



The Scottish Parliament
Pàrlamaid na h-Alba

Professor Susan Deacon
Chair
Scottish Police Authority

Cc Kenneth Hogg
Chief Officer

By email only
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**Public Audit and Post-legislative
Scrutiny Committee**

Room T 3.60
The Scottish Parliament
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23 February 2018

Dear Professor Deacon

THE 2016/17 AUDIT OF THE SCOTTISH POLICE AUTHORITY

The poor performance of the former chair and chief executive of the SPA has been well discussed in our committee and beyond, and you have already explained how you intend to improve the SPA and its decision-making processes going forward¹. However, we are obliged to highlight our strongly-held concerns about the performance of those board members who have been in post throughout a period of continual under-performance and who did not challenge the previous incumbents as effectively as they should have done.

Quite simply, we do not have confidence in their ability to perform their role adequately and ask you to reflect on our concerns when you carry out performance appraisals of board members.

For your information, I attach a letter we have sent to the SPA deputy chair and the chair of the audit committee. It invites them to address a number of significant outstanding concerns arising from the Auditor General's 2016/17 audit, recognising that you were not in post when the report was prepared.

To complement the information we have asked for in that letter, we would be grateful for your response to the following points—

¹http://www.parliament.scot/S5_Public_Audit/General%20Documents/20180118_Written_submission_from_SPA.pdf

- building on your previous written submission to the Committee, please describe any specific actions the SPA will take to ensure that the serious deficiencies identified in the Auditor General's report will be fully addressed. This should also address the following specific points—
 - whether the board's governance documents have been reviewed to ensure there is clarity on whether and when decisions should be made by the board or by the chief officer;
 - whether you intend to instigate a review of previous decision-making by Mr Foley (this issue arose in the Committee's oral evidence session with the Auditor General – please see columns 14 and 15²);
 - whether you will seek to reclaim any relocation expenses paid to the deputy chief constable (see paragraphs 11 to 15 of the Auditor General's report)³.
- we agree with and strongly encourage your stated intention to improve the board's performance. In particular, your letter to us of 5 February highlighted appalling and unacceptable practices around how decisions are made and then recorded on your website. This must improve as a matter of urgency;
- taking into account our previous concerns about governance and the recent turnover on the SPA board, please explain the further training that board members will receive to ensure that they carry out their role as effectively as possible. As part of this, how will you ensure that all board members clearly understand the differing roles and responsibilities of the SPA and Scottish Government in respect of policing?;
- In our separate letter to the SPA deputy chair we have asked for an update on the review of the support provided to the SPA Board. Please confirm whether you are satisfied with the progress of this review and whether, given the criticisms we and other have made, the conduct of the review could be improved in any way.

I would be grateful if you could provide a response to this letter by **23 March 2018**.

Yours sincerely,



Jenny Marra MSP
Convener

² <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11288&mode=pdf>

³ http://www.audit-scotland.gov.uk/uploads/docs/report/2017/s22_171208_spa.pdf