than 12-months; and 30 'live' applications for IOD awards with the SMP for consideration.

At the end of December 2022, there were 22 IHR cases having reached more than 12-months. Since my correspondence in November, the Authority has approved the ill health retirement of 15 officers with a further 10 in the final stages to be considered by the Authority in the coming weeks (included in the 22 cases referenced above). All cases are assessed and progressed in date order unless there are exceptional circumstances that would necessitate a higher priority being assigned to a specific case. Some cases are more complex than others and rely on specialist opinion from external medical practitioners who are working on a range of cases. It is therefore difficult to predict when these cases will be concluded. I can confirm that additional resources have been assigned to ensure these are concluded as quickly as possible.

In respect of IOD awards, the Authority has approved three cases since our earlier correspondence. There are currently five SMPs contracted to work on Police Scotland cases with plans in place to increase this further.

You asked whether the Force Medical Adviser (FMA) had been appointed to perform the role of the Statutory Medical Practitioner during a post vacancy. The current PNB guidance allows for the FMA to fulfil this role only in cases of urgency, i.e. where an applicant is terminally ill or where an applicant is totally incapacitated due to a physical condition. I can confirm that the FMA has fulfilled this role where required.

In my response of 25 November, I outlined that the IOD process is administered by Police Scotland on the Authority's behalf. You asked about the Authority's oversight of the administration and sharing of information between medical professionals and the SMP. Medical records are strictly confidential and are requested directly by the SMPs from specialists and GPs. Neither Police Scotland or the Authority have access to this level of personal data. The Authority's role is to determine the outcome of requests for an injury on duty award upon receipt of the SMP's recommendation.

I want to reiterate the Authority's commitment and focus on the health and wellbeing of our workforce. With Police Scotland, we are resolute in our efforts to ensure all officers and staff feel informed, valued and supported.

I hope this information addresses your further queries. I will provide an update on the Authority's oversight and activity in this area as it progresses.

Yours sincerely

A handwritten signature in black ink that reads "Martyn Evans". The signature is written in a cursive, slightly slanted style.

MARTYN EVANS
SPA Chair