

Criminal Justice Committee

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

Policing and mental health

Note by the clerk

Background

1. The Criminal Justice Committee has been [reviewing issues around policing and mental health](#) as part of its ongoing work programme. This has involved reviewing the effectiveness of the advice and support available to police officers and staff who request assistance with their mental health and wellbeing.
2. This included an [evidence session on policing and mental health](#) held on Wednesday, 18 May 2022 and informal, private sessions with a number of police officers on their experiences of working for Police Scotland.
3. At the meeting of 22 February 2023, the Committee agreed to write again to Police Scotland and the Scottish Police Authority (SPA).
4. Responses to these requests have now been received (**see Annex**). A summary is provided below.

Police Scotland

5. The Committee asked Police Scotland to address all the issues raised in its first two letters and sought an explanation as to why the officers the Committee spoke to did not receive the expected standards of advice and support.
6. In their response, Police Scotland indicated that they are in discussions with the Scottish Police Federation to explore the specific circumstances of the cases shared with the Committee to better understand why those experiences were below expectations and to determine what can be learned from any failings.
7. In response to the Committee's request for details of how managers are equipped to recognise and respond to officers who require support with their mental and emotional wellbeing, Police Scotland confirmed that 1,000 officers and staff had undertaken Lifelines Scotland training and that a wellbeing and mental health module has been included in the 'Your Leadership Matters' programme. This will enable line managers to have constructive conversations with their staff, to spot early signs of mental health and take action. These measures are designed to

equip leaders with the tools required to identify when a colleague needs support and to make proactive interventions. Officers will also have the option to self-refer.

8. The Committee asked whether Police Scotland is to consider setting up a dedicated telephone line for officers and staff who call the Employee Assistance Programme. Police Scotland confirmed that they are tendering for a new Occupational Health and Employee Assistance Programme, with a new contract due to commence next April. They will keep this option under consideration and provide the Committee with an update as progress is made on procurement.
9. In relation to a planned date for the court scheduling system redesign, Police Scotland indicated that they are liaising with the Crown Office and Procurator Fiscal Service and the Scottish Courts and Tribunal Service to inform improvements. They offered to provide an update as this work progresses.
10. The Committee asked Police Scotland whether they intend to undertake any work (through formal and/or informal methods) to determine whether there was a work-based element in relation to any officers or staff who have sadly taken their own lives. Police Scotland indicated that they endorsed the content of the Lord Advocate's letter to the Committee of 16th January 2023, which sets out the steps that are taken at the Crown's instruction after any such death. Any informal steps taken are based on each individual circumstance.

The Scottish Police Authority

11. The Committee asked the SPA to undertake a piece of work to understand the nature and scale of the concerns police officers and staff have about the advice and support provided to them when they experience mental health and wellbeing issues. In their response, the SPA confirmed that its People Committee "are taking this work forward with support and input from Police Scotland and will report by the end of this calendar year".
12. The Committee welcomed the urgent review undertaken by the SPA into the number of cases where officers and staff retired due to mental ill health and where the administration of their retirement remains incomplete. The SPA provided an update on this work in their response, indicating that its People Committee is undertaking an ongoing review of the injury on duty awards and ill health retirement processes to ensure improvements continue to be made. This includes seeking feedback from officers represented by the Scottish Police Federation (SPF).
13. The SPA also confirmed that, "the SPF, and other workforce representatives, are far more than 'observers' at our People Committee meetings".

HM Inspectorate of Constabulary in Scotland

14. HM Inspectorate of Constabulary in Scotland (HMICS) is to carry out a [thematic review of Policing Mental Health in Scotland](#). The aim of the thematic review is to

assess the state, efficiency and effectiveness of Police Scotland's provision of mental health related policing services.

15. The inspection has the following five objectives. To assess:

- How well-prepared Police Scotland are to meet the needs of people who are suffering from poor mental health.
- Whether the police response to mental health related demand impacts on the efficiency and effectiveness of the force in delivering other policing services.
- Whether the force understand the demand associated with the provision of mental health related policing services.
- The effectiveness of the force's collaborative working arrangements in relation to the provision of mental health related policing services.
- The impact that the involvement of the police has on the person who is suffering from poor mental health

16. HM Chief Inspector of Constabulary, Craig Naylor, wrote to the Committee with details of the planned thematic inspection and offered Members the opportunity to engage with the review team, to hear their perspectives and to help inform HMICS's work (**see Annex**). The Convener is planning to meet with the Chief Inspector on Thursday, 11 May.

Actions

17. Members may wish to consider the correspondence received and any further work, if any, that the Committee wish to take on this issue.

**Clerks to the Committee
April 2023**

ANNEX

Response from Police Scotland

Dear Convener

POLICING AND MENTAL HEALTH

Thank you for your letter of 28 February 2023 and for your ongoing focus on the wellbeing of police officers and staff. The Chief Constable considers the welfare and wellbeing of our colleagues as a priority. Policing can be relentless and can place particular demands on our people and indeed their families. We recognise this and seek to place wellbeing at the heart of our approach.

I hope the undernoted provides sufficient detail to the specific points queried in your correspondence;

1. You asked for an explanation as to why the officers who spoke to the committee did not receive the expected standards of advice and support

I'm aware some officers who spoke with the Committee about mental health and wellbeing explained that they did not receive the expected standard of advice and support. Understanding when experiences are below expected standards is of vital importance.

We greatly value the challenge and support of our staff associations, including the Scottish Police Federation, and we are in active discussions with colleagues around how we can continually improve our processes. Further discussions are planned and, within those discussions, we will seek to explore the specific circumstances of those cases shared with the Committee to better understand why those experiences were below expectations. This will enable us to ascertain what processes were in place at that time, whether and why they were not implemented, and what we can learn from any failings.

2. You asked about the measures in place to support managers in recognising and tackling mental health trauma.

I agree we must support our people to recognise when colleagues need support, and empower managers to step in at the right time. In my previous correspondence, I outlined how over 1,000 officers and staff had undertaken Lifelines Scotland training and that the Scottish Government has committed additional funding to extend the training provision and support until 30th September 2023.

Notwithstanding that, our Chief Constable has been clear that policing in Scotland has not invested enough in developing leaders over a period years. As indicated, developing our leaders is a key imperative and the Your Leadership Matters programme includes a wellbeing and mental health module which will enable line managers to have constructive conversations with their staff, to spot early signs of mental health and take action.

3. You asked whether the TRIM process and other mechanisms still place the onus on officers to seek support.

As indicated, we are working to equip leaders with the tools required to identify when a colleague needs support and to make proactive interventions. It is also important to recognise that some colleagues wish to self-refer and this remains an option available to every officer.

4. You asked whether Police Scotland is considering setting up a dedicated telephone line for officers and staff who call the Employee Assistance Programme.

We are tendering for our new Occupational Health and Employee Assistance Programme, with a new contract due to commence next April. We are at an early stage of specifying our requirements. We will keep this option under consideration and I would be happy to update you further as progress is made on procurement.

5. You asked for confirmation on the planned date for the court scheduling system redesign

As I outlined in my previous correspondence, I agree that being cited for court while on annual leave or rest days causes disruption and frustration for officers. We are liaising with the Crown Office and Procurator Fiscal Service and the Scottish Courts and Tribunal Service to inform improvements to these processes. I cannot provide a specific date because this multi-agency work remains ongoing. However as work progresses, I would be happy to provide further information.

6. You asked whether Police Scotland intends to undertake any work (through formal and/or informal methods) to determine whether there was a work-based element in relation to any officers or staff who have sadly taken their own lives.

The loss of an officer or member of police staff in any circumstances is a tragedy for the individual, their family and their colleagues. Each is acutely felt throughout the policing family. Of course, each death is a unique tragedy and our response, both as a police service and as an employer, will reflect those individual and specific circumstances, and appropriate action taken where relevant.

When such a loss arises, or apparently arises, in circumstances indicating the person has taken their own life, the pain is no less keenly felt by the bereaved but may be impacted by a range of other emotions. You have the Lord Advocate's letter of 16th January 2023, and I fully endorse all that is set out therein as to the steps that are taken at the Crown's instruction after any such death.

In your correspondence, you ask around the engagement which Police Scotland undertakes after such a loss, which may include '*informal*' steps. I am sure, in that event, your Committee will recognise that a combination of the unique nature of every such death and the correspondingly bespoke response the Service may make to it does not comfortably accommodate summary repetition in a passage of letters which are intended for publication.

I look forward to speaking to you, and progressing further constructive discussions on the impact of traumatic events on officers and staff with the Scottish Police Authority and other stakeholders, at the roundtable event on Mental Health and Trauma in Policing on 21 April.

Officers and staff work to improve the lives of the people and communities of Scotland every minute of every day. The Chief Constable is committed to ensuring that we recognise the demands that such dedication brings and that our people know that they are supported and valued.

I trust this provides you with assurance on this vital matter. A copy of this letter has been provided to the Chair of the Scottish Police Authority.

Yours sincerely,

Fiona Taylor QPM
Deputy Chief Constable

Response from the Scottish Police Authority

Dear Convener

POLICING AND MENTAL HEALTH

I refer to your correspondence of 28 February 2023 regarding policing and mental health and the Authority's review of Ill Health Retirement (IHR) and Injury on Duty (IoD) processes.

IHR / IoD Review Update

As scheduled, an update on the ongoing work to review the IHR / IoD processes was considered by the Authority's People Committee on 28 February 2023. I have attached the full report at Appendix A for your awareness. The People Committee, with representation and contribution from the Scottish Police Federation (SPF), discussed this work at length and explored the handling / administration of these processes, the improvements made to date and the next steps. Authority officials have also met with SPF representatives to discuss their members' feedback on these processes.

I would like to assure you that the SPF, and other workforce representatives, are far more than 'observers' at our People Committee meetings. All public sessions of our People Committee are streamed live and recordings available to watch again. At these meetings workforce representatives give their view, provide their experience and comment regularly. For example at our meeting on 28 February 2023, members of the People Committee welcomed comments from the SPF confirming that the steps taken to date in relation to IHR and IoD have improved the process for their members. You can watch the Committee's consideration and the input and discussion around this update at the following link: [People Committee 28 February 2023](#). The discussion begins 25 minutes into the meeting.

As outlined in the report, further work and improvement is planned in the months ahead. Future reporting to the People Committee will provide additional data, with projected case numbers supporting oversight and assurance that arrangements continue to achieve desired outcomes and that optimal arrangements are in place for those involved. Reporting will also include analysis of feedback from those who have been through the process.

Workforce mental health and wellbeing

The Authority always wants to understand better the nature and scale of the concerns police officers and staff have about the advice and support provided to them when they experience mental health and wellbeing issues. The People Committee are taking this work forward with support and input from Police Scotland and will report by the end of this calendar year. I outlined in my correspondence of 3 February 2023 that the Authority will continue to discuss the impact of mental health and vulnerability on policing with a workforce focused event in mid- 2023. This will be a jointly hosted event with Police Scotland and SPA Forensic Services that will focus on the exposure to, impact and mitigation of trauma on our officers and staff. We are grateful to our

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workforce representatives who are already involved in planning the event to ensure that experiences and suggestions of the workforce inform that discussion.

I hope this addresses the committee's further requests.

Yours sincerely

MARTYN EVANS
SPA Chair

Letter from HM Chief Inspector of Constabulary in Scotland

Dear Ms Nicoll

HMICS Thematic Review of Policing Mental Health in Scotland

I write to you to make you aware of the above inspection we are in the early stages of undertaking. By way of background, the theme for this particular inspection arose during our scoping work in developing our 3-year [HMICS Scrutiny Plan 2022-25](#), where a clear view was expressed amongst Police Scotland's officers and staff that policing demand had shifted significantly over recent years with more incidents being mental health related.

The [Terms of Reference](#) for our review were published in January 2023. As you will note, the inspection has the following five objectives:

To assess:

- How well-prepared Police Scotland are to meet the needs of people who are suffering from poor mental health
- Whether the police response to mental health related demand impacts on the efficiency and effectiveness of the force in delivering other policing services
- Whether the force understand the demand associated with the provision of mental health related policing services
- The effectiveness of the force's collaborative working arrangements in relation to the provision of mental health related policing services
- The impact that the involvement of the police has on the person who is suffering from poor mental health

In preparation for our review, my team have been reviewing recent evidence sessions of the Criminal Justice Committee and have noted the interest of the committee in these matters. For this reason, I thought it may be helpful to provide you with an opportunity to engage with the review team, to hear your perspectives and to help inform their work.

In terms of timescales, we would consider it may be beneficial to meet with you in early May 2023. If you think this would be appropriate and helpful, I would plan to meet with you along with Brian McNulty, who is the lead inspector for this review.

I look forward to hearing from you.

Yours sincerely

Craig Naylor
HM Chief Inspector of Constabulary