



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## JCC Circular 24 of 2017

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27 June 2017

Attachments: HMICS Thematic Inspection of the Scottish  
Police Authority Forensic Services - EMBARGOED copy

Dear Colleague

### **HMICS Thematic Inspection of the Scottish Police Authority Forensic Services - EMBARGOED COPY**

I refer to the above and attach self-explanatory documentation for your information.

Yours sincerely

**Calum Steele**  
General Secretary



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HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

## **Thematic Inspection of the Scottish Police Authority Forensic Services**

June 2017

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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 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).<sup>1</sup>

We have a statutory duty to inquire into the arrangements made by the Chief Constable and the SPA to 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.

**This inspection was undertaken by HMICS in terms of Section 74(2) of the Police and Fire Reform (Scotland) Act 2012 and laid before the Scottish Parliament in terms of Section 79(3) of the Act.**

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



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## Acknowledgements

HMICS would like to acknowledge Tom Nelson, SPA Director of Forensic Services and Detective Chief Superintendent Sean Scott and their staff for their ongoing co-operation and support during our inspection work. This work was led within HMICS by Tina Yule. Executive lead was provided by Gill Imery QPM, Assistant Inspector of Constabulary.

# Our inspection work

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## Introduction

This report provides an assessment of the **effectiveness and efficiency of the leadership, governance, management and delivery of forensic services provided by the Scottish Police Authority (SPA)**. It scrutinises how the SPA is meeting its statutory obligations under Section 31 of the Police and Fire Reform (Scotland) Act 2012 by providing forensic services to Police Scotland, the Police Investigations and Review Commissioner and the Lord Advocate and Procurators Fiscal.

The background to this inspection, the objectives and methodology are outlined within the Terms of Reference,<sup>2</sup> which were published on 1 December 2016. Our methodology is detailed in Appendix 1 of this report.

Forensic Services is a single national service which plays a key role in supporting the justice system in Scotland in the investigation, detection and prosecution of crime. Whilst it is a relatively small service when compared with Police Scotland, Forensic Services is widely recognised as a scientific leader in employing the latest technologies and in obtaining quality accreditation for its services. It was the first UK provider to successfully introduce and gain accreditation for the new DNA 24 chemistries, as well as bringing new YSTR DNA technology and accreditation for complex mixture integration software (STRmix) to Scotland.

The service has been subject to continual change and review for the past ten years, whilst maintaining business as usual to its customers. This change has included migration of two of its largest service centres to state of the art scientific facilities at Dundee and the Scottish Crime Campus at Gartcosh. Like other public bodies, it has consistently been required to make revenue savings which, as a small organisation heavily dependent on its staff, scientific equipment and facilities to maintain a high quality, credible service, has been very challenging. Senior management and staff are to be commended for maintaining a quality service throughout this period of change and financial constraint.

Serious and major crimes investigations receive an excellent level of forensic service. We identified no issues with the quality of results from forensic testing. However, it is clear that demand for forensic services is ever-increasing and both capacity and investment within the service are not keeping pace. Caseloads<sup>3</sup> are increasing and some volume crime investigations can wait for over 12 months to receive results.

This report highlights a number of areas of strength regarding the service currently provided:

- Forensic Services staff are dedicated and committed
- The forensic response to serious and major crime is excellent
- Advances in scientific technology have been deployed to great effect
- Quality assurance processes are strong
- New modern facilities in Gartcosh and Dundee have been established

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<sup>2</sup> HMICS, [Scottish Police Authority – Forensic Services: Terms of Reference for HMICS Inspection](#), December 2016.

<sup>3</sup> Caseload refers to all the work received into Forensic Services including cases recently arrived and those that have been in the system for a longer period of time and are awaiting completion.



Our inspection follows an earlier review by external Consultants in 2015 that was commissioned by the SPA into Forensic Services. We took the opportunity to review the progress that had been made against the Consultants' recommendations and an update can be found in Appendix 4.

I have made 23 recommendations for improvement and have highlighted a number of issues:

- There has been no identifiable strategy for the delivery of forensic services in Scotland.
- SPA governance and scrutiny over Forensic Services has been weak.
- Performance reporting is immature and limits effective scrutiny.
- There has been an inability to significantly improve the management of demand and reduce failure demand.
- There is inconsistency of processes across Police Scotland due to legacy ICT systems and divisional approaches.
- There is weak communication and engagement between management, staff and unions.

Generally there has been a lack of progress across the majority of improvement areas which were previously highlighted to both the SPA and Police Scotland. These can be attributed to a lack of resource to progress improvements, weaknesses in strategic leadership, a lack of effective support from the SPA Board and its partners.

I would also note that at the request of the SPA Chair, HMICS provided professional advice on options for future governance and delivery of Forensic Services in October 2016. This advice was not taken up and the SPA Board approved a revised corporate governance framework in December 2016 which did not address the issues we had identified. I have therefore taken the opportunity to reconsider these issues and have incorporated them into our inspection report.

We should be proud of the Forensic Service in Scotland. It has many attributes which should be valued: its independence, its advanced science, its quality approach, and its staff. However, without ongoing investment, changes in governance and structure, strengthening strategic leadership and a commitment to continuous improvement, the delivery of forensic services will be at risk.

**Derek Penman QPM**

HM Chief Inspector of Constabulary in Scotland  
June 2017

## Key findings

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- Forensic Services has a proven track record in adopting cutting edge technology to support policing in Scotland.
- There has been no strategy in place for the delivery of forensic services in Scotland for over four years.
- There may be scope for the approach in Scotland to conform to the same standards as those in the rest of the UK (set out in the UK Home Office Forensic Strategy). This would facilitate greater interoperability.
- The SPA, as the governing body, has not provided strategic leadership over Forensic Services and has not put in place a clearly established strategy, investment plan and joint planning cycle. There have also been weaknesses in the strategic engagement with Police Scotland and the Crown Office and Procurator Fiscal Service.
- The decision by the SPA to create a Management Advisory Group for forensics does not take account of the views of partners nor the advice previously provided by HMICS. The HMICS Professional Advice Note highlighted a number of governance risks which remain unaddressed.
- Forensic Services staff do not identify themselves as being part of the SPA.
- The 2014 Memorandum of Understanding between the SPA, Police Scotland and the Crown Office Procurator Fiscal Service has not been changed following review. This has limited partners' ability to assess the effectiveness of governance and scrutiny arrangements on service delivery.
- The impact of demand for forensic services, geographical spread of staff and current functional structures continues to present major challenges in terms of leadership and management and is having a direct influence on staff morale.
- A number of service initiatives and improvements have been deferred due to a lack of capacity and programme/project management skills within the service.
- The quality of forensic work undertaken by Forensic Services is good.
- All stakeholders were both supportive of the service provided and generally aware of the resourcing issues which were being faced. However most had a limited understanding of the actual performance currently being delivered.
- Current forensic performance reporting to the SPA Board offers only high level information and does not cover many of the key functions of service delivery. These limitations are preventing the SPA Board from effectively holding the Chief Executive to account for the delivery of forensic services.
- Current performance reporting demonstrates that Forensic Services is consistently working above capacity. All its functions have a degree of backlog impacting on their performance with a consistent trend of increasing caseload in a number of areas.
- There are no issues with the provision of forensic services for major investigations, however the service delivered to local policing divisions at an investigative stage is often substantially poorer.



- There is no evidence to suggest concerns regarding the quality of evidence or operational independence of the current Police Scotland Cybercrime Unit delivery model and no imminent requirement to relocate elements of cybercrime to the SPA. However improved visibility could be provided through performance reporting and scrutiny at the SPA Policing Committee.
- There is no decision making framework, guidance or notional costing model in place to support the prioritisation of work through the forensic gateway system.
- There is a high degree of failure demand across the 'end to end' forensic process from requesting crime scene attendance to the delivery of results which is not being systematically addressed.
- There is major process variation across Forensic Services, Police Scotland and the forensic gateway portals largely due to legacy processes, ICT systems, culture and practice.
- Forensic Services is a leader in pursuing and retaining UKAS accreditation. Fingerprint services are the first such function in the UK to become ISO 17025 accredited and Scene Examination are currently pursuing ISO 17020 accreditation.
- The SPA and Police Scotland have failed to deliver on a number of improvement initiatives due to a lack of resource and cohesive approach to continuous improvement.
- The most contentious issue for staff was the ongoing harmonisation of their terms and conditions across Police Scotland, the SPA and Forensic Services with an approximate three year delay in delivery.
- The geographical spread and functional silos within Forensic Services are exacerbating weak communication and engagement between management, staff and unions.
- Opportunities for training, development and cross-functional working within Forensic Services are being restricted due to operational workload.
- Forensic Services had an operating budget of £27.7m in 2016-17. This constitutes only 2.6% of the overall SPA policing budget, which includes Police Scotland. Forensic Services has consistently faced challenging financial circumstances in its operating revenue budget.
- Forensic Services currently has no means to accurately cost its activities and limited financial support and expertise to develop effective costing and charging models.
- There are conflicting views on the effectiveness of the forensic Evidence Management ICT system as a business tool.
- The failure to deliver the i6 system, and a lack of a single national crime management system within Police Scotland linked to a production management system, presents major challenges in terms of productions handling, demand analysis, management reporting and process efficiency for Forensic Services.
- A number of corporate business support services provided by Police Scotland are not effectively supporting the business of Forensic Services.



# Recommendations

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## **Recommendation 1**

The Scottish Police Authority and Scottish Government should engage in the implementation of the Home Office Forensic Science Strategy to inform the approach in Scotland, explore common standards and support future interoperability.

## **Recommendation 2**

The Scottish Police Authority should deliver a forensic strategy, aligned with those of Police Scotland and COPFS and their strategic planning cycles, with a supporting investment plan.

## **Recommendation 3**

The Scottish Police Authority should institute a formal Forensics Committee as a matter of urgency.

## **Recommendation 4**

The Scottish Police Authority should review its partnership governance structures for Forensic Services and undertake a fundamental review of the Memorandum of Understanding ensuring that this process is thereafter undertaken on a regular basis with appropriate consultation with Police Scotland, COPFS and the PIRC.

## **Recommendation 5**

The Scottish Police Authority should review the senior management structure for Forensic Services.

## **Recommendation 6**

The Scottish Police Authority should develop capability and capacity within Forensic Services to deliver change and improvement. This should complement the creation of the specialist Programme Management Office within Police Scotland and provide dedicated programme and project management expertise to Forensic Services.

## **Recommendation 7**

The Scottish Police Authority should work with Police Scotland and COPFS to design and implement a new performance management framework for the demand and delivery of forensic services.

## **Recommendation 8**

The Scottish Police Authority should implement a systematic approach to the gathering and reporting of feedback and complaints on Forensic Services delivery.

## **Recommendation 9**

Police Scotland should consider quality accreditation for digital forensics in line with Forensic Science Regulator recommendations, UK Forensic Strategy and wider good practice in order to support effective public performance reporting and assurance.

## **Recommendation 10**

Police Scotland should review the role and capacity of portal gateway managers to improve local liaison around investigative priorities and ensure greater involvement in tasking and co-ordination processes linked to national processes.

## **Recommendation 11**

The Scottish Police Authority and Police Scotland should implement a new decision making framework and appropriate guidance to support the prioritisation of forensic examinations. The implementation of this should be formally evaluated.



### **Recommendation 12**

The Scottish Police Authority should work with Police Scotland and COPFS to develop capability and capacity within Forensic Services to systematically address failure demand.

### **Recommendation 13**

The Scottish Police Authority and Police Scotland should review and implement the new Crime Scene Attendance Policy to support a national approach with a focus on maintaining quality of service to the public and assuring operational competence of officers undertaking scene examination.

### **Recommendation 14**

Police Scotland should work with the Scottish Police Authority to develop a national approach to productions management, storage and transportation of items seized for forensic examination.

### **Recommendation 15**

The Scottish Police Authority and Police Scotland should implement the recommendations of the previous Police Scotland led Lean Six Sigma review.

### **Recommendation 16**

Police Scotland and the Scottish Police Authority should introduce processes to dynamically monitor and report on the caseload including backlogs within Forensic Services at both a national and local level.

### **Recommendation 17**

The Scottish Police Authority and Police Scotland should implement an improvement planning process aligned with its strategic planning cycle and develop capability and capacity in applying the best practice tools and techniques for continuous improvement.

### **Recommendation 18**

The Scottish Police Authority should develop a transparent workforce and demand planning model for Forensic Services.

### **Recommendation 19**

The Scottish Police Authority should develop an enhanced staff and Union engagement approach within Forensic Services which includes the introduction of Personal Development Conversations across all Forensic Services staff groups with immediate effect.

### **Recommendation 20**

The Scottish Police Authority should develop a forensic services costing model with appropriate support and expertise to support demand management and future income generation.

### **Recommendation 21**

The Scottish Police Authority should commission a review of Evidence Management System functionality and investment profile against business requirements and link process efficiency work into future EMS development and refinement.

### **Recommendation 22**

Police Scotland should further consider the impact of i6 cancellation on Forensic Services and ensure that interfaces and provision of other business support systems are included in the development of their future ICT investment plans.

### **Recommendation 23**

Police Scotland should develop formal Service Level Agreements for the delivery of corporate support services to Forensic Services, reflecting agreed service levels, performance measures, regular monitoring and Customer Relationship arrangements.



## Background

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1. The Scottish Police Authority (SPA) was established under the Police and Fire Reform (Scotland) Act 2012 and has a statutory responsibility<sup>4</sup> to provide forensic services to the police service, the Lord Advocate and Procurators Fiscal and the Police Investigations and Review Commissioner (PIRC). The Chief Executive of the SPA has oversight of the management and delivery of Forensic Services in Scotland and is the Accountable Officer.<sup>5</sup>
2. This establishes a clear relationship between the SPA as the supplier of services to these organisations. This is characterised as a partnership by the organisations involved and is reflected in the Memorandum of Understanding (MOU)<sup>6</sup> which details the operating arrangements and in the governance arrangements which support its delivery.
3. Whilst the MOU sets out the partnership arrangements between SPA Forensic Services, Police Scotland and the Crown Office Procurator Fiscal Service, it does not affect the independence of the Lord Advocate to make decisions on prosecutions and prosecution policy<sup>7</sup> as he sees fit. COPFS has an important role as a primary user of the service to work with Forensic Services and Police Scotland to ensure the service is delivered as efficiently as possible, however ultimately it is the statutory duty of SPA Forensic Services to fulfil any requirements for forensic services stemming from the decision by a prosecutor, in accordance with Lord Advocate's policies, that a case ought to be prosecuted.

### Previous arrangements

4. Prior to 2007, the eight legacy police forces maintained their own forensics laboratories and services with fingerprint services delivered nationally by the Scottish Criminal Record Office (SCRO). This changed when the Scottish Police Services Authority (SPSA) was formed on 1 April 2007<sup>8</sup> and forensic services were combined into one national organisation.
5. The new national forensic service brought together eight scene examination units, four fingerprint bureaux and four forensic laboratories all with different shift patterns, standards, processes and resource models. The genesis and issues associated with the SPSA are fully set out in the Audit Scotland report 'Scottish Police Services Authority' published in October 2010.<sup>9</sup>
6. This report stated that forensic service delivery had significantly improved under the SPSA with a fully integrated national 'crime scene through to court' service encompassing all of the main disciplines involved in supporting the investigation and prosecution of crime. It was also reported that closer working with criminal justice partners was reducing the backlog of samples requiring analysis.
7. In December 2010, the then Cabinet Secretary for Justice,<sup>10</sup> announced a set of reforms that would improve the efficiency and consistency of the forensic service, particularly in the analysis of volume crimes.

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<sup>4</sup> Chapter 3, paragraph 31 of the Police and Fire Reform (Scotland) Act (2012).

<sup>5</sup> Scottish Government, [Memorandum to Accountable Officers for Other Public Bodies](#), 15 May 2012.

<sup>6</sup> Memorandum of Understanding between SPA Forensic Services, Police Scotland and COPFS - April 2014 (Internal document).

<sup>7</sup> <http://www.legislation.gov.uk/ukpga/1998/46/section/48>

<sup>8</sup> [Chapter 1 of Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(subsequently repealed by Police and Fire Reform \(Scotland\) Act 2012\).](#)

<sup>9</sup> Audit Scotland, [The Scottish Police Services Authority](#), October 2010.







<sup>10</sup> Cabinet Secretary for Justice, [announcement](#), 2 December 2010.

8. Following this announcement, a modernisation programme was launched which included a restructuring of Forensic Services and the deployment of a single national evidence management system which was intended to improve efficiency. In addition, work was undertaken to harmonise processes and enhance technology, against the backdrop of achieving significant financial savings and maintaining service levels.
9. The national Forensic Service was established as a Directorate under the Scottish Police Authority on 1 April 2013.

### Current arrangements

10. Forensic Services plays a crucial role in supporting the justice system in the investigation, detection and prosecution of crime. The services provided are shown at Figure 1.

Figure 1: Forensic Services Delivery

	<b>Scene Examination</b>	Scene examiners conduct searches of crime scenes and the surrounding area to recover the evidence which can prove or disprove if a crime has occurred. They will look for fingerprints, footprints, DNA and any other forensic evidence which will be submitted to the laboratory for analysis and processing.
	<b>Chemistry</b>	General chemistry cases routinely involve crimes against property and include Paint Analysis, Glass Analysis, Footwear Analysis, Tool Mark Analysis and Tyres.
	<b>DNA</b>	DNA (Deoxyribonucleic Acid) is the genetic material found in the nucleus (centre) of every living cell in our body and contains all our genetic information. It is a genetic 'code' unique to each of us with the exception of identical twins. DNA in a person's body is the same regardless of which body fluid or cell type it comes from. It is therefore possible to create a DNA profile from samples such as blood, saliva, semen, hair roots etc.
	<b>Drug Analysis</b>	The drugs section role is to prove to a satisfactory level to the court, what a substance is and ascertain whether or not it contains any drugs controlled under current legislation. To do this to the level required by the court involves performing a chemical analysis. As well as determining exactly what drug may be in a given substance (qualitative analysis), further chemical analysis can determine the amount of the drug present and thereby provide the purity of the substance (quantitative analysis).
	<b>Fingerprints</b>	Fingerprints are made up of an intricate system of ridges which creates an uneven surface on the fingers and palms of the hand and soles of the feet. The arrangement of the ridges and their unique properties can be used for identification.
	<b>Biology</b>	Forensic biology is applied in any cases where the analysis of biological material may aid an investigation, for example crimes such as murder or rape. The main biological materials of interest are blood, semen, other body fluids (such as saliva), hairs and fibres. Techniques include blood pattern, damage and textile fibre analysis.



### Multimedia Unit

Through a variety of quality digital media including interactive presentations and 3D reconstruction, the SPA Forensic Multimedia Unit can present complex evidence types in a way that is clear, concise and easily understood.

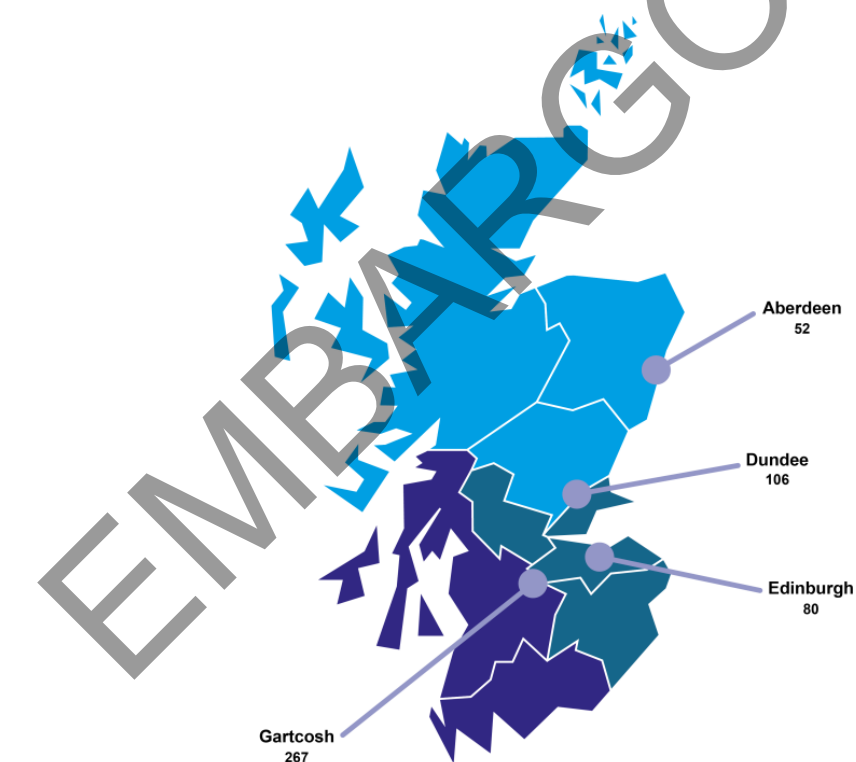


### Specialist Services

A number of specialist disciplines are also undertaken. These disciplines include Documents and Handwriting, Firearms Examinations, Firearms Residue and Toxicology.

11. Scene Examination is delivered from 17 satellite offices across Scotland, including four which are co-located with laboratory based activities. There are two high volume processing centres in Gartcosh and Dundee with four local satellite labs in Gartcosh, Dundee, Aberdeen and Edinburgh. A firearms unit is based in Gartcosh (using the National Ballistics Intelligence System NABIS)<sup>11</sup> with links to the UK and EU.
12. Drugs are dealt with primarily in the two main high volume processing centres with additional staff based in Aberdeen for this purpose. Imaging is delivered through a two-centre model based at Gartcosh and Dundee and the Multi-media unit is based in Gartcosh.

Figure 2: Forensic laboratory locations with staff headcount



	Biology	Scene examination	Physical science	Business support	Total
Aberdeen	16	22	8	6	52
Dundee	48	19	29	10	106
Edinburgh	18	35	19	8	80
Gartcosh	50	70	105	42	267

<sup>11</sup> [National Ballistics Intelligence Service](#).



## Consultants' review

13. Historically, there has always been a level of backlog and delay in the processing of some types of forensic requests. These backlogs have been exacerbated since the creation of the SPA and Police Scotland and, in 2014, the SPA commissioned an in-depth review from external management consultants<sup>12</sup> to consider:
  - identification of the current and anticipated demand for the service and assessment of how demand is managed
  - an assessment of Forensic Services' capacity to meet demand with regards to how it undertakes capacity planning and management, including where resources are located, how they are used, and assessment of key business processes
  - an assessment of delivery of services, taking account of the existing performance management framework and adherence to Service Level Agreements (SLAs), adherence to defined processes, and the use of technology
  - identification of areas where Forensic Services could potentially position itself within the competitive forensics market taking into account the wider review findings and the enablers or pre-requisites needed to facilitate successful realisation of any significant, additional revenue generation.
14. The terms of reference for the Consultants' review are set out in Appendix 2. The review reported in July 2015 providing a comprehensive analysis of Forensic Services' business with a number of key findings (see Appendix 3) and making 14 recommendations for further action (see Appendix 4). The review has never been formally ratified by the SPA Board and has never been published. The key findings and recommendations formed the basis of a presentation for Forensic Services staff, but the full report was not widely shared. The review was delivered at a cost of £98,717. The review acknowledged the significant changes already delivered in Forensic Services and identified opportunities for further improvement to place it in a strong position for the future.
15. COPFS co-operated with the review, but were not involved in the decision to commission the review nor consulted on its Terms of Reference. COPFS were not given any opportunity to comment on a draft of the review report, and if they had been, they would have provided corrections to factual inaccuracies in a number of passages of the report.
16. HMICS has assessed progress on the Consultants' review recommendations as part of our inspection work. Updates are included in Appendix 4.

## SPA Chair Review of Governance

17. A new Chair was appointed to the SPA Board in September 2015. At that point, the Cabinet Secretary for Justice commissioned him to deliver a Review of Governance. This review was published on 23 March 2016<sup>13</sup> and the Scottish Government formally responded in May 2016.<sup>14</sup>
18. In the review, the Chair notes that there are a number of public bodies which have influence over policing in Scotland. This creates a complex landscape which can lead to confusion about responsibilities, boundaries and demarcation lines. The Chair provides the example of Forensic Services which sits within the SPA, deliberately separated from the police service in order to preserve the integrity of evidence and contrasts this with the growing forensic area of digital (cybercrime) evidence which still sits within Police Scotland.

<sup>12</sup> Consultants' Review Report – July 2015 (version 5 DRAFT) (Internal document).

<sup>13</sup> SPA, [Review of Governance in Policing](#), March 2016.

<sup>14</sup> Letter from Cabinet Secretary to Chair of SPA dated 9 June 2016.

19. The Chair notes that the SPA has both governance and service delivery responsibilities and that this requires that SPA staff have competencies in both areas. He notes this poses challenges to get the right levels of skills and experience and that focus can be impacted and priority setting difficult.

20. Recommendation 11 of the review states that:

*‘Consideration should be given to reorganising or removing the service delivery responsibilities of the SPA and reinforcing its purpose as a governance body. This would focus particularly on its current service delivery responsibilities for Forensic Services, Independent Custody Visiting and Complaints & Conduct’.*

Responsibility for this recommendation was allocated jointly to the Scottish Government and the SPA. SPA Board Members subsequently agreed that custody visiting and Forensic Services would remain under the control of the SPA. Complaints handling would continue to be overseen by the SPA, but with the processing and investigation of complaints to be carried out by the PIRC.

21. At the request of the Chair,<sup>15</sup> HMICS provided a Professional Advice Note (PAN)<sup>16</sup> on options for the future governance and delivery of Forensic Services in October 2016. This advice was provided to inform the outcome of the Governance Review and set out a preferred option for internal reorganisation to minimise the impact or cost of any change. This included the introduction of a formal, member-led Forensic Committee to scrutinise the delivery of Forensic Services as well as the creation of a post of Head of Forensic Services for Scotland to report directly to the Chair and SPA Board on a similar basis to that of the Chief Constable and the Chief Executive. This post would be supported by the appointment of a Chief Scientific Officer to maintain compliance with scientific standards and lead strategy, research and development providing separation of business management from technical leadership.
22. The advice provided by HMICS was not taken up by the SPA and was not circulated to all Board members. An option was included at a members’ workshop on 24 August 2016 that reflected the preferred option in the HMICS advice, however it was not clearly identified as such. There was mention in the papers of background material that could be made available to members, including independent analysis and opinion from HMICS, however the Professional Advice Note was not referenced specifically and not provided as an attachment. On 15 December 2016, the SPA Board approved a revised corporate governance framework<sup>17</sup> which included the establishment of a Management Advisory Group (MAG) for Forensic Services chaired by the Chief Executive (see paragraph 54).
23. HMICS has taken the opportunity in this inspection to assess whether the risks and issues highlighted in our advice have been addressed. HMICS has also raised some wider concerns<sup>18</sup> in respect of the Governance Review including holding committees in private and restricting access to reports. HMICS considers how this impacts on the governance of Forensic Services in this report and has recently reported on the wider issues around openness and transparency.<sup>19</sup>

<sup>15</sup> Letter from SPA Chair to HMCIC June 2016.

<sup>16</sup> Professional Advice Note issued to Chair of SPA, copied to Scottish Government and Chief Constable, 12 October 2016.

<sup>17</sup> SPA, [Public Board Meeting - SPA Corporate Governance Framework and Related Documentation](#), 15 December 2016.

<sup>18</sup> HMICS, [Annual Report 2015-16](#), 22 December 2016.

<sup>19</sup> HMICS, [Thematic Inspection of the Scottish Police Authority - Phase 1 Review of Openness and Transparency](#), 21 June 2017.





## Principle of independence of forensic services

24. Independence from policing and the rest of the criminal justice system is a principle which all stakeholders highlighted to HMICS (during the development of our professional advice) as fundamental to the service provided. Evidence was cited from a number of sources of this being an established principle:
  - The 2009 National Academy of Sciences report on Forensic Sciences<sup>20</sup> in the USA, which found that forensic services should be independent from law enforcement.
  - Legal challenges in relation to the Scottish DNA Database having highlighted the need for a consistent and proportionate approach to the retention and management of police data.
  - During the development of the 2012 Act, a rationale was set out that any move away from the centralised SPSA model established in 2007 would not be desirable. *'The separation required between forensic services and operational policing is already in place and any move away from this would be considered a retrograde step'*.<sup>21</sup>
  - Case examples including Shirley McKie<sup>22</sup> and the murder of Kevin Carroll,<sup>23</sup> were cited as having established the need for the independence of forensic science services to eliminate any perception of undue influence by policing and guarantee the reliability of evidence in court.
25. The SPA website states that, *'One of the central tenets of the Police and Fire Reform (Scotland) Act is that Forensic Services are not under the direction and control of the Chief Constable. Instead these services are managed and delivered as part of the Scottish Police Authority - ensuring a suitable degree of independence and impartiality while also supporting the strong crime scene to court partnership that Forensic Services has with both operational policing and the wider criminal justice system in Scotland'*.
26. HMICS has strongly supported this principle. However we do note that police forces in England and Wales, and many other countries, still undertake forensic services themselves as well as using private sector services.

## Wider UK forensic service provision

27. Independent scientific oversight is provided by the Forensic Science Regulator (FSR),<sup>24</sup> which currently has no statutory investigatory or enforcement powers. The FSR has published Codes of Practice and Conduct<sup>25</sup> which provide additional guidance, context and interpretation of forensic science standards for the UK. Quality accreditation of forensic science is carried out by the UK Accreditation Service (UKAS).<sup>26</sup> The process of independent assessment provides an accountable and transparent process that strengthens public trust, which HMICS strongly supports.

<sup>20</sup> National Academy of Sciences, [Strengthening Forensic Sciences in the United States: A Path Forward](#), August 2009

<sup>21</sup> Source: Scottish Government.


<sup>22</sup> [Fingerprint Inquiry Scotland](#).

<sup>23</sup> FSR, [Kevin Carroll Murder](#), 26 January 2016.

<sup>24</sup> GOV.UK, [Forensic Science Regulator](#).

<sup>25</sup> GOV.UK, [Forensic science providers: codes of practice and conduct](#), 12 February 2016.

<sup>26</sup> [www.ukas.com](http://www.ukas.com)

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28. The FSR has no statutory role in Scotland, but collaborates with the forensic services in Scotland and Northern Ireland, which have expressed their willingness to be partners in the setting of quality standards that will be adopted within their justice systems. Forensic Services are currently accredited to ISO 17025<sup>27</sup> within the Laboratories and Fingerprint bureau and are working towards achieving ISO 17020<sup>28</sup> within the Scene Examination function.
  29. Police forces within England and Wales undertake Forensic Services themselves procuring DNA profiling, toxicology, drug analysis and other specialist services from external Forensic Service Providers (FSPs). Police forces which carry out in-house forensic services have FSR mandated timeframes for when they should obtain quality accreditation to match the same ISO 17020/17025 standards as those required by external providers.
  30. In the late 1990s, forensic work for England and Wales was contracted out to commercial suppliers. Until its closure, the UK government owned Forensic Science Service (FSS) also provided services to the police and other agencies, but increasing use of competitive tendering by police forces for forensic services resulted in the loss of market share. The UK government announced the closure of the FSS in December 2010, citing monthly losses of up to £2m. The FSS finally closed on 31 March 2012.
  31. The Home Office managed a non-mandatory procurement framework for England and Wales known as the National Forensic Framework - Next Generation (NFFNG). The aim of the framework was to foster a competitive marketplace which was aimed at reducing the cost of services and driving improvements in case turnaround times, whilst ensuring services were delivered in accordance with robust quality standards.
  32. In 2016, the Home Office disbanded the group leading the NFFNG, however the majority of police forces in England and Wales continue to use the existing framework. This approach enables forces to exercise greater control over their expenditure on forensic services, and is leading forces to consider new approaches to their relationships with external suppliers as part of the end-to-end supply chain.
  33. The Home Office has responsibility for the policy and legal framework for forensic science in the crime and policing sector in England and Wales. It undertakes research in forensic science through the Centre for Applied Science and Technology (CAST)<sup>29</sup> and operates a number of forensic and biometric databases on behalf of all UK police forces such as the National DNA Database (NDNAD).<sup>30</sup>
  34. The Home Office Forensic Science Strategy<sup>31</sup> was published in March 2016 and signals a new national approach within England and Wales which will harness the efforts of police forces, national infrastructure, regulators and the private sector in making forensic science more effective in the future.

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<sup>27</sup> [ISO 17025](#) - general requirements for the competence to carry out tests and/or calibrations, including sampling. It covers testing and calibration performed using standard methods, non-standard methods, and laboratory-developed methods.

<sup>28</sup> [ISO 17020](#) - specifies requirements for the competence of bodies performing inspection and for the impartiality and consistency of their inspection activities.

<sup>29</sup> GOV.UK, [Centre for Applied Science and Technology](#), 14 June 2017.

<sup>30</sup> GOV.UK, [Centre for Applied Science and Technology](#), 14 June 2017.

<sup>31</sup> GOV.UK, [Home Office Forensic Science Strategy](#), 11 March 2016.

35. The implementation of the strategy will be overseen by the Forensic Policy Group (FPG)<sup>32</sup> which is chaired by the Home Office and includes representation from policing (including the national policing lead for forensics), the Ministry of Justice, the Forensic Science Regulator and other Criminal Justice System partners.
36. The strategy commits that by the end of 2021, policing will design and deliver a national approach to forensic science delivery in England and Wales, supported by the Home Office which reinforces the legitimacy and capability of forensic science. This work is current and will be delivered through:
- consistent quality management and standardisation across police forces, including a clearer statutory role for the Forensic Science Regulator
  - enhanced governance for the forensics system, including a wider role for the NDNAD Ethics Group<sup>33</sup> (see paragraph 58)
  - a review by police forces of the case for moving current fragmented provision into a Joint Forensic and Biometric Service to achieve economies of scale, increased capability and resilience
  - ongoing oversight of the health of the supply chain, including contingency plans developed by police forces to cope with disruption to the market
  - working closely with research councils and other public research organisations to identify new cost effective opportunities and influences for forensic science
  - working with the College of Policing<sup>34</sup> to understand the capabilities required within the forensic science workforce
  - nurturing a stronger partnership with industry and education to ensure that learning programmes are future proofed and aligned to business requirements.

### **Biometrics Strategy**

37. A national Biometrics Strategy was originally due to be published alongside the Forensic Science Strategy but is still in development by the Home Office. The Biometrics Commissioner and Surveillance Camera Commissioner have some UK-wide powers (for reserved matters of UK national security), however their role is limited in Scotland.
38. The HMICS Audit and Assurance Review of the use of the Facial Search functionality within the UK Police National Database (PND) by Police Scotland<sup>35</sup> reported a number of issues relevant to forensic biometric governance. HMICS recommended that Scottish Government should work with Police Scotland, the SPA, the Crown Office and Procurator Fiscal Service (COPFS) and other interested parties to consider the establishment of an independent Scottish Commissioner to address the issues of ethical and independent oversight of biometrics records and databases held in Scotland, with sufficient flexibility to embrace future technologies and relevant codes of practice.

<sup>32</sup> GOV.UK, [Forensic Policy Group](#), 9 January 2017.

<sup>33</sup> GOV.UK, [National DNA Database Ethics Group](#), 16 November 2016.

<sup>34</sup> [College of Policing](#).

<sup>35</sup> HMICS, Audit and Assurance Review of the use of the Facial Search functionality within the UK Police National Database (PND) by Police Scotland, January 2016.



39. Our report also included a recommendation that Police Scotland and the SPA should consult with Scottish Government and other stakeholders on the potential development of a statutory Code of Practice for the use of biometric data in Scotland. Such a code of practice could address ethical issues and be enhanced through strengthened governance and scrutiny of compliance. The Cabinet Secretary for Justice has recently announced an independent group to develop these proposals.
40. Engagement is ongoing between the Home Office, the Scottish Government, Police Scotland and Forensic Services to consider the options available for Biometric Strategy implementation in Scotland. A decision will be required on the Scottish approach by September 2017 and wider implementation is expected in 2018-19.
41. There are a number of significant ethical and human rights interest areas around the collection and retention of DNA and other human forensic samples and the related information storage on national databases. It is essential that any adopted forensic science governance model recognises the need to represent these interests and take them into account in their scrutiny and assurance role.

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## Leadership and governance

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### Vision and strategy

42. HMICS found there has been no strategy in place for the delivery of forensic services in Scotland for over four years.
43. In the absence of such an approved strategy, Forensic Services senior management have pursued a vision of 'Maximising Casework Capacity to Meet Demand' which is aimed at improving process efficiency and demand management. This vision was considered a practical approach by senior managers, with many of the levers for improvement being within the scope of the service itself.
44. Toward the end of 2016, Forensic Services became engaged with the SPA and Police Scotland through the development of their 2026 strategy.<sup>36</sup> Although this was relatively late in the development process, it has allowed Forensic Services senior management to consider a longer-term strategy linked to 2026. This should allow alignment with the longer-term objectives and demands of partners. The strategy will consider development of staff, collaborative delivery of services, use of new technology, research and innovation as well as a new operating model. A roadmap for delivery will also be developed. The strategy will include a clear mission statement:  
  
*'to provide science in the pursuit of justice, supporting our partners to keep people in Scotland safe.'*  
  
A set of core values and a supporting business planning cycle will also form part of the strategic planning approach.
45. Forensic Services senior management engaged with staff at presentations across Scotland in January 2017 to test their proposals and have formed a Reference Group of staff to involve directly in the development process. A three-year business plan linked to overall strategy will be developed with approval planned for August 2017.
46. The Policing 2026 Strategy consultation paper states that, 'We will continue to invest in Scotland's forensic science capabilities'. This strategic objective is further explained as:  
  
*'Advances in science and technology will revolutionise the forensic services that will support policing. More science will be delivered at the scene using handheld or mobile devices that are linked to intelligence databases (such as the National Biometric Database). This will allow real time intelligence to be provided to officers to inform the investigative strategy and to increase the chance of obtaining other evidence before it can be destroyed, taking offenders off the streets before further offences can be committed'.*
47. As previously noted, a Home Office Forensic Science Strategy<sup>37</sup> was published in March 2016 and signals a new national approach within England and Wales which will harness the efforts of police forces, national infrastructure, regulators and the private sector in making forensic science more effective in the future.

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<sup>36</sup> Police Scotland, [2026 consultation](#).

<sup>37</sup> GOV.UK, [Home Office Forensic Science Strategy](#), 11 March 2016.

48. There is potential for Scotland to conform to the same standards as those set out in the Home Office Strategy ensuring greater interoperability across the UK. This could potentially allow SPA Forensic Services to provide services to English and Welsh forces on a commercial basis in the future as well as allow outsourcing of some forensic services by SPA to meet demand or exploit new technology.

### **Recommendation 1**

The Scottish Police Authority and Scottish Government should engage in the implementation of the Home Office Forensic Science Strategy to inform the approach in Scotland, explore common standards and support future interoperability.

49. Forensic Services has a proven track record in adopting cutting edge technology to support policing in Scotland. However, HMICS believes that it is essential to have a clear plan in place, as part of an overall forensics strategy, for research, development and innovation of forensic science in Scotland. A Forensic Science Innovation Group was set up in 2016 to focus on research and development. This Group has however only met a few times and not since July 2016. It is planned to resurrect the approach with a joint event in June 2017 with the Scottish Institute for Policing Research (SIPR).<sup>38</sup>
50. A strategy for Forensic Services must include a fully formed approach to scientific development aligned to the needs of its customers and have a costed programme for implementation. In our Professional Advice Note, HMICS states that this requires to be underpinned by realistic capital allocation and robust management and governance to support targeted research and investment.
51. Forensic Services has maintained an annual business planning cycle to focus its efforts on delivering commitments in the SPA Business Plan,<sup>39</sup> recommendations from the Consultants' review and business improvement. An overall forensics business plan is supported by function specific business plans. There are no explicit linkages between these plans and those of Police Scotland and COPFS.
52. The Consultants' review recommended that in order to support strategic development, the SPA with its partners should define and implement a joint planning cycle appropriately aligned to wider governance (see recommendation 2 in Appendix 4). There has been no progress on this recommendation to date.
53. HMICS believes that the SPA, as the governing body, has not provided strategic leadership and has not put in place a clearly established strategy, investment plan and joint planning cycle in place. There have also been associated weaknesses in their strategic engagement with Police Scotland and COPFS.

### **Recommendation 2**

The Scottish Police Authority should deliver a forensic strategy, aligned with those of Police Scotland and COPFS and their strategic planning cycles, with a supporting investment plan.

<sup>38</sup> SIPR.

<sup>39</sup> SPA, [Business Plan 2016/17](#), 31 March 2016.



## Governance

54. As set out at paragraph 21, HMICS provided a Professional Advice Note to the SPA Chair on options for future governance and delivery of Forensic Services in October 2016. This proposed the establishment of a formal member-led Forensics Committee to support and publicly scrutinise the delivery of forensic services. It also highlighted the need for senior representation from both Police Scotland and COPFS. The Professional Advice Note was not taken up in the Review of Governance. The SPA Board subsequently approved a revised corporate governance framework<sup>40</sup> on 15 December 2016 which included the establishment of a Management Advisory Group (MAG) for Forensic Services. The MAG is chaired by the Chief Executive, who is currently responsible for the delivery of forensic services. It is not a formal Committee of the SPA and meets in private.
55. Many of the responsibilities of the MAG overlap with the remit of other Committees including People, Finance and Resources, and Audit. Police Scotland and COPFS will not be members of the MAG, although the Chief Executive may co-opt members or invite observers. Existing forensic partnership governance arrangements will continue, although HMICS established that it is still unclear how the MAG will engage with these forums or how reporting to the SPA Board will take place.
56. HMICS found that Police Scotland and COPFS were disappointed with the decision to not establish a formal Forensics Committee. Partners viewed consultation prior to the publication of the Governance Review as limited and that the detail of implementation was not shared. At the time of our inspection fieldwork, these organisations were yet to be formally notified of the outcome of the review, over two months after it had been approved. HMICS recognises the importance of the partnership arrangement and has commented in detail on this lack of engagement with stakeholders in our recent report into the SPA's Openness and Transparency.
57. The formation of the MAG does not reflect the approach adopted in the Governance Review of creating formal Committees, led by SPA Board members, without decision making powers which meet in private. These have been described by the Chair as 'working groups'. No specific rationale has been identified for the different approach taken to Forensic Services and HMICS was provided with no feedback on our advice in advance of the revised corporate governance framework being agreed. A number of governance risks raised in our Professional Advice Note also remain unaddressed:
- Tension between the SPA's strategic governance role and the delivery of services to the body it is holding accountable for delivery (shared governance over both a supplier and a customer)
  - SPA does not provide governance over, nor represent, other primary customers of the service and cannot direct or influence their level of demand or relative prioritisation (COPFS and PIRC)
  - Ability to fund appropriate levels of research and development
  - Ring fencing or protection of forensics budget
  - Ethical governance of forensics
58. Our advice also stated that stakeholders believed that the governance model should consider either embedding ethical governance in the SPA Board or creating an independent Ethics and Human Rights Panel or Group (potentially shared with wider policing or criminal justice bodies). HMICS welcomes recent SPA Board appointments which have included this skillset.

<sup>40</sup> SPA, [Corporate Governance Framework and Related Documentation](#), 15 December 2016.

59. The public scrutiny of Forensic Services is currently restricted to quarterly performance reports to the full SPA Board. Although a Board member has engaged directly with forensics governance in the past, this has not been the case for some time. Based on our observation of Board meetings, and review of reports submitted, HMICS views the level of effective scrutiny by SPA Board members as limited.
60. HMICS does not believe that the establishment of the MAG will address the weaknesses in current governance arrangements. If our advice is to be followed (see paragraph 21), a formal member-led Forensics Committee should be created as a matter of urgency and tasked with supporting and scrutinising the delivery of forensic services. Senior representation from Police Scotland and COPFS should be invited to attend as observers and given the opportunity to participate in discussions to inform the Committee on the quality of service, impact of performance, alignment to future strategy and demand. Given the low level of demand from the PIRC (see paragraph 67) it may not be necessary to include them on this Committee, provided alternative arrangements were made to secure its engagement. The Forensic Committee should also be complemented by the creation of a new Head of Forensic Services for Scotland, who would become personally accountable to the Forensic Committee and SPA Board (see paragraph 78).

### **Recommendation 3**

The Scottish Police Authority should institute a formal Forensics Committee as a matter of urgency.

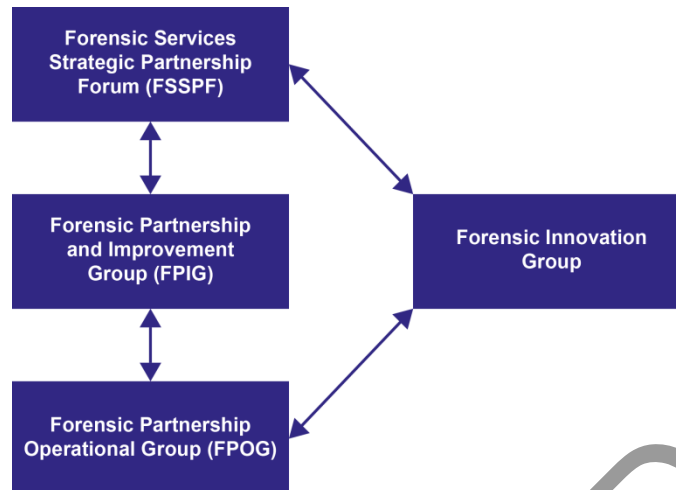
61. An MOU between the SPA (Forensic Services), Police Scotland and COPFS was agreed in April 2014.<sup>41</sup> It outlines the requirements of each organisation, as a partner to the MOU, to ensure appropriate provision of forensic services and to clearly define the responsibilities of each in ensuring effective use of these services within the criminal justice system. The governance of the 'partnership' is based around the agreement and delivery of the MOU.
62. The MOU sets out the principles of how partner organisations will interact with each other and is underpinned by Standard Operating Procedures (SOPs) which provide specific detail on each of the processes in place.
63. A number of partnership governance groups have been established to support delivery of the MOU. The current joint governance structure for Forensic Services is set out in Figure 3 overleaf.

<sup>41</sup> Memorandum of Understanding on Forensic Services Version 1.4 (April 2014).





Figure 3: Forensic services governance



64. HMICS has identified a level of duplication between the Forensic Services Strategic Partnership Forum (FSSPF) and the Forensic Partnership and Improvement Group (FPIG), reflecting partner concerns that the Forum is not providing an effective mechanism for strategic discussion. Members of the FSSPF expressed concerns regarding the future viability of the forum, its role in the context of the MAG and a preference for a review of its leadership.
65. A review of the MOU was commissioned in 2014 as part of the Police Scotland Forensic Improvement Project.<sup>42</sup> This involved working with partners to review the MOU and ensure it reflected the development of the partnership arrangement. The result of the review was considered by the FSSPF in July 2015, however no changes were agreed. This has been attributed to partner sensitivities around wording and changes to Key Performance Indicators (KPIs). HMICS has found that all of the issues identified by this review remain valid and that the varying understanding of the relationship continues to inhibit progress.
66. Consultants reported in July 2015 that a review of the MOU was still ongoing (see recommendations 2 and 6 in Appendix 4). HMICS has found there to have been no progress on these recommendations to date. Regular review of the MOU would provide the partners with a mechanism to assess the effectiveness of its governance and scrutiny arrangements on service delivery.
67. In a separate MOU between Forensic Services and the Police Investigations and Review Commissioner (PIRC), roles are defined clearly as service provider (SPA) and client (PIRC). The MOU refers to the Police and Fire Reform Act and states that Forensic Services will not charge or invoice the PIRC for any of the services provided. PIRC is the minority statutory customer generating less than 1% of the total demand for Forensic Services.
68. The PIRC's interpretation of its relationship with Forensic Services is one of client, and is generally satisfied with that arrangement and the service it receives. PIRC is not engaged in the current governance structure and are content with this arrangement as long as the appropriate level of service is provided.

<sup>42</sup> Forensic Improvement Project (internal Police Scotland).

69. HMICS has found limited evidence of Police Scotland and COPFS formally engaging Forensic Services on their strategy or policy making decisions which may have a direct impact on demand for services. However, both Police Scotland and COPFS express frustration at the limited opportunity to influence budget and policy decisions taken by the SPA regarding Forensic Services, which impact on them. SPA senior leadership believe these are internal governance matters for the SPA, and do not see a role for Police Scotland or COPFS in decision making on budget or policy. This is symptomatic of weakness in the 'partnership' relationship.
70. HMICS considers that the SPA has a responsibility to ensure that through its joint working with and delivery of services to Police Scotland, COPFS and the PIRC that it takes into account the impact of the MOU on the wider justice system. It is therefore essential to good governance that MOUs are reviewed regularly with oversight from the SPA Board to ensure that delivery commitments are sustainable.


#### **Recommendation 4**

The Scottish Police Authority should review its partnership governance structures for Forensic Services and undertake a fundamental review of the Memorandum of Understanding ensuring that this process is thereafter undertaken on a regular basis with appropriate consultation with Police Scotland, COPFS and the PIRC.

#### **Leadership**

71. HMICS found that there was limited visibility or direct engagement from the SPA Board with Forensic Services. In our focus groups, it became clear that Forensic Services staff do not identify themselves as being part of the SPA.
72. The SPA Chief Executive currently has a key role in the leadership of Forensic Services. As Accountable Officer for Forensic Services he has a personal responsibility for the propriety and regularity of public finances for the SPA and ensuring that its resources are used economically, efficiently and effectively. He is also the line manager of the Director of Forensic Services. He chairs the newly established Forensic Management Advisory Group (see paragraph 54) and the Strategic Forensic Services Partnership Forum and represents the interests of Forensic Services on the Justice Board.<sup>43</sup> The Chief Executive is accountable to the SPA Board for the performance of Forensic Services.
73. The majority of stakeholders described the Chief Executive as supportive of the service and the partnership. However, it was clear that they felt he was unable to devote sufficient time and attention to Forensic Services due to significant other commitments and a primary focus on policing. This was perceived as impacting on his understanding of forensic services and its issues and his ability to escalate and resolve key issues.
74. The Chief Executive has limited visibility within Forensic Services and is often unable to maintain a bi-monthly cycle of one-to-one meetings with the Director of Forensic Services. He has not attended any senior management team meetings.
75. The Director of Forensic Services is a member of the SPA Senior Management Team (SMT) which meets fortnightly. This has limited value for the Director, as the focus of the corporate body is one of governance over policing. The supplier role of the Director of Forensic Services is fundamentally different to those of the other Directors of the SPA, whose roles are focused on support to the scrutiny and governance role of the SPA Board and not in the delivery of services.

<sup>43</sup> The Justice Board is the key governance forum involved in the delivery of the Strategy for Justice involving key stakeholders from across the Scottish criminal justice family.

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76. HMICS considers there is limited value for Forensic Services being included within current SPA line management and reporting arrangements. HMICS noted in our Professional Advice Note that consideration should be given to revised reporting arrangements and senior management structure to address these issues (see paragraph 21).
77. HMICS advice was based on research which considered forensics governance models elsewhere including England and Wales, Northern Ireland, Eire, Netherlands, Sweden and Estonia. In our preferred governance option, a Chief Operating Officer/Chief Scientific Officer model accountable to the SPA Board was advocated.
78. In our Professional Advice Note, HMICS stated that the creation of a post of Head of Forensic Services for Scotland to report directly to the Chair and SPA Board, on a similar basis to that of the Chief Constable and the SPA Chief Executive, will provide improved clarity on the status of the Forensic Service as having 'operational independence' in a similar manner to Police Scotland. The appointment of a Chief Scientific Officer to maintain compliance with scientific standards and lead strategy, research and development will provide the required capacity to develop these areas. The separation of business management from technical leadership is evidenced in a number of the models reviewed and HMICS professional opinion is that this provides an added layer of assurance and expertise.
79. The current Forensic Services senior management team consists of a Director supported by three functional heads (Biology, Scene Examination and Physical Sciences), a Head of Quality and a Head of Business Support. Heads of function also have additional cross-cutting responsibilities for areas such as the modernisation of terms and conditions, health and safety, ICT and liaison with the SPA.
80. HMICS noted that the Director and the functional heads are all qualified scientists as well as holding relevant managerial qualifications. All heads report directly to the Director with functional areas supported by Operations Managers and Team Managers.
81. The Director has recently split his direct reports into a scientific management group comprising the three functional heads<sup>44</sup> and a support management group made up of the two corporate heads.<sup>45</sup> The Forensic Services senior management team state that both management groups meet together at the business performance meeting, weekly update meetings, and at joint operational meetings when required.
82. Management and staff acknowledged that there is a lack of visibility of most senior and middle managers unless they are geographically co-located. Whilst staff felt this led to a lack of communication and engagement and a lack of clarity on strategy and objectives, they also acknowledged that time constraints and pressure of work were the most likely reason for this.
83. Clarity between the relative leadership roles of Operations Manager and Team Manager was also raised by staff. This issue related to the span of control, level of delegation and where responsibilities should be strategic and operational. This highlighted a perception that senior management were often becoming too operationally involved, and that Operations Managers had limited awareness of capacity issues, again as a result of resource pressures. Currently Operations Managers do not attend any of the partnership governance groups. This issue was raised as a concern impacting on operational effectiveness by the Consultants in July 2015 and has not yet been addressed.

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<sup>44</sup> Known as Operational 1.

<sup>45</sup> Known as Operational 2.

84. The impact of demand for services, geographical spread of staff and current functional structures continue to present major challenges in terms of leadership and management for the service. HMICS found this is having a direct impact on staff morale.

### Recommendation 5

The Scottish Police Authority should review the senior management structure for Forensic Services.

85. Developing capacity to support change and improvement is also a challenge for the service at a time when resources are focussed on meeting operational demand. In July 2015, the Consultants set out a requirement to establish a Programme Management Office (PMO)<sup>46</sup> capability with appropriate resourcing to manage the portfolio of work to deliver their recommendations. A business case for investment was prepared with a number of resourcing options costed. This business case has not been progressed by the SPA.
86. HMICS has seen evidence of a number of service initiatives and improvements, including the development of a research strategy, deferred due to a lack of capacity and skills within the service. Staff also expressed concerns regarding a lack of programme/project management skills and the requirement to deliver business as usual operations as well as major projects such as the implementation of DNA24.<sup>47</sup> Whilst these projects had been delivered successfully, they had placed undue pressure on existing resources.
87. HMICS is of the view that any new strategy and associated delivery plan, as well as the outstanding recommendations from the Consultants will not be delivered within the existing capacity and capability of the service. The dependencies between the Policing 2026 strategy and Forensic Services are clear and as such, partners require to support the service in terms of identifying the resources for future change and improvement.
88. The Consultants' review recommended that the SPA should adopt a more formalised approach to project and programme management with dedicated resources to improve the pace of change (see recommendation 12 in Appendix 4). They also recommended the formalisation of a business relationship function to focus on managing change and proactively driving improvement (see recommendation 8 in Appendix 4). HMICS has found there to have been no progress to date on both recommendations.
89. The SPA Board has not addressed the need to develop capability and capacity within Forensic Services to progress change and improvement despite its awareness of the Consultants' review recommendations and demand challenges. More formalised partnering with Police Scotland on access to PMO capability should be established as a matter of urgency as part of the uplift in specialist resources required to deliver the 2026 transformation programme.

<sup>46</sup> A programme management office (PMO) is a group or department within a business, agency or enterprise that defines and maintains standards for programme and project management within the organisation. The PMO strives to standardise and introduce economies of scale and is the source of documentation, guidance and metrics on the practice of programme and project management.

<sup>47</sup> The DNA24 technology employed by the SPA looks at 24 areas on a person's DNA in comparison to the 11 or 17 areas which is the European standard.



### **Recommendation 6**

The Scottish Police Authority should develop capability and capacity within Forensic Services to deliver change and improvement. This should complement the creation of the specialist Programme Management Office within Police Scotland and provide dedicated programme and project management expertise to Forensic Services.

### **Risk Management**

90. Forensic Services maintain an organisational risk register and functional risk registers. These are regularly reviewed at management team level. The Forensic Partnership Operational Group (FPOG) also has a shared risk register which is considered at their and the Strategic Partnership Forum meetings. This risk register reflects partnership risks and does have an element of duplication with the organisational risk register but extends beyond into a shared view of service delivery. Risks are escalated from these risk registers to the SPA strategic risk register and reported to the Audit Committee. HMICS views this process as in line with good practice.

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## Outcomes

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91. Forensic Services is limited in its ability to provide outcome measures. Measuring forensic services contribution to the outcomes specified in the Justice Strategy<sup>48</sup> and the strategies of Police Scotland and COPFS is a challenge which has been recognised by Forensic Services senior management and the partnership. The service is primarily process-based forming part of other wider justice processes in policing and the courts. Many of these outcomes such as successful identification of suspects, successful prosecution or informing a defence, depend on many other factors beyond the direct influence of Forensic Services.
92. HMICS also notes the challenges faced by Forensics Services and its partners in obtaining real time accurate management and performance information from its ICT systems. This is particularly difficult in Police Scotland with a variety of crime recording and production<sup>49</sup> management systems still in place.

### Performance

93. HMICS has found that there are no issues with the quality of forensic work undertaken by Forensic Services. All stakeholders were both supportive of the service provided and generally aware of the resourcing issues which were being faced. However most had a limited understanding of the actual performance which was being delivered.
94. Current Forensic Services reporting to the SPA Board, which is accessible by the public, has been refined over time and provides:
  - Introductory narrative
  - SPA Business Plan deliverables progress (with RAG status)
  - Service initiatives and improvements
  - Performance data with narrative
95. This report is limited to high level information providing scene examination attendance numbers and the percentage recovery rates of evidence from crime scenes, total demand for services<sup>50</sup> versus results output and criminal justice sample volumes and their turnaround times. Whilst this information presents the key highlights of the areas its partners focus on, it does not cover many of the key functions of service delivery, or indicate how capacity relates to demand, levels of backlogs and result delivery times.
96. SPA Board meeting agendas are predominantly focussed on Police Scotland issues. This often limits the time devoted to Forensic Services and the information supplied inhibits the level of detail and quality of scrutiny that can be applied by members. HMICS considers that these factors combine to prevent the Board from effectively holding the Chief Executive to account for the delivery of forensic services.

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<sup>48</sup> Scottish Government, [Strategy for Justice in Scotland](#), 13 September 2012.

<sup>49</sup> Production: an item or piece of evidence recovered from a potential scene of crime.

<sup>50</sup> Performance reports state that 'true demand data is not available'. The measure is actual scene attendance, not requests.



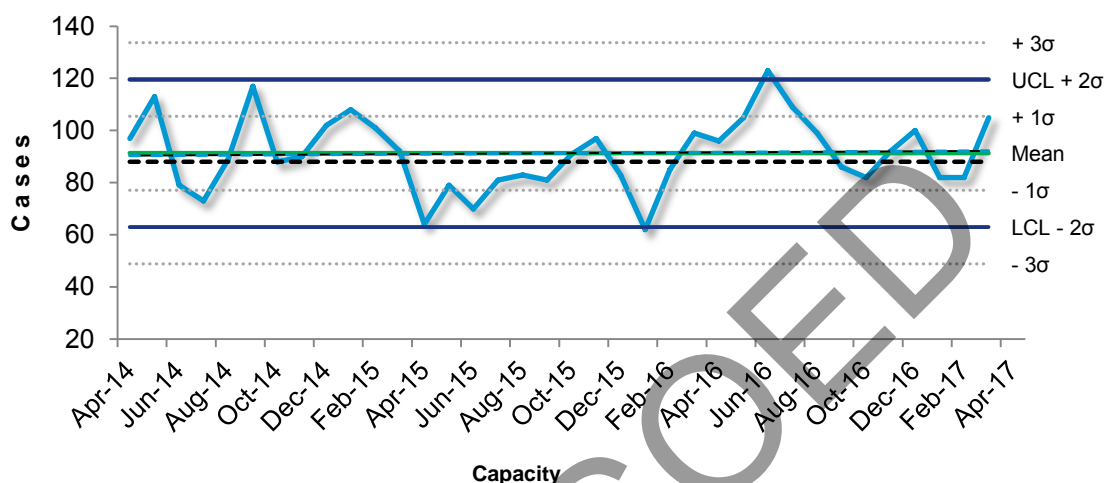
97. The Forensic Services board report notes that around 2,733 scenes are attended per month (this level being dependent on crime rates). This is an input measure which does not indicate the spread of demand across police divisions. The percentage of scenes where evidence is recovered is around 70%. The report does not explain the reasons for the 30% where no evidence is recovered i.e. failure demand.<sup>51</sup> There is no indication of time taken for scene examiners to respond to requests for attendance, how long is spent at each scene or time taken from attendance to lodge productions.
98. The report also shows the number of examination request submissions and number processed but does not break these down by laboratory function, gives no indication of the profile of demand in terms of priority, crime type or area, and provides no comparison to available capacity levels. The level of submissions is around 1,750-1,800 per month and number processed exceeds this at 1,900–2,200 per month. This demonstrates that currently a level of backlog is being addressed on a monthly basis (see Table 1).
99. The number of criminal justice samples tested (input measure) is provided. A target of 90% of samples processed within four days has been set and 100% is consistently being achieved against this target. No comparator information from the previous year is included and there is no indication of the spread of demand across divisions. As a general principle, HMICS views that if a target is being consistently exceeded, then the measure should be reviewed in consultation with partners to ensure it is still relevant.
100. Performance reporting to the Strategic Partnership Forum and to the Operational Group is more detailed as would be expected at key forensic specific governance forums which can provide increased levels of professional scrutiny and challenge. The reports focus on demand and delivery of services to Police Scotland and COPFS. PIRC is not included in the reports due to the low levels of demand, but have indicated to HMICS their satisfaction with current service levels. The reports focus on performance data and the latest report<sup>52</sup> includes demand and capacity levels:
- Scene examination – number of tasks attended (as detailed in SPA Board report)
  - Scene examination – % evidence recovered (as detailed in SPA Board report)
  - Biology Local Satellite Laboratories (LSL) – demand – number of cases submitted
  - Biology Volume Crime Unit (VCU) – demand – number of cases submitted
  - Drugs – demand – number of cases submitted
  - Toxicology – demand – number of case
  - Chemistry – demand – number of cases
  - Firearms – demand – number of cases
  - Fingerprints – demand – number of cases
  - Mark Enhancement – demand – number of cases

<sup>51</sup> Eliminating 'failure demand' is essential to understanding and managing demand, as well as improving performance. This relates to work which is not relevant, avoidable or generated through a previous failure to meet customer need.

<sup>52</sup> Forensic Partnership Operational Group - Performance Summary – March 2017 (18 April 2017).

101. Each demand measure is charted over an extended monthly timeframe from April 2014 to March 2017 with the average and two standard deviations<sup>53</sup> shown and narrative to explain demand profile. Whilst this format is useful as a management tool, partners have expressed concern that it may mask the true nature of demand and backlogs with a lack of comparison between functions (see paragraph 226 for details of where issues with delays have recently come to light). Figure 4 provides an example chart from the Toxicology function:

Figure 4: Toxicology demand control chart – April 2014 - March 2017



102. The graph shows key periods of heightened demand over the past three years. Other demand graphs also demonstrate specific issues in Biology LSL and Fingerprints sections.
103. The report also provides data and narrative in the following areas:

- Number of packages of work outstanding by their source (Police Scotland departments and COPFS). This is also shown as the percentage of the total packages of work outstanding. This provides an indication of the level of caseload with approximately 70.3% being attributed to Police Scotland requests and 29.7% being attributed to COPFS instructions as of March 2017. There has been a near 7% swing to Police Scotland since July 2016 (Police Scotland 63.8% and COPFS 36.2%). Part of this shift relates to Forensic Services being more focused on delivering to statutory timescales for COPFS rather than the more investigative work within Police Scotland.
- Current caseload is also included in the report as well as monthly baseline capacity (the number of cases which current staffing allows the function to process). This allows the report to highlight the estimated number of months caseload equivalent for each function. This highlights that Biology Local Satellite Laboratories and Firearms have the most significant caseloads which are in excess of four months of work. Table 1 provides the information as of December 2016:

<sup>53</sup> Standard deviation from mean/average is a statistical measure that is used to quantify the amount of variation or dispersion of a set of data values. A low standard deviation indicates that the data points tend to be close to the mean of the dataset, while a high standard deviation indicates that the data points are spread out over a wider range of values.



Table 1: Caseload by forensic discipline – March 2017

Forensic discipline	Baseline capacity (per month) <sup>54</sup>	Current caseload	Months of caseload <sup>55</sup>	Change from previous month
Biology LSL	282	1291	4.6	0.10
Biology VCU	341	499	1.5	-0.20
Drugs	801	1801	2.2	-0.10
Toxicology	88	340	3.9	0.80
Chemistry & documents	81	198	2.4	0.70
Firearms	41	214	5.2	0.60
Mark enhancement	542	1121	2.1	0.20
Fingerprints	589	684	1.2	-0.70

104. The table demonstrates that all areas have a degree of backlog impacting on performance. A review of previous reports shows a consistent trend of increasing caseload in key areas.

### Output measures

105. The percentage of crime scenes attended within 24 hours (target of 90% from time of request) shows a decreasing trend and was 86% in March 2017. The data is also broken down across all local police divisions demonstrating that levels are dipping below 90% most regularly in the West. No information is provided on scenes which are unattended or the reasons for late attendance.
106. The number of packages of work completed in March 2017 is included across the main instructing Police Scotland departments and COPFS. This shows that 70% of those completed were Police Scotland (59% in December 2016) and 30% were COPFS related (41% in December 2016). Although this information shows the sources and spread of demand across functions and organisations, it provides no indication of the actual volume of work generated (the content and complexity of submissions) and therefore provides only a high-level indicator of actual demand and no indication of actual performance.
107. In terms of the number of packages of work from Police Scotland instructed by the national Gateway,<sup>56</sup> the percentage where target dates are met shows widely varying levels of between 32% and 63% across local divisions (see Table 2 overleaf). However, the time between productions being received at laboratories and time to process and provide result reports also shows that between 18% and 56% of the time between instruction and results is spent managing production dispatch and delivery.

<sup>54</sup> Baseline capacity is based on budgeted establishment with no overtime worked. This does not take into account maternity leave, complexity of workload and extraction rates.

<sup>55</sup> Green – Low Risk of Missed Target Dates, Amber – Moderate Risk of Missed Target Dates, Red – High Risk of Missed Target Dates.

<sup>56</sup> The Joint National Forensic Gateway is a central function supported by three area police gateway portals, a COPFS gateway and the Forensic Services gateway staff. It aims to prioritise demand for forensic services by assessing forensic examination requests from police officers, facilitate COPFS standard instructions and to interpret DNA matches, including person to scene identifications.



Table 2: Average timeliness and % target dates met (National Gateway cases)

	Police Scotland local policing division												
	A	C	D	E	G	J	K	L	N	P	Q	U	V
% Target dates met	61%	59%	63%	56%	54%	57%	36%	51%	62%	50%	46%	54%	32%
Average event to lab receipt (days)	42.4	73.5	35.7	52.6	49.2	66.8	34.1	46.6	67.0	99.0	63.1	46.7	57.0
Average - receipt at lab to report (days)	79.0	116.5	81.4	93.2	110.7	83.4	157.6	114.4	67.5	77.7	102.4	101.1	122.8
% of total prior to receipt in lab	35%	39%	30%	36%	31%	44%	18%	29%	50%	56%	38%	32%	32%

108. This table refers to all packages of work requested by Police Scotland via the Joint National Forensic Gateway, excluding requests from Major Incident Teams, Serious Crimes, OCCT and Direct Submissions. Timeliness is measured at three points:

- the date of the event or crime
- the date of receipt of productions into the laboratory
- the provision of a results report

109. With key time intervals also provided as:

- Average – Event to receipt at laboratory (days)
- Average – Receipt at laboratory to results report (days)

110. As noted above, the data demonstrates that there is a significant proportion of the total time taken to process a request which is prior to receipt of the productions in the laboratory. The performance report notes that scene attendance measures show there is not a significant delay in that part of the delivery chain. The report therefore highlights the need to focus improvement efforts on the production handling and movement process (see Productions Management paragraphs 206-210). However, HMICS is clear that given the total time to process a package of work may differ significantly across forensic functions, and may be much longer than the time taken to receive a production, these measures have only limited value.

111. In terms of the timeliness of response to COPFS and Police Scotland instructed packages of work, a number of agreed targets are in place (see Table 3).

Table 3: Percentage of target dates met – packages of work instructed by COPFS

Target	March 2017 actual <sup>57</sup>
100% of urgent priority cases completed within agreed timescales	95%
90% of COPFS and Police Scotland custody cases completed within agreed timescales	98%
High priority – 90% of drugs analysis (police) cases completed in 90 days	54%
High priority – 90% of Livescan Tenprint (fingerprint) analysis completed within 2 hours	94%
Routine priority – 90% of all volume crime unit DNA cases completed within 21 days of receipt by Forensic Services?	86%
Routine priority – 90% of all criminal justice samples completed within 4 days of receipt by Forensic Services	100%

<sup>57</sup> As reported by SPA Forensic Services to Forensic Partnership Operational Group, 18 April 2017.

112. The predominant reason given for missing targets is process management failure within Forensic Services (69%). No further breakdown or detail is provided to allow detailed analysis. It is also noted that urgent and high priority COPFS work continues to be delivered within the required timeframes. Increases in this type of work have had a significant impact on the ability to meet the timeframes for more routine work undertaken for both Police Scotland and other COPFS cases.
113. Forensic Services attempt to categorise effectiveness in terms of adding value for all instructing agencies, but this is only discussed at the Operational Group and remains contentious with the measure not being accepted by all partners.

Table 4: Effectiveness categorisation

	Category 1 – Adds value to investigation	Category 2 – Adds value to prosecution	Category 3 – Adds value to defence	Category 4 – No added significant scientific value
Percentage	65%	12%	1%	22%
Variance from last month	2%	-1%	1%	-2%

114. As illustrated in Table 4, 22% of packages of work processed in December 2016 are categorised as 'no added significant value'. The performance report acknowledges that whilst a result may not add any scientific value as determined by Forensic Services, this does not mean that it has no value within the criminal justice system. Despite differing views as to the efficacy of this measure, HMICS recognises that it clearly identifies issues with failure demand which require to be addressed by partners.
115. The Consultants identified a number of key issues with performance information and reporting in their July 2015 report:
- while the MOU establishes agreed KPIs across key areas of service, it does not define any agreed volumes of work which could provide a basis for monitoring and decision making at a strategic and operational level
  - there is a lack of monitoring of performance at a more granular level
  - there is a desire to measure 'effectiveness', however there is not a consistent view of the value of this measure across the partners
  - current KPIs do not provide the level of information required to effectively manage and monitor performance at a functional and individual team level.
116. HMICS has found that many of these issues still remain and that although performance reporting has continued to be refined, with some improvement associated with the introduction of packages of work, it does not fundamentally meet the needs of its partners or the scrutiny requirements of the SPA.
117. Partners consistently expressed frustration with the content of performance reports, finding them to be of limited value in assessing actual performance. Similarly, SPA Board reports were felt by stakeholders to be basic and under-developed.
118. HMICS also notes that there is limited contextual, statistical or performance information from Police Scotland or COPFS either presented at governance forums or included in reporting. In order to present a true picture of performance, it will be necessary for all partners to contribute to reporting in the future. HMICS is clear that performance management and reporting requires to be improved across the partnership.

119. In terms of reporting on the efficiency and effectiveness of Forensic Services itself, there are significant gaps in the measures currently used and further development is required. However, it is apparent from performance reports that Forensic Services is consistently working above capacity, with constant backlogs in key functions and perhaps more importantly, not meeting its MOU commitments in regard to target response times. HMICS views the lack of effective SPA scrutiny, escalation of issues and cohesive improvement planning to address these issues as unacceptable.
120. HMICS has consistently highlighted in its reports the requirement for a range of both quantitative and qualitative measures, which include input, output, customer, cost and outcome indicators. These can be grouped in a number of scorecard or dashboard formats including classification into Quality, Utilisation, Attrition and Timeliness (QUAT) measures and formatted into a set of products suitable for differing audiences.
121. The Consultants' review recommended that the SPA should establish an effective performance management framework using a range of indicators, management information and formalised management processes to better inform planning and delivery of services (see recommendation 11 in Appendix 4). HMICS has found there to have been only limited progress to date in this area. The SPA has not engaged effectively with Police Scotland and COPFS in developing an effective approach to performance management. There is an urgent need for the SPA to work with its partners to design and implement a new performance management framework which facilitates improved understanding of demand and capacity, failure demand, service levels and backlogs or delays.


#### **Recommendation 7**

The Scottish Police Authority should work with Police Scotland and COPFS to design and implement a new performance management framework for the demand and delivery of forensic services.

#### **Complaints and feedback**

122. Forensic Services follows the SPA complaints<sup>58</sup> procedure. Members of the public or other agencies are therefore able to submit complaints (criminal/non-criminal or quality of service issues) directly to the SPA. There have been very few complaints in relation to forensics since recording began on 1 April 2013. These complaints primarily relate to crime scene attendance where direct contact with the public is made. The Consultants' review noted that there was *'a reluctance amongst customers to raise service complaints via a formal channel'* and therefore *'does not reflect the current actual level of dissatisfaction'*.
123. HMICS has observed that partner issues are mainly addressed through joint governance mechanisms and are evidenced in action logs and a number of issues being recorded as 'negative feedback'. It was noted that, on occasion, Police Scotland has received complaints which have an element of forensic-related issues.
124. A negative feedback system forms part of the overall forensics quality management system with a standard template form in place for recording. The system allows for details to be recorded within the Q-PULSE quality management ICT system and appropriate actions also updated on the system. This is part of what is known as the Corrective Action and Preventative Action (CA/PA) approach. A review of a sample of these records from January 2016 to February 2017 identified a mix of process/procedure issues, delays and backlogs, supplier issues and a number of issues with the packaging of productions received from Police Scotland. Only two records referred to formal complaints received via the SPA.

<sup>58</sup> SPA, [Complaints Handling Procedures](#), January 2016.

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125. Although the forensics senior management team discuss negative feedback results as part of their quality management system, the approach is clearly under-used. Forensic Services performance reporting to the SPA Board does not contain any information on complaints or negative feedback. The SPA corporate performance reports submitted to the Board do contain overall figures of complaints handling activity, but these are not segmented into Police Scotland, SPA Corporate or Forensics figures.
  126. From our survey of detective superintendents, just over half said that Forensic Services never seeks feedback from their division or department on the quality of service they provide, with the remainder reporting feedback is sought regularly or sometimes. The majority of detective superintendents said they receive feedback locally about the quality of service their staff receive from Forensic Services.
  127. Going back a number of years, Forensic Services in Edinburgh used a questionnaire to seek feedback from senior investigating officers on the quality of service and response, but this ceased before the creation of SPA and nothing similar has been used by SPA Forensic Services. HMICS understands that some form of customer feedback survey is due to be piloted by Forensic Services Business Support.
  128. HMICS could not identify any systematic processes for gathering and reporting complaints or feedback on the service provided by Forensic Services and noted that existing systems are under-used. Police Scotland and COPFS representatives similarly had no systematic process in place within their own organisations in order to channel feedback to Forensic Services.

#### **Recommendation 8**

The Scottish Police Authority should implement a systematic approach to the gathering and reporting of feedback and complaints on Forensic Services delivery.


#### **Digital Forensic Services**


129. In his Governance Review in March 2016, the Chair of the SPA highlighted that the current arrangements with Forensic Services being part of the SPA, deliberately separated from the police service, is at odds with the provision of specialist digital forensic services remaining part of and under the control of Police Scotland.
130. In our Professional Advice Note, HMICS stated that if the principle of independence of forensic service is accepted as important to the integrity of evidence obtained from forensic examinations (see paragraphs 24-26), it is difficult to explain why it would not extend to digital forensic examinations.
131. This issue also highlights the absence of any agreed definition of 'forensic services' in Section 31 of the Act, which simply states that the SPA is responsible for providing 'forensic services' to Police Scotland, COPFS and PIRC, without making it clear if these services include digital forensic analysis.
132. In the recent HMICS Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime,<sup>59</sup> a similar issue with the lack of guidance or definition of forensic services in the Act was noted. In the context of forensic medical services, the statutory duty to provide 'forensic services' was being extended to the provision of specialist medical examinations of victims of sexual crime, which is outside the remit of SPA Forensic Services.

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<sup>59</sup> HMICS, [Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime](#), 30 March 2017



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133. Senior management of the Cybercrime Unit are not involved in any governance or accountability arrangements for Forensic Services. They have no involvement in Forensic Service strategy or policy making, and do not receive performance or demand management information. Police Scotland senior management are content with the current functional separation of digital forensic services from the wider SPA Forensic Services. Senior management are also confident that there are sufficient internal protocols, procedures and processes in place to provide assurance that digital forensic analysis is independent from criminal investigations.
  134. HMICS found there to be limited collaboration or communication between the Cybercrime Unit and Forensic Services. This means that the commonality of the two functions, including professional development pathways and quality accreditation approaches, is not being exploited to best effect.
  135. An internal Police Scotland cybercrime capacity and capability review recommended that, due to the forensic nature of the work being undertaken, gateway managers should be introduced to assess every submission and to prioritise work based on necessity and risk. Forensic co-ordinators and gateway managers are now in place at each of the cybercrime hubs mirroring the arrangements in the local forensic gateway portals. HMICS views this as good practice and considers that there may be future opportunities to unify the two separate gateway approaches to further improve triage of forensic submissions.
  136. The review also recommended a revision of the nationally agreed cybercrime risk matrix, which was used as a means to prioritise examinations. The revised version, designed to support decision making by gateway managers, lists assessment factors for different crime types, circumstances, status and context of the investigation, including community impact. Crucially, the matrix includes consideration of the value of the evidence (from digital forensic analysis), rating the priority of the work depending on whether the evidence is essential, significant or speculative.
  137. The work of the Cybercrime Unit is not subject to the same inspection and quality assurance regime as that of Forensic Services (see paragraphs 242-256), neither is there an internal MOU nor any external governance arrangements. The Cybercrime Unit has never undergone independent assessment, and does not possess any UKAS quality accreditation. The senior management of the Cybercrime Unit are satisfied with the effectiveness of the Unit's performance and consider that the lack of formal accreditation has not caused any issues either for Police Scotland or for COPFS to date.
  138. Cybercrime senior management are actively scoping the work involved in achieving ISO 17020 and ISO 17025, which will be required if Police Scotland is to join the UK Counter Terrorism National Digital Exploitation Service (CT-NDES). The Police Scotland draft Cybercrime Strategy commits to reviewing the requirement for ISO 17025 and identifying potential costs as part of their delivery plan.
  139. Operating within a robust national quality framework provides an assurance of the legitimacy of evidence being submitted. Complying with international standards, such as ISO 17025, provides a framework that assesses competence, quality and effectiveness in meeting customer requirements. Quality accreditation to these standards by an independent body demonstrates that the processes within which evidence has been obtained and analysed have been independently assessed to ensure appropriate validation of the methods used and competency of staff who conduct the analysis. It is significant that the provision of digital forensics will be required to be quality accredited by the FSR in England and Wales by 2017-18.

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140. HMICS identified differing views regarding where digital forensic examination should be organisationally located. Generally, there is an acceptance in theory that the principle of independence from crime investigation should extend to digital forensic examination, and therefore the work of the Cybercrime Unit should become part of Forensic Services and be removed from the control of Police Scotland. This would hold benefits in terms of the journey towards quality accreditation, of which Forensic Services have considerable knowledge and experience.
141. It is possible to differentiate between digital forensic work for reactive investigation and that for proactive work. The former, potentially time critical work as part of a police investigation, would remain part of Police Scotland, with the latter, where evidence from digital forensic examination is leading proactive operations in slower time, becoming part of Forensic Services.
142. HMICS has no evidence to suggest concerns regarding the quality of evidence or operational independence of the current Police Scotland Cybercrime Unit model. HMICS considers that there is no imminent requirement to relocate elements of cybercrime to the SPA. However, given that in the 2026 strategy there is a clear indication of the growing threat posed and the need to invest further, we view that there would be benefit in keeping this area under review whilst implementing the strategy. This should include consideration of progressing quality accreditation and assessing good practice and developments outside Scotland in relation to digital forensics.
143. HMICS also notes that there would be value in some public visibility, performance reporting and scrutiny to the SPA Policing Committee on this topic. HMICS has indicated in its future scrutiny plans that an inspection on cybercrime will take place in 2017-18 where we will consider governance and management of this function further.

#### **Recommendation 9**

Police Scotland should consider quality accreditation for digital forensics in line with Forensic Science Regulator recommendations, UK Forensic Strategy and wider good practice in order to support effective public performance reporting and assurance.



## Management of demand

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144. HMICS has identified that many of the issues relating to strategic relationships, governance and scrutiny of performance have their roots in the recurring question of how to influence the demand for forensic services.

### Forecasting demand

145. The forensics portfolio within Police Scotland is led by the Assistant Chief Constable (Crime) and Detective Chief Superintendent (Local Crime). These officers attend key governance groups, engaging directly with Forensic Services and COPFS, and provide single points of contact within Police Scotland.
146. HMICS found limited evidence of Police Scotland consulting with Forensic Services on the force's strategic direction, policy or proposals for national operations or initiatives prior to the 2026 strategy. Consequently, Forensic Services have had limited opportunity to assess the impact of any changes in strategic direction on demand for their services.
147. HMICS found the extent to which the senior police representatives can fully represent the perspective of Police Scotland to be limited by a lack of systematic engagement to reflect the activities and priorities across all policing divisions and functions which could affect demand for forensic services.
148. HMICS also found that divisions and departments of Police Scotland remain largely unaware of the resource pressures on Forensic Services and how their own division or departmental demand for forensic services impacts overall service delivery.
149. The Procurator Fiscal for High Court business and the Procurator Fiscal for one of the COPFS regional hubs, who has responsibility for sexual crime, hold the portfolio for forensic services within COPFS.
150. HMICS has found limited evidence of COPFS formally engaging Forensic Services on its strategy or policy making decisions which may have a direct impact on demand for services. Obviously prosecutorial decision making is independent under the Scotland Act 1998, which states the Lord Advocate's decisions in his capacity as head of the system of criminal prosecution and investigation of deaths in Scotland are made independently of any other person. There was an acceptance by COPFS that arrangements for systematically engaging with staff about forensic services could be further improved. However, it was noted that feedback was encouraged and opportunities to discuss forensic services demand and performance also existed at regular internal management meetings.
151. Police Scotland generally does not view its role as one of managing demand for forensic services. Rather, the police investigate crime and, if an officer considers forensic science can contribute to that investigation, they will make a request for forensic examination to be carried out using an Examination Request Form (ERF). Similarly, COPFS views that if forensic science is deemed necessary in the preparation of a criminal case, procurators fiscal will generate instructions using a Standard Forensic Instruction (SFI) which Forensic Services must satisfy. Where prosecutors decide, in line with the Lord Advocate's policies, that a case should be prosecuted, Forensic Services must deliver the necessary support. To do otherwise would have the effect of prosecution policy being influenced by the decisions about allocation of resources by SPA rather than the Lord Advocate.



152. Performance reporting demonstrates that there are no issues with provision of forensic services for major investigations. HMICS has seen evidence of strong partnership working between Police Scotland, COPFS and Forensic Services on those major criminal investigations which include a forensic strategy meeting.
153. A forensic strategy meeting is an essential step in major crime or major incident investigation including the investigation of unexplained deaths. Attendance at the forensic strategy meeting will generally include the police senior investigating officer, the crime scene manager, productions officer, a scientist and Procurator Fiscal and will agree a joint approach to the management of requests for forensic examination.
154. Performance reporting also demonstrates that work instructed by COPFS is managed effectively, albeit HMICS were told that criminal justice statutory timescales are not always adhered to. This is a particular issue in relation to having full joint reports ready in time to meet statutory deadlines for court proceedings, and presents most challenges for the busiest areas of forensic services, namely drugs and biology.
155. Consultants found that, *'although accurate quantitative data was not currently available, it is acknowledged within Forensic Services and COPFS that deadlines for COPFS submissions are frequently renegotiated by Forensic Services including requests for High Court cases.'*
156. COPFS conducted an exercise over four weeks in February 2016, which showed that over 30% of High Court preliminary hearings going ahead within that period involved evidence having to be lodged late by a Section 67 notice due to Forensic Services failing to meet the statutory deadline. The preparation of the Section 67 notice<sup>60</sup> must be completed by the Procurator Fiscal in the case, and the notice has to be served on the accused and their representative, often by the police, and also takes up court time. There is always a risk that late evidence will not be accepted as it is only admitted into evidence at the court's discretion.
157. COPFS has found it challenging to isolate the additional preparation time and work associated with late evidence from Forensic Services from preparation time generally. No wider study of renegotiated deadlines has been carried out by COPFS due to the resource implications of manually counting all requests and returns.

Table 5: COPFS – Percentage of target dates renegotiated (March 2017)

Category	% of total packages of work (POW) <sup>61</sup> completed for COPFS			
	Oct 16	Nov 16	Dec 16	Mar 17
% of POW meeting MOU target	98%	98%	98%	97%
% of POW renegotiated (as would not have met MOU target)	2%	2%	2%	3%
% POW renegotiated - completed by new target	71%	83%	71%	62%
Failed to meet renegotiated target	29%	17%	29%	38%

158. The data in Table 5 is presented in performance reports to the Forensic Partnership Operational Group, however it is not clear how these percentages are calculated. The 3% of COPFS work being renegotiated does not reflect the views provided to HMICS that statutory guidelines are routinely ignored, placing a burden on COPFS to explain delays to the court.


<sup>60</sup> Criminal Procedure (Scotland) Act 1995.

<sup>61</sup> 'Packages of Work' are defined as a forensic outcome completed through the analysis of one or more productions reported to the customer.

159. COPFS contends that the 'target met' category includes those cases where timescales are renegotiated informally with scientists, and that performance data gathering is insufficiently developed to capture the complexity of COPFS instructions i.e. multiple reports from Forensic Services, being received from different disciplines, at different stages. Whilst the majority of custody cases may receive results within target timescales, the hard copy joint reports for attachment to the indictment may not be received on time. It is not clear if the performance data reported includes the active case management work which COPFS gateway staff carry out with particular Forensic Services scientific disciplines to prioritise work and alleviate some of their pressures.
160. Service levels delivered to local policing divisions at an investigative stage are often substantially less than those received by major crime and COPFS. This is demonstrated in Table 2 where the level of target dates met varies from 32% to 63% across the 13 local policing divisions.
161. During our inspection, concerns were identified regarding levels of forensic backlog and significant delays to serious crime investigations<sup>62</sup> in a number of local policing divisions. The Detective Chief Superintendent was sufficiently concerned about these delays to notify Forensic Services of a number of cases from Edinburgh Division. Analysis was also commissioned across the other 12 local policing divisions to establish details of similar examination delays. This analysis has identified delays of up to 15 months in some cases. Of the 13 local policing divisions, no delays were identified in seven divisions, with five divisions reporting 48 investigations in total where delay is greater than or equal to three months. Of those 48 investigations, 35 were assessed to have been delayed by seven or more months. These investigations include attempted murder, serious assault, robbery, rape and other offences. HMICS understands that Forensic Services has undertaken its own analysis of backlogs and that a report is being prepared for the Management Advisory Group.
162. HMICS found there is no systematic process in Police Scotland to identify the extent of delays at divisional level. Similarly, Forensic Services do not have a systematic process to identify and report on these delays. In order to effectively manage demand and assess the level of backlog and delay, performance reporting should be used to identify the average and longest delay times at local divisional level. HMICS considers the current level of delay to be unacceptable and that current performance reporting is not sufficiently transparent.
163. Within Forensic Services, there is a finite amount of resource to meet demand. Police Scotland and COPFS create that level of demand. If there is a particular operation, initiative or priority identified by Police Scotland or COPFS which leads to more requests or instructions for forensic examination, the expectation is that Forensic Services will absorb that additional demand. HMICS views that this is not an intelligent customer or effective supplier relationship.
164. In terms of unmet demand, Police Scotland and COPFS also require on occasion to source specialist forensic expertise which is not provided by SPA Forensic Services e.g. forensic archaeology or soil analysis. Although a view was expressed that strict interpretation of the legislation would require Forensic Services to procure these services, they are usually purchased directly from suppliers by Police Scotland and COPFS (see paragraph 330 for financial information).

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<sup>62</sup> In this context, serious crime investigations are those being investigated by detective officers based in a territorial division, as opposed to major criminal investigations being dealt with by national specialist resources.

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165. There is no representation from SPA Forensic Services at local police Tactical Tasking and Co-ordination Group (TT&CG) meetings or performance meetings, where local context and operational priorities are discussed. Whilst there is representation of SPA Forensic Services at the national TT&CG, the link with local divisions is underdeveloped and there is a disproportionate emphasis on national specialist functions.
166. The role of local gateway portal managers has become one of largely administration with limited opportunity to engage operationally with local divisions to discuss current or emerging investigative priorities. HMICS views this as a weakness in the process and a dilution of the previous gateway role in some legacy forces which included direct engagement and co-ordination between operational policing and Forensic Services. To ensure this works effectively, there is a requirement to link local gateway processes to national tasking and co-ordination via a regular gateway managers forum.
167. The Consultants' review stated that partners perceive any focus by Forensic Services on reducing casework volumes as attempts to limit demand rather than as a basis for partnership discussion to agree relative priorities. HMICS found this still to be the case. There is clearly a requirement to have national and local visibility of demand and for the three organisations to work together to effectively plan, manage and prioritise that demand to align with available capacity.

#### **Recommendation 10**

Police Scotland should review the role and capacity of portal gateway managers to improve local liaison around investigative priorities and ensure greater involvement in tasking and co-ordination processes linked to national processes.

#### **Joint National Forensic Gateway**

168. The Joint National Forensic Gateway (JNFG) was established as a collaboration between Police Scotland, COPFS and Forensic Services to ensure that forensic science is used effectively and appropriately to maximise value to the criminal justice system. The Consultants found that due to the initial JNFG staffing profile, it had a Police Scotland dominated culture. HMICS identified that despite the branding of the JNFG as a collaboration, there were no forensic staff based in the JNFG, other than a business relationship manager, until October 2016. This impacted negatively on the credibility and perception of the function and the SPA commitment to its operation.
169. The primary activities of the JNFG supported by the gateway portals, are to assess forensic Examination Request Forms (ERF) from police officers, facilitate COPFS Standard Forensic Instructions (SFIs) and to interpret DNA matches, including person to scene identifications.
170. A decision making framework was originally developed by Police Scotland to prioritise submissions progressing through the JNFG based upon necessity, proportionality and probability of forensic yield.
171. At the time of compiling a review report on the MOU in July 2015, reference was made to a decision making framework having been submitted for consideration by the partners. Although this was viewed as adding value to the prioritisation process, the framework was not agreed and was still under development at the time of the Consultants' review in 2015. HMICS could find no evidence of the framework having been used during our inspection fieldwork in February 2017.

172. In order to support gateway prioritisation and filtering of requests, a paper was prepared by Forensic Services highlighting the range of success rates found for item and surface types typically submitted for examination and offering guidance on assessment prior to submission. Within the Mark Enhancement Laboratory (MEL), approximately 50-60% of cases submitted do not yield fingerprints due to the items submitted having a very poor success rate.<sup>63</sup> This is also reflected in the work of the Volume Crime Unit (VCU).
173. HMICS has identified that the paper on success rate guidance was in circulation within Police Scotland in 2015-16 and generally welcomed by gateway portals to support decision making on forensic submissions. However, the paper was subsequently returned to Forensic Services for further development, and has not been re-issued. HMICS understands the document is being used by scientists in the JNFG to guide their decision making. HMICS identified Police Scotland concerns that providing investigators with definitive guidance on success rates may result in a failure to instruct forensic examination in cases where every effort must be made, regardless of the likelihood of success.
174. HMICS welcomes the development of such guidance by Forensic Services and although acknowledging the concerns of Police Scotland, it considers that there is a legitimate need for a wider decision making framework within gateways, which weights the probability of success with the type of crime and levels of community impact involved.
175. HMICS identified strategic support in both Forensic Services and Police Scotland for the introduction of some form of notional costing model. This could potentially lead to more informed decision making regarding managing the future demand for forensic science around proportionality, necessity and likelihood of obtaining evidence from the forensic examination.
176. The Consultants' review recognised that the JNFG had made progress in rationalising the number of direct access channels to Forensic Services, helping demand to be more visible and better controlled. They also noted that it had yet to realise its full potential. HMICS views this still to be the case.
177. HMICS has found that the issue of prioritising requests for forensic examination and ensuring specialist resources are concentrated on the right activities continues to present challenges for the partnership. Although a great deal of effort has been made to more effectively manage demand, this has floundered on a fundamental mismatch of customer versus supplier expectations. Police Scotland and COPFS expect Forensic Services to provide forensic services to meet their needs, and Forensic Services expect Police Scotland and COPFS to work with them to make best use of finite resources. These relationships need to be better managed and there is a responsibility for the SPA Board to support this.
178. The original National Forensic Science Protocol,<sup>64</sup> the current MOU, the Review of the MOU in 2015 and the proposed Decision Making Framework (2015) have all attempted to arrive at methods for prioritising and assessing requests for forensic examination which were not found to have succeeded by the time of the Consultants' Review in July 2015.

### **Joint National Forensic Gateway pilot**

179. After the Consultants' Review and in the absence of an agreed process to manage demand priorities, a Capacity and Demand Short Life Working Group was established to focus specifically on demand management. A pilot proposal emerged from discussions at this group and commenced on 24 October 2016 for an initial three month period.

<sup>63</sup> A poor success rate equates to having surface types that offer a low probability of successful testing.

<sup>64</sup> National Forensic Science Protocol 2009 was an agreement between COPFS, the Association of Chief Police Officers in Scotland and the Scottish Police Services Authority (SPSA) setting out performance levels and organisational expectations.

180. The scope of the pilot initially included all forensic submissions from violent crimes (Group 1)<sup>65</sup> and sexual crimes (Group 2) for police investigative cases in the West policing area. The pilot also included COPFS instructions for all solemn bail cases.<sup>66</sup> This was then extended to:
- Group 1 and Group 2 crime types for police investigative cases in North and East policing areas
  - All COPFS solemn cases (except urgent seven day custody cases).<sup>67</sup>
181. In late January 2017, the pilot was further extended to include police investigative cases nationally relating to crimes of dishonesty (Group 3).
182. HMICS established that no evaluation criteria or success measures were set at the outset of the pilot. Proposals for evaluation were only formalised at the end of March 2017. A draft report on pilot evaluation criteria was considered by the Strategic Partnership Forum at the end of March 2017. The latest information provided to HMICS is that the pilot will run until the end of May 2017.
183. HMICS found differing views on the effectiveness of the pilot to date. Initial evaluation by Police Scotland has identified a number of inefficient processes. At a senior management level, Forensic Services question whether the deployment of scientists to the JNFG is the best use of their expertise, however more generally in Forensic Services there is support for a process that ensures the work progressing to the laboratories is likely to provide forensic results. Police Scotland gateway portals report that the majority of Examination Request Forms are not changed by the JNFG and question the benefit to police investigations of a process that adds an additional layer of assessment. COPFS is generally supportive of having scientists involved in earlier decision making, and see this as evidence of Forensic Services taking control of its demand, which is to be welcomed.
184. Between the introduction of the pilot on 24 October 2016 and 31 March 2017, there were 1,159 cases with 6,575 forensic productions submitted via the three Police Scotland gateway portals to the JNFG for the relevant categories. In 78.2% of submissions processed, there has been no change made to productions or forensic tests requested. In only 22.1% of the submissions processed have productions and forensic tests been varied due to the input of the forensic science team. The additional activity caused to the Police Scotland gateway portals is estimated as 12,000 extra process steps. These additional steps are estimated to equate to an additional 6.6-11 FTE gateway staff resource required to support the pilot to date. No additional staff were provided to the gateway portals to support the pilot.
185. Staff based in the gateway portals and within Forensic Services felt they had not been fully engaged prior to the implementation of the pilot. Communication of the new gateway and revised processes was however made widely available at the point of implementation. HMICS found communication and consultation about the pilot prior to its implementation were poor.
186. HMICS views that the JNFG is critical to effective demand management and eliminating failure demand for forensic services. It is therefore essential that there are sufficient resourcing, effective processes and a decision making framework deployed within the JNFG and the local gateway portals to support this role. Stakeholders currently have significantly varying views as to its success and many were concerned regarding the future model of gateway delivery.

<sup>65</sup> Scottish Government, [Scottish Crime recording Standard](#), 05 April 2017.

<sup>66</sup> Solemn bail cases.

<sup>67</sup> Seven day custody cases.



187. The Consultants' Review was commissioned to fundamentally review the management of demand. It made a number of recommendations which clearly set out the steps required to develop the JNFG and improve demand management (see recommendations 3 and 7 in Appendix 4). HMICS recognises that although some progress has been made, there is still substantial progress needed.
188. HMICS commends the intention to further refine and improve the JNFG role in order to better manage demand for forensic services. However, we consider that the pilot was launched without a clear shared vision of outcomes or benefits or a full understanding of its potential impact and risks. Evaluation of a pilot without defined benefits allows criteria to be developed to fit with results and affects the credibility of those results and any associated future model of delivery.

### **Recommendation 11**

The Scottish Police Authority and Police Scotland should implement a new decision making framework and appropriate guidance to support the prioritisation of forensic examinations. The implementation of this should be formally evaluated.

### **Failure demand**

189. Eliminating 'failure demand' is essential to understanding and managing demand, as well as improving performance. Failure demand relates to work which is not relevant, avoidable or generated through a previous failure to meet customer need.
190. HMICS has identified a high degree of failure demand across the 'end to end' process from requesting crime scene attendance to the delivery of results. Examples include:
- 30% of scenes attended where no evidence is recovered (Part of the scene examiner's role is to make an assessment of the scene, which might not identify any evidence)
  - 22% of packages of work processed by laboratories have 'no significant scientific value'
  - High levels of ERF rejections in gateway portals (11.5-48.4%)
  - MEL rejections due to no fingerprints being found (50-60%)
  - Rejected productions from Police Scotland productions (1%)
  - 25% of pending casework no longer required (HMICS acknowledges that COPFS Gateway staff have had a process in place since October 2016 to cancel forensic work if cases are concluded)
  - Processing of evidence requests made by Police Scotland where COPFS are unlikely to prosecute
191. HMICS has identified that there is no systematic approach to reducing failure demand across the partners. Such an approach requires investment of resources to address processes which are potentially leading to unnecessary demand and compounding backlogs.

### **Recommendation 12**

The Scottish Police Authority should work with Police Scotland and COPFS to develop capability and capacity within Forensic Services to systematically address failure demand.



## Planning and process

193. The key processes for service delivery are represented at Figure 5.


Figure 5: Forensic delivery processes



194. In order to understand key processes within the forensics environment, HMICS reviewed a number of Standard Operating Procedures (SOPs) and guidance documents. HMICS has also taken assurance from the UKAS quality accreditation status in terms of laboratory processes. HMICS supports the commitment of Forensic Services in continuing to maintain and accredit its functions in order to strengthen the quality of its processes.
195. HMICS and the Consultants found major process variation across Forensic Services, Police Scotland and the gateway portals. These variations have not been systematically addressed and will continue until Police Scotland harmonises forensic approach at a divisional level. The continuation of such regional variations remains an inhibitor for Forensic Services to effectively standardise its supporting processes and drive greater efficiency.
196. Both HMICS and the Consultants have also noted that inconsistent approaches to non-technical business support processes, such as case assessment, interpretation and report sign off, is reducing the overall operational efficiency and capacity of Forensic Services.

### Crime scene attendance and examination

197. Once an incident is reported to the police, it will be recorded on the Contact, Command and Control (C3) system. Police officers will typically attend the scene and if appropriate will make a request for attendance of scene examiners. In some circumstances, officers will seize items for forensic examination without the involvement of scene examiners.
198. Once they have arrived at the crime scene, scene examiners will conduct the required examination to recover the evidence which can prove or disprove if a crime has occurred. The extent of these searches and the evidence recovered will depend on the scene and the nature of the crime. They will look for fingerprints, footprints, DNA and any other forensic evidence. Items recovered at the scene are called productions.
199. HMICS found that the process of requesting attendance at a crime scene varies considerably between the three policing areas across Scotland and also between policing divisions. This is largely due to legacy processes, ICT systems, culture and practice. The level of local variation is particularly challenging for national specialist functions such as the Major Investigation Teams, where they require to understand and follow diverse local processes rather than operate to common national standards. Forensic Services state there is a fast track process in place for urgent scene attendance.

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200. There is a significant variation across the country in terms of the recovery of forensic productions from a crime scene. HMICS has established that some elements of scene examinations are being carried out by police officers in certain parts of the country and specifically rural areas where there is more limited access to scene examiners.
201. In Edinburgh City Division, due to high levels of vehicle crime through the spring and summer periods of 2015 and 2016, a number of front line officers were trained as trainers for one day to cascade basic techniques in fingerprint examinations of vehicles. This has been proposed again ahead of an anticipated 2017 seasonal rise in vehicle crime and the senior management team in the division are keen for all front line officers to be trained as was once the case in legacy Lothian and Borders Police. The SPA Forensic Services do not support this due to potential negative impact on quality of evidence and HMICS understands the practice will not be implemented in future.
202. In roads policing, under legacy arrangements, officers were trained and took photographs of serious and fatal road traffic collisions in some parts of Scotland, whereas in others, trained support staff in the Identification Branch would always attend to photograph the scene. Under the national arrangements for scene attendance, all officers must now request scene examiners if they require photographs to be taken. This can cause delays in concluding the investigation and potentially re-opening a road or motorway. Forensic Services contest that scene examiners would only be requested when police officers with photographic skills are not available. Road Policing Divisional Management are keen for road policing officers to be trained to take photographs as part of collision investigation, thereby making the operational procedure more efficient as well as reducing the number of witnesses required to provide evidence in any subsequent court case.
203. Scene examiners undergo two years of training and development to undertake their role, whilst police officers are carrying out scene examinations with very limited training and equipment and no nationally agreed approach for updating or testing their basic skills. Both Police Scotland and Forensic Services highlighted this to HMICS as a risk.
204. HMICS is aware that a new Scene Attendance Policy has been in development for some time, but has yet to be implemented. HMICS notes the inconsistency of approach across the country and recognises the risks of untrained or inexperienced officers undertaking scene examination work, but accept that there may be some value in the approach in certain circumstances. The SPA and Police Scotland require to review and implement the new policy to support a national approach.

### **Recommendation 13**

The Scottish Police Authority and Police Scotland should review and implement the new Crime Scene Attendance Policy to support a national approach with a focus on maintaining quality of service to the public and assuring operational competence of officers undertaking scene examination.

205. It is clear that there remain significant process inconsistencies across the country in relation to the requesting (or tasking) of scene examination resources and the activity and responsibilities at the scene. This presents significant challenges for Forensic Services and Police Scotland in standardising their own processes.

### **Productions management**

206. Once productions are collected by scene examiners or police officers they are lodged with local police productions stores. Stores are sited at locations across the country. This is the case for all types of production other than fingerprints which are submitted directly by scene examiners to Forensic Services for processing.

207. There is significant inconsistency in the processes and procedures for Police Scotland's management of productions, which is still facilitated by legacy police force systems. Police Scotland's Criminal Justice Division has responsibility for productions management however the introduction of a national approach was heavily dependent on the introduction of the i6 system, a planned national police ICT system which has now been cancelled.
208. A number of issues have been highlighted to HMICS in terms of the quality of packaging and initial storage of productions by Police Scotland. If productions are received in the stores facility at Forensics Services poorly packaged, they will be returned to Police Scotland without being submitted for examination.
209. HMICS has also identified weaknesses with Police Scotland productions management (see paragraph 110). This is attributed to differing ICT systems, inconsistent transport arrangements and poor production handling which all conspire to create significant delays between seizure of the item and receipt into laboratories. These delays range from 34 days to 99 days<sup>68</sup> for routine submissions (excluding Major Investigation Teams, serious crime, OCCT and direct submissions).
210. HMICS views that Police Scotland productions handling processes are causing delay and inefficiency. This requires to be addressed as a matter of urgency and priority given to establishing national systems for transport and storage of items seized for forensic examination.

#### **Recommendation 14**

Police Scotland should work with the Scottish Police Authority to develop a national approach to productions management, storage and transportation of items seized for forensic examination.

211. HMICS found that production handling within Forensic Services is managed well. The management of productions is currently being upgraded to use barcoding for tracking purposes. This will improve efficiency and the ability to identify the exact location of productions at any point within the laboratory environment.

## **Examination requests**

### **Police Scotland Examination Request Forms (ERFs)**

212. A standardised ERF is used nationally for every police request for a forensic examination. This is an electronic form which a police officer will complete and submit to their regional portal for initial review and decision making. In the West (with the exception of Dumfries and Galloway Division), an ICT system is used to submit and manage ERFs. Officers complete and submit the form, which transfers to the West gateway portal. There is no supervisory check of the content of this form. In all other areas of the country, the ERF is submitted via email, which allows for supervisor checking and amendment prior to arrival at the East and North gateway portals.
213. Performance information on the number of ERFs and the proportion which are rejected by the forensic gateway portals is reported on a weekly basis and shown broken down by division, except for the five legacy Strathclyde divisions (due to the restrictions of their ICT system).

<sup>68</sup> Forensic Partnership Operational Group performance report, March 2017.


214. Internal reviews undertaken in 2015 and 2016 identified an unsustainably high volume of rejected ERF submissions which did not meet the test of being proportionate and necessary. In June 2016, the SPA Board suggested that the end to end process of submissions and productions movement would benefit from a Lean Six Sigma<sup>69</sup> review. Police Scotland have adopted Lean Six Sigma as an improvement technique to support the delivery of efficiency savings and trained a number of staff to facilitate such work.
215. The review made 55 recommendations with 13 additional recommendations informed by information uncovered during the review but outside its terms of reference. The high-level results were reported to the SPA Board at the end of September 2016, when it was anticipated actions would be allocated in October and the necessary improvements completed by the end of November 2016. HMICS considers this Lean Six Sigma work to have successfully identified ways to reduce failure demand and inefficiency from the process. However, HMICS is disappointed that no action appears to have been taken in relation to these recommendations and that an opportunity to drive continuous improvement has not been progressed by Police Scotland.

### Recommendation 15

The Scottish Police Authority and Police Scotland should implement the recommendations of the previous Police Scotland led Lean Six Sigma review.

216. As of 12 April 2017, the figures for rejections stood at 48.4% in the West, 17.2% in the East and 11.5% in the North. These show significant variations in performance and represents wasted time and effort, or failure demand, for forensic gateway staff as well as the investigating police officers and supervisors. The most common reasons for rejections are the lack of DNA elimination samples taken in DNA cases, no presumptive testing in drugs cases, and insufficient information provided in the ERF.
217. The Consultants previously noted that Police Scotland gateway portals were, '*spending a significant period of time reviewing and rejecting ERFs for a variety of quality and forensic value reasons that arguably should not have been submitted in the first instance. This limits the time that these same resources could be spending doing other value adding work*'. HMICS found this still to be the case.
218. Local policing improvement efforts have been made with considerable success in two divisions (Forth Valley and Edinburgh). The divisional Detective Superintendent, who moved between the two divisions, introduced an improvement plan and a process to monitor ERF performance. This has led to improvements in the quality of submissions and getting the information right first time. There is a clear training issue that divisions are variously trying to address, however it is not possible for any of the five legacy Strathclyde divisions in the West to assess whether their efforts are improving the situation. This is due to the recording system in the West being unable to report on a divisional level.
219. The Detective Chief Superintendent and the JNFG manager were made aware of the efforts of the Detective Superintendent who devised the improvement plan and shared the plan and process with all the other divisional detective superintendents. Despite this plan having been successful and shared across Scotland, HMICS could find no evidence of the approach having been implemented elsewhere.
220. Training for front line officers was a recurrent issue in our interviews in relation to the quality and volume of ERF submissions to the gateways. This is a key factor affecting rejection rates and failure demand.

<sup>69</sup> Six Sigma is a set of techniques and tools for process improvement.

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221. All newly recruited police officers will receive two periods (2 x 50 minutes) of classroom-based Forensic/Crime Scene Awareness training delivered by Crime Trainers in Module 1 of their initial training. This training is delivered at the Scottish Police College at Tulliallan. HMICS has examined the content of the Module 1 training materials and found them to relate to only basic crime scene and forensic awareness. This training also includes what is expected of uniformed officers as the first officer arriving at the scene of a serious crime/incident in terms of scene preservation and protection.
222. After completion of Module 1, training to newly recruited officers varies across the country. This training, known as Module 2, is delivered locally in their allocated divisions. In the East, the gateway portal manager, or one of his staff, delivers a training/awareness raising session to all recruits as part of Module 2. This focuses on the role of the East gateway portal, completion of ERFs and basic guidance for packaging of productions ahead of submission for forensic examination.
223. The North gateway portal manager indicated that although this was previously delivered across his area in Module 2, it no longer took place. HMICS found that no training of this type was delivered formally in the West. It is therefore evident that there is no national consistency in the forensic training for new recruits after the initial Module 1 is delivered at the Scottish Police College.
224. HMICS could not identify any further training taking place after the probationer modules for the existing workforce. Whilst local gateway portals do provide feedback to officers on their submissions, there is no systematic follow up support or training. Education of officers to support the reduction of failure demand is included within the Lean Six Sigma recommendations (see recommendation 15) and requires to be further addressed by Police Scotland.
225. The Consultants also reported that in a sample of outstanding casework, 25% *'was no longer required due to either a change in the police investigative approach or the outcome of a case (e.g. case disposed of by PF / defendant changes plea to guilty)'*. HMICS found that the three gateway portals had insufficient resources to establish a process to identify such cases and reduce failure demand.
226. HMICS also found there is no systematic process undertaken by Police Scotland or Forensic Services to assess outstanding casework for serious crimes which have not yet been processed. This is acknowledged in the forensics performance report to the FPOG in April 2017 which states that, 'there are Police Scotland investigative cases that have been with Forensic Services for over a year, some of which will relate to serious offence categories. These cases are constantly deprioritised below higher priority work from COPFS and also the high portion of major investigation work...'. HMICS views the lack of ongoing dynamic monitoring of forensics backlog to be a serious weakness. This is a shared responsibility and must be considered as a matter of urgency to ensure that the impact of such delays on victims of crime is minimised.

### **Recommendation 16**

Police Scotland and the Scottish Police Authority should introduce processes to dynamically monitor and report on the caseload including backlogs within Forensic Services at both a national and local level.



227. HMICS has found significant variation in the submission processes for ERFs, the quality management of submissions and training approaches to forensics within Police Scotland. The lack of organisational learning from local improvement initiatives, the failure to invest in the delivery of the Lean Six Sigma improvement recommendations (see paragraph 215), and the lack of dynamic monitoring of backlogs demonstrate weaknesses in governance and undermine any commitment within the SPA and Police Scotland to promote and resource continuous improvement (see paragraph 264).

### **COPFS Standard Forensic Instructions (SFIs)**

228. A standardised electronic SFI is used nationally by Procurators Fiscal (PF). After completion by the PF, the SFI is forwarded to the COPFS National Gateway (part of the JNFG) for progression. The Procurator Fiscal representative on the Operational Group and the COPFS gateway manager have an improvement plan in place to raise general awareness within their organisation of forensic issues and the considerations that should be taken into account when issuing a Standard Forensic Instruction.

### **Gateway screening**

229. In the previous 2009 Protocol, specific information on the circumstances where it would be appropriate for the police to request scientific examination of productions prior to submitting a report to the Procurator Fiscal was included. This detailed the process to be followed by the police for different categories of case. The Protocol also provided information on the procedure to be followed by Procurators Fiscal for forensic examination after a police report was submitted.
230. The Protocol made clear that where a sufficiency of evidence had been achieved, no forensic examination should be requested unless in exceptional circumstances. Detailed information was provided on the time limits for scientific analysis in each category of case for both summary and solemn court proceedings. HMICS is aware that COPFS continue to use the 2009 Protocol as the basis for operational guidance.
231. Unlike the Protocol, the MOU which superseded it does not explicitly state that forensic examinations should not be requested where a sufficiency of evidence has already been achieved. Instead, the MOU states that Forensic Services will be instructed by Police Scotland or COPFS and that, *'Police Scotland forensic casework is required to provide intelligence, identification or sufficiency of evidence to support the submission of a report to from Police Scotland to COPFS. COPFS forensic casework is required to provide further scientific support to the Procurator Fiscal and to ensure that appropriate additional forensic analysis is undertaken to support the prosecution of the case in court.'*
232. The Gateway's role when assessing a case is described in the MOU as taking into consideration:
- The circumstances of the case and the evidence already available/collected
  - The potential forensic opportunities that may be available based on necessity, proportionality and probability of forensic yield
  - The potential value of forensic evidence to support the sufficiency and/or corroboration of evidence in the case or as a persuasive argument
233. Each request authorised by a regional gateway portal, is now screened by forensic science staff in the Joint National Forensic Gateway. This scientific screening process was introduced as part of the pilot in October 2016 and is still subject to evaluation. Paragraph 183 of this report notes that there are varying views as to the effectiveness of these changes to process and that full evaluation has yet to take place.



234. The Consultants' review reported that as of July 2015, there was *'increasing consistency in the business processes across each of the gateway portals, however, significant regional variations remain that are impacting the overall effectiveness of the JNFG and its perception by both customers and Forensic Services staff. This can be attributed to a number of factors, including capacity, location and legacy working practices'*.
235. HMICS has found that processes and procedures continue to vary significantly across the three regional gateway portals, largely due to differing resource levels and that each is still working with legacy force ICT systems without a national crime recording or productions management system. The volume of work varies across the regions, with the West gateway portal handling a considerably higher volume than the gateway portals in the North and East. The North gateway portal deals with the least amount of business, yet has more staff than the East gateway portal. This imbalance of resourcing levels requires to be reviewed in light of Recommendations 9 and 11 above.

### **Laboratory processes**

236. Once productions are received by Forensics Services stores they are transferred to the appropriate function(s). The forensic workflow can be complex as cases are often multi-disciplinary and therefore require services from more than one function.
237. Casework business processes now incorporate the identification of 'Packages of Work' (PoW) which is defined as a forensic outcome completed through the analysis of one or more productions reported to the customer. Each outcome has an agreed completion date and relates to a KPI within the MOU which needs to be reported at regular intervals.
238. The quality management system which supports UKAS accreditation in terms of laboratory processes defines the majority of technical processes. This brings a degree of standardisation and efficiency.
239. However, HMICS has noted that there is a degree of adaptability within these processes where scientists may adopt different investigative approaches to types of production and crime. This can lead to variance in local processes and this was confirmed by staff at our focus groups.

### **Delivery of results**

240. In the West and East, the majority of forensic examinations results are returned directly to the investigating officer. In the North, the majority of these results come to the Aberdeen gateway. There are however many local exceptions and variations to these processes. HMICS also noted that the gateway portals still receive some results in hard copy reports rather than electronic form.
241. HMICS is clear that the North gateway portal has sufficient resources and ICT system access to facilitate the delivery of results, whereas the West and East are more limited in their ability to support such a process. It is also clear that there is significant variation in how both Forensic Services and local policing divisions are managing the delivery and receipt of results. A nationally consistent process is required.


### **Quality assurance**

242. Forensic Services has continued to pursue quality accreditation since it began its modernisation programme in 2010. A Head of Quality and seven staff maintain and support the quality management system (QMS) which underpins the accreditation process. The team is split into functional areas but works across functions to spread experience and increase resilience. The team oversee audit processes within functions, manage non-conformities within processes and support the management of the QMS. A team of auditors consisting of technical staff from across Forensic Services also supports the approach. This is an additional function within their daily role.

243. Accreditation is provided by UKAS, an independent organisation which regularly undertakes announced and unannounced visits to sites in Scotland as part of its assessment programme. UKAS is the sole provider of accreditation to the UK, and is regulated by other accreditation bodies from Europe.
244. The standards which are either currently accredited or being pursued within Forensic Services are:
- **ISO 17025** sets out general requirements for the competence to carry out tests and/or calibrations, including sampling. It covers testing and calibration performed using standard methods, non-standard methods, and laboratory-developed methods.
  - **ISO 9001** specifies generic requirements for a quality management system.
  - **ILAC G19<sup>70</sup>** sets out guidance for forensic science units involved in examination and testing in the forensic science process by providing application of ISO 17025 and ISO 17020.
245. Since 2013, Forensic Services has undertaken an ongoing programme of planned extensions to accredited functions across the four laboratory sites, averaging around seven per year. These have ranged from standardisation of testing methods including blood pattern analysis and body fluid testing, to implementation of new methods and instrumentation such as DNA 24, to enhancing the service and capabilities of the testing that is undertaken for example in Fingerprint Comparison.
246. Fingerprint services are the first such function in the UK to become ISO 17025 accredited. Scene Examination are currently pursuing ISO 17020 accreditation with equipment and processes being validated. They aspire to apply for accreditation by the end of 2017 and to accredit within 2018. Achieving accreditation can be extremely challenging but ongoing maintenance of accreditation is viewed as even more complex. The application of the standards is constantly changing focus, being improved and requires to be applied across the organisation.
247. In order to support the implementation of standards, a quality management system (QMS) is in place consisting of policies, standardised processes, meeting cycles and internal audits. The management system ensures there is version control and that a review process is in place and fit for purpose. There are 3,500 documents maintained within the QMS.
248. The QMS records 'non-conformities'. These are essentially variances to the prescribed policies, procedures and processes within the QMS. Non-conformities are identified by staff and through audits and reviews. They are classified, recorded and then actioned and reviewed. UKAS, when it is inspecting, will check non-conformities and that they are being actioned in order that Forensic Services can maintain their accreditation. The management of non-conformities also forms part of the CA/PA approach.

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<sup>70</sup> ILAC is the international organisation for accreditation bodies operating in accordance with ISO/IEC 17011 and involved in the accreditation of conformity assessment bodies including calibration laboratories (using ISO/IEC 17025), testing laboratories (using ISO/IEC 17025), medical testing laboratories (using ISO 15189) and inspection bodies (using ISO/IEC 17020).

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249. As part of its annual assessment process, UKAS can make findings which are classified as mandatory with evidence or without, and recommendations. If the finding is mandatory with evidence, Forensic Services are required to demonstrate they have acted on these by submission to UKAS of appropriate evidence, within four weeks. If a finding is mandatory with no evidence, Forensic Services are required to evidence progress but the action must be taken within the same timescale. Recommendations can be raised to mandatory but this is rare. During the last UKAS assessment of Forensic Services, there were 164 findings. Forensic Services can lose their accreditation if findings are not completed appropriately.
250. UKAS findings are typically due on a certain date. If UKAS assess these as having failed to be delivered by the set date, they can defer the findings up to three times at which point they can revisit or suspend accreditation. Forensic Services UKAS assessments are scheduled between October and November and Forensic Services internal audits are generally undertaken between March and September. These are not evenly spread and could be considered with regard to when the best time to audit may be.
251. At the end of every UKAS assessment cycle, the Head of Quality produces a report for consideration by the senior management team in respect of process and trends. Forensic Services report progress and results of UKAS accreditation processes in their quarterly performance report to the SPA Board. They have also presented results in the past to the SPA Audit Committee.
252. As part of the QMS, management system reviews are completed by each function. A quarterly management system review meeting takes place for each function. There is acknowledged duplication in these processes which requires to be addressed. Audits are undertaken regularly and once completed are recorded on the Q-PULSE system where managers review results. Proficiency tests<sup>71</sup> are also purchased in order to independently assess and compare performance on specific testing regimes.
253. HMICS found that there are mixed views from stakeholders as to the value of quality accreditation and the associated resource implications. In 2016-17, the cost for UKAS accreditation was £100,000. Extensions to the scope of accreditation could increase this cost by a further £50-60,000 per annum. Staff also noted concerns regarding the resource impact of the CA/PA approach to negative feedback and managing non-conformities.
254. The costs for accreditation are increasing annually, however the number of recommendations from UKAS are decreasing, evidencing the stabilisation and improvement of the system (from 2013 to 2016, there has been a 39% decrease in findings raised). Forensic Services senior management continue to challenge the basis of the charging mechanism in terms of longer term sustainability.
255. Accreditation, and the quality management system, are fundamentally about improvement. It maintains scientific standards and provides assurance in terms of the efficacy of forensic processes. UKAS has fed back through their assessments that there has been proven cultural change within Forensic Services. HMICS commends Forensic Services for their commitment to the quality process.

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<sup>71</sup> Audit Committee held in private at this point with no papers published.

256. HMICS recognises the organisational and resource commitment to quality accreditation and that Forensic Services is a leader in pursuing and retaining its accreditations. We also recognise the value which this adds to the credibility of and trust in the service and the assurance which can then be taken by the SPA. There is however a balance to be struck between the costs and resource implications and the added value given the financial and demand challenges facing the service. This is a discussion which requires to be held with partners and the SPA Board to ensure a common understanding of the costs and benefits.

## Improvement

257. In 2014, Forensic Services took part in an SPA-wide EFQM-based self-evaluation exercise. The results were used to develop an improvement plan for the SPA, but there were no specific actions for the service. A number of areas of good practice were identified, however there were consistent results in terms of areas for improvement:
- Leadership visibility and staff communication and engagement
  - Capacity and budget to meet demand
  - Stakeholder engagement and customer focus
  - Staff appraisal/review
  - Workforce planning
  - Need to review effectiveness of partnership working
  - Complaints handling
  - Evidence Management System reporting capability
  - Gaps in performance measures
  - ICT infrastructure
258. These results have a high degree of correlation with the findings and recommendations of the Consultants' review received in July 2015. However, progress has been limited due to heightened demand and limited resources.
259. Forensic Services have invested in Lean Six Sigma training for heads of function and Operations Managers. This training took place in mid 2016 and to date no reviews have taken place although staff reported a heightened awareness of process efficiency issues. Again the reported reason for the delay in deploying the new technique was resource restrictions.
260. In the Consultants' review, it is noted that Forensic Services planned to implement a number of additional cross-functional working groups which would provide input into joint governance forums. It was proposed that the groups would involve heads of function, operations managers and team managers. The aim of the working groups was to improve cross-functional processes, sharing of best practice, identify and address areas of improvement linking with external providers and communicate activity to the various joint governance groups.
261. At the time of the Consultants' review, no formal terms of reference existed, but groups were to develop objectives which they would be expected to report against following the first year of operation and would report to the Operations Managers or Heads of Function meeting once a quarter. The Consultants were therefore unable to comment on whether the groups would address the observed weakness in collaborative working.
262. Staff told HMICS that these were valuable with a number of products and improved focus on cross-functional working. These groups however were discontinued for a variety of reasons including pressure of work, losing focus and scope extending beyond intended purpose. At a recent Forensic Services management event, the reintroduction of some of the groups was discussed.

263. The Consultants' review recommendations for improvement are attached in Appendix 4 and HMICS has provided updates on progress. It is clear that progress in responding to self-evaluation results, the Consultants' review and Six Sigma deployment has been limited and that capacity and focus have been lacking. HMICS has found that Forensics Services is fully aware of the improvements required, but have continued to struggle to implement change and improvement due to resource restrictions.
264. HMICS believes that both the SPA and Police Scotland should implement an improvement planning process aligned with its strategic planning cycle and invest in developing capability and capacity in applying the best practice tools and techniques for continuous improvement. This should not only strengthen continuous improvement across both organisations, but facilitate the transformational change or 'radical improvement' needed to implement the 2026 strategy.

#### **Recommendation 17**

The Scottish Police Authority and Police Scotland should implement an improvement planning process aligned with its strategic planning cycle and develop capability and capacity in applying the best practice tools and techniques for continuous improvement.

#### **Business continuity planning**

265. Forensic Services have a suite of Business Continuity Plans (BCPs) in place which are tested and reviewed, although not on a regular basis. The maintenance of these BCPs is not a requirement of ISO accreditation but is supported and managed by the Management System. However, the plans do not follow the template established within Police Scotland and the wider SPA. Forensics Services are clear that due to the nature of their business and the standards required of them, their approach is fit for purpose.
266. It was acknowledged however that further work is required on ICT-related BCPs to ensure that all systems in use have effective plans in place to allow business to continue during downtime and to facilitate recovery as quickly as possible. The Police Scotland ICT function is supporting this review work.
267. At the time of our inspection, internal auditors were undertaking an audit of business continuity planning within the SPA. HMICS notes the content of their report which was submitted to the SPA Audit Committee on 25 April 2017.<sup>72</sup> The report noted that business continuity plans have not been routinely subject to annual review. There was no formal programme of testing of plans and there was no process to ensure that actions arising from these tests are addressed. The report also highlighted that there was a need to ensure that staff are provided with appropriate training and awareness of good business continuity management practices. The report also recommended a review of the ICT response to business continuity events and the development of an SPA-wide policy on business continuity planning.

<sup>72</sup> Audit Committee papers are no longer published on SPA website.



## People

268. The Forensic Services modernisation programme began in 2010 and completed in 2013, resulting in five distinct functions reflected in the current service structure:

- Biology
- Physical Sciences
- Scene Examination
- Business Support
- Quality

269. Staffing accounts for approximately 80% of the Forensic Services resource budget. The workforce is wholly civilian with staff predominantly from scientific and specialist disciplines.

270. Forensic Services has an establishment of 480 full-time equivalent (FTE) posts (505 actual staff members) with 15 FTE current vacancies and 15 staff on maternity leave. This position is dynamic with further resignations and retirements already notified over the next two to six months. Vacancies and associated business cases are reviewed at a senior management level to support decision making, taking into consideration capacity and demand levels across the business. Vacancies have been used to support areas outwith the original vacant post area, resulting in a resource shift to those functions with higher demand.

271. Table 6 demonstrates the staff spread across each of the main locations and functions.

Table 6: SPA Forensic Services staffing establishment – March 2017<sup>73</sup>

Location	Staff numbers	Biology	Scene Examination	Physical Science	Business Support	TOTAL
Aberdeen	FTE	15.3	20.57	7.6	6	49.47
	Staff headcount	16	22	8	6	52
	Mat leave	2	0	0.8	1	3.8
Dundee	FTE	45.54	18.5	28.6	9.32	101.96
	Staff headcount	48	19	29	10	106
	Mat leave	2.8	1			3.8
Edinburgh	FTE	15.66	35	18.31	7.97	76.94
	Staff headcount	18	35	19	8	80
	Mat leave	1	1			2
Gartcosh	FTE	45.82	67.45	101.37	37.53	252.17
	Staff headcount	50	70	105	42	267
	Mat leave	2.31	2	1	0.5	5.81
<b>TOTAL</b>	<b>FTE</b>	<b>122.32</b>	<b>141.52</b>	<b>155.88</b>	<b>60.82</b>	<b>480.54</b>
	Staff headcount	132	146	161	66	505
	Mat leave	8.11	4	1.8	1.5	15.41

<sup>73</sup> Figures sourced from March 2017 payroll and includes back fill staff on temporary contracts. Scene Examination staff are based at sites across Scotland, and have been matched their area laboratory locations.



272. HMICS found that staff at all levels in Forensic Services are strongly committed to the professional service they provide to their partners. This correlates with findings in the original SPA and Police Scotland staff survey and the latest PULSE survey results where 72% of SPA staff who responded strongly agreed or agreed that their team works well together to improve the service they provide. Conversely, 70% of those who responded strongly disagreed or disagreed that they felt positive about the future within SPA.

## Workforce planning

273. Workforce planning is the ongoing planning process for the numbers, demographics, locations, working patterns and skills of staff required to meet demand for forensic services. HMICS could find no evidence of a systematic approach or modelling tool for determining how staff resources are deployed to meet demand between functions and across geographical locations.
274. Forensic Services view that they have already developed a capacity and demand model having analysed a consistent set of monthly data since April 2014. Using demand variation and capacity, based on budgeted posts, allows the service to match baseline capacity against demand levels and identify areas of risk. A number of levers have been applied to manage these risks:
- Use of overtime
  - Redistribution of non-caseworking staff onto casework (mainly team leaders)
  - Moving work between laboratories
  - Moving staff to areas of higher demand (using existing skills or with limited re-training)
  - Re-allocation of vacant posts to highest demand areas
275. Whilst we commend the use of available data to develop this approach, HMICS does not view it as mature. This is partly evidenced by the absence of performance variables, process efficiency, working pattern variance, equipment optimisation and extraction level assumptions (leave, sickness, secondment, training and development etc).
276. The Consultants' review recommended that the SPA should undertake a review of capacity thresholds to inform the development of service standards (see recommendation 4 in Appendix 4). HMICS has found there to have been some progress to date as noted above, but that further work is still required.
277. Senior management currently believe that multi-skilling of staff will be part of a future 2026 vision for the service. An element of multi-skilling has already taken place successfully within the Mark Enhancement Laboratory (MEL). This would develop capability to provide more flexible resourcing to meet demand. However, it is acknowledged that the level of specialist training and expertise required in forensic disciplines and associated professional silos will impact on any cross-training. The Consultants found that there were potentially further opportunities to improve capacity by multi-skilling, however in the absence of a wider strategy, those opportunities had not been exploited. HMICS found limited progress in this area to date.
278. The Consultants found in their review that Forensic Services had a high level of staff with flexible working patterns which often compounded demand issues, limited resilience in small teams and affected the capacity to support improvement or project work. HMICS found that these were challenges still facing Forensic Services. Recent initiatives had included the use of agency staff at lower grades to provide additional cover for maternity leave and vacancies.

279. Partners also emphasised the requirement for Forensic Services to match their 24/7 working patterns in order to provide a more effective service. Backlogs and delays which develop over weekends were cited as a continual source of frustration. However, such a change to terms and conditions would be significant and require a step change in the resourcing approach currently employed within Forensic Services.
280. In our Call Handling Report of November 2015,<sup>74</sup> HMICS identified the requirement to deploy effective resource modelling in order to justify investment and manage demand to defined levels of service. Such a model has now been implemented successfully in Contact, Command and Control Division and HMICS is of the view that a similar approach, albeit with added layers of complexity due to the different scientific approaches employed, could be adopted by Forensic Services. This would allow for increased transparency with partners as to realistic response levels from the resources available.

### **Recommendation 18**


The Scottish Police Authority should develop a transparent workforce and demand planning model for Forensic Services.

281. Absence was generally low with percentage working days lost at 3.5%, which is lower than the average across SPA and Police Scotland. Similarly, turnover is also relatively low (less than 3%).
282. Senior managers and staff reported that recruitment remains a challenge with lag times between authorisation for a post to be filled and an individual taking up post affecting capacity to meet demand. It was acknowledged that some of this delay was due to the vetting process, but HMICS consistently heard criticism of the Police Scotland Human Resources function in terms of the quality and level of support available.
283. It should also be noted that harmonisation of terms and conditions has yet to take place across Police Scotland including SPA and Forensic Services. This work is being led at a national level by the Police Scotland's People and Development Directorate. This is a significant piece of work which will impact on staff pay scales, and result in single role-based job descriptions. There is an approximate three-year delay in delivering the project. This proved to be the most contentious issue for staff we spoke to, with most feeling a high degree of concern about outcomes.
284. HMICS has noted the impact of the delay to harmonisation of terms and conditions in previous custody, call handling and local policing inspection reports for some time. After three years, the impact on staff morale continues to be significant. The SPA as the employer has a responsibility to ensure that this programme of work delivers to timescale. However, timescales have been extended on a number of occasions prolonging the delivery from a planned three years to a now likely six years. The programme will now form a key workstream in the delivery of the 2026 policing strategy. HMICS will continue to monitor its implementation.

### **Staff communication and engagement**

285. As previously noted, communications and engagement have been consistent themes for improvement within the service. Amongst some staff, there is a legacy of resentment stemming from the way in which the modernisation programme was handled by SPA Forensic Services senior management in 2010.

<sup>74</sup> HMICS, [Independent Assurance Review Police Scotland - Call Handling Final Report](#), 10 November 2015.

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286. Unison characterised the lack of engagement that management have with the workforce as 'a huge concern'. Unison states that changes are regularly made to working practices and the role of individual staff members without any formal consultation. In 2015-16, staff employed as Quality Leads were informed by email that their role and line management structure was to change. SPA Forensic Services management contend that the email communication was to let staff know about changes to function and line management, and was followed up by meetings to explain the rationale.
287. Unison believes that fundamental changes to staff roles should be presented to the trade union at the Joint Negotiation and Consultative Committee (JNCC), however this has not happened until recently. Unison views that senior management see them as an obstacle, and not part of the solution to issues affecting staff. There is a perception within Unison that SPA Forensic Services senior management view the JNCC process as a hindrance and something to be avoided or worked around.
288. The job evaluation exercise undertaken in 2016, as part of the harmonisation of terms and conditions in the SPA and Police Scotland, was also seen as an example of senior management failing to fully consult staff or the trade unions. Unison views that the job evaluation exercise was seen by senior management as an opportunity to create new roles within Forensic Services and to bypass staff consultation.
289. There is a perception that issues affecting staff are not openly disclosed, with Unison citing as an example the failure to share the full Consultants' review report despite numerous requests to senior management. Staff were made aware by email that the Consultants' review was underway and some were interviewed, but only senior management have seen the full report.
290. Since the 2010 modernisation programme was implemented, many staff are managed remotely. Both Unison and staff focus groups confirmed some feel isolated. Staff maintain that the modernisation programme resulted in a move from geographic silos to functional silos. Working in a structure dictated by function, with sites in different parts of the country, compounds the problems with communication between management and staff. HMICS found that staff would welcome cross-functional forums to discuss service-wide issues.
291. Recent 'roadshow' presentation events led by the Director were welcomed, but many felt these were insufficient. There is very real concern about the harmonisation project and the negative impact it could have on staff pay, terms and conditions. Unison states this is having a direct effect on the morale of staff, which is generally low within Forensic Services. Staff in our focus groups also reported that morale was at its lowest point, albeit it was clear they remained dedicated and committed to their roles.
292. Staff in Forensic Services are part of the wider long service award scheme within SPA and Police Scotland. They are invited to national Police Scotland recognition events, however do not have a recognition scheme of their own. HMICS heard that proposals for an internal recognition scheme for SPA Forensic Services, which included opportunities to increase the visibility of senior management, had not been accepted by the senior management team due to the SPA/Police Scotland scheme already being in place.
293. The Consultants' review recommended that the SPA should define better and more robust two way communication flows between all levels and functions within Forensic Services (see recommendation 9 in Appendix 4). HMICS has found there to have been limited progress to date.

## Training and development

294. As a predominantly specialist and scientific service, Forensic Services is heavily reliant on high levels of professional competency. This requires ongoing development and training reflecting the continually evolving nature of the science involved. Experience and competence is built up through comprehensive training and mentoring and it can take a number of years for staff to be able to demonstrate the level of expertise required to provide expert professional testimony to court. It is therefore essential for the maintenance of quality standards that there is a systematic approach to the review and development of all staff.
295. The interim SPA and Police Scotland Personal Development and Review (PDR) scheme ceased on 31 March 2017 and a new system of Personal Development Conversations (PDC) is due to start in June 2017. Forensic Services has its own Standard Operating Procedure (SOP) for training and development and will adopt an enhanced variant linked to training and continuous professional development (CPD).
296. Forensic Services receive generic training from Police Scotland. This is facilitated through the SCOPE HR ICT system where requests are made. On completion of a course, SCOPE staff records are updated with the training undertaken. However, these cannot be linked to competence requirements within the SCOPE system. HMICS also notes that the current post of Training and Development Manager is to be removed from the establishment of Forensic Services. This post had previously supported training needs analysis and engagement with corporate Police Scotland training.
297. In relation to technical and/or professional training, this may be delivered externally, but the majority of training is internal and carried out by trained scientific staff. To ensure Forensic Services is compliant with UKAS accreditation requirements in demonstrating competency standards, Training and Competence records are held and maintained within each Forensic Services unit. These records contain competence requirements for an individual role and record any training undertaken by the staff member. These training and competence records are currently held in hard copy format however there are plans to transfer these onto the Q-PULSE system.
298. Lead scientists have also been appointed within the service and part of their role is to support CPD processes with a training budget to hold regular CPD events.
299. The Consultants' review found that opportunities for training were restricted due to operational workload. They also found the training and support of new or inexperienced staff resulted in significant pressure on those within the affected team. Staff told HMICS that these issues still remained. The Consultants recommended a number of areas to focus improvement to meet current and future challenges and realise the potential of staff (see recommendation 10 in Appendix 4). HMICS has found there to have been limited progress to date.

### Recommendation 19

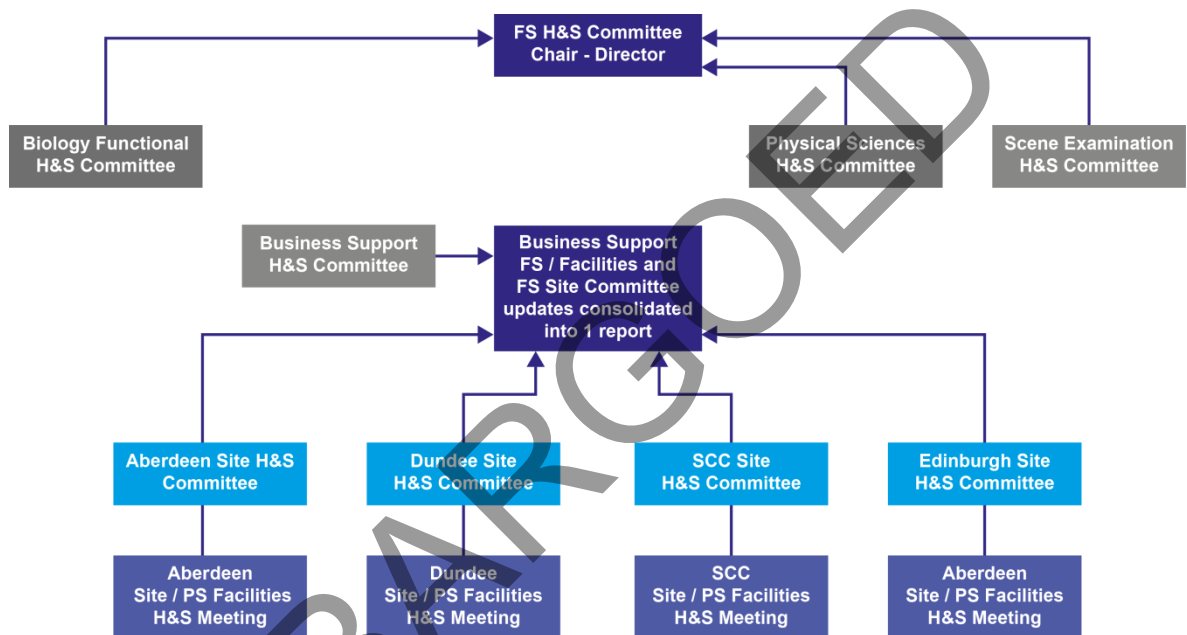
The Scottish Police Authority should develop an enhanced staff and Union engagement approach within Forensic Services which includes the introduction of Personal Development Conversations across all Forensic Services staff groups with immediate effect.



## Health, safety and wellbeing

300. Forensic Services is covered by the SPA/Police Scotland Health and Safety Policy Statement, Health and Safety Policy and Standard Operating Procedures. Formal reporting is included within a composite report provided regularly to the SPA People Committee.
301. An overarching Forensic Services Health and Safety Committee is chaired by the Director of Forensic Services, with site committees at each of the main laboratories which meet quarterly. There are also committees held at a functional level for Biology, Physical Sciences, Scene Examination and Business Support.

Figure 6: Forensic Services health and safety structure



302. The Q-PULSE system also holds all Risk Assessments, Safe Systems of Work and Dangerous Substance and Explosive Atmosphere Regulations (DSEAR) assessments. Fire evacuation procedures, ladder management and health and safety inspection documents are also available through the QMS.
303. HMICS views the approach to health and safety as strong, although visibility of reporting the specialist elements of forensics could be improved through inclusion in performance reporting to the partnership and SPA Board.



### Finance

305. Forensic Services had an operating budget of £27.7m in 2016-17. This constitutes only 2.6% of the overall SPA policing budget, which also includes Police Scotland. Forensic Services has consistently faced challenging financial circumstances in its operating revenue budget. This budget is made up of 80% staff and 20% non-staff costs. This ratio varies from that of Police Scotland (90% and 10%) reflecting the higher level of fixed costs, supplies and services required to deliver a primarily scientific service. However, this still presents major challenges when savings are required and demand is increasing.
306. Prior to the recent Governance Review, the Director of Forensic Services had delegated authority for his budget, which he then sub-delegated to his heads of function. There are individual cost centres associated with each of these functions to support effective financial monitoring. The new corporate governance framework approved by the SPA in December 2016 has removed this budget delegation, with the Chief Executive now having full budget responsibility and the ability to use an internal scheme of delegation to delegate authority to the Director of Forensic Services. At the time of our inspection, this had not yet been formalised. Given our recommendation to create a new Head of Forensic Services for Scotland, who would become personally accountable to the Forensic Committee and SPA Board, this direct delegation should be reflected in a revision to the corporate governance framework.
307. The Director of Forensic Services and SPA Director of Financial Accountability have recently undertaken a 'bottom up' revenue budget build for the service, which more accurately reflects the baseline position and spending requirements. This will make overspends less likely. Financial advice and support is supplied from the SPA whilst Police Scotland provides access to financial ICT systems and transactional processing.
308. Audit Scotland reported that on the formation of the SPSA, there was a belief that some of the funding provided in 2007-08 was insufficient, in particular the funding for forensic services.

*'There was no clear or consistent basis for calculating the cost of forensic services and the estimates provided by forces did not take account of changes in demand, investment needs or some overhead costs. The four forensic laboratories in Scotland also had different approaches to charging for work carried out for COPFS. For example, one laboratory requested payments only when analysis resulted in a case going to court, other laboratories did not charge for any of the forensic services they provided. So, while the whole of COPFS's budget for forensic services was transferred to SPSA, this was less than it had cost forces to provide the service. Initially SPSA received £2 million for the work it carried out for COPFS. However, based on an analysis of the volume of work completed for COPFS at the time, SPSA estimates that the value of the forensic services provided to COPFS was around £5 million'.*

309. It was also reported that Forensic Services delivered over £500,000 of savings in 2008-09 by changing its working practices, allowing it to leave vacant staff positions unfilled. As set out in the Scottish Government's spending review, SPSA's budget increased by 2.7% each year from 2007-08 to 2010-11. However, the Scottish Government then top sliced this amount by 2% for efficiency savings giving an actual increase of 0.7% each year. At the point of transfer from SPSA to the SPA, Forensic Services had made £2m efficiency savings in 2012-13 and was required to make a further £1.3m in 2013-14, the first year of SPA operation.





Table 7: SPA Forensic Services – Revenue Budget (£100,000s)

	2013-14		2014-15		2015-16		2016-17		2017-18
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget <sup>75</sup>
Employee Costs	19,541	19,719	20,227	20,404	21,318	21,265	22,067	21,808	22,257
Overtime <sup>76</sup>	594	712	538	701	750	817	403	481	403
Training	146	48	146	65	0	14	98	65	98
Admin Costs	235	226	202	176	423	309	280	180	182
Premises Costs	51	322	75	67	37	140	43	67	55
Transport Related Costs	408	453	487	524	419	449	312	400	415
Supplies & Services	3,521	4,109	3,642	3,937	2,994	3,940	3,921	3,771	3,732
ICT	484	215	534	440	438	506	508	656	597
Third Party Payments	12	171	92	369	147	322	227	335	337
Other Income									
Unidentified Savings Target			(214)		(227)				(101)
Fees & Charges Income	(246)	(151)	(246)	(155)	(75)	(109)	(75)	(63)	(82)
Other Income	(42)	(12)	(42)	(34)	(234)	(221)	(25)	(25)	(25)
<b>TOTAL</b>	<b>24,703</b>	<b>25,811</b>	<b>25,442</b>	<b>26,493</b>	<b>25,992</b>	<b>27,431</b>	<b>27,760</b>	<b>27,675</b>	<b>27,868</b>

310. Forensic Services is forecast to have a net spend of £27.75m in 2016-17 which is an underspend against budget of £10,000 on revenue expenditure. Figures also show significant overtime costs in the past year of approximately £486k. Overtime has been used as a capacity lever to date, but is acknowledged as unsustainable by senior management given budget pressures and the associated workload implications for staff. Transport costs (primarily casual car user expenses) also show a considerable overspend, which as an area identified for further savings, may also be unsustainable.
311. In financial year 2016-17, Forensic Services was again faced with a significant financial challenge to deliver £1.9m of efficiencies as part of its budget setting process. Whilst in real terms the final budget allocated increased by £1.7m from the previous year, additional cost pressures required to be offset against the efficiency savings required.
312. The majority of these savings (£1.6m) were delivered through reductions in budget for staff, overtime, travel and training. £300,000 of these savings were required to meet additional costs in relation to a change in legislation regarding psychoactive substances.
313. In the current financial year 2017-18, Forensic Services has been required to deliver a further £700,000 of savings as part of budget setting with a 2% slippage target on staff costs. This will continue to be a major challenge to the service, which will further impact capacity to meet the levels of demand already highlighted in this report.
314. HMICS notes that for a service which relies heavily on the use of consumables and manages high levels of stock, no stock control system is in place. Use of such a system would support improved management and planning of inventory levels, storage organisation, and 'just in time' ordering to support further efficiencies. Police Scotland has a number of such systems, but a single national system is not yet in place.

<sup>75</sup> 2017/18 budget contains £437k of a savings target which will be identified during April 2017.

<sup>76</sup> Overtime reduced by 50% in 2016/17 as part of savings plan. This is demand led and is proving difficult to manage down given current business pressures.



Table 8: SPA Forensic Services – Capital Budget (£100,000s)

	Total spa capital grant <sup>77</sup>	FS Capital Bid	Capital allocation	Spend
2013-14 <sup>78</sup>	54,330	2,961	2,961	2,961
2014-15	54,192	1,116	1,116	1,115
2015-16	40,550	1,100	700	672
2016-17 <sup>79</sup>	26,400	2,600	600	255^
2017-18	42,400	855	900	-
<b>TOTAL</b>	<b>217,872</b>	<b>8,632</b>	<b>6,277</b>	<b>5,198</b>

315. Forensic Services is forecast to have a forecast capital outturn of £450k in 2016-17 which is an underspend against budget of £150k. Capital bids totalling £855,000 have been submitted for 2017-18 and an allocation of £900,000 has been secured.
316. Procurement has proved to be a major constraint in using the full in-year capital allocation. The capacity of the Police Scotland procurement function and relative prioritisation of Forensic Services has meant that capital projects have not progressed to planned timescales. There is a significant risk that this budget will continue to be under-used and that funds will be reallocated to meet the overall budget savings required for policing.
317. As noted in paragraph 86, the constraints on staff capacity within Forensic Services also limits their ability to support and implement major programmes of investment.
318. As previously noted, Forensic Services currently has no ongoing established capital programme or related investment strategy. However, capital bids have been regularly submitted on a project by project basis, and although reduced allocations have resulted compared to those requested, they have been relatively successful in securing funds. The capital funding has enabled current standards and scientific equipment to be maintained at an acceptable level.
319. Although capital receipts can be retained by the SPA (as part of a five-year agreement with Scottish Government) and the SPA can in theory borrow additional capital with some restrictions, there are limitations on the amounts which can be generated.
320. However, a number of stakeholders felt that Forensics Services had already received considerable capital investment and should not be financially subsidised or rewarded further.
321. Forensic Services have submitted several business cases requiring financial investment which demonstrate long term savings elsewhere in the wider criminal justice system, but these have not secured funding. A recent funding bid to the New Psychoactive Substances (NPS) Centre of Excellence to support drugs development work in an Edinburgh pilot was not supported as it related to staffing resources.

<sup>77</sup> SPA Capital Grant figures contain capital receipts and use of Police Change/Reform budget. Capital expenditure was reduced in 2016/17 in order to assist in balancing the overall SPA budget.

<sup>78</sup> 2013/14 – Capital budget was higher relating to equipping the new Scottish Crime Campus labs at Gartcosh. This capital funding was provided to SPA outwith the SPA Grant-in-Aid allocation.

<sup>79</sup> 2016/17 – Forensics had re-assessed organisational structure given current demands. A short term £2m investment was requested in order to provide funding to enable a better service and deliver longer term savings for the organisation.

322. It is highly likely that there will be ongoing pressure on capital budgets. Significant investment will be required on scientific equipment and ICT replacement programmes over the next couple of years. Forensic Services therefore requires to establish a strategy and associated business case, supported by its partners across the justice system, which will secure the appropriate levels of capital funding to maintain and develop its services (see paragraph 50).

## Costing

323. The ability to accurately cost its activities is essential if Forensic Services wishes to provide services to other agencies in the future. Similarly, a reflection of notional cost related to current demand would also be useful in supporting further discussion to manage caseloads and demand flows.
324. As previously mentioned, police forces in England and Wales obtain the majority of their specialist forensic science services from commercial suppliers, and as such have a high level of awareness of the cost of each type of forensic examination for different crime types. Whilst this focus on budget might not always be regarded as healthy for decision making about a criminal investigation and/or prosecution, there is much to be said for police and prosecutors having an understanding of the cost implications of requests for forensic examination.
325. As previously noted, HMICS identified support at a strategic level in Forensic Services and Police Scotland for the introduction of some form of notional costing model, which could lead to more informed decision making about the extent of forensic science required based on proportionality, necessity and likelihood of obtaining evidence from the forensic examination (see paragraph 175).
326. Although Forensic Services has presented illustrative costs based on its 2015-16 budget in the past, it currently has no means to accurately cost its activities. There are plans in development to implement time recording through the EMS laboratory ICT system. This will provide improved capability to develop costing models. However, the service will require financial support and expertise to develop effective costing and charging models.
327. Forensic Services would also require accurate costing for the support services it receives from the SPA and Police Scotland including finance, human resources, ICT and estates. This information is not currently available and would require these organisations to develop a corporate cost recovery model.
328. As with Police Scotland, Forensic Services VAT costs are met from the Scottish Government Police Change Fund budget. The current VAT bill for Forensic Services is approaching £1m a year from revenue expenditure alone.



## Income generation

329. A previously noted, current demand on the service is high and capacity to meet that demand is stretched significantly. Current levels of external service provision relate more to mutual aid and support of other partners in the wider UK justice system, than to income generation as a way of subsidising the overall budget of funding research and development. The level of understanding and governance regarding the added value or impact of the work provided to external customers is unclear.

Table 9: SPA Forensic Services income sources – 2016-17

Organisation	£(000's) <sup>80</sup>
National Crime Agency	7
Fiscal's Office	51
UKAS (accreditation)	5
<b>Total</b>	<b>63</b>

330. Police Scotland and COPFS also require on occasion to source specialist forensic expertise which is not provided by Forensic Services such as forensic archaeology or soil analysis. Although they are encouraged to source this via Forensic Services, they often source this directly from suppliers. HMICS is aware that COPFS regard the involvement of SPA Forensic Services in this process as irrelevant and introducing unnecessary delays. HMICS sees the value of SPA Forensic Services being aware of the level of unmet demand for developing its future requirements of service and strategy. The Consultants' review noted that COPFS engaged external services at an estimated cost of £217k in 2012, £178k in 2013 and £105k in 2014. Police Scotland had spent an estimated £83k on external services in 2014-15 and £75k in 2016-17. These external costs to partners have reduced since the introduction of DNA24 technology as more sensitive DNA testing had previously required to be outsourced. No additional funding has been moved from Police Scotland or COPFS to support this.
331. There is a perception amongst partners that Forensic Services should be meeting these additional costs as they are the statutory provider. However, the Consultants' review also notes that Forensic Services perceive that external spend is often driven by choice rather than necessity.
332. The Policy Memorandum for the Police and Fire Reform (Scotland) Bill stated that:
- "The Bill gives the Scottish Police Authority and the Chief Constable powers to charge for providing police services in certain circumstances... The Bill also gives the Scottish Police Authority powers to provide other goods and services, including forensic services, ICT and training to other public bodies, as well as in specified circumstances to private organisations and individuals, and to charge for the provision of those goods and services in order to recover its costs... The Scottish Ministers will expect the Scottish Police Authority to develop, publish and then regularly update guidance on charging for services, including a scale of charges, in consultation with relevant stakeholders, in order to ensure consistency in this area."*
333. The SPA Board has consistently sought consideration of income generation as a potential source of additional funding for Forensic Services. A report on income generation was submitted to the Board on 20 June 2016<sup>81</sup> which highlighted the requirement for a full cost analysis to be undertaken and the development of a commercial strategy. The report provided three options for future governance and delivery with draft potential milestones.

<sup>80</sup> The income shown in Table 9 represents the main income generation for Forensic Services. Other sundry income is not included.

<sup>81</sup> SPA Board 20 June 2016 – Closed Session Report.

334. A key issue highlighted was how any profit generated could be retained and reinvested into Forensic Services to support improved services to core partners. Whilst Police Scotland cannot provide services above the cost of provision, legislation does allow SPA to generate additional 'profit' income.<sup>82</sup>
335. The Consultants' review sets out a number of 'Enablers for Commercialisation'. These include:
- Appropriate corporate oversight
  - Marketing, relationship management and commercial skills
  - Profitability against a known cost base
  - Competitive advantage and cutting edge scientific and business processes
  - Availability via appropriate procurement channels
  - Sufficient skilled resources
  - Instrumentation capacity
  - Efficient logistics/supply chain, planning and management processes
336. The Review also identified business areas with market potential and further opportunities which could develop through investment in research and development.
337. Senior management reflected a view that although the concept of income generation and cost recovery in the sphere of forensics is well accepted, there would be considerable resource and time required to develop the capability and capacity to meet both current and future demands from Police Scotland and COPFS as well as the additional capacity for income generation required before Forensic Services would be able to embark on such a venture. Similarly partners felt that core service delivery as specified in legislation should be a priority, and that until capacity can better meet demand and reduce backlogs, income generation should not be a priority.
338. HMICS is clear that whilst income generation may be part of a valid vision for the future of the service, this would require strategic leadership, research and project management, in-depth understanding of the business and the wider target market as well as financial, marketing and supply chain management skills. This capability and capacity will come at a cost and should not impact on the statutory requirements of the service. Any future cost recovery model would also require to consider the VAT position of the service.

#### **Recommendation 20**

The Scottish Police Authority should develop a forensic services costing model with appropriate support and expertise to support demand management and future income generation.

### **ICT and information management**

339. As previously noted, there is no overarching vision or strategy in place for Forensic Services. A medium to long term ICT strategy has therefore not been developed as yet. However, the annual business planning process has facilitated the development of an annual ICT roadmap for the service. This roadmap is reviewed annually and sets out the priorities and projects for delivery over the year. All of the stakeholders we interviewed acknowledged that ICT is a key enabler for the service.
340. Prior to amalgamation under the SPSA in 2007, legacy forces operated a variety of ICT systems to support the work of their forensic services. As part of their modernisation programme implemented in 2010, the decision was taken to procure and implement a single national 'end to end' workflow management system.

<sup>82</sup> Scottish Police Authority (Provision of Goods and Services) Order 2013. Schedule 1 of that Order makes specific reference to forensics.



341. Support is provided to Forensic Services by the ICT function of Police Scotland, who maintain network, server and desktop infrastructure and liaise directly with application system suppliers. An ICT Lead has significantly improved engagement with the business and supports annual planning and prioritisation of ICT developments. Meetings are held regularly at strategic and operational levels to discuss the impact of wider ICT plans and developments, progress service requests, complete user and business requirements, develop business cases and review forensics project status.
342. There is no active<sup>83</sup> Service Level Agreement (SLA) between Forensic Services and the Police Scotland ICT function, however all faults reported are classified according to fault type and priority with associated response and resolution target times. Service levels from ICT are not viewed positively by staff, who perceived that forensics is low priority compared to operational policing. However, it is accepted that the ICT challenges still facing Police Scotland are considerable.<sup>84</sup>
343. There have been delays with key national ICT infrastructure projects to upgrade desktop PCs to Microsoft Windows 10 (ALLIANCE programme) and to integrate network and server infrastructure (ADEL programme) which have had a direct impact on Forensic Services. Similarly, a number of proposed developments have been postponed due to a lack of capacity within both Forensic Services and Police Scotland ICT.

### **Evidence Management System**

344. The Evidence Management System (EMS) was rolled out across all Forensic Services sites in 2013. The system has been the subject of significant bespoke development work to meet the needs of the service. Annual support costs (which include bi-annual product upgrades) are £175,000 (including VAT). Investment in developing the system has continued with a number of new developments planned including barcoding, enhanced management reporting, and a STORM Unity<sup>85</sup> (command and control) interface. Budget is allocated annually for these developments but has decreased for a number of years due to diminishing requirements.
345. An EMS Development Manager provides co-ordination, project management and training for the system and is actively engaged with the supplier of EMS through a national Forensics Users Group to influence the development of the core EMS package.
346. HMICS heard conflicting views on the effectiveness of EMS as a business tool. Front line staff felt that it had been implemented too quickly, without sufficient specification of requirements or involvement of staff. Staff also reported issues with poor ICT infrastructure performance which affected EMS response times and consequently efficiency of their working processes.
347. Staff perceived that key areas of the business had struggled with using EMS, feeling they had to adapt their processes to use the system, rather than the system adapting to their business. The system is viewed as being heavily reliant on manual input of data. This was seen to be a particular issue for the scene examiners at crime scenes and the Fingerprints section. This has resulted in the development of local databases and spreadsheets to assist in producing management information. Senior managers were more positive about the system, citing the benefits of a single national system, the 'packages of work' approach and management reporting.

<sup>83</sup> Service Level Agreements were originally developed by Police Scotland but never implemented.

<sup>84</sup> Audit Scotland, [i6: A Review](#), 9 March 2017.

<sup>85</sup> STORM Unity is the ICT application system used to manage incidents reported to the police.



348. Staff felt that a clearer understanding could be built about where additional development is needed so that EMS can better support service delivery. There was a general appeal amongst staff for a review of the system to consider if options exist within EMS to improve or whether alternative ICT system solutions are available. Staff acknowledged the time and effort spent in developing EMS thus far, and potential resistance to considering a new system, but felt very strongly that their opinions were valid and a medium to long term view should be taken by senior management.
349. Currently plans are in place to extend the five-year contract which is in place for EMS and maximise the value of a system which has undergone significant bespoke work to meet the needs of the service. An EMS roadmap is also under development.

### Recommendation 21

The Scottish Police Authority should commission a review of Evidence Management System functionality and investment profile against business requirements and link process efficiency work into future EMS development and refinement.

350. A number of other systems are deployed within Forensic Services including the Image Management System (IMS), Q-PULSE (quality management system) and a number of legacy systems including 4D for DNA processing and various archived systems to access historical data. A number of PC-based standalone systems are also in use. National systems such as Livescan<sup>86</sup> and IDENT1<sup>87</sup> are also used. There is also extensive use of databases and spreadsheets to manage and manipulate local data. This presents a relatively complex applications landscape and a degree of risk.
351. HMICS was unable to identify if supplier product roadmaps had been shared with Forensic Services for a number of these systems. The ongoing support and governance of these legacy systems therefore poses a risk to the service. Forensic Services has in the past had an acknowledged culture regarding researching and purchasing systems or software outside of mainstream ICT governance. This has the potential to create risk in terms of contractual ownership, interdependencies with the current infrastructure and business continuity plans.
352. As previously noted there is no stock management system, and similarly there is no asset management system in use within the service, despite a number being available within Police Scotland. Therefore, there is limited understanding of the supplies and equipment held, support and contractual arrangements, costs and replacement lifetimes. These systems would support more effective planning and efficient use of resources.
353. The impact of the cancellation of the i6 programme has also been felt within Forensic Services. The lack of a single national crime management system and production management system presents major challenges in terms of productions handling, demand analysis, management reporting and process efficiency. Multiple reference numbers can be used in connection with a case and its associated productions. As noted in paragraph 235, the three local gateway portals require to access multiple local crime management systems and production management systems. Until Police Scotland implement national systems with appropriate access or interface to Forensics processes, there will continue to be a high degree of inefficiency and failure demand.

<sup>86</sup> **Livescan** terminals have been in use in Scotland since April 2005. The terminals are located in most stations with a custody facility and allow finger and palm print data to be captured and stored on the IDENT1 system.

<sup>87</sup> **IDENT1** is the national automated fingerprint system that provides biometric services to the police forces throughout Scotland, England and Wales. IDENT1 replaced the National Automated Fingerprint Identification System (NAFIS) in England and Wales, as well as the electronic fingerprint identification system used by Scottish legacy police forces. IDENT1 enables the forces to search and compare fingerprints and crime scene marks in a single shared database, providing a unified collection of finger and palm prints managed UK-wide.

## Recommendation 22

Police Scotland should further consider the impact of i6 cancellation on Forensic Services and ensure that interfaces and provision of other business support systems are included in the development of their future ICT investment plans.

354. Despite the lack of a longer term strategy, senior managers and staff were able to articulate a clear future vision to achieve mobile capability. This related primarily to the on-site capture of crime scene data and its immediate communication. These aspirations have yet to be developed into a strategy and aligned with Police Scotland strategic delivery plans for 2026. WiFi capability was also an aspiration short term for the bar coding of productions and for remote access to EMS and other systems.
355. The Business Support function has lead responsibility for information and records management. HMICS found that processes were generally under-developed, but this had been recognised with some ongoing improvement work evidenced. HMICS views that usage of historical data requires clear asset ownership, governance and management. Capacity within business support may be an issue as this area has been targeted for savings.

### Estate

356. There are four main Forensic Services locations based at:
- Scottish Crime Campus (SCC) at Gartcosh
  - Dundee
  - Aberdeen
  - Edinburgh
357. These locations are shared with Police Scotland and a number of other partner agencies. The SCC and the premises in Dundee are new buildings. HMICS visited each of these locations and spoke with managers and staff as part of our inspection.
358. Scene Examination is delivered from 17 satellite offices across Scotland, including four which are co-located with the main laboratory based activities. There are two high volume processing centres in Gartcosh and Dundee. A firearms unit is based in Gartcosh. Drugs are dealt with in the two main high volume processing centres with additional staff based in Aberdeen for this purpose. Imaging is delivered through a two-centre model based at Gartcosh and Dundee and the Multi-media Unit is based in Gartcosh.
359. Senior managers and staff reported general satisfaction with facilities and with the service provided by the Police Scotland estates team.

### Fleet

360. Scene examiners raised concerns regarding the quality of vehicles (vans) being procured on behalf of Forensic Services by the Police Scotland Fleet Management function. Despite the requirements for storage fit out and weight payload being consistently stated and accepted by Fleet Management, the vans being procured have not been of the size or quality to meet the needs of scene examiners.
361. Scene examiners were critical of the Police Scotland Fleet Management function in terms of the quality and level of support available and hold the view that vans are being selected for procurement on a cost rather than quality (in terms of operational requirements) basis.



### Corporate services support

362. As previously noted, Police Scotland provides the majority of corporate business support services to Forensic Services. These currently include Human Resources, ICT, Procurement, Estates, Fleet and financial processing.
363. HMICS has found a number of areas where these services are not effectively supporting the business of Forensic Services. These include Human Resources (see paragraph 282), Procurement (see paragraph 316) and Fleet (see paragraph 361). Forensic Services have highlighted these concerns to Police Scotland.
364. HMICS does not view that it would be sustainable for Forensic Services to maintain their own support functions, but do view that current service levels are having a direct impact on day to day business.
365. HMICS is aware that corporate support services will be reviewed by Police Scotland as a key workstream of implementing the 2026 policing strategy and would expect that the specific business requirements of Forensic Services will be taken into account within that review.
366. Although service level agreements were originally developed by Police Scotland, these were never implemented. Such agreements would provide a formalised method of monitoring performance and regular Account Management or Business Relationship arrangements. HMICS views that service level agreements should be implemented as soon as possible and not be delayed by the proposed review of corporate support services.

#### Recommendation 23

Police Scotland should develop formal Service Level Agreements for the delivery of corporate support services to Forensic Services, reflecting agreed service levels, performance measures, regular monitoring and Customer Relationship arrangements.

## Appendix 1 – Methodology

We have used the HMICS Inspection Framework<sup>88</sup> which is based on the Public Service Improvement Framework (PSIF), the European Foundation for Quality Management (EFQM) Excellence Model and Best Value Characteristics. The Inspection Framework provides a structure to our inspection which will be risk-based, proportionate and focussed on improving the delivery of policing in Scotland. We structured our inspection around six themes:

- Outcomes
- Leadership and governance
- Planning and process
- People
- Resources
- Partnership

The inspection was delivered over four stages, some of which were undertaken concurrently. Lead Inspectors commenced scoping the inspection in October 2016. Onsite work was limited to a two to three week period in **February/March 2017** to minimise our scrutiny footprint.

### Stage 1 – Scoping

- Initial engagement with key stakeholders and establishment of Single Points of Contact.
- A review of existing key documents including reports to SPA Board, strategies, plans etc.
- Observations of key governance and other meetings.
- Provision of a Professional Advice Note in respect of Recommendation 11 of the Chair's Governance Review.

### Stage 2 – Fieldwork

The fieldwork phase focussed on areas of risk identified in the initial scoping phase. Specific topics and questions for interviews and focus groups were structured around our Inspection Framework. Reflecting our scoping, and ongoing assessment of progress, we conducted:

- A review of progress on ongoing work and progress of the SLWG (since July 2015).
- Selected inspection visits across Forensic Services sites.
- Interviews and focus groups with officers and staff from Forensic Services including users of their services. Key staff interviewed were identified and a schedule of meetings agreed.
- Questionnaires issued to senior Police Scotland detectives (reflecting risks and issues identified).
- Observations of key governance and other meetings.

### Stage 3 – Analysis of evidence

During this stage, the Lead Inspector and inspection team reviewed and evaluated the information and evidence collected during the inspection. This was assessed against current guidance, procedures and best practice across the UK.

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<sup>88</sup> HMICS, [Our Framework](#).



#### **Stage 4 – Publication and reporting**

Our report will be published in terms of Section 79 of the Police and Fire Reform (Scotland) Act 2012.

A copy of the report is also provided to the SPA, the Chief Constable, the PIRC, COPFS and the Cabinet Secretary for Justice and laid before the Scottish Parliament. A copy has also been made publicly available on the HMICS website.

EMBARGOED



## Appendix 2 – Consultants' Terms of Reference

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It is recognised within Scottish Police Authority (SPA), Forensic Services (FS) and its customer base that Forensic Services is currently facing a number of challenges. These include:

- outstanding workload of volume crime casework;
- operating within a period of austerity which directly followed efficiencies already made by the Modernisation Programme;
- increased demand for services, in particular services relating to: sexual offences and biology cases; high priority 7 day custody cases; and routine drugs analysis;
- frequently failing to meet the KPIs for Volume Crime Unit DNA analysis and high priority drugs submissions; and
- FS' core business system, Evidence Management System (EMS) is not yet delivering all of the anticipated benefits.

As a result of these issues, SPA has commissioned this review to provide a better understanding of the demand profile for forensic services, how the service is currently set up to meet this demand, and what may be the root cause of any perceived performance issues.

The Review focuses on:

- identification of the current and anticipated demand for the service and assessment of how demand is managed;
- an assessment of the FS' capacity to meet demand with regards to how it undertakes capacity planning and management, including where resources are located, how they are utilised, and an assessment of key business processes;
- an assessment of delivery of services, taking account of the existing performance management framework and adherence to Service Level Agreements (SLA's), adherence to defined processes, and the use of technology; and
- identification of areas where Forensic Services could potentially position itself within the competitive forensics market taking into account the wider review findings and the enablers or pre-requisites needed to facilitate successful realisation of any significant, additional revenue generation.

During the four phases of the Review a range of activities were undertaken involving in excess of forty stakeholders from across SPA, Forensic Services, Police Scotland (PS) and Crown Office and the Procurator Fiscal Service (COPFS).





## Appendix 3 – Consultants’ key findings

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The consultation and desk based research activities conducted during the information gathering phase uncovered a number of themes:

Business Change	Gateway
Demand Planning	EMS system
Performance Management	
Capacity	
Service Delivery	Governance & Accountability
Benefits Realisation	People

These themes are further explored in detail within the Review report and are considered in relation to how each of the findings impact Forensic Services’ ability to undertake its core business activities.

The key findings of the Review included:

- the governance structure seeks to provide a forum that encourages closer collaboration between Forensic Services and its customers at a tactical, operational and strategic level. However, to date, there is limited evidence of collaborative strategic demand and capacity planning discussions taking place
- FS is required to manage a significant workload and respond to urgent requests as well as responding to routine forensic requests. To operate effectively, a supplier must understand the priorities of the business and its customers and plan accordingly to deliver those services on a daily, weekly, monthly and yearly basis. Although demand planning and management, and capacity planning and management do take place, there is currently no joint planning cycle in place to establish the demand for services and manage the supply of the services required by the customer
- the implementation of the Joint National Forensic Gateway is a stepping stone, but requires several changes to fully realise its potential and deliver the crucial role it must play in true tripartite demand planning and management, as well as customer relationship management
- a number of ‘levers’ exist to release additional capacity to deal with outstanding workloads and provide the additional headroom required to allow improved abstraction for activities such as training and personal development, validation and research, however, not all of these levers appear to be used effectively. Whilst the Director of Forensic Services is in a position to have an overview of the levers, there is no one whose role is to monitor and manage each of these levers as part of a holistic approach
- FS has experienced significant change to date, however, the Review has highlighted that there are a number of outstanding change initiatives to be implemented and the pace of change needs to be maintained and indeed increased in some areas
- while the Memorandum of Understanding (MOU) establishes agreed KPIs across key areas of service, it does not define any agreed volumes of work which could provide a basis for monitoring and decision making at a strategic and operational level. There is also a lack of monitoring of performance at a more granular level (i.e. at discipline level) that would help inform FS’ ability to meet the overall organisational wide KPIs

- the rationale for the approach taken to the implementation of EMS, a phased approach, focusing on key lab areas, initially using significant bespokeing / customisation of the software, etc.) is understood in terms of targeting key issues and dealing with resource availability challenges, but this has compromised the scale and pace of benefits realisation delivered by the system and has also had a negative impact on the perception of the system and its full uptake by significant numbers of Forensic Services practitioners at all levels within FS
- staff are a critical element of the successful running of Forensic Services and they are a good example of where additional actions are required to confirm that communication, career progression, investment in core training (including planning, management, business support and administration skills) and recognition of contribution are as effective as they need to be
- a comprehensive audit of all services and their potential for revenue generation with an associated analysis of the market has not been undertaken as part of this project, rather a note has been undertaken of those areas where some form of additional work beyond serving PS and COPFS demand is already taking place. Examples of such areas that have been identified include:
  - Firearms where additional work on ballistics is being undertaken for Forensic Science Northern Ireland (FSNI);
  - Documents where services exist that could supplement a declining capability in this area at FSNI; and
  - Fingerprints where specialist work on vehicle number plates is already being undertaken for other UK forces.

It is important to recognise, however, that a number of these areas of existing additional work are not necessarily the major growth areas for the future. It is expected that recent investments, for example, specialist DNA 24 technology, could offer significant opportunities for revenue generation in specialist areas once validation has been completed and actions included in the report recommendations have been considered to release the full potential of this area. Examples of potential commercial services include:

- DNA – crime stains or reference profiling, body identification etc.– target market UK, Europe and Internationally;
- Civil paternity casework;
- Specialist sexual offence services relating to enhanced search, recovery and DNA profiling;
- Disaster Victim Identification Service;
- Non-criminal forensic work relating to industries such as insurance (e.g. fire investigation);
- Expansion of multi-media package preparation;
- Expansion of criminal toxicology services;
- Expansion of fibres analysis;
- Expansion of Cold Case Reviews;
- Forensic Defence Examinations; and
- Consultancy for development of forensic process and implementation of quality systems
- there are a number of enablers that will need to be in place before Forensic Services can fully exploit the revenue generating opportunities that exist.

## Appendix 4 – Consultants' Recommendations

Rec number	Recommendation	Recommendation focus			Work underway (as of July 2015)	Comments from consultants <i>Updated by HMICS</i>
		Demand	Capacity	Service delivery		
1	<p>Ensure that there is a clear delineation of roles and responsibilities for SPA senior management when operating within the SPA governance forums versus when operating within the Forensic governance forum and membership, reporting, agenda items, and the meeting discussions should be relevant to the role that SPA is undertaking (i.e. either as a service provider or a body that is holding PS to account). Consideration needs to be given to the potential impacts of the revised governance structures, for example, the fact that both FS and FSSPF will now both report directly into the SPA Board to ensure that any risks are effectively mitigated.</p> <p>Ensure that each of the governance groups have a fully defined terms of reference that exploit the experience of its members and ensure full tripartite representation is achieved at these meetings to underpin the collaborative approach required.</p> <p>Ensure that the agendas and information provided to each of the governance forums is aligned to the terms of reference and highlight the key issues should be considered.</p> <p>The SPA Board should take full advantage of the outputs of the current strategic reviews, including this review, to inform their understanding of the key short, medium and long term issues to be addressed.</p>	✓	✓	✓		<p>The recommendations focus on building on the governance arrangements that have been recently established.</p> <p><b>HMICS finds that there has been limited progress on governance.</b></p> <p><b>Governance groups have terms of reference and defined memberships. Agendas and action logs are maintained. The FSSPF requires to be reviewed, specifically in terms of chairing and reporting in light of the new MAG arrangements.</b></p> <p><b>Forensics reporting to the SPA Board and their associated scrutiny and understanding is weak.</b></p> <p><b>See recommendation 4 of this report.</b></p>
2	The tripartite members should define and implement a joint planning cycle that is appropriately aligned within the wider governance and considers the short, medium and long term priorities and is appropriately linked to operational planning inputs across all members.	✓	✓	-		The recently revised governance structure provides a basis to implement this recommendation however

	As part of the cycle the forum should also undertake an annual MOU review.					work needs to be undertaken to define and execute this recommendation in conjunction with the work being carried out by SPAs Director of Strategy and Performance.  <i>HMICS finds there to have been no progress.</i>  <i>See paragraphs 51-52 and 65-66 of this report.</i>
3	<p>The Review has highlighted a number of levers that FS could use to increase the available capacity to meet the fluctuating customer demands. It is recognised that ease of implementing these levers varies. However they include:</p> <ul style="list-style-type: none"> <li>■ Instrumentation availability</li> <li>■ Standardisation of processes outwith the SoPs</li> <li>■ Education of both PS and COPFS customers</li> <li>■ <i>Improved filtering of demand by the JNFG</i></li> <li>■ Earlier notification of no further need for FS input</li> <li>■ <i>Recruitment decisions and allocation of work</i></li> <li>■ <i>Changing working practices to better match customers' demand profiles</i></li> <li>■ Continued work to address legacy working practices</li> </ul> <p>The need for dedicated manager with cross-functional oversight to achieve a coordinated approach across these levers should be considered.</p>	-	✓	-		<p>Some of the levers are already used and initiatives are in place to further develop their use. However this is currently being undertaken in an ad hoc manner and a coordinated approach to their use is required.</p> <p><i>HMICS finds there to have been some progress, but not across all levers identified.</i></p> <p><i>See paragraph 187 of this report.</i></p>
4	FS should undertake a review of capacity thresholds at a local / team level to determine capacity taking into consideration a range of factors including, availability of skilled staff, instrumentation availability and complexity of submissions. The output of this review should inform the development of service standards.	-	✓	-		Whilst there is some understanding of capacity thresholds at a team level this is based on experience rather than a formalised consistent approach.

						<p><b>HMICS finds there to have been some progress, but not across all levers identified.</b></p> <p><b>See paragraph 270 and 276 of this report.</b></p>
5	<p>The FS should adopt a good practice approach to developing a service catalogue that takes account of all FS products and services. The service catalogue would provide a series of product definitions in relation to the forensic services and products provided by FS which specify to an appropriate level of granularity the elements of work against each service or product type and the standard volumes of output associated with that service or product.</p>	-	✓	✓		<p>Whilst a list of services is defined in the MOU which is commonly referred to as a “Service Catalogue” it does not capture the key information to manage service delivery effectively.</p> <p><b>HMICS finds there to have been no progress.</b></p> <p><b>See paragraphs recommendation 4 of this report.</b></p>
6	<p>The ongoing review of the MOU should take account of the outputs of the capacity threshold review and the revised service catalogue to ensure that the service standards take account of the FS capacity thresholds, complexity of submissions and volume of demand.</p>	✓	✓	✓		<p>A MOU review is currently taking place which can provide a basis for these discussions. There is also evidence that the MOU currently takes consideration of a requirement for a more granular level of performance reporting in future years</p> <p><b>HMICS finds there to have been no progress on the MOU however some work has been undertaken on capacity thresholds.</b></p> <p><b>See paragraph 65 and 66 of this report.</b></p>

7	<p>The implementation of the JNFG is a stepping stone, but requires several changes to fully realise its potential, achieve the level of empowerment required to make decisions and deliver the crucial role it must play in true tripartite demand planning and management, as well as customer relationship management. Key areas for improvement include:</p> <ul style="list-style-type: none"> <li>■ Developing and agreeing an operating model which provides the necessary level of detail on scope of services, staffing levels, roles, responsibilities and core business processes on how the JNFG will operate on a day to day basis.</li> <li>■ Undertake a formal re-launch of the JNFG function following the development of the revised operating model to ensure consistent understanding of its function.</li> <li>■ Improve the flow of information in and out of the JNFG to better support planning and management activities.</li> <li>■ Play a key role in acting as a key information source to support the BRM function / role and facilitate continuous improvement of the ongoing FS Quality framework.</li> </ul>	✓	✓	✓		<p>The progress made by the JNFG is recognised, however, there are a number of areas of improvement that need to be progressed.</p> <p><b>HMICS finds there has been some progress on re-launching the JNFG, but further work is still required to consider resourcing, process standardisation, communications and education.</b></p> <p><b>See paragraph 187 of this report.</b></p>
8	<p>Fully embed the FS Business Relationship Function within FS. The contributions of this function include:</p> <ul style="list-style-type: none"> <li>■ Managing change and proactively driving improvements foster and maintain a productive relationship with its customers.</li> <li>■ Identifying changing business strategy both within the FS</li> <li>■ Ensuring continual improvement opportunities are being exploited and its customer base.</li> </ul>	✓	✓	✓		<p>Whilst the BRM role has been identified and the position is notionally filled, there is a lack of clarity around the responsibilities of this role. This is a full time role rather than the current part time arrangement.</p> <p><b>HMICS finds there to have been no progress.</b></p> <p><b>See paragraph 88 of this report.</b></p>
9	<p>There is a need to define better and more robust two way communication flows between all levels within FS and between functions. This should formalise some of the existing good practice in evidence. For example, the CPD meetings, HoF meetings, Operations Manager meetings and staff liaison meetings. This will improve quality</p>	✓	✓	✓		<p>There are existing areas of good practice which should be built upon to deliver improvements in communication across the</p>



	of information used for planning, speed of adoption of best practice, recognition and implementation of innovation and improve risk and issue management.					organisation.  <b>HMICS finds there to have been limited progress.</b>  <b>See paragraph 285 and 293 of this report.</b>
10	<p>In order to meet the current and future challenges and opportunities for growth there is a requirement to realise the potential of the people within FS. This should build on the commitment and goodwill of staff and innovation identified during the Review. Areas of focus should include:</p> <ul style="list-style-type: none"> <li>■ Clarity of career path and progression for all grades and roles.</li> <li>■ Full realisation of the training strategy and plans.</li> <li>■ Ensuring the Personal Development Review (PDR) properly reflects the needs of the individual and the organisation and supports effective performance management.</li> <li>■ Ensuring recognition of good performance and individual contribution through non-financial means.</li> </ul>	✓	✓	✓		<p>Whilst there appears to be key elements on which this recommendation could be built upon, however there is still significant work to be undertaken to address all aspects of this recommendation.</p> <p><b>HMICS finds there to have been limited progress. Further work is still required on PDC, recognition and training opportunities.</b></p> <p><b>See paragraph 294-299 of this report.</b></p>
11	Establish an effective performance management framework which uses a combination of internal KPIs, MI and formalised management processes to better inform planning and delivery of services.	✓	✓	✓		<p>There is a reporting framework currently in place however our analysis has identified significant gaps and opportunities for improvement.</p> <p><b>HMICS finds there to have been limited progress. Although reporting has been refined, considerable improvement is still required.</b></p> <p><b>See paragraph 116 of this report.</b></p>

12	<p>FS has experienced significant change to date, however, the Review has highlighted that there is a number of outstanding change initiatives to be implemented and the pace of change needs to be maintained and increased in some areas.</p> <p>It is recommended that FS adopt a more formalised approach to project and programme management and assign dedicated resources with the appropriate skillset to undertake these activities. This resource is required to have a comprehensive understanding of business change activities and benefits management and how it will be applied to the programme of work.</p>	✓	✓	✓		<p>The Review has identified that certain elements are in place to successfully deliver this business change. However the scale and pace of change requires dedicated and appropriately skilled resources that are not readily available within FS.</p> <p><b>HMICS finds there to have been no progress.</b></p> <p><b>See paragraph 85-88 of this report.</b></p>
13	<p>Undertake a gap analysis of the “shadow” systems and identify where functionality gaps exist and embed these into the EMS roadmap outlining a clear plan for transition that recognises the barriers for change i.e. the current negative perception amongst significant elements of the user base.</p>	✓	✓	✓		<p>Work is underway to address key gaps in functionality however significant elements of the recommendations are yet to be addressed such as the development of an information strategy. Overcoming current user perception remains a priority in order to realise the expected benefits.</p>
14	<p>Confirm the level and nature of IT support required for the ongoing development and support of the system and escalate issues with the service as appropriate.</p> <p>Develop an action plan to mitigate supplier based risks for example; supplier commitment to FS may lessen as their UK customer base expands the quality and timeliness of development work and ongoing supplier management.</p> <p>Develop an information strategy which recognises information as a key asset and identifies how EMS and other systems could be fully exploited to support improved analysis, decision making and collaboration within FS and with its customers. The information strategy must also take account of the resources required to implement and deliver the strategy.</p>					<p><b>HMICS finds there to have been some progress. A programme of EMS development and roadmap have been developed. However EMS user perception remains negative and overarching information strategy still requires development.</b></p> <p><b>See recommendation 21 of this report.</b></p>



15	There is an opportunity to use technology to facilitate the planning process. FS should develop a business case to inform the investment decision. This will provide support for scenario analysis and planning through the use of approaches such as 'what if' scenarios and should enable FS to understand the impact of a range of demand profiles. As well as providing a consistent approach to planning at levels within the FS it will also inform planning discussion with partners and will provide a basis for data input from Police Scotland e.g. crime analytics information.	✓	✓	-		There is no relevant activity underway.  <i>HMICS finds there to have been no progress.</i>  <i>See recommendation 22 of this report.</i>
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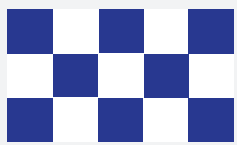
## Appendix 5 – Glossary

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ACC	Assistant Chief Constable
ACR	Area Control Room. Formerly a Force Control Room. Responsible for the command and control of incidents within its own geographical control area.
BAU	Business as usual
BCP	Business continuity planning
C3 Division	Contact, Command and Control Division of Police Scotland
CA/PA	Corrective Action and Preventative Action
CAST	Centre for Applied Science and Technology
CMU	Crime Management unit
COPFS	Crown Office and Procurator Fiscal Service
Crime report	Record of crime or offence, also referred to as a crime file in Edinburgh, Lothians and Scottish Borders, Forth Valley and Fife Divisions.
Cybercrime	Also known as e-Crime or digital forensics
DCC	Deputy Chief Constable
DCU	Divisional Co-ordination Unit
Demand management	Understanding demand by type and volume over time allowing prediction of resources required to meet a pre-determined level of response at the required level of quality to a forecasted level of calls.
Dispatch	Sending of crime scene investigators or police officers to a destination
Division	Divisional policing areas of Police Scotland, each led by a divisional commander.
DNA	DeoxyriboNucleic Acid
EMS	Evidence Management System
ERF	Examination Request Form
Failure Demand	Work which is not relevant, avoidable or generated through a previous failure to meet customer need.
FPG	Forensic Policy Group (Home Office)
FPIG	Forensic Partnership and Improvement Group
FPOG	Forensic Partnership Operational Group
FTE	Full-time equivalent
FS	(SPA) Forensic Services
FSP	Forensic Service Provider
FSR	Forensic Service Regulator
FSS	Forensic Science Service
FSSPF	Forensic Services Strategic Partnership Forum
HMIC	Her Majesty's Inspectorate of Constabulary
HMICS	Her Majesty's Inspectorate of Constabulary in Scotland
i6	Cancelled Police Scotland programme to develop an integrated national police ICT system
ICT	Information and Communications Technology
IIOC	Indecent Images of Children
JNCC	Joint Negotiation and Consultation Committee (with Trade Unions)
JNFG	Joint National Forensic Gateway
LSL	Local Satellite Laboratory
MAG	Management Advisory Group
MEL	Mark Enhancement Laboratory
MOU	Memorandum of Understanding
NABIS	National Ballistics Intelligence System
NDNAD	National DNA Database
NFFNG	National Forensic Framework - Next Generation
NPCAP	National Online Child Abuse Prevention
North/East/West	Territorial policing areas – the three operational policing areas in Scotland



OCCTU	Organised Crime and Counter Terrorism Unit
OSD	Operational Support Division
PAN	HMICS Professional Advice Note
PDC	Performance and Development Conversation
PDR	Performance and Development Review
PF	Procurator Fiscal
PIRC	Police Investigations and Review Commissioner
PMO	Programme Management office
Policing 2026	Policing 2026 – 10 year vision and future strategy
Production	Item of evidence
Programme management	Management of a specific set of related projects identified by an organisation that together will deliver some defined objective, or set of objectives, for the organisation.
QMS	Quality Management System
Q-PULSE	Quality management ICT system
SCD	Specialist Crime Division of Police Scotland
SCDEA	Specialist Crime and Drugs Enforcement Agency
SCRO	Scottish Criminal Records Office
SFI	Standard Forensic Instruction
SG	Scottish Government
SIPR	Scottish Institute for Policing Research
SLA	Service Level Agreement
SMT	Senior Management Team
Solemn Case	More serious cases being heard Sheriff and Jury and at High Court
SOP	Standard Operating Procedure
SPA	Scottish Police Authority
SPSA	Scottish Police Services Authority
SRO	Senior Responsible Officer – designated senior officer responsible for the delivery of the change programme
UKAS	United Kingdom Accreditation Service
VCU	Volume Crime Unit
VR/ER	Voluntary Redundancy/Early Retirement
Workforce planning	The ongoing planning process for the numbers, demographics, locations, working patterns and skills of staff and officers required to meet call demand.



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HMICS operates independently of Police Scotland, the Scottish Police Authority and the Scottish Government. Under the Police and Fire Reform (Scotland) Act 2012, our role is to review the state, effectiveness and efficiency of Police Scotland and the Scottish Police Authority. We support improvement in policing by carrying out inspections, making recommendations and highlighting effective practice.

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