

# **BTP STAKEHOLDER EVENT ON 6 NOVEMBER 2018: RSVPs.**

Name	Organisation	RSVP
[redacted]	Academic	
[redacted]	Academic	YES
[redacted]	Associated Society of Locomotive Engineers and Firemen	YES
[redacted]	British Transport Police	
[redacted]	British Transport Police	
[redacted]	British Transport Police	YES
[redacted]	British Transport Police	YES
[redacted]	British Transport Police Authority	
[redacted]	British Transport Police Authority	YES
[redacted]	British Transport Police Authority	YES
[redacted]	British Transport Police Authority	NO
[redacted]	British Transport Police Authority	
[redacted]	British Transport Police Federation	YES
[redacted]	British Transport Police Federation	YES
[redacted]	British Transport Police Federation	YES
Dan Moore	Department for Transport	YES
[redacted]	Department for Transport	NO
[redacted]	Department for Transport	YES
[redacted]	Department for Transport	YES
[redacted]	Direct Rail Services	
[redacted]	Her Majesty's Inspectorate of Constabulary	
[redacted]	National Association for Retired British Transport Police Officers	YES
[redacted]	National Association for Retired British Transport Police Officers	YES

Name	Organisation	RSVP
[redacted]	National Union of Rail, Maritime and Transport Workers	
[redacted]	Office of Rail and Road	
[redacted]	Passenger Focus	
[redacted]	Police Scotland	
[redacted]	Police Scotland	
[redacted]	Police Scotland	
[redacted]	Police Scotland	
[redacted]	Rail Delivery Group	YES
[redacted]	Rail Freight Group	
[redacted]	Rail Safety and Standards Board	
[redacted]	Scottish Government	YES
[redacted]	Scottish Government	YES
[redacted]	Scottish Government	YES
[redacted]	Scottish Government	YES
[redacted]	Scottish Government	YES
[redacted]	Scottish Government	YES
[redacted]	Scottish Government	YES
[redacted]	Scottish Government Legal Directorate	
[redacted]	Scottish Police Authority	
[redacted]	Scottish Police Authority	
[redacted]	Scottish Police Authority	
[redacted]	Scottish Police Authority	
[redacted]	Scottish Police Authority	
[redacted]	Scottish Police Federation	
[redacted]	Transport Salaried Staffs Association	
[redacted]	Transport Salaried Staffs Association	

Name	Organisation	RSVP
[redacted]	Transport Scotland	YES
[redacted]	Transport Scotland	NO
[redacted]	Group Head of Safety, Security and Sustainability, Abellio	NO
[redacted]	Direct Rail Services	
[redacted]	Rail Freight Group.	

**BTP Integration Programme  
18<sup>th</sup> Joint Programme Board Meeting  
26 September 2018 from 11:00 – 13:00  
Teleconference**

11 Bristo Place, Edinburgh, Lothian, United Kingdom, EH1 1EZ  
Teleconference Number - Tel: 0800 376 7983, Code: 4240 57 8361#

- |   |           |
|---|-----------|
| 1. Attendance and Apologies (11:00 – 11:05)                   |           |
| 2. Note of 17 <sup>th</sup> JPB, 24 July 2018 (11:05 – 11:15) | JPB 18-02 |
| 3. Actions and Decisions Log (11:15 – 11:25)                  | JPB 18-03 |
| 4. Justice Committee Update (11:25 – 11:35)                   | (Verbal)  |
| 5. Full Integration – Re-plan closure (11:35 – 12:10)         | JPB 18-05 |
| 6. Exploring further options (12:10 – 12:50)                  | JPB 18-06 |
| 7. AOB (12:50 – 13:00)  | (Verbal)  |

**BTP Integration Programme Actions - 2018**

Last Updated: 06/06/2018

Ref.	Date Added	Source	Action	Owner/ Responsible	Due Date	Status	Additional Information
JPB 16-05	19/06/2018	18th JPB Meeting	PMO to progress work on pensions guarantee and report back to next JPB	PMO		Not progressed	Action not progressed due to change in direction of Programme
JPB 16-07	19/06/2018	18th JPB Meeting	Progress Q&A Factsheets/provide answers to officers and staff questions as a priority	PMO		Not progressed	Action not progressed due to change in direction of Programme
JPB 17-01	24/07/2018	17th JPB Meeting	PMO to make ammendment to the list of apologies - apologies received from SPF and not SPA as indicated	PMO		Complete	
JPB 17-02	24/07/2018	17th JPB Meeting	PMO to update ToR to represent distinction of membership v attendance at JPB	PMO		Not progressed	Action not progressed due to change in direction of Programme
JPB 17-03	24/07/2018	17th JPB Meeting	PMO to amend with factual inaccuracies in TOM Development slides and re-circulate	PMO		Not progressed	As a result of the change in direction of the Programme we are currently working to consolidate existing TOM Development information. This action will be progressed as part of this work.
JPB 17-04	24/07/2018	17th JPB Meeting	Joint Chairs and stakeholders to give further consideration to sequencing of re-plan sign-off, assurance and ministerial advice	Joint Chairs		Not progressed	Action not progressed due to change in direction of Programme
JPB 17-05	24/07/2018	17th JPB Meeting	Communications and Engagement update to be presented at 18th JPB	PMO		Not progressed	Action not progressed due to change in direction of Programme
JPB 17-06	24/07/2018	17th JPB Meeting	Legislation update to be presented at 18th JPB	PMO		Not progressed	Action not progressed due to change in direction of Programme
JPB 17-07	24/07/2018	17th JPB Meeting	PMO to extend 18th JPB	PMO		Not progressed	Action not progressed due to change in direction of Programme

**BTP Integration Programme  
18<sup>th</sup> Joint Programme Board  
Full Integration – Re-plan closure**

## **1. Purpose**

This paper outlines the current status of the re-plan and the steps necessary to ensure preservation of the work completed to date to be used to a) inform the exploration of further options and b) support any longer term considerations for full-integration.

## **2. Background**

Re-planning of the British Transport Police Integration Programme has been underway since May 2018. The key objective of the re-plan has been to identify all critical elements required to deliver devolved Railway Policing in Scotland and to create a high level transition strategy/delivery plan to support determination of a new date for integration.

The re-plan was due to report in September 2018, with subsequent announcement of the integration date by the Cabinet Secretary for Justice, subject to a successful independent assurance review. On 21 August, Police Scotland informed Scottish Government officials that their organisation was not in a position to identify an optimal date for integration at this time. This position was subsequently confirmed at the Scottish Police Authority (SPA) Board on 30 August.

Work to finalise the re-plan was halted after 21 August this point and 27 August the Cabinet Secretary for Justice announced that further options to deliver the devolution of railway policing to Scotland are to be explored. He stated that the Scottish Government remained committed to the full integration of railway policing into Police Scotland, as legislated for by the Scottish Parliament and will keep this under review. However, the Cabinet Secretary made clear during his evidence to the Justice Committee on 18 September that his immediate priority is to identify interim arrangements that could give effect more quickly to the devolution of railway policing, as recommended by the Smith Commission.

Next steps in exploring further options will be discussed at Item 6.

## **3. Re-plan status**

The re-plan has followed an agile approach to business and operating model development by describing the components required for management and delivery of railway policing in Scotland and assessing the capacity and capability within Police Scotland to deliver. Work has involved the following:

- Development of vision, strategic intent and the underpinning design principles to support operating model design
- Redesign of programme governance and organisation arrangements

- Development of a Target Operating Model (TOM) design framework and definition of strategic questions to clarify scope of work and ensure fit against design principles
- Development of a conceptual model for Railway Policing in Scotland, including the development of a high level process reference architecture (service catalogue)
- Deep dive of critical work on Funding Model, Policing Model, ICT strategic options and Workforce, to align work to re-plan objectives and prepare for impact assessment
- Facilitation of a high level impact assessment to identify risk/impact associated with alternative dates
- Development of high level transition strategy and associated implementation roadmap (multi-generational plan)
- Development and implementation of communications and engagement plan for re-planning phase
- Development of high level communications and engagement approach for re-planned programme

Drafting of secondary legislation (s90 and s104 orders) has also been actively progressed during the re-plan.

The outputs from these activities are currently being consolidated into a Programme Definition Document (PDD), the intent of which is to define the programme of work which would be required for full integration and the associated approach to delivery. Minimal work is required to complete some existing information before closure of this phase of work.

Further work in the following areas will be required to support longer term considerations for full integration:

- Full development of benefits and related approach to realisation
- Further work to define funding model
- Identification of cost of change and associated resources secured
- Development of detailed programme resource plan and resources secured
- Development of a mitigation plan for known risks
- Finalisation of secondary legislation

#### **4. Recommendation**

JPB is asked to note that:

- a) A PDD is being developed to consolidate existing re-plan collateral, with clear sign-posting to additional work required to support full integration. This will be signed off in conjunction with partners and JPB. No further work will be undertaken on the re-plan at this stage; and
- b) Further work will be necessary to finalise the PDD and secondary legislation prior to full integration.

**BTP Integration Programme**  
**19<sup>th</sup> Joint Programme Board Meeting**  
**16 October 2018 from 11:00 – 13:00**  
**Room Lewis & Harris, Scotland House, 58 Victoria Embankment,**  
**London EC4Y 0DS**  
**Teleconference**  
Teleconference Number - Tel: [redacted], Code: [redacted]

1. Welcome and Apologies (11:00 – 11:05) (Chair)
2. Minutes of 18<sup>th</sup> JPB, 25 September 2018 (11:05 – 11:15) (Chair) JPB 19-02
3. Actions and Decisions Log (11:15 – 11:25) (Chair) JPB 19-03
4. Plans for stakeholder event on 6<sup>th</sup> November (11:25 – 11:45) (SG) JPB 19-04
5. Update from BTPA and SPA on appraisal of non-statutory devolution of railway policing (11:45 – 12.30) (BTPA then SPA) (Verbal)
6. Update from SG on appraisal of SPA enhanced accountability and responsibility in the delivery of railway policing in Scotland (statutory route to confer on the SPA in relation to railway policing) (12.30-12.40) (SG) (Verbal)
7. Timings of further JPB meetings (12:40 – 12:45) (Chair) (Verbal)
8. Stakeholder Communications (12.45-12.50) (Chair) (Verbal)
9. AOB (12:50 – 13:00) (Chair) (Verbal)

BTP Integration Programme  
18<sup>th</sup> Joint Programme Board Meeting  
26 September 2018  
Hotel du Vin, 11 Bristo Place, Edinburgh EH1 1EZ

**In attendance:**

**Board**

Donna Bell (Joint Chair)	SG
Dan Moore (Joint Chair)	DfT
[redacted]	PS
[redacted]	BTP
[redacted]	SG
[redacted]	SPA

**Programme/Advisory**

[redacted]	BTPA
[redacted]	DfT
[redacted]	SPA
[redacted]	BTP
[redacted]	EY
[redacted]	BTPF
[redacted]	TSSA
[redacted]	DfT
[redacted]	BTPF
[redacted]	SG
[redacted]	SG
[redacted]	SPA
[redacted]	BTPF
[redacted]	TSSA

**Apologies**

[redacted] (BTP), [redacted] (SPF), [redacted] (PS), [redacted] (PS), [redacted] (TS), [redacted] (PS), [redacted] (SG), [redacted] (EY), [redacted] (PS), [redacted] (PS), [redacted] (PS), [redacted] (SGLD), [redacted] (DfT), [redacted] (PS)

**1. Welcome & Intro**

The Joint Chair Donna Bell, welcomed attendees to the 18<sup>th</sup> JPB.

**2. Minutes from 17<sup>th</sup> JPB Meeting**

Minutes of the 17<sup>th</sup> JPB were discussed and, after one amendment, the minutes were approved.

**ACTION – PMO to make amendment in the note of 17<sup>th</sup> JPB. In point 8, change Communications and Engagement and replace it with Legislation.**

**3. Actions and Decisions Log**

As a result of the change in direction of the Programme, actions have not been progressed.

#### **4. Justice Committee Update**

Last JPB was cancelled due to a change of direction in the Programme. This JPB was convened in order to discuss the next steps forward.

The Board were informed about the update provided by the Justice Secretary to the Justice Committee, with him agreeing to provide a further update to them in December.

#### **5. Full Integration – Re-plan closure**

The Cabinet Secretary has been clear that whilst full integration has been paused, focus should be on the options appraisal. The re-plan of the Programme came to a closure and it was agreed that any further work should be signed off. Concerns around the workload share were raised.

It was discussed that as a number of issues have not been resolved, it is important that everyone ensure that a note of updates should be recorded. It is important that a note of outstanding issues should be recorded so that they are addressed in the future.

It was discussed that it is important to understand the scope of work in a reasonable amount of time, what on-going work should be done and looking at exploring further options by the end of November.

The JPB agreed on the importance of consolidating all of the progress made on various issues to date into a clear set of material, which would enable teams which consider integration in the future to understand the work completed so far and remaining steps needed.

#### **6. Exploring further options**

It was stated that it would be useful to have an extended paper setting out the outcomes of the options development work by the end of November.

It was agreed that board members should start considering possible attendees for the Stakeholder Engagement Event. It is important for preliminary work to take place and for all options to be considered in order to get the best outcome out of the Stakeholder Engagement Event.

Legislative requirements, costs and accountability should be taken into account when exploring different options. Engagement with authorities should take place with a clear distinction on responsibility for services. It would be useful for all partner organisations to gather together, narrow the possible options and identify what are the next steps should be to ensure greater Scottish engagement in railway policing.

It was agreed that both Authorities should work together on Option 1 before the Stakeholder Engagement Event.

[redacted]

It was advised that accountability is the big concern which came from the Scottish parliament. There is concern about demographic deficits around accountability and

public safety is the absolute priority. People have different ideas of accountability which is why having an arrangement that is legally bound is more in the range of what others would expect. There is legal accountability in a public environment and BTP are legally accountable to BTPA. BTP and BTPA have been speaking to UK ministers and UK parliament committees however there has not been direct accountability in the sense of detailed operational involvement.

It was also noted that there would not be an SPA board in December therefore a joint agreement on the proposal will not be achieved until December.

**ACTION – PMO to look at possible date in late October/early November for a Stakeholder Engagement Event in which the Cabinet Secretary could attend.**

**ACTION – Both Authorities to develop Option 1 at Stakeholder Engagement Event.**

**ACTION – PMO to meet with each partner organisation individually to develop Option 2 further and generate new ideas.**

**ACTION – PMO to produce next JPB news to update staff and officers on next steps.**

**ACTION - PMO to develop Programme for Stakeholder Engagement Event.**

**ACTION – All JPB members to consider Stakeholder Engagement Event invite list.**

## **7. AOB**

It was agreed that the 19<sup>th</sup> JPB would still go ahead as planned in London, Scotland House.

**ACTION – PMO to confirm room booking with Scotland House.**

**BTP Integration Programme Actions - 2018**

Last Updated: 15/10/2018

Ref.	Date Added	Source	Action	Owner/ Responsible	Due Date	Status	Additional Information
JPB 17-01	24/07/2018	17th JPB Meeting	PMO to make ammendment to the list of apologies - apologies received from SPF and not SPA as indicated	PMO		Complete	
JPB 17-02	24/07/2018	17th JPB Meeting	PMO to update ToR to represent distinction of membership v attendance at JPB	PMO		Not progressed	Action not progressed due to change in direction of Programme
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JPB 17-07	24/07/2018	17th JPB Meeting	PMO to extend 18th JPB	PMO		Not progressed	Action not progressed due to change in direction of Programme
JPB 18-01	26/09/2018	18th JPB Meeting	PMO to make amendment in the note of 17th JPB. In point 8, change Communications and Engagement and replace it with Legislation	PMO		Complete	
JPB 18-02	26/09/2018	18th JPB Meeting	PMO to look at possible date in late October/early November for a Stakeholder Engagement Event in which the Cabinet Secretary could attend	PMO		Complete	The Stakeholder Engagement Event will take place on Tuesday 6 November
JPB 18-03	26/09/2018	18th JPB Meeting	Both Authorities to develop Option 1 at Stakeholder Engagement Event	Authorities		In progress	
JPB 18-04	26/09/2018	18th JPB Meeting	PMO to meet with each partner organisation individually to develop Option 2 further and generate new ideas	PMO		In progress	PMO has received suggestions to list of invitees
JPB 18-05	26/09/2018	18th JPB Meeting	PMO to produce next JPB news to update staff and officers on next steps forward	PMO		In progress	
JPB 18-06	26/09/2018	18th JPB Meeting	PMO to develop Programme for Stakeholder Engagement Event	PMO		In progress	
JPB 18-07	26/09/2018	18th JPB Meeting	All JPB members to consider Stakeholder Engagement Event invite list	JPB members		In progress	
JPB 18-08	26/09/2018	18th JPB Meeting	PMO to confirm room booking with Scotland House	PMO		Complete	

# **BRIEFING FOR THE CABINET SECRETARY FOR JUSTICE APPEARANCE BEFORE THE JUSTICE COMMITTEE ON TUESDAY 18 SEPTEMBER 2018. BRITISH TRANSPORT POLICE INTEGRATION.**

## **CONTENTS**

### **British Transport Police**

Annex A [redacted] link

Annex B Question and answers on BTP:

- Smith Commission and devolution
- Arguments against integration
- Considering new options for the devolution of railway policing
- Spending
- Pensions
- Workforce
- Digital Data & ICT

Annex C Next Steps – Timeline

Annex D [redacted – not in scope]

Annex E Lines in Response to Police Scotland Concerns

Outlined at SPA Board Meeting on 30 August

Annex F Letter to the Justice Committee dated 27 August 2018.

Annex G News release dated 27 August 2018.

Annex H Political party positions at Introduction of Railway Policing  
(Scotland) Bill

Annex I Conservative Party Manifesto for 2016 UK Election

### **Other Justice briefings**

[redacted – not in scope]

## **ANNEX A**

[redacted]

## **ANNEX B - Q AND A ON BRITISH TRANSPORT POLICE INTEGRATION.**

### **Smith Commission and devolution**

#### **TOP LINES**

- I have made clear that there is a need to identify interim arrangements that could give effect more quickly to the devolution of railway policing, as recommended by the Smith Commission.
- The Scottish Government's formal input to the Smith commission made a clear case for devolution of the functions of the British Transport Police in order to integrate these into the single Police Service for Scotland, to improve coherence and operational flexibility.
- Following this the Smith Commission's recommendation, reached through cross-party agreement, was that the functions of the BTP in Scotland should be a devolved matter. All parties would have been in no doubt that our policy was to integrate the BTP in Scotland into Police Scotland.

#### **Q AND A**

**Q What was the Scottish Government's proposals to the Smith Commission**

**A** The **Scottish Government's proposals to the Smith Commission** in October 2014, 'More Powers for the Scottish Parliament – Scottish Government Proposals', said: "Now that there is a single Police Service for Scotland, the staff and powers of the British Transport Police and Civil Nuclear Constabulary should be brought within its remit to improve coherence and operational flexibility."

**Q Why did the SG push forward for full integration when there were other options for the devolution of railway policing?**

**A** The integration of the BTP in Scotland into Police Scotland is a longstanding and well-documented policy of the Scottish Government, set out in published letters to the UK Government in 2011, 2013 and 2014.

- No political parties responded to the SG's consultation on BTP integration, nor did they proposed alternative approaches to exercising the legislative competence over the policing of railways and railway property that now falls to the Scottish Parliament.

## **ARGUMENTS AGAINST INTEGRATION**

### **TOP LINES**

- **I remain committed to the full integration of railway policing into Police Scotland, as legislated for by the Scottish Parliament and will keep the commencement date of the railway Policing (Scotland Act 2017 under review.**
- **I am clear that this next important stage is to identify interim arrangements that could give effect more quickly to the devolution of railway policing, as recommended by the Smith Commission.**

### **Q AND A**

**Q Why was there no business case for full integration?**

**A** The Scottish Government presented a published case to the UK Government in December 2013 to support the integration of the BTP within Police Scotland and in late 2014 the Scottish Government presented published proposals for the devolution of railway policing to the Smith Commission.

- The public record of our proposals to the Smith Commission would have left all parties in no doubt as to the impacts and benefits of our proposals - and that on devolution our clear intent was to integrate the BTP in Scotland into Police Scotland
- The Smith Commission's recommendation, reached through cross-party agreement, was that the functions of the BTP in Scotland should be a devolved matter and we are working closely with the UK Government and other stakeholders to make the transfer process as smooth as possible.

**Q What evidence do you see benefits of full integration?**

**A** The Scottish Government has consistently set out the key benefits of integration. These are:

- ensuring that railway policing in Scotland is accountable, through the Chief Constable and the SPA, to the people of Scotland;
- enhancing railway policing in Scotland through direct access to the specialist resources of Police Scotland;
- future-proofing the infrastructure policing model in Scotland against changes to infrastructure policing in England and Wales that result from the UK Government's stated intention of integrating infrastructure policing further. Even if the UK Government does not proceed, we believe there are benefits to having an integrated approach to infrastructure policing in Scotland. [redacted]

**Q BTP can access support from Police Scotland now. Why still pursue full integration?**

**A** Police Scotland have made clear in their evidence to the Justice Committee, that they provide support to BTP whenever there is a specific request or a pre-planned joint operation.

Police Scotland have confirmed that their assets would be routinely deployed in support of railway policing in Scotland following integration. As the Justice Committee heard during evidence sessions, BTP's presence is concentrated in Scotland's central belt, while elsewhere local Police Scotland officers are currently sometimes the first responder to incidents on the railway.

Although Police Scotland and BTP co-operate effectively on major operations, that process relies on co-ordination between two command systems and two control rooms. Integration will make that process much more streamlined and effective.

**Q Does ANYONE support full integration?**

**A** In the passage of the Railway Policing (Scotland) Bill the Justice Committee heard from witnesses their own views of the benefits:

- Police Scotland had previously said that integration will provide the opportunity to deploy Police Scotland's wider resources on a routine basis in support of railway policing.
- Calum Steele of SPF has mentioned potential benefits for the wider police service in looking at what BTP has and whether its model could be used in Police Scotland, while Darren Horley of Virgin Trains has highlighted integration as "an opportunity for cross-fertilisation of best practice."
- Other rail industry representatives have identified "an opportunity for improved efficiency" and the potential for improvements to the existing police service agreements in place for railway policing.

**Q Is it a sign of incompetence that 250 officers can't be merged into a force the size of Police Scotland?**

**A** This is a challenging and complex piece of work and considerable work has been done to assess the risks, opportunities and challenges that it presents. The safety and security of the travelling public is paramount and we cannot allow that to be compromised in any way.

- Policing in Scotland has embarked on an ambitious transformation to implement the ten year strategy 'Policing 2026: Serving a Changing Scotland'. Significant change has already been successfully delivered and there are further plans to build on this.

**Q Does this underline the fact that Police Scotland are underfunded?**

**A** We have protected the police revenue budget in real terms over the lifetime of the Parliament – meaning an additional £100m investment over five years – and provided £31m of reform funding in this financial year.

- In addition, we have ensured that Police Scotland will retain £25 million following the long awaited UK Government agreement to enable Police Scotland to recover VAT, putting more funding directly to day-to-day policing.

## **CONSIDERING NEW OPTIONS FOR THE DEVOLUTION OF RAILWAY POLICING**

### **TOP LINES:**

- I remain committed to the full integration of railway policing into Police Scotland, as legislated for by the Scottish Parliament and will keep the commencement date of the railway Policing (Scotland Act 2017 under review.
- I am clear that this next important stage is to identify interim arrangements that could give effect more quickly to the devolution of railway policing, as recommended by the Smith Commission.

**Q What has changed since you pushed this through Parliament? Why was this decision not made years ago?**

A The purpose of the re-planning exercise was to identify when a fully integrated high quality service could be delivered. This has been important work and some of the evidence that emerged has deepened our understanding of the issues which must be given serious and appropriate consideration.

**Q What does this mean for the future governance of BTP in Scotland?**

A As is currently the case, BTP in Scotland is the responsibility of and answerable to the BTPA and UK Government. Although the long term aim is full integration of railway policing, we will examine other options in the short/medium term.

**Q Will you be bringing in any further legislation to replace the integration legislation?**

A We are taking time to re-examine all available options up to and including full integration which was legislated for in the Railway Policing (Scotland) Act 2017. The Scotland Act 2016 gave effect to the recommendations of the Smith Commission by devolving railway policing powers to Scotland.

**Q Does this mean UKG will continue to have control over/responsibility for BTP in Scotland?**

A Until such times as a decision is made regarding this, the British Transport Police will continue to deliver policing of our railways and they are answerable to UKG.

**Q Can you guarantee officers and staff that this will not be re-introduced in another form?**

**A** It remains our intention to fully integrate. However, we are looking at all available interim options which will give effect to the recommendations of the Smith Commission'

**Q What guarantees can you give to officers and staff about the security of their jobs now and in the future?**

**A** The current arrangements will continue to be led by BTP. We will continue to keep officers and staff updated and informed as we consider all the available options up to and including integration.

**Q What guarantee can you give to the public that the public transport network will continue to be safe and monitored during this time?**

**A** Safety and security are the priority for all involved. We will ensure that the right arrangements are in place to police our railway network delivering the safety and security the public expect

**Q Why are you delaying it when there is no appetite to integrate, and no stakeholder support?**

**A** Whilst we remain committed to full integration, we are working closely with our stakeholders to look at all options to give quicker effect to the recommendations of the Smith Commission.

**Q What are you going to do until that date to ensure you answer all the questions that have been left unanswered until now (and remain so)?**

**A** We are continuing to engage with and work closely with all our key stakeholders to seek solutions and we will examine all options up to and including full integration.

**Q Are you considering a commissioned service model?**

**A** [This was considered in an options paper that was put forward before legislative competence for railway policing was devolved].

All options will be considered. This option offers a complex, shared model of accountability, with the UK Government continuing to have the primary role in overseeing railway policing. The next phase of work will fully test and scrutinise this option, and others.

## **SPENDING**

### **Top Lines:**

- I remain committed to keeping Parliament informed of costs of integration and any future options considered.

### **Q and A**

#### **Q What has been spent financially on consultants so far?**

A Police Scotland held two separate competitive tender processes in relation to BTP Integration. One for Programme Management Support and the other for specialist integration Due Diligence analysis. The successful bidder for both tenders was Ernst & Young who have been engaged through Police Scotland/SPA. The tenders are priced at £400,000 and £298,000 respectively and are being delivered on budget. Scottish Government engaged an independent consultant through Harvey Nash Recruitment at a rate of £595 per day charged.

The work that has been undertaken via these contracts, and the wider investment of time from the agencies involved has enabled us to better understand the issues surrounding full integration and will assist in assessing other options that may be considered.

#### **Q Who is the consultant in SG?**

A I am aware of the series of parliamentary questions Liam Kerr MSP tabled last week on the subject of consultants and the costs associated with their work regarding BTP integration last week and I will be answering them in due course.

In regard to who the independent consultant is employed by the Scottish Government. I should explain that the Scottish Government must balance its obligations of transparency, accountability and openness with the rights of people who entrust us with their personal information, as well as be compliant with legislation. We have released information that we believe is appropriate under FOISA but are unable to name the individual.

The Freedom of Information (Scotland) Act 2002, in s.38, exempts personal data from release.

The General Data Protection Regulation (GDPR) also has protections for data subjects and rights they can enforce.

**Q How much has been spent on staff costs in Scottish Government and DfT?**

A In May this year, my officials provided Justice Committee with information on the staff costs that had been incurred by both the Scottish Government and Department for Transport at that point (this is in the public domain):

Generally staff do not work exclusively on this project therefore the costs are based on reasonable estimates. The estimated costs, based on the salaries of officials from the UK Government staff are:

UK Government (Department for Transport) staff costs to end FY17/18 - £150k (based on salary costs of officials engaged on the project)

The Scottish Government regularly reprioritises staff in order to meet Programme for Government commitments. Scottish Government official staff costs are part of the existing Safer Communities Directorate staffing costs in place to resource the delivery of this work. As such the required programme resources have been absorbed within overall SG resource planning.

The Scottish Government Staff costs to end FY17/18 were £310k (based on salary costs of all officials engaged on the project from Royal Assent of the Railway Policing (Scotland) Act 2017.)

## **Pensions**

### **Top Lines**

- I have always confirmed a triple lock guarantee to protect jobs, pay and pensions for BTP officers and staff transferring to Police Scotland.
- A pension proposal was agreed in principle by Scottish Ministers, Department of Transport and the BTPA before being put to the pension scheme Trustee in January this year.
- Upon full integration, the Scottish Government will provide an appropriate level of guarantee for BTP officer and staff pensions and ensure that transferring BTP officers and staff pensions will be guaranteed in the same way as Police Scotland officers.

### **Q & A**

#### **Q What is the pension proposal?**

**A** This proposal will see BTP officers and staff retain access to their current pension arrangements by the creation of a segregated fund. On balance this is the most sustainable option that provides some comfort for both transferring and remaining officers and staff; and is consistent with the clear feedback we've had from officers and staff.

The Trustee has provided initial feedback on the preferred option and will respond fully once the final detailed proposal is received.

We will continue to work on the pensions proposal in parallel with the work on other options and have discussions with partners and including employee organisations as we go forward.

#### **Q Will you provide a legally-binding guarantee to BTP officers in Scotland that there will be no detriment to their pension provision following the merger?**

**A** Under the proposal made to the Fund Trustees, they will include provisions in the scheme trust deeds that enable continuing access to the existing arrangements for those staff transferring to Police Scotland.

**Q Will the Scottish Government give the SPA a pensions guarantee similar to the UK Government's to BTPA?**

**A** We will continue to discuss this provision with the SPA and the pensions trustee.

**Q What about retired members of staff – what will happen to their pension and how are they being kept informed?**

**A** Pensions payable to retired officers will continue to be administered by RPMI and paid in full. Under the proposals being developed, former officers may have their deferred pension or pension transferred to the segregated fund from an arrangement that is sponsored by BTPA to one that is sponsored by SPA as the new employer. The Trustee will need to be satisfied that there is no reduction in benefit security, and a key part of the work being undertaken now is ensuring satisfactory guarantees are in place.

**Q Will the SPA be liable for the (a) set up and (b) administration costs of the segregated pension scheme for BTP officers in Scotland and, if so, how much has been set aside to meet this, and from which budget line it will be drawn?**

**A** As the sponsoring employer, the SPA will be liable for associated set-up costs. Up to £400,000 funding for this liability has been earmarked from SG budgets. Arrangements for on-going administration costs are still to be confirmed, with costs currently met by the fund assets.

**Q What estimate have you made of the cost of pension liabilities?**

**A** The share of fund representing liabilities for active BTP officers based in Scotland has been estimated at £37m. The scheme is currently fully funded. The total annual contribution from members and SPA is estimated at £2.5m.

Actuarial advice shared with the SPA in October 2017 is that pension liabilities of about £97 million are balanced by about £99 million of pension fund assets.

The claim that, including pensions, it could cost up to £500k per officer is inaccurate. It does not take into account the fact that pension liabilities are met by assets and that the schemes are fully funded.

## **WORKFORCE – TERMS AND CONDITIONS**

### **Top Lines**

- I have always confirmed a triple lock guarantee to protect jobs, pay and pensions for BTP officers and staff transferring to Police Scotland.
- Out with full integration, there will be no change to officers and staff who will remain the responsibility of the BTPA.

### **Q and A**

#### **Q Will integration remove specialist rail policing?**

**A** No. We are committed to sustaining fully integrated, high quality railway policing in Scotland to ensure the continued safety of rail staff and the travelling public. That will involve safeguarding and developing the specialist and highly valued skills and expertise that BTP officers and staff have. This requires:

- developing future-proof training programmes
- protecting your terms and conditions upon integration
- enabling rewarding careers in railway policing for staff and officers who join the specialism in the future

#### **Q Has the work been completed to look at all terms and conditions?**

**A** The work to map existing terms and conditions is well advanced and has been conducted in partnership with the staff associations. This mapping exercise will identify and enable us to set up all the systems and processes that Police Scotland needs to support officers and staff to sustain future high quality railway policing in Scotland. It is our intention to move towards ensuring effective transitional arrangements are developed in consultation with staff associations. This work will continue to develop as we move towards full integration.

#### **Q Upon integration, how will officers and staff transfer over to Police Scotland?**

**A** BTP staff and officers currently have either dual status as an officer and employee of BTP Authority or are a contracted member of police staff. All officers and staff who are to transfer to Police Scotland will do so in accordance with the Cabinet Office Statement of Practice (COSOP), which applies the principles of TUPE to transfers in the public sector.

- In the public sector, when functions are transferred from one organisation to another, the employees will also be transferred with

the work. As transferring employees, BTP staff and officers will therefore continue to undertake railway policing functions once the transfer has taken place. This is clearly set out in the Railway Policing (Scotland) Act 2017.

- This means that **employment will be treated as continuous and all existing terms, conditions and pension rights will be retained when transferred.**

**Q The new Chief Constable (when DCC) said that terms and conditions issues will not be concluded until after the transfer. How does that sit with what you have said?**

**A** Terms and conditions and pensions will transfer “as is”. What DCC Livingstone was referring to, is that any exercise to harmonise the terms and conditions of Police Scotland and transferring BTP officers would need to be considered after integration. Any harmonisation exercise would be based on a process of negotiation. There may well be areas where transferring BTP officers would be keen to see harmonisation. For example, pay scales for officers in Police Scotland are higher in many cases.

**Q Isn't there a risk that officers and staff will leave and expertise will be lost?**

**A** The Scottish Government guarantee secures the jobs, pay and conditions and also ensures that transferring officers and staff will be able to continue in their current role, carrying out the same duties at the same locations across Scotland.

Police Scotland has given further assurances that should these individuals wish to remain working within their Railway Policing specialism for the remainder of their service, then this will be honoured. Officers and staff will have access to a wide range of career opportunities within Police Scotland and we believe as details are finalised that it will be an attractive opportunity for them.

**Q Can you guarantee there will be no redundancies for BTP staff transferring into Police Scotland?**

**A** Yes – we have set out a guarantee to secure the jobs, pay and pensions of railway policing officers and staff in Scotland during the course of transfer. Following transfer, staff would be employees of the SPA who are part of the Scottish Government's public sector pay policy. One of the key strands of the policy is the commitment to No Compulsory Redundancy.

## **DIGITAL DATA & ICT**

### **Top Lines:**

- It would be remiss of me to not take Police Scotland's concerns around ICT and the integration of BTP seriously.
- It is therefore important to plan the BTP integration in alignment rather than in competition i.e. at the 'right time' rather than just at the 'minimum time' to ensure delivery against all strategic objectives.
- It is for the Scottish Police Authority to scrutinise Police Scotland's ICT strategy and plans for future investment, representing best value and support the service's wider plans for transformation set out in Policing 2026.
- We have protected Police Scotland's revenue budget during this Parliament to deliver a £100 million boost by 2021 and are continuing to provide dedicated police reform funding, with £31 million in 2018-19.

### **If pressed on date:**

Integration is still our long term goal but the recent re-planning exercise has highlighted issues that means it can't go ahead just now. Those are primarily issues about ICT. That means we need to find short and medium term options that work to deliver devolution. We have had clear advice from Police Scotland that they cannot confirm a date at this time. Given the context I would expect that Police Scotland will work to align their efforts with the wider Policing 2026 strategy.

### **If pressed on ICT funding:**

This year almost £5 million is being invested in the first phase of work to modernise the service's core operational policing systems used by frontline officers every day.

#### **Q     Why is ICT a key driver?**

**A**     The ICT workstream will ensure the appropriate technology, applications and tools to enable the effective deliver of Railway Policing in Scotland. This ability to deliver the appropriate technology solution has a critical impact on setting the new date for integration.

- The re-plan work identified 2 components: one is the feasibility and cost of implementing an ICT solution that meets the requirements of railway policing – and the second is the affect this could have on the

current transformation plans being delivered by Police Scotland and BTP/A.

**Q Why is ICT so complex?**

**A** BTP and Police Scotland operations are supported by many systems and whilst there is an overlap of the business activities that each supports, there is very little commonality in terms of the way that the systems are configured or the way that they operate. BTP has invested in technology over the past 3-5 years and has transferred four separate computer systems into a single integrated core policing system, streamlining how they record, evaluate and use information. This integration is not currently available within Police Scotland but as part of Policing 2026, they are currently in the process of undergoing a similar transformation and their Digital Data and ICT programme will offer similar functionality.

**Q What is Police Scotland's transformation programme going to achieve?**

**A** The draft PS transformation approach will include a comprehensive replacement and standardisation of systems across core operational policing, corporate services and other areas. Whilst standardisation and replacement of systems will bring substantial benefits, it will also require changes in operating practice, migration of data from and cutover to operationally critical systems such as Crime & Intelligence, Missing & Vulnerable Persons and Property.

**Q Why is it so important to align BTP Integration with the DD&ICT strategy?**

**A** Alignment to the DD&ICT strategy would help to ensure ongoing improvements around public safety; minimise complexity and ensure simple and consistent processes and requirements (maximise opportunity for standardisation) and minimise incremental IT costs and associated project/change management costs.

## **ANNEX C - NEXT STEPS - TIMELINE**

4 September	<b>1</b>	<b>Cabinet Secretary for Justice provided update on BTP Integration to Scottish Parliament</b>
18 September	<b>2</b>	<b>Cabinet Secretary for Justice invited to give evidence to Justice Committee</b>
26 September	<b>3</b>	<b>BTP Integration Joint Programme Board</b> Opportunity for CSJ to attend – all core stakeholders represented ( <i>JPB will be closed and Railway Policing in Scotland Steering Group established</i> )
5 September – 22 October	<b>4</b>	<i>Options development and preparation for Stakeholder Event</i> <i>Information gathering meetings with stakeholders</i>
23 October	<b>5</b>	<b>Stakeholder Event to consider options in detail</b> Opportunity for Cabinet Secretary for Justice to meet and gather views of with extended stakeholder base
1 November	<b>6</b>	<b>Cabinet Secretary for Justice meeting with Nigel Goodband, British Transport Police Federation</b>
6 November	<b>7</b>	<b>Cabinet Secretary for Justice meeting with Ron Barclay-Smith, Chair of the British Transport Police Association</b>
22 October/16 November	<b>8</b>	<i>Options refinement</i>
22 November	<b>9</b>	<b>Railway Policing in Scotland Steering Group</b> Opportunity for Cabinet Secretary for Justice to attend
29 November	<b>10</b>	<b>Advice on enhanced accountability/responsibility of Railway Policing in Scotland to Cabinet Secretary for Justice</b>

**[redacted]**

## **Annex E LINES IN RESPONSE TO POLICE SCOTLAND CONCERNS OUTLINED AT SPA BOARD MEETING ON 30 AUGUST**

**Police Scotland Concern:** Clarity on costs and benefits.

### **Scottish Government Position:**

- **Costs:** Re-planning has identified high level cost categories and estimated costs are emerging. Full cost estimates can only be finalised once the final date for full integration has been agreed by all parties and this will continue to be discussed with partners as we look at all interim options as well as full integration.
- **Benefits:** The initial benefits of railway policing integration were set out in the Policy Memorandum of the Railway Policing Bill.

The re-plan work has highlighted some high level complexities, as well as the potential for additional benefits and dis-benefits of integration, all of which we will explore with partners as we consider all available options for devolution of railway policing.

**Police Scotland Concern:** The establishment of an evidence based critical path to arrive at revised go-live date.

### **Scottish Government Position:**

An impact assessment has been conducted to inform the critical path to integration.

This has revealed new information and advice to provide a better understanding of issues that impact the timing of integration.

An essential issue is to ensure that systems to support the devolution of railway policing in Scotland are designed and delivered as part of Police Scotland's current plans for ICT transformation.

**Police Scotland Concern:** Confirmed indemnification for SPA from Scottish Government for potential future pensions liabilities.

**Scottish Government Position:**

Work will continue to ensure that existing pension rights will be retained by BTP staff and officers at the point of to Police Scotland.

A proposal was made by the Scottish Government in January 2018 to the BTP Trustee which will see officers and staff retain access to their current pension arrangements by the creation of a segregated fund.

**Police Scotland Concern:** The future funding arrangement for railway policing in Scotland.

**Scottish Government Position:**

The Scottish Government has identified and is exploring options for future funding of railway policing in Scotland. Initial consultation with the rail industry in Scotland has been positive and further work is planned in collaboration with SPA, Police Scotland and industry partners to fully develop a preferred option.

## **ANNEX F - LETTER FROM THE CABINET SECRETARY FOR JUSTICE TO THE JUSTICE COMMITTEE.**

By e-mail

27 August 2018

### **Integration of British Transport Police into Police Scotland**

Thank you for your letter of 21 August regarding recent speculation in the media that the plans to integrate the British Transport Police into Police Scotland may be about to change.

I am writing to you with an update on current issues in relation to the integration of railway policing in Scotland.

The re-planning exercise has, as the Justice Committee are aware, been underway since February to revisit the timeline for integration.

Police Scotland informed my officials on Wednesday 22<sup>nd</sup> August that, in their view, the re-planning activity, as it stands, does not provide a sufficiently strong evidence base on which to agree a new date for full integration of railway policing in Scotland.

I understand that the emerging issues will be discussed at the SPA Board on Thursday 30<sup>th</sup> August. I intend to meet urgently with the SPA and Police Scotland after the Board discussion. I remain committed to the full integration of railway policing into Police Scotland as legislated for by the Scottish Parliament and I will keep this under review. However I recognise there is a need to identify interim arrangements that could give effect more quickly to the Smith Commission's cross-party recommendations.

I intend to return to Parliament with a further update early in the next session.

**HUMZA YOUSAF**

## **ANNEX G - BRITISH TRANSPORT POLICE NEWS RELEASE**

Tuesday 27 August 2018

### **Railway policing**

#### **Justice Secretary to explore options for devolution of railway policing.**

Further options to deliver the devolution of railway policing to Scotland are to be explored, the Justice Secretary Humza Yousaf has said.

The decision comes following recent advice from Police Scotland around the practicalities of a number of issues and timing of implementation, particularly relating to ICT, which have emerged as part of the re-planning exercise commissioned by Scottish Ministers.

Mr Yousaf said that the Scottish Government remained committed to the full integration of railway policing into Police Scotland, as legislated for by the Scottish Parliament and will keep this under review.

However, he added there was a need to identify interim arrangements that could give effect more quickly to the devolution of railway policing, as recommended by the Smith Commission.

The Scottish Government will bring together Police Scotland, the Scottish Police Authority, the British Transport Police and other partners to re-examine the available options.

#### **Mr Yousaf said:**

“Throughout this process we have been committed to listening to officers and staff. As part of that on-going approach I have decided that we will re-examine all options for the devolution of railway policing, with clear governance structures that ensure accountability to the Scottish Parliament.

“The absolute priority for all those involved is the safety and security of officers, staff and those who use Scotland’s railways.

“I intend to update Parliament following summer recess. In the meantime I want to pay tribute to the on-going commitment of officers and staff of both police services, who I look forward to engaging with on this matter in the very near future.”

## **Background**

Following a re-planning exercise, announced by the then Justice Secretary Michael Matheson in February, to ensure robust delivery plans were in place, a better understanding of issues which impact the timing of integration has emerged.

This includes information from Police Scotland relating to the current ICT transformation project and the impact of delivering railway policing integration at this time.

## **ANNEX H - POLITICAL PARTY POSITIONS ON INTRODUCTION OF RAILWAY POLICING (SCOTLAND) BILL**

**The Scottish Conservatives** voted against the general principles of the Bill. They argued that instead of BTP in Scotland being integrated into Police Scotland, BTP should continue to provide a railway policing service in Scotland and across the UK, but with improved scrutiny and accountability to the Scottish Parliament. They argued that alternatives to integration should have been consulted on, and that there were no compelling arguments in favour of full integration. Conservative MSPs also referred during the debate to conclusions from previous UK-wide government and independent reviews that BTP is efficient and effective and should be kept as a specialist and separate force for the whole British railway network, and highlighted views put forward by senior BTP and BTPA representatives on the merits of a such a force.

**Scottish Labour** also voted against the principles of the Bill, highlighting opposition to integration from railway workers' unions and officer and staff representatives, and their concerns about erosion of specialist expertise, and safety and security risks. Further concerns cited were the impact on cross-border services; potential reduction in the effectiveness of tackling UK-wide issues such as terrorism; a reduction in the number of jobs and a loss of expertise; increased costs for rail operators; the impact on the terms and conditions of service; and financial pressures facing Police Scotland. Unlike the Conservatives, they did not advocate a specific alternative during the debate, but suggested that other options should be considered.

**The Scottish Greens** supported the general principles of the Bill. They noted that Police Scotland would embrace integration following Parliamentary approval, and were reassured by commitments on training given to the Committee by Police Scotland, as well as the fact that service levels would be subject to a commercial arrangement between railway operators and the SPA. They also drew attention to BTP's very limited capacity in the Highlands & Islands at present. They nevertheless acknowledged that there were strong views both for and against integration, and that BTP officer and staff representatives were not yet persuaded by the reassurances given on terms and conditions.

**The Scottish Liberal Democrats** supported the general principles of the Bill, though criticised the Scottish Government for not consulting on alternatives to integration, and outlined a number of concerns they wished to see addressed if they were to support the passage of the Bill at Stage 3. These concerns were: how the specialist expertise of the BTP can be maintained and developed post-merger; how RPAs are likely to operate; how costs will be assigned; how potential disputes will be resolved; and Police Scotland's ability to take on additional responsibilities while they are facing financial and governance challenges.

**The result of the final Stage 1 division on the general principles of the Railway Policing (Scotland) Bill was: For 66, Against 44, Abstentions 0.**

## **ANNEX I - CONSERVATIVE PARTY MANIFESTOS FOR 2016 UK ELECTIONS**

### **Scottish Conservatives**

**“We will create a national infrastructure police force, bringing together the Civil Nuclear Constabulary, the Ministry of Defence Police and the British Transport Police to improve the protection of critical infrastructure such as nuclear sites, railways and the strategic road network.”**

Quotes from Conservative MSPs during the Bill Stage 1 debate, Tuesday 9th May:

#### **Douglas Ross MSP:**

- “I lodged an amendment to the minister’s motion, which would have given the Parliament a clear choice at decision time about whether to support the Scottish National Party’s plans to break up the British Transport Police or to support the Scottish Conservatives’ proposal to enable the BTP to continue in Scotland and across the UK, but with improved scrutiny and accountability to this Parliament.”
- “the Scottish Government is trying to tear up a specialist railway police service for no good reason at all.”

#### **Liam Kerr MSP:**

- According to The Railway Magazine, the BTP understands the industry’s safety culture and operations and is part of the “railway family”. Since 2001, it has been comprehensively reviewed by Government and independent bodies four times—more than any other police force in the country. Their unanimous conclusions are that the BTP is efficient and effective and should be kept as a specialist and separate force for the whole British railway network.

#### **Gordon Lindhurst MSP:**

- “devolution offers the chance to keep the single British Transport Police force and all the experience that it provides while introducing a level of accountability in Scotland.”

[redacted – not in scope]

BTP Integration Programme  
17<sup>th</sup> Joint Programme Board Meeting  
24 July 2018  
Mercure Glasgow City, Ingram St, Glasgow G2 1DS

**In Attendance:**

**Board**

Dan Moore (Joint Chair)

Donna Bell (Joint Chair)

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

DfT

SG

PS

BTP

SPF

PS

BTP

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PS

SG

TSSA

**Programme/Advisory**

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[redacted]

[redacted]

BTPA

TS

DfT

SPA

PS

BTP

SG

EY

EY

EY

PS

PS

BTPF

PS

**Apologies**

[redacted] (SPA), [redacted] (TSSA), [redacted] (SGLD), [redacted] (DfT), [redacted] (PS)

**1. Welcome & Intro**

The Joint Chairs, Donna Bell and Dan Moore, welcomed attendees to the 17<sup>th</sup> JPB.

**2. Minutes from 16th JPB Meeting**

Minutes of the 16<sup>th</sup> JPB were discussed and, after one amendment, the minutes were approved.

**ACTION – PMO to make amendment to the list of apologies – apologies received from SPF and not SPA as indicated.**

### 3. Actions and Decisions Log

**JPB 15-02** – The PMO has re-drafted the Terms of Reference and it has been circulated to JPB. This action is now complete.

**JPB 15-04** – Discussions with HMICS have occurred and further discussions will take place. The Chair proposed to tie into discussions with HMICS on independent assurance. There is a possibility that they could participate in the Gateway Review.

**JPB 16-04** – BTPF and TSSA do not sign up to the full ToR, this is because in principle they do not agree the Programme's key aim of delivering the integration. They do not hold a decision making role and the TOR will be amended to reflect the agreed status.

**JPB – 16-05** – An update on pensions will be presented at the 18<sup>th</sup> JPB. Discussions with finance on the exact terms are still a working progress. An advice for ministers will occur in the first weeks after recess.

**JPB 16-07** – Two Q&A factsheets have been issued to officers and staff. There are still another two factsheets at advanced stage and these will go out by the end of this week. Slight disappointment was expressed by BTP with regards to the factsheets that have been circulated as they feel they do not explicitly provided answers needed. BTP officers would find it useful to have some clarity around T&Cs and pensions in future factsheets. The Chair noted that, but it was vital that when we provided information to officers and staff it was accurate and represented agreed positions. This inevitably does impact on the level of information that can be provided, but the JPB had discussed the need for communication to be ongoing, even where there are gaps in information; it was important to see this process as an ongoing discussion, where further information would be provided as soon as possible.

It was noted that feedback on factsheets would be appreciated from the Board.

**ACTION – PMO to update ToR to represent distinction of membership v attendance at JPB**

### 4. JPB Terms of Reference

The terms of reference have been updated with the actions from the last JPB. It was stated that as organisations, both BTPF and TSSA can opt not to agree with the overarching aim but the board benefits from the knowledge and expertise of these two organisations.

It was agreed that less time should be taken on the terms of reference at future JPB meetings.

### 5. Project Status

#### ICT Spotlight

The PS approach to strategic ICT transformation and the development of requirements to support railway policing in Scotland were outlined. It was noted there has been good support from EY and the PMO in this area.

There has been on-going work to develop an outline business case for additional resources to fund technology in PS for the next 5 years. BTP Integration will take place when a programme of technology transformation is already underway. It is important that the Integration is carried out at the right time to ensure that the desired strategic outcomes are achieved. There is also a technology transformation programme being delivered within BTP.

During re-planning there has been a priority focus on understanding ICT requirements and risks for integration. Work has centred on the review of core operating systems, though support systems such as HR and Payroll have also been taken into account. Initial work is identifying high risk processes which will require further analysis and detailed assessment. Outcomes of this work will be used to support the final strategic options assessment. Final timescales and approach to ICT delivery will be aligned to the overall approach to transition and full integration.

Four options have been identified and are being further reviewed they include:

1. Using BTP systems to support the scope of services currently undertaken by BTP.
2. Replication of BTP (core policing) systems for use in supporting
3. Incorporation of BTP requirements in the delivery of standardised and refreshed systems as part of the DD&ICT programme.
4. Replication of BTP systems in the current PS infrastructure with subsequent migration to common systems delivered through the DD&ICT programme.

The preferred options are being reviewed and assessed in line with a number of criteria, such as cost, timing, operational effectiveness, impact of wider transformation plans.

Option 3, delivery through the DD-ICT programme is the current preferred option but more analysis is needed. The delivery of the current scope of the PS DD-ICT will take place over the next 33-38 months. There is a dependency on funding for the project to deliver in full.

The ICT approach and timeline for will play a critical role in determining the new date for integration.

### **Highlight report**

It was agreed that Item 6 (Programme Re-Planning) would cover this item.

### **6. Programme Re-planning**

Progress and on-going activities to develop a Programme Definition Document (PDD) were outlined. The PDD will be an overarching product to consolidate all work developed during the re-plan. It will define the programme of work including the high level Target Operating Model (TOM) and transition approach required for full integration.

The presentation highlighted the work underway to inform a new date for integration, work required to complete programme definition including benefits mapping and understanding the cost of change and programme resource requirements to deliver. Activities that should be completed post re-plan but before a transition phase was also discussed.

The Chair emphasised that it was important that the re-planning exercise continued to be evidence based and robust to ensure that advice to Ministers on the date for integration was balanced and properly informed by the evidence.

### **TOM/Projects Update**

[redacted] An overview of high level TOM development was presented and workstream updates focused progress made in developing Funding and Policing models.

TOM development is taking place in two phases as follows:

**Phase 1** – to develop a high level conceptual and functional model with a priority focus on funding model, policing model, ICT and workforce to support identification of the new date for integration

**Phase 2** – to further develop the detailed design in preparation for transition and then full integration.

An update on progress was provided as follows:

### **Funding Model**

- [redacted]
- Potential options including opportunities to reduce costs and utilise increased economies of scale, in particular within the corporate and support services, will be evaluated. Further discussions with the rail industry are planned and workshops will be set up to assess the existing Cost Allocation Model and determine the viability of each of the options to best meet the needs of all parties.

### **Policing Model**

- The aim is to replicate the current Policing Model within the future Railway Policing Division. Significant work has been completed by the workstream including a review of BTP services to form a high level process reference architecture. These have been reviewed to identify high risk areas which need solutions to be designed.
- A draft structure has been identified where the Railway Division Commander (CSI) will report to the PS ACC Operational Support. On day 1 all BTP staff that currently sit under the divisional commanders reporting line will continue to do so. Corporate Services in both PS and BTP are currently subject to transformational change and by necessity current BTP HQ roles will report into the respective function until the new detailed structure is known.
- Deployment Approach and Locations: The team have been building on existing deployment and locations approach. This will continue to be developed and used as a baseline to manage change.
- Future training programmes are being developed including the approach to upskilling wider PS staff.

Consideration is being given to cross border & collaboration requirements - dependencies have been discussed and considerations are being fed into the legislation meeting on 31 July. Further scenario planning will be required.

Further work to complete Phase 1 is planned during August and subsequent arrangements for independent assurance review in early September were outlined.

The Board discussed the steps necessary to complete the re-plan including the sequencing of gaining stakeholder agreement, advice to ministers and subsequent ministerial announcement. It was agreed that this would be given further consideration by the Joint Chairs and key stakeholder organisations.

The BTPF queried information presented in relation to benefits, stating that the original benefits outlined for integration were not represented. It was stated that the purpose of the slides was to portray the work that was being undertaken throughout the re-plan and did not represent a policy position on benefits.

The BTPF also queried information in relation to funding model. It was noted by EY that this information was incorrect and would be amended.

**ACTION – PMO to amend factual inaccuracies in TOM development slides and re-circulate**

**ACTION – Joint Chairs and stakeholders to give further consideration to sequencing of re-plan sign-off, assurance and ministerial advice**

#### **7. Communications & Engagement Update**

This issue was discussed throughout various aspects of the meeting and it was agreed that a full communications and engagement update would be provided at the 18<sup>th</sup> JPB

**ACTION – Communications and Engagement update to be presented to 18<sup>th</sup> JPB**

#### **8. Legislation Update**

As the meeting was running over time, it was agreed that a Communications and Engagement update be provided to the 18<sup>th</sup> JPB.

**ACTION - Legislation update to be presented to 18<sup>th</sup> JPB**

#### **9. A.O.B.**

Given the detail that was now emerging on the programme and that the Board would be asked to make a recommendation on the new date for integration at the next meeting, it was agreed to extend the length of the meeting.

**ACTION – PMO to extend 18<sup>th</sup> JPB**

**BTP Integration Programme  
19<sup>th</sup> Joint Programme Board  
Exploring Further Options – Stakeholder Engagement Event**

## **1. Purpose**

To provide a progress report on planning and preparing for a Stakeholder Engagement Event as a key activity in the work to explore further options for the devolved accountability/ responsibility for railway policing in Scotland.

## **2. Background**

It was agreed at the 18<sup>th</sup> JPB that the following activities would be progressed:

1. Detailed consideration of an arrangement for **enhanced accountability** to Scottish Government through BTPA and SPA. Both organisations have signalled that they could work together to establish a non-statutory arrangement to be in place by 1 April 2019 (Option 1).
2. Detailed consideration of options which would provide SPA with **enhanced accountability and responsibility** in the delivery of railway policing in Scotland (statutory route to confer on the SPA in relation to railway policing) (Option 2).
3. Work with partners to explore other viable options and their development as agreed by JPB.

Relevant work already completed or signalled in the re-plan for full integration may also be taken forward in this context. For example, further work to explore a uniquely Scottish approach to funding of railway policing in Scotland will be required to determine the viability of any option where financial responsibility for railway policing in Scotland is conferred on the SPA.

Scottish Government colleagues are currently developing a set of design principles against which to assess the options and which will aim to satisfy the Smith Commission's recommendation, reached through cross-party agreement, that the functions of the BTP in Scotland should be a devolved matter.

## **3. Stakeholder Event**

In progressing this work it was also agreed at the 18<sup>th</sup> JPB that, as a first step, the Scottish Government would host an extended stakeholder event to capture views and interests.

The event will concentrate on presenting work to date on the developing options including:

- The draft set of design principles
- Progress in developing Option 1
- The potential to further strengthen partnership working between BTP and PS
- Consideration of other studies that have been carried out on the subject. For example, there may be an opportunity to invite [redacted] and [redacted] to present their work in this area
- Progress in developing Option 2
- An update on other viable options identified through partner engagement

There will be any opportunity for participants to work in groups to discuss the options on merit, to consider the risks, benefits and opportunities presented by each and to identify success criteria from individual stakeholder perspectives,

We are anticipating that the Cabinet Secretary for Justice will be available to open the event and attend for the first 30 minutes.

[redacted]

[redacted]

**4. Date, Time, Venue**



Edinburgh venue TBC

**5. Feedback from JPB members on the suggested agenda is welcomed.**

[redacted]