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Our Ref: HR16: RM
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Dear Mr Miller

TRANSFER OF POLICE ICT FUNCTIONS TO THE SCOTTISH POLICE SERVICES AUTHORITY (SPSA)

I refer to your letter of 21 September to Mr McKerracher on the above and to the meeting of Police Board Clerks' representatives held in your office on 4 October. At that meeting you agreed to extend the deadline for comments on the draft section 24 Order to 2 November, when the Scottish Police Authorities Conveners Forum is scheduled to meet and will agree a response to you. I understand that Northern Constabulary's views on the impact of these proposals on the Force will also be communicated to you separately.

As I indicated on 4 October, this Board's meeting schedule has not permitted consideration of this matter by the full Board; however, I have been able to raise it at a meeting of the Board's Finance and Policy Working Group, at which the Deputy Chief Constable was also present and thus able to comment. As a result, there are some points that the Working Group Members wish me to draw to your attention, some of which are matters of general principle.

Loss of local control

The Board recognises that the principle of the transfer of ICT functions to the SPSA is set out in primary legislation. However, the implementing legislation now proposed is framed in very broad terms and, indeed, could be seen as going beyond the original primary Act in its definition of the transferring ICT functions. While the Board fully supports the concept of achieving compatible systems that facilitate inter-Force communications and operations and so enhance the delivery of policing services, the current definition means that the SPSA will own and control systems that are integral to all aspects of a Force's activities and not only those that clearly relate to common working. Members of this Board do have concerns that these developments seem designed to remove a large element of local control from Forces and Boards.

Best Value

I advised the Members of the assurance you gave at our meeting on 4 October that Boards will receive a level of service from the SPSA at least as good as that they currently enjoy, and that the intention is that the anticipated efficiencies should lead to an enhanced service. They wished me to emphasise their expectations that the proposed developments should lead to a better delivery of service. They are also aware that many of the proposed developments have complex financial implications and are firmly of the view that the Board must not be financially disadvantaged by these changes.

Members also expect the SPSA to achieve Best Value and that this should be demonstrated through robust auditing. In particular, they expect cost inflation to be avoided and are concerned that past investment should not be wasted, whether in equipment or staff training. Accordingly, they seek your/the SPSA's assurance that the drive for convergence will not mean the replacement of systems that are still operationally effective.

The Board would also welcome clarification as to what future discretion they may have in terms of ICT provision from a third party source, if this seems to offer better value.

Scope of the definition

I note your comment at our meeting that closed circuit television equipment will be removed from the definition in paragraph 2(3) of the draft Order, given that much is not owned by local Forces, and would confirm that most if not all of the systems operated by Northern Constabulary are owned by a third party.

I also note the comments at our meeting as to the importance of the Service Level Agreement to be established between the Board and the SPSA. I am aware that Northern Constabulary may seek to transfer additional services to you, particularly given the loss of wider expertise they are likely to suffer following the transfer of the ICT staff. In this context, I refer to your earlier comments and in particular the note dated 19 October you issued in the wake of our meeting, in which you suggest that ACPOS – and, by implication, I take it, Boards – will “define the business need” and act as an “intelligent customer”. However, if Forces/Boards' expert staff have all transferred to the SPSA, it is difficult at this stage to understand how Forces/Boards will in future receive the expert advice they need in order to become “intelligent customers”, and thus how balanced this future relationship may prove in practice.

Staff Transfer

Members are conscious that these developments will have significant impact on the affected staff and seek your reassurance that the latter's interests will be fully protected, that they will be treated well and that they will not suffer financial or career disadvantage as a result of their transfer.

Property Transfer

I note that the draft Property Transfer Scheme does not envisage the transfer of land or premises, but am aware that Northern Constabulary take the view that radio masts and sites should transfer and will be in further discussions on this. Whatever decision is eventually made, given that the equipment carried on these masts and its maintenance will transfer, I would take this further opportunity to reiterate the concerns I raised at our meeting as to the need, at the least, to address timeously the Board's complex network of access agreements to its sites, particularly those in remote areas.

I trust that these comments are helpful and look forward to your response on those issues on which the Board has expressed its concerns.

Yours sincerely

RHONA MOIR
ASSISTANT CLERK TO THE BOARD