



British Transport Police Federation
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Mr Humza Yousaf
Minister for Transport and the Islands
T3.24
The Scottish Parliament
Edinburgh
EH99 1SP

21 March 2018

Dear Mr Yousaf

I am writing to you in respect of the integration of BTP Scotland into Police Scotland. As you will be aware, we have welcomed the decision of Scottish Ministers to pause the integration process to allow for a period of re-planning.

Full integration is undoubtedly complex, and several crucial issues have emerged during the process. We are informed that the decision to pause was based on advice from the Joint Programme Board that a successful and safe integration could not be delivered by April 2019. Furthermore, the MTT had identified several areas of work associated with higher than acceptable risks, those being:

- The current lack of resources, skills and data;
- The continuing failure to agree key asset transfers;
- The lack of progress on the development of Railway Policing Agreements;
- The inadequacy of Police Scotland ICT systems and processes
- The continued lack of clarity over transferring BTP officers terms and conditions; and
- Concerns over the rising cost of integration and its impact on both Police Scotland and BTPA's transformation programmes.

The decision to suspend full integration clearly reflects Ministers' commitment to Parliament to keep the programme under review and to give any issues raised by the Joint Programme Board due consideration.

On Monday 19 March 2018 the BTP Federation, in company with colleagues from TSSA, attended a JPB Partners meeting, where we were informed that full integration would continue, albeit with an as-yet-unknown timetable.

Given the challenges that remain and workflows that have barely progressed in recent months, we are questioning why, ahead of the re-planning process, a full-scale review of the decisions made to date isn't being carried out.

Throughout this process assurances have been given repeatedly about minimal transition costs, potential for efficiencies, manageable pensions costs and engagement with staff and stakeholders. As yet, these reassurances have not been delivered and the risks associated with full integration continue to grow.

There is now considerably more information available than perhaps existed when the original decision was taken to proceed with full integration and we now feel that the pause offers the Scottish Government and JPB a timely opportunity to consider alternatives to full integration.

An option we believe should be considered is that of a commissioned service model (similar to the second of the three options proposed for the devolution of transport policing in Scotland). We believe such a model can achieve the aims of devolution/integration without the related costs and disruption associated with full integration. We believe that continuing with full integration regardless of the known facts is neglectful and very damaging to the future of Railway Policing not only in Scotland but also in England and Wales.

Minister, I respectfully request that you reflect on the alternatives to full integration and give serious consideration to a commissioned service model which we believe would be supported by many including the BTP Federation. If this model is not going to be considered, we would be grateful to hear the reasons for this.

Yours sincerely,



Nigel Goodband
Chairman
British Transport Police Federation

CC.
Nicola Sturgeon MSP, First Minister of Scotland
Michael Matheson MSP, Justice Minister
The Rt Hon Chris Grayling MP, Transport Minister

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Mr Nigel Goodband
Chairman
British Transport Police Federation
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28 March 2018

Dear Nigel

Thank you for your letter dated 21 March 2018 about the integration of BTP in Scotland into Police Scotland. As you may be aware, an assessment was carried out by the joint Police Scotland/BTPA project that was set up to deliver the operational aspects of the programme. Their assessment was that the current scheduled date of 1 April 2019 would not be achieved and that further time was needed to deliver integration most effectively and safely for railway passengers. Ministers have accepted this advice and a detailed re-planning exercise will now take place over the coming months, to ensure robust delivery plans and establish a new delivery date. The re-planning exercise will seek to ensure that additional opportunities for engagement are built into the timetable going forward.

I remain committed to ensuring the Act is fully implemented to ensure the benefits of a single command structure, and improved access to the full range of capabilities of Police Scotland, is delivered.

In order to reassure staff and officers on the detail of integration, a Q&A has been developed and continues to be considered and updated. I understand that officials are working closely with the BTPF to identify answers to questions posed by your members, and will keep you updated on progress with this. The JPB has agreed that officers and staff will transfer on their current terms and conditions, and a proposal has been issued to the pension scheme trustees to allow existing officers and staff to continue to have access to their current pension scheme on transfer. Importantly for officers, the proposal includes a protection for member contribution levels to be underpinned to those that apply to the main fund section to ensure no detriment, and the initial response from the Trustee suggests the proposal is a viable one. The Trustee has asked that the Scottish Government develops this proposal further.

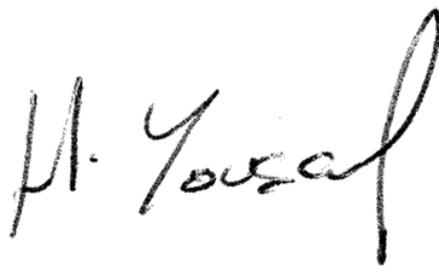
Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

The Scottish Government expects that transitional costs for SPA and Police Scotland will be funded from the police reform budget. This will not be an additional burden on the operational policing budget or rail operators, and the costs of railway policing in Scotland following integration will continue to be funded through contributions from the railway industry.

In an options paper before legislative competence over railway policing was devolved through the Scotland Act, BTP and BTPA outlined three alternative approaches to railway policing in Scotland. Option 2, which you refer to in your letter, proposed a 'statutorily devolved model of governance and accountability', which would involve BTP continuing to provide railway policing services in Scotland with some form of joint accountability to the Scottish Parliament or SPA, in addition to their existing UK-wide governance structures.

This option offers a complex, shared model of accountability, with the UK Government continuing to have the primary role in overseeing railway policing. It would not provide the benefits of integrated policing across all of Scotland's transport infrastructure nor the level of accountability to the people of Scotland and the Scottish Parliament that integration will deliver. The Railway Policing (Scotland) Act 2017 was passed by the Scottish Parliament on 27 June 2017.

I would like to reassure you that we are fully committed to ensuring that railway policing in Scotland has a strong and robust future that delivers high safety standards for passengers, staff and the rail industry – and that it is directly accountable to the people of Scotland and the Scottish Parliament. Integration will provide a single command structure, with seamless access to wider support facilities and specialist resources of the second largest police service in the UK, providing an enhanced service to the rail industry and travelling public.



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Mr Humza Yousaf
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6 April 2018

Dear Mr Yousaf

Thank you for your letter dated 28 March. I am writing to respond to several of the points you made.

Firstly, you state that 'the JPB has agreed that officers and staff will transfer on their current terms and conditions'. We believe this to be a blanket statement, which has yet to be accompanied by any detail. I must assume you find it both acceptable and appropriate that officers have so far waited two years for information that will enable them to make decisions about their and their families futures.

As you rightly state, the Q&A process is still on going. At the start of March, we submitted a further 73 questions from BTP officers to the Scottish Government. These covered issues including terms and conditions, pay and regulations, and operational matters. We have been told these questions have been reviewed and sent to the relevant organisations so as answers can be provided but no timeline has been put on this process. Therefore, our members do not know when they can expect to receive responses to their queries. This does not instil confidence in the current process and still does not fit the ethos of improving engagement; highlighted as a priority by the Joint Programme Board on 20 February 2018.

In addition, we note your comments regarding the pensions proposal. Our reading of this proposal is that there are no guarantees however we understand that discussions are on going, and we await the outcome of those before commenting further. We are interested in the issue of liabilities and which organisation will meet that commitment. Perhaps you can reassure our members that the Scottish Government will meet those liabilities.

On funding, you state 'The Scottish Government expects that transitional costs for SPA and Police Scotland will be funded from the police reform budget. This will not be an additional burden on the operational policing budget'. However, the concern we raised was in respect of the rising cost of integration and its impact on Police Scotland's transformation programmes. There will undoubtedly be an impact if a significant proportion of the reform budget is used to facilitate integration rather than being invested directly into Police Scotland. Likewise, there are cost implications for the BTPA transformation programme.

In respect of Option Two, we are suggesting that consideration should be given to a commissioned service model similar to the second of the three options proposed for the devolution of transport policing in Scotland.

You state that Option Two 'offers a complex, shared model of accountability, with the UK Government continuing to have the primary role in overseeing railway policing'. However I would question whether a commissioned service model is anywhere near as complex as trying to merge two very different organisations. Dismissing this suggestion without exploring the benefits (or otherwise) is, we believe somewhat reckless and goes against the drive for greater transparency in decision-making.

Lastly, the assertion that integration will provide 'an enhanced service to the rail industry and travelling public' is not only subjective and lacking in evidence; it is also insulting to the BTP officers who police the GB-wide rail network. It is disappointing that you believe bringing officers with no experience of railway policing onto the network could be considered an enhancement to the service currently delivered by self-motivated and dedicated BTP officers.

Police Scotland is indeed the second largest force in the UK. Its officers and staff are a credit to the service, but they are not specialist in railway policing. BTP is accountable to many, including the people of Scotland and it is subject to regular and rigorous inspections; the results of which more than demonstrates the effectiveness of the service provider in Scotland.

Minister, I would like to reassure you that BTP Federation is not advocating that devolution is not achieved. We believe devolution can be achieved without breaking up a nation wide Police Force and that an alternative should be considered, with five key aims:

1. To achieve the aims of the Smith Commission with devolved and accountable railway Policing in Scotland.
2. To ensure that Scottish Policing priorities are encompassed by railway Policing.
3. To retain specialist railway policing to deliver effective and efficient policing that keeps passengers safe and has the confidence of the rail industry.
4. To ensure that security, particularly counter terrorism on the railway, in Scotland and across the UK is not compromised by fragmented command and control.
5. To ensure that any proposed changes are supported by police officers and staff, thereby retaining railway experience and the ending the on-going uncertainty and declining morale.

Minister, I thank you for taking the time to respond to my previous letter and hope you will address the points I have raised above. As the organisation, which represents officers, affected by your decisions, I must seek a response to the core concerns we have raised throughout the duration of this process and raise the questions, which have remained unanswered for some considerable time.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nigel Goodband', written in a cursive style.

Nigel Goodband
Chairman
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Mr Nigel Goodband
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Our ref: 2018/0013542
25 April 2018

Dear Mr Goodband

Thank you for your correspondence to Humza Yousaf which has been passed to the relevant office for response or appropriate action.

The Scottish Government aims to respond to you within 20 working days. Where this is not possible, we will endeavour to keep you updated on the progress of your response.

Yours sincerely

Kevin McArthur
Public Engagement Unit

