

MINUTES OF THE SCOTTISH PRISON SERVICE ADVISORY BOARD MEETING HELD IN THE BOARD ROOM, HMP PERTH ON 27 MARCH 2024

Present: Ann McKechin, Non-Executive Director and Advisory Board Chair
Teresa Medhurst, Chief Executive, SPS
Linda Pollock, Deputy Chief Executive, SPS
Sue Brookes, Interim Director of Strategy and Stakeholder Engagement, SPS
Lynne Clow, Non-Executive Director
John Evans, Non-Executive Director
Ian Harley, RMAC Chair and Non-Executive Director
Adam Jobson, Head of Organisational Development, SPS
Sharon Lawson, Executive Personal Assistant, SPS (Minutes) (attended virtually)
Gerry O'Donnell, Director of Finance, SPS (attended virtually for papers AB(MAR)02/24 and AB(MAR)03/24 only)
Ali Purdie, Interim Director of Operations, SPS
Gareth Rose, Head of Communications, SPS (attended virtually)
Rob Strachan, Head of Strategy and Planning, SPS (attended virtually)
Lisa Taylor, Head of OCE Branch, SPS (attended virtually)
Stephen Uphill, Non-Executive Director
Billy Watson, Non-Executive Director

In Attendance: Andrew Hodge, Governor-in-Charge, HMP Perth
Forbes McKillop, Deputy Governor, HMP Perth

Introduction and Welcome

1. The Chair welcomed all present to the meeting, in particular Messrs Hodge and McKillop, and thanked them for their hospitality in hosting the meeting.
2. The Chair referred to several issues that had arisen since the last meeting including the successful transfer of HMP Kilmarnock to the SPS estate; Mr Purdie's attendance at the Scottish COVID Inquiry; the Cabinet Secretary for Justice and Home Affairs' announcement that there would be a Review of Sentencing and Penal Policy; and the recent positive media attention on SPS.

Apologies for Absence

3. Apologies for absence were received from Ms Stillie.

Declarations of Interest

4. There were no new declarations of interest.

Draft Minutes of the Advisory Board Meeting Held on 24 January, Action Points and Matters Arising

5. The draft minutes of the meeting held on 24 January were agreed as a true record. The Action Tracker was updated during the discussion, with several items being closed.

Action: Ms Lawson

Chief Executive's Update

6. The Chief Executive advised members that:
 - The increasing prison population and deaths in custody remained high priorities for SPS and both were monitored and discussed on a fortnightly basis at the Executive Management Group

(EMG) meetings. The Cabinet Secretary was also provided routinely with updates for her information.

- The transition of HMP Kilmarnock from the private sector to SPS had gone smoothly and the Advisory Board commended Ms Roughan and Mr Kincaid and their team for the work undertaken in this respect.
- The Criminal Justice Board was concentrating on fiscal pressures and a series of workshops were being arranged in this respect.
- The Chief Executive and Director General (Learning and Justice), Neil Rennick, had been invited to attend the Public Audit Committee on 2 May to discuss 'The 2022-23 Audit of the Scottish Prison Service'.
- Interviews for the substantive Director posts would be held on 28 March and 1 May.
- Professor Graham Towl had been contracted to review retention and capacity issues in the provision of psychology services and his report was expected by 22 April.
- The Butler Trust had awarded 2 commendations to staff in HMPYOI Polmont and HMP Dumfries at a ceremony in St James' Palace on 19 March which the Chief Executive had attended.

7. Members thanked Ms Medhurst for her informative and helpful update and noted their continued concerns around the rising prisoner population.

AB(MAR)01/24: Improvement Framework Report

8. This report provided a summary update of organisational performance (including review of the Annual Delivery Plan (ADP)) and risk as at the end of Quarter 3 (Q3) of the 2023-24 reporting year.

9. Whilst a considerable volume of delivery is on-going across the organisation, it is clear that capacity in establishments, and across HQ policy and delivery functions, is stretched. This tension between delivery and capacity is further increased by ever increasing demands being placed on SPS to respond to a considerable range and volume of scrutiny, ranging from Public Inquiries (SCAI, COVID and FAIs), to Parliamentary evidence, from FOIs to PQs, and from internal and external audits to HMIPS inspections. This is further supplemented by a range of current and emerging national policy expectations being placed on SPS. Taken together, this presents a complex and challenging operating environment and the Deputy Chief Executive initiated a strategic prioritisation exercise during Q3 to ensure SPS delivers key strategic priorities and meets its obligations as a public body.

10. As previously stated, the population changes are of particular concern. Whilst the weekly average population fell slightly compared to the previous quarter, it is 7.7% higher compared to the same time last year. One of the most concerning aspects is the continuing increases in short-term prisoner population, increasing population turnover. It was noted that the number of convicted prisoners had increased by over 500 in the last year. This suggests that the use of imprisonment is increasing after many years of reductions and requires further analysis. A range of work is underway internally and with the Scottish Government (SG) focusing on how to reduce the prison population.

11. Members noted this paper with thanks to the Deputy Chief Executive, Mr Strachan and his team and asked for an update on the prioritisation work at the next meeting.

Action: Ms Pollock/Mr Strachan

12. There then followed a discussion on the rising population and what this meant in terms of frontline delivery. Mr Hodge spoke about the implication on HMP Perth - the complexities of the population mix, feuds in the community which are then brought into prison requiring people or groups to be separated, organised crime gangs working both within prisons and in the community, people with disabilities and social

care needs etc - and explained that all of these issues and more required to be considered before they could house additional people in the establishment.

13. Members were particularly concerned about the current population level in HMP Barlinnie. The Chief Executive advised that she had raised this with SG colleagues and Ministers and had requested they provide a Population Strategy as she was also concerned that unless the population reduced, there would be difficulties in housing the increased population, as well as increased costs. Policy makers had been advised that SPS cannot sustain the current or worsening position.

14. Members thanked Ms Pollock and Mr Strachan for their report and subsequent discussion and asked that RMAC discuss this issue at their meeting with a view to determining the appropriate risk level.

Action: Mr Harley

AB(MAR)02/24: Budget Setting

15. This paper provided an update on the status of the 2024-25 budget position and was noted by members. A discussion on funding and the current challenges faced by SPS then followed.

AB(MAR)03/24: Financial Update/Budget Monitoring

16. This paper provided an update on the 2023-24 financial position as at 31 January and was noted by members.

AB(MAR)04/24: People Survey Analysis and Action 2023

17. This paper provided the Advisory Board with analysis of the 2023 People Survey and an overview of activities being undertaken in response to the Survey.

18. Since 2010, SPS has participated in the annual Civil Service People Survey, which takes place between September and October. Conducted across approximately 100 Civil Service organisations, the People Survey covers 9 key themes that are known to shape peoples' motivation and experiences at work. The survey remains SPS' most comprehensive source of employee feedback and provides information on the personal wellbeing and mental health of the workforce. However, whilst the People Survey provides a useful indication of the level of engagement and perceptions from across the workforce, the use of these results in isolation is unlikely to provide an accurate representation. Advisory Board members agreed it was therefore important that they are viewed not as the sole source for information, but as an important component of the range of current and future data sources that will allow for greater insight into people related concepts and practices across SPS.

19. Members noted the contents of the paper and associated annex, with regard for the change in approach to the use and reporting of People Survey outcomes in future years. There followed a discussion about the results, and members agreed that there was a need to re-think the overall survey process.

AB(MAR)05/24: SPS Leavers within the First Year of Employment

20. At the Advisory Board meeting on 29 November 2023, it was noted that there was an increase in prison officers leaving within their first year of employment. This paper provided analysis in relation to those who leave SPS employment within the first 12 months of service.

21. It is understood that other employers are facing similar pressures of high first year turnover. Combining this with SPS' increased demand for new employees and the cost of recruiting, there is a greater need to understand the reasons why people leave SPS within the first year of joining to determine how to reduce this loss.

22. SPS leaver data has been analysed over the last 5 years. Data was also gathered from discussions with leavers during exit interviews. Exit interviews with operational leavers have identified a broad range of contributing factors. The main reason given for leaving was to move to another job - there was also positive

feedback about the job, training and colleagues. A number of actions have been identified in order to improve the data captured and how SPS responds to it, and the exit interview process, together with the communications to potential recruits on shift patterns, is currently being reviewed.

23. Members noted the contents of the paper and asked that any further comments were sent to Ms Clow who would co-ordinate and return to Mr Jobson.

**Action: All
Ms Clow/Mr Jobson**

AB(MAR)06/24: Update on Review of Deaths in Custody

24. This paper provided an update on deaths in prison custody and the progress made in addressing the recommendations contained in the Independent Review of the Response to Deaths in Prison Custody (November 2021).

25. The second progress report was published in February and is the last one from the appointed independent chair of the Death in Prison Custody Action Group Oversight Board, whose tenure ended earlier this month. Members noted the substantial progress being made to address the recommendations contained within the Review and were of the view that further work is required to agree how SPS responds to Recommendation 5.3 on the chairing of DIPLAR meetings. An options paper setting out the considerations will be prepared.

Action: Mrs Brookes

26. Mrs Brookes advised that a further paper would also be produced for the EMG in relation to the outstanding recommendations in the report and the timescales for completion.

Action: Mrs Brookes

27. Members thanked for the Health team for their considerable efforts in responding to the review.

AB(MAR)07/24: Update on Prisoner Survey

28. The Prison Survey was introduced in 1991. The Survey, which focuses on the core elements of prison life, is undertaken in each Scottish prison and is offered to all of those held in custody in Scotland. The frequency of the Survey has varied - initially undertaken every 3 years in the 1990s, then annually from 2001-2009, and now biannually from 2011. Due to the pandemic, the last Survey was undertaken in 2019.

29. The Prison Survey provides a unique insight into life in Scottish prisons from the perspective of those who are in our care; it furnishes a meaningful channel for the user's voice to be heard. The Survey informs change by contributing to thinking on the improvement of service delivery and offers a rich published data source which complements official statistics and provides valuable time-series trends.

30. A consultation exercise was undertaken in 2021-22 on the future purpose, content and delivery of the Prison Survey. Suggestions for its re-design and re-development were assimilated with the focus being placed upon a more qualitative approach to capture the user voice on priorities and service delivery improvement. The EMG agreed in November 2022 that SPS should re-design the Prison Survey and deliver it once every 4-5 years to coincide with, and directly inform, the Corporate Plan cycle. This would be supplemented by a more qualitative SPS-led research and evaluation programme in the intervening period.

31. In the interim, and to avoid a gap of more than 5 years between Surveys, the Strategy and Improvement team has developed an estate-wide Prison Survey for 2024 broadly as it has been delivered in the past, ie paper-based questionnaire consisting of closed questions with a quantitative focus. Notwithstanding the acknowledged population pressures and competing priorities, there is a pressing need to conduct the Prison Survey to gather the user voices of those in custodial care. It is intended that the Survey will be rolled out across establishments during late April/early May.

32. The Advisory Board noted this update with thanks and asked that a further update on the survey results be provided at the November meeting.

Action: Mr Strachan

RMAC Chair's Verbal Report

33. Mr Harley advised that RMAC had not met since the last meeting. Their next meeting would follow this meeting and an update would be provided at the Advisory Board meeting in May.

Action: Mr Harley

Major Projects Management Group (MPMG) Verbal Update

34. Mr Evans advised that he had attended his first meeting of this group the day previously and had agreed to catch-up further with Mr Copeland, Senior Portfolio Manager, following that.

Action: Mr Evans

AB(MAR)08/24: Estate Development Programme

35. This paper summarised the progress of the Estates Major Infrastructure Works and Maintenance Works since the previous progress report in September 2023 and was noted with thanks by members.

Any Other Business

36. Members were asked to provide suggestions for guest speakers for future Advisory Board meetings to the Chair for consideration.

Action: All

37. The Chair advised that the Equalities and Human Rights Oversight Board were seeking a NED volunteer to join them and she would discuss this with them separately.

Action: Chair/NEDs

38. The Chair thanked the NEDs for participating in individual calls with her to discuss the NED evaluation, and Mr Rose for circulating the Communications update.

Draft Agenda for May 2024 Meeting

39. The agenda for the next meeting was agreed as drafted. Ms Taylor would contact the NEDs in respect of the on-going Terms of Reference review.

Action: Ms Lawson/Ms Taylor

Date of Next Meeting

40. The next Advisory Board meeting will be held on Wednesday 29 May from 0930-1200hrs in the Dumyat Meeting Room, SPS College, Polmont. The RMAC meeting will follow from 1300-1630hrs.

Advisory Board Secretariat March 2024