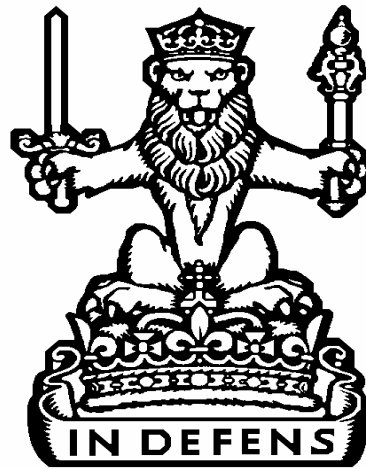


CROWN OFFICE AND
PROCURATOR FISCAL SERVICE



GRAMPIAN AREA
BUSINESS PLAN

2007-08

αβχδε

A Department of the Scottish Executive

Version / Status Control:

| Version | Date | Status | Prepared by | Reason for Amendment |
|----------------|-------------|---------------|--------------------|-----------------------------|
| 1.0 | 15/1/07 | Draft | JR | Original Draft |
| 1.1 | | Draft | | Revised Draft |
| 1.2 | 1/2/07 | Draft | JR | Submitted to Finance |
| 2.0 | | Final | | Budget Allocation confirmed |
| 2.1 | | Final | | Budget Revision |
| | | | | |
| | | | | |

Contents:

| | |
|---------------------------------------------------|-------------------------------------|
| Version / Status Control:..... | 3 |
| Contents: | 4 |
| EXECUTIVE SUMMARY: | 5 |
| 1. BACKGROUND | 7 |
| 1.1. INTRODUCTION: | 7 |
| 1.2. CORPORATE CONTEXT: | 8 |
| 1.3. LOCAL CONTEXT..... | Error! Bookmark not defined. |
| 2. OPERATIONAL ISSUES | 14 |
| 2.1. CORPORATE CONTEXT | 14 |
| 2.2. OPERATIONAL PRIORITIES & BUSINESS RISKS..... | 14 |
| 2.3. WORKLOAD & STAFFING FORECAST: | 15 |
| 2.4. PERFORMANCE MEASURES:..... | 15 |
| 2.5. PROCESS REVIEWS: | 15 |
| 3. ENVIRONMENT & STAKEHOLDERS | 16 |
| 3.1. CORPORATE CONTEXT | 16 |
| 3.2. IMPACT OF EXTERNAL INFLUENCES..... | 17 |
| 3.3. STAKEHOLDERS | 18 |
| 4. HR PLAN..... | 19 |
| 4.1. CORPORATE CONTEXT | 19 |
| 4.2. STAFFING PLAN | 20 |
| 4.3. TRAINING & DEVELOPMENT PLAN: | 22 |
| 5. INFRASTRUCTURE | 23 |
| 5.1. CORPORATE CONTEXT | 23 |
| 5.2. ACCOMMODATION ISSUES..... | 23 |
| 5.3. INFORMATION & COMMUNICATION ISSUES | 24 |
| 6. FINANCE PLAN..... | 25 |
| 6.1. CORPORATE CONTEXT | 25 |
| 6.2. BUDGET PROPOSALS:..... | 25 |
| 6.3. EFFECT OF PROPOSALS/ BUSINESS CASES:..... | 26 |
| 7. OTHER ISSUES | 27 |
| 7.1. PLANNED CHANGES IN 2007/08:..... | 27 |
| 7.2. POTENTIAL FUTURE CHANGES: | 27 |
| 8. CONCLUSIONS..... | 28 |
| 8.1. CONCLUSION:..... | 28 |
| 9. ANNEXES | 29 |

EXECUTIVE SUMMARY:

Background

The Grampian Area is part of the Sheriffdom of Grampian, Highland and Islands. It has 3 Local Authorities (Aberdeen City, Aberdeenshire and Moray) and a single Police Force (Grampian Police). There are 5 COPFS offices in the Area - Aberdeen, Banff, Elgin, Peterhead and Stonehaven.

Aims and Objectives

The Area is committed to contributing to the Department's strategic objectives, focussing on the improved investigation and prosecution of crime, prioritising the prosecution of serious crime, improving public confidence in the criminal justice system amongst our diverse communities, meeting the information needs of witnesses and investigating deaths which are reported to the Procurator Fiscal. The year ahead will see significant changes to the justice system with the review of Summary Justice and the introduction of the next phase of Vulnerable Witness legislation. We will contribute actively to the introduction of these changes at both national and local level. Working closely with partner organisations we are committed to providing the best possible service in the Grampian Area. We will work together to improve the speed and efficiency of justice and improve public understanding of what we do.

Workload

By the end of 2006/7 Grampian will have received some 23,000 police Reports, a rise of 8% on the previous year, and in 2007/8 we expect this to rise to 24,000. There has been a 30% rise in Petition work across the Area as a whole (although the increase is significantly higher in some offices) and we expect a rise of 20% in 2007/8.

Resources

FINANCE. *Note: Figures for 2006/7 and 2007/8 are estimated

| Year | Salaries | Office | Case Related | Area Total |
|---------|------------|----------|--------------|-------------|
| 2003/4 | £2,544,172 | £332,748 | £935,522 | £3,812,442 |
| 2004/5 | £2,227,000 | £288,000 | £822,000 | £3,302,000 |
| 2005/6 | £2,446,000 | £242,000 | £805,000 | £3,493,000 |
| 2006/7* | £2,771,000 | £260,000 | £1,080,000 | £4,111,000 |
| 2007/8* | £2,875,000 | £256,000 | £1,170,000 | £4,301,,000 |

STAFFING (numbers of posts)

| | 2003/4 | 2004/5 | 2005/6 | 2006/7 | 2007/8 |
|--------------|--------|--------|--------|--------|--------|
| SCS | 2 | 2 | 2 | 2 | 2 |
| Legal | 25 | 25 | 26 | 27 | 27 |
| Precognition | 7 | 7 | 7.5 | 7.5 | 7.5 |
| Non legal | 51.3 | 46.4 | 40.8 | 49.4 | 49.4 |
| Area Total | 91.3 | 80.4 | 76.3 | 85.9 | 85.9 |

Performance

Grampian consistently meets, and often exceeds, national performance targets. We will strive to maintain our high standards

Risks

Grampian has performed very well against a background of increased workload and difficulties in recruiting and retaining experienced legal and administrative staff. We will monitor the introduction of new and additional work stemming from Disclosure, Summary Justice Reform and Vulnerable Witness legislation and measure the impact on performance and on our staff. We will work with colleagues in Crown Office and Human Resources to improve recruitment and retention of staff.

BACKGROUND

1.1. INTRODUCTION:

This document is the Business Plan for the Grampian Area for 2007/8. It sets out our aims and objectives for the year set against a background of change at both national and local level. The ongoing implementation of the Bonomy recommendations, in particular as they relate to Disclosure, reform of Summary Justice and the implementation of the next phase of Vulnerable Witness legislation will require us to review our working practices and procedures to continually improve the service we provide. Locally we expect our workload to continue to increase, with Solemn business in particular rising in line with recent trends. This increased workload will require us to be innovative in the way that we work, and to show greater flexibility in our use of resources and new technology.

We will continue to work with criminal justice partners towards the efficient implementation of both national and local initiatives, building on the strong relationships we have developed.

Grampian Area will strive to continue our high level of performance against agreed targets, recognising that our staff are our greatest asset in doing so. The recruitment and retention of trained staff is an imperative in maintaining good performance.

1.2. CORPORATE CONTEXT:

The following section summarises the corporate context for the Crown Office and Procurator Fiscal Service. This is more fully considered in the COPFS Strategic Plan 2006-08 and supporting annual Business Plans.

1.2.1. COPFS Corporate Aim:

Serving the public interest, prosecuting cases independently, fairly and effectively.

1.2.2. Functions of COPFS:

The functions of the Crown Office and Procurator Fiscal Service are:

- *to provide the sole public prosecuting authority;*
- *to investigate sudden and suspicious deaths and, where appropriate, conduct public inquiries;*
- *to investigate independently all complaints of criminal conduct by police officers.*

We work closely with our criminal justice partners to help make Scotland a safer place. The Department plays a pivotal role within the criminal justice system in maintaining the security and confidence of all communities in Scotland in the criminal justice system. Our **core values** are impartiality, integrity, sensitivity, respect and professionalism.

1.2.3. Corporate Objectives:

As published in *Building a Better Scotland – Spending Proposals 2005-08*, the following are the key objectives to be pursued during the planning period in support of corporate commitments. A summary of the published corporate objectives and targets and supporting internal targets is provided in Annex 1. [The Objectives & Risk Register are considered more fully in Annex 2.] This document outlines how we plan to deliver each objective together with target completion dates, resources, controls and key risks.

Objective 1: To secure the confidence of our diverse communities by improving the delivery of justice through the timely, efficient and effective prosecution of crime

Objective 2: To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders.

Objective 3: To provide services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies.

Objective 4: To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

1.2.4. External Factors impacting on COPFS:

Summary Justice Reform will have a significant impact in the year ahead and the Area is committed to contributing to the successful implementation of reforms. We will hold an Area training event in May 2007 which will focus on the impact of the reforms and the local actions required during the implementation phase. Staff in Grampian will continue to take a leading role in considering the increased use of Undertakings and we will continue to expand the Clean Stream experiment designed to improve the speed and efficiency of Summary Justice

Disclosure. In line with the High Court Reform process and the decision in *Holland and Sinclair, in 2006/7* we continued implementation of enhanced disclosure arrangements in solemn and summary cases and our staff have worked very hard to ensure the success of these arrangements. In line with Departmental policy, we will focus now on further enhancing our arrangements in this critical area, in particular in relation to High Court / Sheriff and Jury cases. In Aberdeen, where the bulk of our business lies, we will set up a Disclosure Team to manage this important area of work

Vulnerable Witness Act. The implementation of the next phase of the Vulnerable Witness Act will result in a further increase in workload. The integration of VIA into the Grampian Area team will assist us in monitoring introduction of this next phase.

1.2.5. Stakeholders:

At national level COPFS has many well-established and productive relationships with stakeholders and key partners, most notably the Scottish Executive, Police, Judiciary, Scottish Court Service, Law Society and Scottish Prison Service. Grampian is committed to contributing to the further development of these positive relationships by commenting on national initiatives and ensuring their local implementation. At Area level we have well-established relationships with a number of major stakeholders and partners.

Police. We have worked to enhance our constructive relationship with Grampian Police at operational and policy level across the spectrum of business. As part of that we have developed structured arrangements for regular liaison meetings at Area and District levels. We have developed a package of performance data, which we share as a basis for discussion on case management issues and we contribute to our respective planning activities. We will continue to work with the Police on an ongoing programme of joint training. We are working to expand the Quality of Life Issues Protocol established in Aberdeen to other parts of Grampian and seek to establish a joint mechanism for monitoring its effectiveness.

Scottish Court Service. In addition to regular protocol meetings, both at Area and District, we have close contact with colleagues in SCS at operational

level. We will continue to work together to address Court programming issues and contribute where required to the plans for Court unification.

Local Criminal Justice Board. This Board will continue to provide an effective forum for discussions and joint working with our major criminal justice partners. We will continue to build on the experience of the Clean Stream experiment, in particular through working groups looking at increased use of Undertakings, and working with the Police to improve the quality of reporting. We will utilise the newly created National Criminal Justice Board Management Information System to look at performance across the whole Criminal Justice system with a view to identifying further local improvements and efficiencies.

Criminal Justice Authority. We will build on well-established links with the new Grampian Authority and have issued the Chief Executive of the Authority with an open invitation to attend meetings of the Local Criminal Justice Board

Health and Safety

We will continue to have a Band F to work specifically on health and safety cases in close co-operation with the Health and Safety Executive, Department of Trade and Industry and Local Authorities.

Grampian SCG

We will continue to work actively with the Police, Local Authorities and other Agencies, playing our part in the work of the Strategic Coordinating Group to develop and test emergency response / contingency planning arrangements in the Area

North East of Scotland Child Protection Committee (NESCPC)

We will continue to contribute to the important work of the NESCPC, with the aim of enhancing understanding of our role and function in this area, internally and externally.

Community

We will continue to seek opportunities to enhance our profile in the community, seeking opportunities to communicate a better understanding of what we do and engaging with key representative groups. We will continue to contribute to careers fairs at local schools and FE establishments.

In particular we will build on work carried out in 06/07 to review and enhance our diversity function, building on existing relationships with partners and communities. We will contribute to the work of the Grampian Police Lay Advisers Group and LGBT Forum, and build closer links with local authority partners.

1.2.6. Local Aims & Objectives:

- Working within the structure of COPFS' corporate aims and objectives and the Government's justice reform strategy, Grampian is committed to working closely with local Criminal Justice partners both in the Local Criminal Justice Board and beyond, to provide the best possible service to the people who live and work in the Area. Grampian consistently meets, and often exceeds, COPFS operational targets and is committed to continually reviewing its structure and procedures to maintain these high standards.
- We will take positive and proactive steps to secure the successful implementation at local level of national workstreams on Summary Justice Reform, Phase 3 of the Vulnerable Witness Act and Disclosure.
- Working with partners we will continue to improve the speed and efficiency of the criminal justice system at local level. In particular we will continue to build on the improvements identified during the Clean Stream pilot. We remain fully committed to improving communications and joint working with our partners to improve the service we provide to the public.
- We will continue to build closer links with all members of our diverse community and in particular members of minority communities. Working with the Police and the Scottish Court Service we will conduct a survey of the effects of racially aggravated crime.
- We will build on National Protocols between COPFS and its major partners by agreeing and implementing local systems and procedures and improving communication at all levels. Where national or local protocols are already in place we will closely monitor performance, and where protocols are appropriate but do not already exist we will work with partners to develop appropriate local arrangements.
- Working with Grampian Police in Aberdeen we will continue to operate and further develop the "Quality of Life" crimes protocol which incorporates Antisocial Behaviour and Youth Justice issues and will review its operation and effectiveness.

1.2.7. Structure of Grampian Area:

The Grampian Area is part of the Sheriffdom of Grampian, Highland and Islands. It has 3 Local Authorities (Aberdeen City, Aberdeenshire and Moray) and a single Police Force (Grampian Police). There are 5 COPFS offices in the Area - Aberdeen, Banff, Elgin, Peterhead and Stonehaven.

The dominant industries in the area are oil exploration and production, fishing and agriculture and these are reflected in the work carried out by COPFS staff. The predominance of the oil industry in particular has created a substantial and increasing caseload of complex and highly contentious cases. We continue to contribute to the development of emergency planning arrangements, including those covering offshore oil and gas installations, major onshore petrochemical facilities and both onshore and offshore pipelines. We also contribute to similar arrangements covering environmental, transport, military and Royal

Family installations in the Area. The Area has a significant role on fisheries issues, including Chair of the Fisheries Forum (Scottish Executive Environment and Rural Affairs Department, Scottish Fisheries Protection Agency and the Office of the Solicitor of the Scottish Executive). Work on these specialist topics has created a substantial and increasing demand on both time and resources.

1.2.8. Scale of Activity:

By the end of 2006/7 Grampian will have received some 23,000 Police reports. This represents an 8% increase on the previous year, which is among the highest nationwide. Analysis of available data suggests that this is a trend that will continue into 2007/08.

Grampian Police continue to focus on key areas of activity, in particular on tackling drug trafficking. The North East has a significant crack cocaine problem, more so than other parts of Scotland, recently earning the label “crack cocaine capital of Scotland”. Large scale operations to tackle the trafficking that feeds that have produced a significant increase in complex trafficking cases and the number of drugs deaths across the Area has increased. The significant effort of local police to tackle serious crime, in particular drug trafficking, has produced a 30% rise in petition work across the Area in 2006/07. Analysis of available data suggests that this is a trend and the increase is significantly higher in some offices. We anticipate that the trend will continue through 2007/08.

Taking these factors into account, we have estimated that 24,000 cases will be reported in 2007/8 – approximately 4% overall, and there will be an increase of around 20% in solemn cases.

1.2.9. Summary Organisation Chart:

1.2.10. Resources:

| Year | Salaries | Office | Case Related | Area Total |
|---------|------------|----------|--------------|------------|
| 2003/4 | £2,544,172 | £332,748 | £935,522 | £3,812,442 |
| 2004/5 | £2,227,000 | £288,000 | £822,000 | £3,302,000 |
| 2005/6 | £2,446,000 | £242,000 | £805,000 | £3,493,000 |
| 2006/7* | £2,771,000 | £260,000 | £1,080,000 | £4,111,000 |
| 2007/8* | £2,875,000 | £256,000 | £1,170,000 | £4,301,000 |

*Note: Figures for 2006/7 and 2007/8 are estimated

| | 2003/4 | 2004/5 | 2005/6 | 2006/7** | 2007/8 |
|--------------|--------|--------|--------|----------|--------|
| SCS | 2 | 2 | 2 | 2 | 2 |
| Legal | 25 | 25 | 26 | 27 | 27 |
| Precognition | 7 | 7 | 7.5 | 7.5 | 7.5 |
| Non legal | 51.3 | 46.4 | 40.8 | 49.4 | 49.4 |
| Area Total | 91.3 | 80.4 | 76.3 | 85.9 | 85.9 |

** Note: Figures for 2006/7 include VIA staff who have been integrated into the Area Team, 1 Depute (Clean Stream) and 3 additional Band B posts- two to assist with Disclosure work and one with the Clean Stream Project.

See sections 4 and 5 for more information on staffing and finance issues.

1.2.11. Local Stakeholders:

See paragraph 1.2.5

1.2.12. Other Local Issues:

We are committed to making best use of our resources and to being innovative in reviewing our working practices and procedures to improve efficiency. We also seek to provide our staff with developmental opportunities within the Area by providing exposure to different types of work. While new technology provides us with scope for moving work across the Area we are somewhat constrained by geography. It can take anywhere between 1 and 2.5 hours to travel between offices in Grampian and this can limit our ability to move staff and work across the Area.

2. OPERATIONAL ISSUES

2.1 **CORPORATE CONTEXT**

2.1.1 Key Issues: Deliver justice through the timely, efficient and effective prosecution of crime

There are a number of operational pressures facing the Department. Given the nature of these pressures the Department will need to plan for process change linked to legislative timetables, the main examples of which will be when the Summary Justice Reform Bill which is anticipated to receive its Royal Assent late in 2007 and the implementation of phase 3 of the Vulnerable Witnesses (Scotland) Act 2004 i.e. vulnerable children and vulnerable adults in summary cases in April 2007 and December 2007 respectively.

Section 1.2 of this plan details COPFS' main aims and objectives and the significant external factors which are likely to influence our work. We are committed to contributing to the national programmes for delivery of justice and to putting in place local arrangements for their implementation

2.1.2. **Key Issues: Give priority to the prosecution of serious crime**

As discussed 1.2.8 above, 2006/7 has seen an overall increase in Solemn work in Grampian Area of over 30% (although in individual offices the increase has been as high as 50%). We expect this trend to continue throughout the year. Although new sentencing powers for Sheriffs will be introduced in the last part of the year, we would not expect to see the impact of that working through until at least 2008/09. .

This increase has resulted in staff having to deal with an increasing number of more serious and complex cases. The creation of the Organised Crime Unit will result in a protocol identifying cases which should be considered by Areas. We will contribute to the implementation of the protocol in Grampian in co-operation with colleagues in the OCU.

2.2 **OPERATIONAL PRIORITIES & BUSINESS RISKS**

The Grampian Objectives and Risk Register can be found at Annex 2. There are a number of significant risks which would adversely affect the Area's ability to meet its operational priorities. The major risk is the continued difficulty in recruiting and retaining staff, both legal and administrative, to work in the North East. 2006/7 saw the Area lose very valuable and experienced members of legal staff. In addition an inability to match oil industry salaries for administrative staff resulted in resignations and offers of employment being declined. The loss of experienced and trained staff is a genuine threat to our ability to meet targets and provide a quality service. We will work with colleagues in Human Resources and Crown Office to ensure that Grampian is seen as an attractive place to work providing an excellent mix of work activities. We will seek to build on local recruitment and improve

training and developmental opportunities. The impact of additional work, e.g. on Summary Justice Reform, Vulnerable Witnesses and Disclosure also presents challenges and risks. We will closely monitor our performance and the effect on staff and will review working practices as required.

2.3. WORKLOAD & STAFFING FORECAST:

Full details of workload and staffing forecasts can be found at annex 3

We expect to receive 24,000 Police Reports in 2007/8, an increase of 4% on 2006/7. Petition work increased by 30% in 2006/7 and we expect a 20% rise in 2007/8.

In 2007/8 we expect Grampian figures for Units per Depute, Solemn Units per PO, Units per Legal Manager, Units per Band B and units per all staff to exceed the national benchmark figure. Units per Admin Manager will be below the national benchmark, reflecting the fact that we have a number of admin managers whose contribution is not measured in weighted units. The Grampian ratio of Band Bs per Depute / PO and Admin Manager will again be below the national average.

2.4 PERFORMANCE MEASURES:

The Grampian Area consistently meets, and often exceeds key performance targets despite an increasing workload and staff shortages.

2.5 PROCESS REVIEWS:

By the end of 2006/7 we expect to have completed a series of small office reviews which will have considered process improvements on how we handle Deaths and indicting of solemn bail cases. The recommendations of these reviews will be implemented in the year ahead.

In 2007/8 we will again set up process review teams to consider how we might make best use of resources, allocation of workload, Area structure and use of non-court disposals. Analysis of available data suggests that there is scope for developing our approach in relation to these measures, which will be particularly pertinent as we approach implementation of summary justice reform. The Clean Stream Working Groups will continue their work on expansion and development of elements of the original project.

ENVIRONMENT & STAKEHOLDERS

3.1 CORPORATE CONTEXT

3.1.1 National Framework: Best Value

Since April 2002 there has been a duty of Best Value on Accountable Officers to “ensure arrangements are in place to secure Best Value”. The duty was described in published guidance as:

- the duty of Best Value, being to make arrangements to secure continuous improvements in performance and
- to have regard to economy, efficiency, effectiveness, the equal opportunities requirements and to contribute to the achievement of sustainable development.

Ministers wish to encourage and embed the principles of Best Value across the wider public sector, and the Best Value and Performance Team within the Executive have been tasked with taking this forward with revised guidance included in the Scottish Public Finance Manual.

In Grampian our planned reviews of resources, workload, Area structure, use of non court disposals, and ongoing work on the Clean Stream project will contribute to the Best Value agenda. In addition, our Area Business Manager retains a corporate responsibility for our Customer Feedback policy and procedures using the RESPOND system. The ABM is also part of a team assessing the suitability of using Call Centre technology to improve customer service following a successful pilot exercise in Central Area.

3.1.2 National Framework: Efficient Government

The COPFS efficient government target in 2005-06 were savings in witness costs and estates rationalisation (£0.5m), alternatives to prosecution (£1.1m), increase in Sheriffs’ solemn sentencing powers (£0.4m) and staff savings from the introduction of FOS (£0.8m). Overall the target was met though the latter target was missed due to delays in FOS2. In Grampian we will continue to contribute to achieving efficient government targets at local level. Our planned reviews of case marking, in particular non-court disposals, and resources, workload and structure will allow us to seek potential efficiencies and savings. Witness costs will be closely monitored but the geography and demographics of the Area, the establishment of a permanent High Court, the increase in Solemn business and the impact of high profile offshore oil and fisheries cases may make it difficult to generate any reduction in costs.

3.1.3 National Framework: Sustainable Development

At national level, COPFS has applied sound working practices and a number of new initiatives are enhancing our commitment to sustainable development. These include the following:

- our continued focus on prosecutors in dealing with environmental and wildlife crime
- looking to improve our approach to the prosecution of cases by the Scottish Environmental Protection Agency (SEPA) and local authority environmental health departments
- further development of electronic case management and marking using the Future Office System software with its emphasis on reducing reliance on paper based systems
- adopting best practice on sustainable procurement
- only taking criminal proceedings where the evidence available and the public interest justifies it

In Grampian we have specialist prosecutors in the fields of environmental protection, wildlife crime, health and safety and pollution. We will continue to build on already strong relationships with SEPA, HSE, DTI, The Scottish Fisheries Forum and Local Authorities. We will also continue our close involvement with local agencies in planning Area responses to major incidents, including those relating to environmental and health issues. At office level, staff are encouraged to be environmentally aware by using recycling facilities, including those for confidential waste, where available and by travelling by train rather than car where possible.

3.2 IMPACT OF EXTERNAL INFLUENCES

3.2.1 Bonomy and Summary Justice Review:

We will contribute to the Department's plans for Summary Justice reform and will consider local implications at an Area training event in May 2007.

3.2.2 Disclosure (Holland & Sinclair):

We will continue to closely monitor our performance on Disclosure and will work with the Police on improving all aspects of the process. In Aberdeen, where over 75% of our business originates, we will set up a discrete Disclosure team to undertake this important work

3.2.3 Vulnerable Witness Act:

We will work with colleagues in COPFS to ensure that adequate arrangements are in place for the introduction of Phase 3 of the Vulnerable Act and monitor performance to ensure that we provide a quality service.

3.3 STAKEHOLDERS

See paragraph 1.2.5

4

HR PLAN

4.1 CORPORATE CONTEXT

4.1.1 Personnel and training reforms:

The Department's personnel function was the subject of an external peer review in 2006 and the recommendations will be taken forward in 2007. It is intended to re-align the HR personnel service with the business needs as outlined in the Strategic Plan and local Business Plans.

It is intended that the new Fiscal Academy facility within Legal House in Glasgow will be operational by summer 2007. This accommodation will be a major step in the continuing development of the Skills for Success initiative. Among those to benefit will be an increased number of legal trainees with 25 accepted in the latest intake. While the creation of the Academy is a very welcome development, it will present additional challenges in terms of managing additional costs, both financial and lost-time, in sending staff from Grampian to the new facility.

Initial planning for the roll out of Summary Justice Training is underway. An outline of the training implications has been received from workstream leaders and a draft four-day training programme has been prepared. At local level, we will hold an Area training event in May 2007, with a particular focus on case marking.

4.1.2 Key issues:

In Grampian the key staffing issues are the recruitment and retention of staff and improving our profile of experienced staff. For much of 2006/7 we operated at as much as 30% below our agreed complement of legal and administrative staff. We lost a number of our most experienced staff and have relied very heavily on support from Ad Hoc Deputies and casual administrative staff. It has been difficult to recruit legal staff to come to the North East, although recent local recruitment exercises have been more fruitful and should be continued. We should also consider increasing the number of first and second year trainees posted to Grampian in the hope that they will be interested in finding permanent positions in the Area. Despite an almost ongoing programme of administrative recruitment we continue to have problems finding staff who will join us and subsequently stay. In most cases, salary is stated as the reason. Employment in Aberdeen is dominated by the oil industry which pays higher salaries – a Fiscal Officer equivalent in an oil company can expect a starting salary around 25% higher than that we can offer. .

Sickness and absence rates in COPFS continue to fall with the number of days lost declining from 11.6 in 2003 to 11.1 in 2004 and 10.5 in 2005. We will continue to closely monitor sickness and absence rates in line with the COPFS Attendance Management Policy.

4.2 STAFFING PLAN

4.2.1 Key Personnel:

As discussed in section 3.1.2 above maintaining levels of experienced and permanent staff is our key priority. In each of our offices we require a core of such staff coupled with a programme of local recruitment and training at both local and national level

4.2.2 Staff mix & experience:

As at 1 January 2007 Grampian staffing levels (permanent staff) were as follows

| ABERDEEN | | | | | | | | | | | | | | | | | |
|-------------------|---|-------|---|------|----|------|---|-----|---|-----|-----|------|---|------|------|---|---|
| SCS | | F (L) | | E(L) | | E(A) | | PO | | D | | C/PA | | B | | A | |
| 1 | 1 | 4 | 3 | 17 | 13 | 1 | 1 | 5 | 5 | 1 | 1 | 3 | 1 | 24.3 | 16.7 | 1 | 1 |
| BANFF | | | | | | | | | | | | | | | | | |
| 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 0 | 0 |
| ELGIN | | | | | | | | | | | | | | | | | |
| 0 | 0 | 1 | 1 | 1 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 4.25 | 4.25 | 0 | 0 |
| PETERHEAD | | | | | | | | | | | | | | | | | |
| 0 | 0 | 1 | 1 | 1 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 4.25 | 4.25 | 0 | 0 |
| AREA TEAM | | | | | | | | | | | | | | | | | |
| 1 | 1 | 1 | 1 | 0 | 0 | 1 | 1 | 0.5 | 0 | 2.6 | 2.6 | 2 | 2 | 1 | 1 | 0 | 0 |
| AREA TOTAL | | | | | | | | | | | | | | | | | |
| 2 | 2 | 7 | 6 | 20 | 16 | 2 | 2 | 7.5 | 7 | 3.6 | 3.6 | 7 | 5 | 35.8 | 28.2 | 1 | 1 |

Note 1. Key = complement: = in post

Note 2. Vacancies shown are being filled by ad hoc / casual staff or on temporary promotion

Note 3. Our Stonehaven office is covered by Aberdeen staff

Note 4. A further 2 legal staff resignations will become effective in Jan '07.

As in previous years, staffing in Banff, Elgin and Peterhead has been stable, but this needs to be balanced against significant increases in Solemn work and additional work created by Disclosure and Vulnerable Witness legislation. While we have been able to increase Band B support for Disclosure work by 0.5 of a Band B post in the North, these offices continue to perform very well and meet operational targets thanks to the efforts of our staff to absorb additional work and a willingness to work additional hours. This cannot be maintained indefinitely.

In Aberdeen we have operated at around 30% below complement for most of 2006/7 also against a background of increased workload in Solemn business, Disclosure and Vulnerable Witness legislation. The office has performed very well and met all targets again thanks to the efforts of our staff who have shown a willingness to absorb additional duties and work extra hours. This cannot continue indefinitely. Although

we have increased the resource allocated to Clean Steam and Disclosure we have been unable to fill these posts on a permanent basis.

In the 3-month period from September to December 2006 staff across the Area worked in excess of 136 hours overtime. During the same period staff worked in excess of 530 hours flexi time over and above the permitted “carry over” allowance. This is an indication of the commitment and effort our staff have shown to keep the Area functioning at a consistently high level. While ad hoc and casual staff provide very welcome support there is no substitute for experience and permanency.

We have operated for much of the year with both legal and administrative staffing below agreed levels – by the 12th of February 2007 we expect to be 6 legal and 7 admin staff below complement. We are currently filling these posts using ad hoc Deputes and casual / agency staff. Our profile of experienced staff is also of concern: 53% of our Deputes have less than 3 years post qualification service, 81 % have less than 4 years, and 55% are former trainees.

Our planned review of resources, workload and structure will try to address some of these issues and we will look to maximise use of new technology to move work around the Area where practical. A programme of local recruitment instigated in 2006/7 proved successful and we will work with colleagues in Human Resources to continue this approach in the year ahead. There is evidence that it is easier to recruit administrative staff in the North of the Area, where our salary levels do not have to compete with those in the oil industry. We will therefore explore options to move some posts which cannot be filled in Aberdeen to the North. However there are constraints in the type of work which we can move and also local limits on availability of accommodation. Moving staff around the Area to provide developmental opportunities and assistance to offices where required will result in increased travel and subsistence costs.

4.2.3 Other Staffing issues:

We will continue our work to address issues raised following the recent Staff Survey, particularly those around communications. We will continue to implement improvements as identified in our Staff Survey and Communications Action Plans, building on actions already taken in 2006/7. These include improving the visibility of Senior Managers by their attending Team Briefings, informal office visits (in addition to formal inspections), an Area Newsletter and office lunchtime events. In March 2007 we will hold a management seminar for all those in the Area who manage staff to look at how we can further improve communications and relationships. An output of that event will be an enhanced communications strategy for the Area. These activities will in turn contribute to the IiP process, building on the Department’s successful retention of the standard in December 2006.

4.2.4 Local plans / initiatives:

See 4.2.2 and 4.2.3

4.2.5 Consultation:

4.3 TRAINING & DEVELOPMENT PLAN:

As an organisation, we have undertaken to: “train and develop staff to their full potential while valuing their contribution and fostering team working in order to achieve our business objectives and improve our performance.”

Grampian will participate fully in all COPFS training initiatives. In 2007/8 our staff will take part in the Leadership Development Programme, Management Development Programme and Skills for Success. We will participate in training on FOS 2 and Summary Justice reform. Since much of this training will take place in the new Fiscal Academy in Glasgow this will result in a significant commitment to travel time for our staff.

At local level we will provide training for our Area specialists in Health and Safety, Environmental Protection, Fisheries and Animal Welfare. We will hold a series of training days at Area and District level focusing on major changes to the criminal justice system, communications and customer service. We will utilise two Judicial Training days in May 2007 to hold a series of events, including marking workshops, to improve staff awareness of the Summary Justice Reform agenda and discuss local implementation. In 2006/7 we instigated a programme of regular seminars, held every 6 weeks or so. Events have already taken place on topics including Fraud and Copyright theft, Forensic Pathology, the role of the Communications Team. Members of our staff have visited Aberdeen Journals and a future visit to the Police Forensic Laboratory is planned. We will continue this programme with events planned on Collision Investigation, Diversity issues in Grampian, The role of COPFS Policy Division, the role of the Advocate Depute. Future events will be decided based on topics suggested by our staff.

As part of our Staff Appraisal System and the Learning Academy we will identify the training needs of individuals. Where these cannot be met from national programmes we will try to deliver these locally.

We will build on already strong links with the community by attending recruitment events at schools and other academic institutions. Working with local representatives and groups we will continue to build and improve our knowledge of the wide Diversity of communities in the Area by attending recruitment events for ethnic groups.

INFRASTRUCTURE

4.4 CORPORATE CONTEXT

4.4.1 COPFS Estate

The refurbishment of the Department's estate commenced in 2003-04 and is nearing completion. Where accommodation was not up to space, location or quality standards staff have been transferred to new locations.

Following the completion of the Ballater Street project, work will commence on the creation of the Fiscal Academy in Legal House. Subject to final design and costs, the Department expects to have the new training facility available for use by September 2007.

4.4.2 Information & Technology

The investment in new equipment and staff continues apace with further videoconferencing units being installed across the country to provide an extensive network. There is also a drive to install better VDU screens to assist staff in the use of FOS and providing laptop computers to resolve current remote working e.g. on-call Deputes.

There are plans to modernise the Department's telephony system with the installation of a national system to provide direct dial numbers for all staff and allow inter-office calls to be dealt with as internal calls.

The implementation of Summary Justice Reform will be a major challenge for the IT staff over the coming year. The project has commenced but meeting the required delivery dates will be challenging with a key dependency being the working up of clear and precise requirement specifications.

4.5 ACCOMMODATION ISSUES

In Grampian we may see changes in the year ahead in our accommodation in the north of the Area. The building in Peterhead is not entirely fit for purpose – it is an old building split over 3 floors and not well adapted to our preferred open plan working. As such it is not ideal for our staff or our customers. We will explore options for a move to more suitable accommodation in close proximity to our current office. The Scottish Court Service's plans to unify Sheriff and District Courts may require us to move offices. Our Estates Division are working closely with our staff and partner agencies to ensure that our accommodation requirements are met satisfactorily. Any initiatives to build administrative capability in district Offices to alleviate the recruitment issues faced in Aberdeen will be dependent on availability of additional/larger accommodation, as none of the offices currently has capacity to accommodate any additional staff.

4.6 INFORMATION & COMMUNICATION ISSUES

As part of our planned review of resources, workload and structure we will seek to make best use of new technology and the opportunities it provides. As we enter the new planning year we expect that all Grampian Offices will be equipped with video conferencing facilities. This should reduce the need for travel and further improve communications across the Area

5 FINANCE PLAN

5.1 CORPORATE CONTEXT

5.1.1 Departmental Budget

The budget of £101.4m for 2006/07 is split into £92.6m resource budget and £8.6m capital.

The main elements of resource spend are pay costs (£56m), case related costs (£12.5m), office & admin costs (£5m) and central costs (£20m). The main elements of capital spend are the Ballater Street refurbishment and FOS2. Additional capital budget of £1.6m has been brought forward from the 2007-08 programme to advance some estates and IT projects.

Budget proposals for 2007-08 agreed as part of the Spending Review 2004 provided for £95m resource expenditure and £4.4m capital expenditure (adjusted for the £1.6m above).

5.1.2 Key Issues

There will be the usual pressures on local and budgets brought about by:

- large enquiries, for instance the ongoing Stockline/ICL and Rosepark enquiries
- large court cases, for instance a high profile terrorist case or pan-Area police operation which are difficult to quantify
- the cost of a new pay deal
- the increased cost of the pathology, toxicology and mortuary contracts and the effect of transfer of budget for non-morbid toxicology to the Police Common Services Agency
- the costs of implementing new legislation and changes in policy

The Department will continue to seek areas where it is possible to realise savings to satisfy commitments under the Efficient Government agenda.

5.2 BUDGET PROPOSALS:

Detailed budget proposals can be found in Annex 4

The Grampian Area has consistently operated within agreed budgets while meeting and often exceeding national targets and against a background of increasing workload on Solemn cases, Disclosure and Vulnerable Witness legislation. Our budget proposals for 2007/8 represent a realistic estimate of funds required to maintain our already high levels of performance.

- **STAFFING.** Our bid is based on estimated actual costs for our current staff with pay scale minima assumed for new starts. In 2006/7 we regraded our remaining Band G post to Band F, building on a series of efficiencies stretching back over 4 years. It is anticipated that we will lose 1 Band B post as a FOS 2 saving but have bid for the full year cost. This can be adjusted when the timing of the Introduction of FOS 2 is confirmed. We have bid for

resilience funds, to cover overtime, ad hoc Deputes and Casual staff at 1.7% of our total staffing budget as per Crown Office instructions. We may also seek to utilise resilience to create a new post at Band C, to be shared with Tayside and Highlands and Islands Areas to provide tri-area support for training and VIA cover, but this is subject to discussion and agreement.

- **CASE RELATED COSTS**

We expect the trend of increased witness and translation costs to continue. This reflects the geography of the Area, the permanent High Court and the number of offshore oil and fisheries related cases which can generate significant witness expenses. The majority of toxicology and analysis costs will be met from the new Forensic Pathology contract. It is possible that our share of costs relating to the Public Mortuary will increase by 50% and this has been factored into the bid.

- **OFFICE COSTS**

Although potential moves in Elgin and Banff (see paragraph) may result in accommodation and furniture costs we expect that these will be met centrally. No other significant additional costs are anticipated and we will continue to do what we can to reduce running costs. Staff travel and subsistence costs will increase as we move staff around the Area to meet their development needs and provide assistance during busy periods

5.3 EFFECT OF PROPOSALS/ BUSINESS CASES:

Annex 5 gives details of our bid for additional staff.

5.3.1 :

5.3.2 :

6

OTHER ISSUES

6.1 PLANNED CHANGES IN 2007/08:

6.1.1

6.2 POTENTIAL FUTURE CHANGES:

6.2.1 2008/09:

6.2.2 2009/10:

7

CONCLUSIONS

7.1 CONCLUSION:

The Business Plan for Grampian Area demonstrates our commitment to delivering the strategic aims and objectives of the Department and the significant changes to the criminal justice system, in particular Summary Justice Reform, Vulnerable Witness Legislation and Disclosure. We will continue to work closely with partners to deliver the best possible service to the diverse communities that make up the Grampian Area. Our budget proposal represents a realistic assessment of the resources required to deliver against our commitments and targets. Although the Area is performing well, and will strive to continue to do so, this is thanks to the efforts of our staff who have worked extremely hard to cope with additional workload while suffering staff shortages. Securing permanent and experienced staff, and the recruitment and retention of good quality staff, are key elements in maintaining a quality service.

8 ANNEXES

I. Corporate Aim, Objectives & Targets

II. Objectives & Risk Register:

III. Workload and Staffing Forecast:

IV. Budget Proposal:

Corporate Aim, Objectives and Targets: (2007-08)

Strategic Aim:

Serving the public interest, prosecuting cases independently, fairly and effectively.

Objective 1: To secure the confidence of our diverse communities by improving the delivery of justice through the timely, efficient and effective prosecution of crime

Target 1 (published): 60% of Sheriff Summary and District Court cases disposed of within 26 weeks of the date of caution and charge by March 2008 [Joint target with Justice Portfolio]

Current Supporting Internal Targets:

- To take action in 75% of crime reports within 5 weeks of receipt
- To issue 90% of complaints for service at least 3 weeks before a pleading diet.
- To complete investigation of complaints of criminal conduct by police officers and advise complainer of outcome within 10 weeks of report to Procurator Fiscal in 60% of cases and within 12 weeks in 90% of cases.
- PF to provide initial response to preliminary report of CAP within seven days.
- To achieve a 100% approval level of the quality of investigation and decision making in the random selection of complaints against the police case examined annually by the Inspectorate.

Target 2 (published): To implement agreed recommendations of COPFS Inspectorate's Review of the prosecution of racial crime by March 2006 and other agreed recommendations of COPFS Inspectorate's Reviews within two years of such agreement.

Objective 2: To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders.

Target 3: Serve indictments in 80% of Sheriff and Jury cases that involve bail within eight months of first appearance on petition by March 2008.

Current Supporting Internal Target:

- PF offices to report 75% of custody cases to CO by 60th day from full committal and 95% by the 70th day (subject to meeting last service dates)

Target 4 (published): To serve all High Court indictments that involve bail within 10 months of first appearance on petition and 80% within nine months of first appearance on petition by March 2008.

Current Supporting Internal Targets:

- PF offices to submit 80% of well prepared High Court bail cases to Crown Office within 8 months of CFE date.
- PF Offices to submit 100% of well prepared High Court bail cases to Crown Office within 9 months of CFE date.

Target 5 (published): In partnership with Justice portfolio, reduce by 10% the level of High Court trial diet adjournments by March 2008.

Objective 3: To provide services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies.

Target 6 (published): To communicate court bail decisions within 24 hours to 90% of victims in cases in which the accused has appeared from custody by March 2008.

Current Supporting Internal Target:

- To achieve 85% customer satisfaction levels amongst survey respondents.

Objective 4: To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

Target 7 (published): In deaths which require further investigation, to conclude investigation and advise next of kin of outcome within 12 weeks in 80% of cases by March 2008

Current Supporting Internal Targets:

- PF offices to conclude enquiries in 80% of deaths not requiring further investigation within 6 weeks.
- CO to issue instructions within 5 working days of receipt in 80% of cases.
- PF to hold mandatory FAI within 24 weeks of report received in 95% of cases.
- PF to hold discretionary FAI within 16 weeks of receipt of Crown Counsel's instructions.



//

crowm.copfs.gsi.gov . crowm.copfs.gsi.gov .



//



\\

crown.copfs.gsi.gov.



\\

crown.copfs.gsi.gov.

