# **Criminal Justice Committee**

# 12th Meeting, 2023 (Session 6), Wednesday 26 April 2023

# Responses to the Committee's Pre-Budget Scrutiny of the 2023/24 Budget

# Note by the clerk

# **Background**

- 1. At the end of 2022, the Criminal Justice Committee undertook pre-budget scrutiny of the Scottish Government's 2023/24 Budget. The Committee published its views in a <u>letter</u> to the Cabinet Secretary on 9 December 2022. The Scottish Government <u>replied</u> on the 22 December.
- 2. At its meeting of 8 February 2023, the Committee considered the response received from the Scottish Government and agreed to write to several organisations requesting additional information. Responses have now been received and these are set out in the Annex to this paper. Responses were received from:
  - The Scottish Government
  - Police Scotland
  - Scottish Fire and Rescue Service

# **Actions**

3. Members are asked to discuss the correspondence received and what, if any, further information the Committee wishes to ask for.

Clerks to the Committee April 2023

#### **ANNEX**

## Response from Scottish Government (received 19 April 2023)

Dear Convenor

# PRE-BUDGET SCRUTINY: FOLLOW UP QUERIES

Thank you for your letter of 23<sup>rd</sup> February 2023, in which you sought clarification on a number of issues contained within the Scottish Government response to your prebudget scrutiny report.

The information requested is presented below.

## **Police Budgets**

## **Body worn video**

Operational policing decisions on the introduction and use of body worn video and budgetary prioritisation remain matters for Police Scotland to decide, acting under the oversight of the SPA. In November 2022, the SPA Resources Committee approved Police Scotland's Initial Business Case for the introduction of National Body Worn Video, ahead of consideration by the Board. The 2023-24 SPA budget, which contains some provision for body worn video, was approved by the SPA Board at its meeting on 23 March 2023.

The Scottish Government remains fully committed to using the resources available to support the vital work of Police Scotland in delivering effective and responsive policing across Scotland. We have invested over £11.6 billion in policing since Police Scotland was created in 2013 and we will invest a further £1.45 billion in 2023-24. Despite cuts to the Scottish Government capital budget, we have also continued to maintain the £45.5 million core capital investment in the police asset base for buildings, vehicles and technology.

#### Blue light collaboration

The Scottish Government agrees with the Committee that there is a requirement for the justice organisations to work more closely together to deliver further efficiency savings. With that in mind, £5 million of the police reform resource budget will be directed towards supporting cross-justice reform projects including blue light collaboration.

The public sector faces a challenging budgetary environment, combined with the cost of living crisis and the resultant impact on communities. In setting the budget for the upcoming financial year, the previous Deputy First Minister was clear on the challenges that lie ahead and that further efficiencies and savings are still required to ensure Scotland has financially sustainable, person-centred public services. Future plans must therefore demonstrate efficiency and value for money, while continuing to keep the people of Scotland safe and secure.

For policing and fire services, this will mean an even greater emphasis on collaboration, including with other criminal justice agencies to ensure the public receive the most effective and efficient care and protection. It will also require a relentless focus on making sure police are deployed where they add most value, and work efficiently with other agencies. My predecessor in this post met with the Chief Constable, the Chief Fire Officer and the chairs of the Scottish Police Authority and the Scottish Fire and Rescue Service (SFRS) to discuss collaboration in March, and my expectation is that a full business case will be developed to set out the detailed proposals in this area in the coming months.

#### **SFRS**

The safety and welfare of firefighters is paramount and SFRS continue to invest in the repair and maintenance of its buildings so they can deliver services to communities across Scotland. Decisions on the allocation of its capital budget between equipment, fleet and investment in estate is a matter for the SFRS Board and Strategic Leadership Team. The Scottish Government faces difficult decisions on the allocation of a finite and reducing level of capital budget overall and this means that we cannot provide investment in all the areas which have a strong case for additional funding. We are however looking to provide additional investment to SFRS in any way we can, for example, SFRS received £2 million additional investment in green initiatives in 2022-23 over and above its core capital funding as part of the Scottish Government Net Zero ambitions. This grant scheme is continuing for 2023-24 and SFRS will again be considered for additional support based on the case for environmental improvements to its buildings.

On the specific point raised about contaminants, SFRS is fully engaged with the important research which Professor Stec is conducting at the University of Central Lancaster on behalf of the Fire Brigades Union and is one of the leading fire and rescue services in the UK in this area. Significant change has already happened in SFRS policy and procedures and SFRS will continue to do everything it can to minimise the potential impact of harmful contaminants on its firefighters.

## **Barnahus - Revised Delivery Timeline and Phased Approach**

Ministers have approved a revised delivery timeline which consists of a three-phased approach for the development of Bairns' Hoose. This allows time to build in the learning and evaluation needed to ensure that the Bairns' Hoose model is achieving the correct outcomes ahead of national rollout.

The first phase will be the Pathfinder phase from 2023-25. An indicative budget has been agreed for the 2023-24 financial year that will be shared between the Justice, Health and Children and Families Directorates in Scottish Government to support local partnerships. The design and delivery of Bairns' Hoose will be agreed between partners at a local level and through local structures. It is anticipated that Chief Officers' Public Protection Groups, who will play a key role in the delivery of Bairns' Hoose, will collaborate regionally, according to their needs and proximity to local resources; to identify the number of Bairns' Hooses required in their area.

More detail on Scottish Government budget to support this will be provided with the launch of the Pathfinder phase. The budget does take into consideration all elements of Bairns' Hoose, including the Scottish Child Interview Model (SCIM) for Joint Investigative Interviews which is currently being rolled out across Scotland.

Ministers have approved an extension to the publication date of the Bairns' Hoose Standards to May 2023. Ninety-seven consultation responses were received and the extension will allow Healthcare Improvement Scotland and the Care Inspectorate, who have been commissioned by Scottish Government to develop the Standards; the necessary time to amend the draft Standards, taking into consideration the information received during the consultation period.

### **Next Steps**

In the <u>Bairns' Hoose project plan</u> we committed to develop test sites for pilot delivery. We have now commenced this work as the Pathfinder phase with the expected phase outcome that we will have enough knowledge about how the Standards work in different contexts to develop a national Bairns' Hoose model and identify the support required to underpin the pilot phase for that model.

The information gathered during the Pathfinder phase will inform the development of our cost modelling for the pilot phase of Bairns' Hoose, as well as national rollout.

Expressions of Interest for the Pathfinder phase will open in Summer 2023. The key components of this phase will be:

- Trialling the Standards
- Shared learning and gap analysis
- Co-ordination and governance

We have commissioned the Children and Young People Centre for Justice (CYCJ) to provide analytical support for the Pathfinder phase. This analysis will help us shape the pilot phase of Bairns' Hoose. CYCJ will also be conducting an evaluation of the Scottish Child Interview Model for Joint Investigative Interviews and the impact it has had in improving children and their families' experience of joint investigative interviews.

I hope that the Committee finds this additional information helpful.

**Angela Constance Cabinet Secretary for Justice and Home Affairs** 

### Response from Police Scotland (received 3 April 2023)

Dear Convener,

# Police Service of Scotland: Written response to the Criminal Justice Committee Pre-budget scrutiny: follow-up queries

Thank you for your letter dated 23 February requesting clarification on a number of points on the 2023/24 budget. The Chief Constable has asked me to respond on his behalf, my responses are set out below for your consideration.

1) We would welcome further details on what your expectations are for the £5m allocation for the collaboration and co-location opportunities with blue light services across Scotland.

The benefits of co-location of services are well rehearsed and evidenced. Through the work of the Blue Light Collaboration Programme we continue to work with Scottish Fire & Rescue Services (SFRS) and the Scottish Ambulance Service (SAS) to further explore additional opportunities for Blue Light Collaboration. It is our intention to apply to the Scottish Government for funding from the £5m to further develop options for considering how Blue Light services could be more efficiently and effectively integrated and shared to achieve further cost savings and improve service delivery outcomes.

2) Your views on whether the £45.5m in 2023-24 for Police Scotland is sufficient to commence the planned purchase and rollout of body worn video cameras in the next financial year. We seek reassurance that these costs have been factored into the budget for 2023-24 and that you are now able to proceed with the planned project.

A dedicated project team was established in April 2022 to develop the business case for a strategic Body Worn Video solution for Police Scotland. It is anticipated that implementation of the BWV solution will commence on 1 April 2024 (following contract award), with the purchase of hardware and associated training costs to be phased over 3 financial years (2024/25 – 2026/27).

The financial profile (below) shows that the anticipated additional cost in 2023/24 is £0.8m (£0.6m capital / £0.2m reform) which is essentially the staff costs associated with the project team responsible for delivering the business cases and the costs associated with the project delivery team responsible for the overall procurement/delivery.

Provision has been included in the 2023/24 budget to allow this project to progress, however, if no additional funding is available in future years, the additional BWV costs will require prioritisation within our existing budgets.

Body Worn Video is a multi-year project, the key deliverables in 23/24 FY being production and approval of a Full Business Case, agreement of supplier contracts and detailed design/early build stage. The main rollouts, implementation of cameras and

associated standing up of the required software infrastructure are expected across 24/25 and 25/26 Financial Years. Deployment is currently anticipated to be in two main phases, depending on the extent of funding available:

**Phase 1** would equip approx. 10.8k officers (this would include STOs – Taser equipped officers) and approx. 500 custody staff, using a mixture of pool and personal issue cameras, (total 11.3K).

**Phase 2** would equip remaining officers (e.g. CID) with BWV, again utilising a mixture of pool and personal issue cameras (approx. 6.5K).

Splitting implementation into phases allows for more flexibility in terms of funding availability. It is anticipated that the roll-out of BWV would adopt a Division by Division roll-out, (similar to the approach successfully deployed by the Mobile Working Project under DEPP).

The timescale for implementation is estimated to be in the region of 24 months to 36 months post contract award. Projected costs, as per the Initial Business Case, are similarly phased to support rollout.

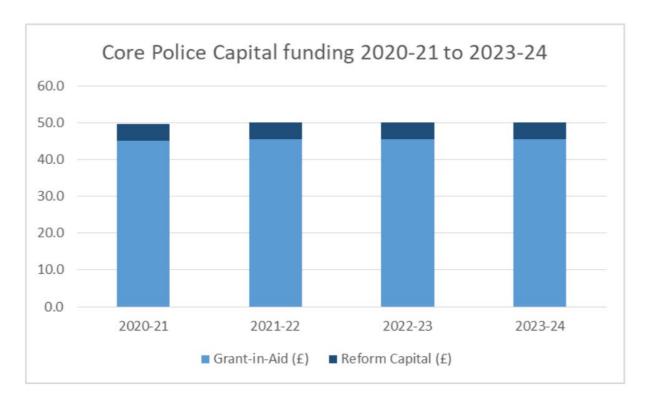
Before full implementation could commence a detailed proposal, including a more comprehensive plan and confirmation of costs, would be developed as part of the Full Business Case (FBC).

Initial Business Case outline costs:

Costs	Year 0 2022/23 £m	Year 1 2023/24 £m	Year 2 2024/25 £m	Year 3 2025/26 £m	Year 4 2026/27 £m	Total £m
Capital	0.0	0.6	3.9	3.8	4.5	12.7
Reform Revenue	0.1	0.2	0.8	0.8	1.1	2.9
BAU Revenue	0.5	1.5	2.1	1.5	0.2	5.8
Total	0.7	2.2	6.8	6.1	5.7	21.5

3) The Scottish Government has said it is maintaining your capital budget at £45.5m in 2023-24 for investment in police assets including the estate, fleet and technology. It would be helpful if you would provide a breakdown of how you plan to use this allocation, and some detail on what projects it will cover.

By way of context, the 2023/24 core capital budget is the 4th year that policing has had a  $\sim$ £45m allocation.



There are differing levels of inflationary pressures over different capital budget lines, but we estimate that a flat cash capital allocation represents at least a 10%-30% reduction in the purchasing power of the capital budget over this period. The largest real terms reductions have come from the Estates capital budget which has seen construction inflation around 30%.

In the current high inflationary environment, it has been indicated to us that policing will continue to see flat cash capital funding allocations for the remainder of the current Parliament. If this were too happen, we would expect to see a further significant reduction in the buying power of our capital allocation.

We are estimating that with our core Grant-in-Aid of £45.5m, along with Reform Capital (now baselined) £4.6m and projected capital receipts of £2.9m, that we will have £53m of capital funding in total for 2023-24. This is not sufficient to meet our basic needs of our asset rolling replacement programme, which the minimal spend that we need just to stand still. The total requirement for our rolling replacement programme in 2023-24 as set out in our 2023-24 Budget Report is £55.6m as set out in the table below:

Rolling Replacement category	£m		
Estates	12.9		
Fleet	14.5		
Fleet infrastructure	5.3		
ICT	13.9		
Specialist Policing Equipment	5.1		
Weaponry & officer safety	2.1		
Forensic Services	1.8		
TOTAL	55.6		

In total, policing needs £85.1m to meet its investment requirement for 2023-24. This is a level consistent with previous years, and we have been stating publicly throughout this period that policing in Scotland requires a capital allocation of £80m-£100m each year to be sustainable.

In order to manage this shortfall in funding without grinding initiatives to a halt, we have over-allocated the capital budget in 2023-24 beyond the resources available to us. This means that the SPA Board approved policing to progressive with all of the £85.1m of investment spend required in 2023-24, and the finance service will then actively work with capital budget holders during the year to manage the spending down by "slipping" spend into 2024-25 as required, through a process that we call "slippage management" so that we don't overspend against the £53m of resources available to us in 2023-24.

This is not a sustainable position, as we are simply pushing the cumulative underfunding issue into future years. If capital resources are not increased for policing in the short to medium term, it will not be long before the following year capital allocation could already be committed before the allocation is even formally approved.

The table below is an extract from the 2023-24 Budget report and highlights the £85.1m of investment initiatives that are required in the year ahead, and how we require £32.1m of "slippage management" during the year, to balance the budget against the £53m of funding available to us.

		Capital £m
	Estates	12.9
Rolling replacement	Fleet (rolling replacement)	14.5
em	Electric Vehicle Infrastructure	5.3
plac	ICT	
re	101	13.9
ing	Specialist policing equipment	5.1
	Weaponry & officer safety	2.1
	Forensic services	1.8
Chan	Corporate Change (incl. EPF and VR VER)	0.2
ئ ت	Data Drives Digital	3.0
	Digital Division Projects	0.9
	Digitally Enabled Policing Programme	4.1
	Body Worn Video	0.6
	Estates Transformation, Review and Rationalise	15.0
	Forensic Service 2026	0.3
	Hate Crime	0.5
	Modernised Contact & Engagement	0.5
	Other	0.2
	Policing in a Digital World	1.5
	Rights and Justice Legislative programme	2.3
	Technical Surveillance	0.4
	Slippage Management	-32.1
Tota	al Capital	53.0
Funding	Core grant in aid	50.1
Fun	Capital receipts	2.9
Tota	al Funding	53.0

Therefore in summary, a core funding allocation of £45.5m, along with reform and capital receipts, will give a total of £53m for the year ahead. This will allow us to progress with the initiatives in the table above from 1 April, but this will need to be curtailed by £32.1m in year, which represents a reduction of 38% of required spend, to live within the budget envelope afforded to us. We will manage the 'slippage' by careful monitoring on a month to month basis the balance of capital management influencing factors such as supply chain issues, inflationary movement and procurement challenges.

4) The Scottish Government has said it will increase your resource budget by 6.3%, i.e. an additional £80 million. It would be helpful if you would provide a breakdown of how you plan to use this allocation. We are particularly interested in how this will impact on officer and staff numbers, as well as how much may be taken up by any new pay award and the amount left for other priorities.

Whilst this settlement is not as severe as the flat cash position indicated by the Resource Spending Review (RSR), £37m of the £80m - almost 50% - is required to meet the costs of the 2022/23 5% pay award, leaving a true 'increase' in resource for FY 23/24 of only £43m for other priorities.

When offset against inflationary and other unavoidable cost pressures, alongside expectations for 2023/24 pay award this actually represents a real terms reduction in funding requiring difficult choices to be made.

Every 1% of pay award requires ~£11m of recurring funding. The core budgeting assumption is that the overall workforce will require to reduce by ~3.7% in order to make the necessary savings required to deliver a balanced budget for FY 23/24. Significant work has been undertaken to identify how this will be managed in the forthcoming financial year, with the overarching approach focusing on reducing service levels rather than seeking to stop any activity.

Key budgeting assumptions to operate within the resource budget include:

- A reduced workforce with an operating model of ~16,638 officers.
- Core officer overtime to be managed within the current budget allocation.
- Staff workforce reductions proportionate to the reduction in officers (a process which will be agreed with union staff representatives).
- Continuing with Estate maintenance being focused only on priority 1 and priority 2 repairs covering statutory, Health and Safety and security maintenance. We are conscious that this will continue to result in the ongoing long term degradation of the Police estate and the conditions that officers and staff are required to work in. We will try to mitigate the impact on officer / staff wellbeing wherever possible.
- Smarter energy / sustainability savings
- Reduction in ongoing service maintenance and repairs costs as we continue to transition our fleet to ULEV.
- Procurement efficiencies.
- Blue Light Collaboration

Yours sincerely,

David Page
Deputy Chief Officer

## Response from Scottish Fire and Rescue Service (received 31 March 2023)

# **Dear Audrey**

Thank you for your letter dated 23 February 2023, please find our response to the queries raised by the Justice Committee detailed below.

1) The Scottish Government has decided to maintain the capital budget for the Scottish Fire and Rescue Service (SFRS) at £32.5m in 2023-24. Will this be sufficient to cover investment for pressing need for appropriate cleaning facilities in all fire stations to enable firefighters to clean themselves properly when returning from incidents? What are your expectations in this regard?

Capital funding of £32.5million per annum is not sufficient to meet all the Service's needs. SFRS has for many years highlighted the need for additional capital funding and this was supported by Audit Scotland's report in May 2018.

Our recently developed 10 year Asset Investment Plan indicates capital funding of £63million per annum is required to bring our assets to a satisfactory condition and improve the suitability of our community fire station portfolio to provide both dignified facilities and areas to support contamination control and cleaning.

The Service has adopted a risk based approach to allocating its limited capital funding as we need to invest in our assets in property, fleet, Personal Protection Equipment (PPE), operational equipment and ICT from the budget provided.

Whilst we do not have adequate facilities across all our 357 stations we provide firefighters with cleaning products to clean their equipment and firefighters are encouraged to send contaminated PPE for specialist cleaning via our contracted laundry service.

A unified programme of work is being undertaken to provide both dignified facilities and contaminate control areas at our stations. The Service will invest £7.5million over the next three years to provide facilities at six stations.

2) It would be helpful if you would provide a breakdown of how you plan to use the £32.5m and some detail on what projects it will cover

The Service has a three-year capital programme which was approved by our Board on the 30th March 2023. A summary of the programme is included in the table below.

	Estimated Total Net Cost	Funded in Previous Years	Spend Profile				
Category			2023/24		2024/25	2025/26	Total
			LC	NYLC			
Property - Major Works	42,653	1,433	960	8,370	19,870	12,020	41,220
Property - Minor Works	21,675	4,675	1,174	3,826	6,000	6,000	17,000
Fleet	24,325	-	4,214	4,061	7,550	8,500	24,325
ІСТ	26,335	11,020	939	5,216	5,830	3,330	15,315
Operational Equipment	9,640	-	-	3,740	3,250	2,650	9,640
Transition to Net Zero (Externally Funded)	4,640	3,140	-	1,500	-		1,500
Sub-total			7,287	26,713	42,500	32,500	109,000
TOTAL (LC+NYLC)	129,268	20,268		34,000	42,500	32,500	109,000

\*LC – Legally Committed \*NYLC - Not Yet Legally Committed

Total proposed expenditure over the 3-year period is £109.000million, funded by anticipated Capital DEL budget of £97.500million (£32.500m per annum); estimated capital receipts from fleet disposals and sale of property of £10.000million (£10.0million in 2024/25) and Net Zero Transition Grants of £1.500million (£1.5million in 2023/24). Proposed expenditure of £41.220million on Property – Major Works (£9.330million, £19.870million, £12.020m) is to progress a number of replacement Fire Stations, including RAAC station replacements at Dalkeith, Liberton, Cumbernauld, Helensburgh and Portree Fire Stations.

In addition, as part of a long-term programme of investment in our fire stations to start addressing issues of dignified facilities and contaminants control, £7.5million investment will be made over the next three years in our stations at Inverness, Salen, Galashiels, Dingwall, Newcraighall and Stirling. Targeting elemental upgrades will also address aspects of condition and suitability, and the proposed expenditure will enable minor upgrade and modifications across the SFRS Property portfolio. £3.460million of the £41.220 million total for Property will be used to purchase sites for New Build projects, property disposals and for project management.

Proposed expenditure of £18.500million on Property – Minor Works/Net Zero (£6.500million, £6.000million, £6.000million) will be targeted to essential upgrades to address health and safety aspects of condition, while addressing some immediate priorities in support of workforce diversity; as well as investing in the electrical charging infrastructure for light fleet and various carbon reduction projects to progress the Service's Carbon Management Plan.

Proposed investment of £24.325million in Fleet (£8.275million, £7.550million, £8.500million) Previous investment in fleet has helped to reduce the fleet backlog, and

there is a significant reduction in fleet investment over the period to enable investment in new station developments. The planned investment will enable us to continue the modernisation of our frontline fleet in particular high reach (aerial) appliances, and frontline appliances benefitting from environmental improvements, and will enable the introduction of new vehicles specifically designed to support Wildfire firefighting, new Prime Movers and removable container units (PODS), Water Carrier Vehicles, Line Rescue Appliances and Fire Investigation Units. The investment will also enable the SFRS to transition some existing Light Fleet vehicles, to net zero vehicles over the three year period.

In ICT, the proposed investment of £15.315million (£6.155million, £5.830million, £3.330million) will enable the progression of the new command and control mobilising system, deployed across the three control rooms, providing resilience in this critical aspect of service delivery. This budget will also facilitate the ongoing investment required in short life ICT assets that need constant refresh to ensure our critical ICT infrastructure is maintained and new developments that support our Digital Strategy. The aim is to enable our people to have access to the right information on the right device, at the right time. This includes Operational Mobilisation Communications/Radios.

Finally, proposed investment of £9.640million in Operational Equipment (£3.740million, £3.250million, £2.650million) having completed the rollout of new PPE in previous years and accelerated the investment in Powered Rescue Equipment last year. This enables ongoing investment in PPE for our new firefighters and also provides for the ongoing standardisation and renewal of the many time expired items of equipment carried on fire appliances and other specialist vehicles, and will enable the introduction of a state of the art wildfire response capability.

3) The Scottish Government has said it will provide a further uplift of £10m resource for 2023-24, which will bring the SFRS total budget to £362.7m. It would be helpful if you would provide a breakdown of how the Service plans to use this £10m. We are particularly interested in how much of this may be taken up by a new pay award and how much would therefore be left for other priorities.

SFRS appreciated the increase in our total funding to £362.7million as part of the proposed Scottish Budget published on the 15th December 2022. Specifically, the £10million increase in our resource budget from £294.2million to £304.2million is very much welcomed by the Service and provides additional funding to help support pay awards and inflationary pressures expected in 2023/24.

Approximately 80% of the Service's resource budget expenditure relates to employee costs. Pay awards therefore have a significant impact on the Service's anticipated expenditure and budgets.

SFRS agreed a pay offer for support staff for 2022/23 at 5% and anticipates pay negotiations will commence shortly following the pay claim for this staff group being received recently. For uniformed staff pay, SFRS operates within the UK-wide National Joint Council (NJC) arrangements. For the 2022/23 pay award additional funding was agreed with Scottish Government (SG) to support an NJC offer of 5%, however this as rejected by the members of the Fire Brigades Union. On 9th February 2023, a revised

pay offer of 7% for 2022/23 and 5% for 2023/24 was proposed via NJC and has been accepted.

SFRS received an additional £3.3million one off funding to support 2022/23 pay awards and has an agreement with SG to overspend up to £2.9million this year. For 2023/24 SG Justice Portfolio intends to allocate a further £4.4million at the Autumn Budget Revision to support the recent firefighter pay agreement.

In reality, the £14.4million additional funding for 2023/24 will be used to support pay awards and therefore employee costs. To give context, a 1% increase in support staff pay is approximately £0.4million additional cost and a 1% increase in firefighters pay is approximately £1.8million additional cost.

Therefore, despite the £14.4million increase, inflation and pay pressures plus the indicative flat cash funding over the remaining Resource Spending Review period until 2026/27 will require the Service to make savings in 2023/24 and subsequent years.

I trust this will provide the Justice Committee with sufficient information following their scrutiny, if you require any further information please contact me.

Yours sincerely

Ross Haggart Chief Officer