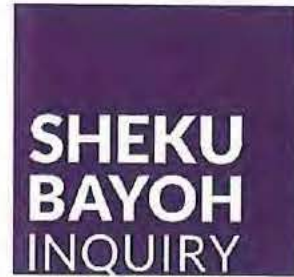


Assistant Solicitor to the Inquiry
[REDACTED]

E: [REDACTED]



Brenda Armstrong
Police Scotland

By email only:
[REDACTED]

8 May 2024

Dear Ms Armstrong

RULE 8 REQUEST

I am writing on behalf of the Chair to the Sheku Bayoh Public Inquiry ("the Inquiry").

Under Section 21(2)(a) of the Inquiries Act 2005 the Chair may, by notice, require a person to provide evidence in the form of a written statement. Rule 8 of The Inquiries (Scotland) Rules 2007, provides that the Inquiry may send a written request to any person for a written statement of evidence. I hereby request you provide a written statement to the Inquiry by **5pm on 22 May 2024**.

It is a criminal offence to fail to comply with this request without reasonable excuse. I refer you to Section 35(1) of the Inquiries Act 2005.

The Annex to this letter sets out the areas to be covered in your written statement.

Please provide your written statement by email to [REDACTED]

Section 22(1)(a) of the Inquiries Act 2005 states that a person may not be required, under section 21, to give, produce or provide any evidence or document if you could not be required to do so if the proceedings of the Inquiry were civil proceedings in a court. If you are of the view that Section 22 applies to your evidence please advise the Inquiry of this and the reasons why you believe Section 22 applies.

Your statement may be disclosed to the Core Participants in the Inquiry and may be published on the Inquiry's website. Any personal information not relevant to your evidence will be redacted prior to disclosure.

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The Inquiry may issue a further Rule 8 request or Section 21 notice to you at a later date.

The written statement will form part of the evidence of the Inquiry. For that reason it is important that it is in your own words. In addition, you may be asked to attend a hearing to give oral evidence to the Inquiry. The Inquiry will contact you in future to confirm.

I remind you of the Chair's [Restriction Order](#). This Rule 8 request letter and your response thereto is Restricted Material as defined in the Order.

If you have any questions regarding this letter or the content of your written statement please contact the legal team by email at [REDACTED].

Yours sincerely

[REDACTED]

Assistant Solicitor to the Inquiry

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ANNEX

HEARING ON RACE

AREAS FOR WITNESS STATEMENT

BRENDA ARMSTRONG

Please provide your **full name** and **date of birth**.

Brenda [REDACTED] Armstrong [REDACTED] [REDACTED] 1958

Please provide as much detail as you can in relation to each of the following questions. Please mark on your statement the number of the paragraph of questions you are answering.

Roles and responsibilities

- 1. Please summarise the roles you have occupied in Police Scotland throughout your career.**

Interim Equality and Diversity Manager, Human Resources, Police Scotland
23/12/13-12/10-/2014

I provided strategic leadership, oversight and management of the Police Scotland and the Scottish Police Authority (SPA) equality and diversity agenda, to ensure that both were individually able to demonstrate compliance against the Equality Act 2010 the Scottish Public Sector Duty and the Equality Act 2010 (Specific Duties) Scotland Regulations 2012,

I advised and influenced the integration and delivery of equality as part of the performance management of policing across Scotland and in meeting Police Scotland and SPA strategic priorities.

I worked with a range of stakeholders to influence the development and direction of Equality and Diversity Strategy for Police Scotland and the SPA, I led a dedicated team of Equality and Diversity Human Resource specialists in the development and delivery of the Equality and Diversity Strategy for Police Scotland and the SPA. The team worked towards positively influencing

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the culture of the service to create a fair and professional working environment for all staff which in turn would have a positive impact on how Police Scotland and SPA delivered its services to the public.

Equality and Diversity Manager People and Development Police Scotland
13/10/14- Present

I have responsibility for providing equality, diversity strategic direction, leadership and oversight of Police Scotland and SPA ensuring that both organisations can individually demonstrate compliance and report on their Equality and Diversity statutory responsibilities.

I work proactively in partnership with members of the force executive team in Police Scotland, SPA executive members, Director of People & Development and other Heads of Service, as relevant, to agree the development, and ensure delivery of, the Equality, Diversity Strategy for Police Scotland and the SPA.

I lead a remote team of Equality and Diversity human resource specialists in the development and delivery of the equality diversity and inclusion strategy for Police Scotland and the SPA to ensure that they incorporate and mainstream equality considerations in their organisations core objectives, making every effort to eliminate discrimination, create equal opportunities and develop good working relationships between different people, shape policy, provide services, set clear equality objectives and publish information in a timely basis on our efforts to achieve these objectives for Police Scotland and the SPA.

Equality, Diversity, and Inclusion (EDI) e-learning training in 2015

- 2. What EDI training was provided by way of e-learning in Police Scotland in 2015? Please refer to the “Diversity E-Learning Module draft v18” (PS18284) and your Memorandum to [REDACTED] dated 26 May 2015 (PS18282).**

The “Diversity E-Learning Module draft v18” (PS18284) was created in response to a training submission bid I forwarded to the Director of Police Scotland People and Development on the 28th of July 2014. This bid was

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successful, and I was asked to progress this work. I have previously shared a copy of this Training submission bid with Police Scotland Operation Tarn.

I identified the need for training in that submission as

“The formation of Police Scotland/SPA has provided the opportunity for a review of E&D training to understand what E&D training is currently in place with a view of developing a consistent and standard approach to delivering E&D training across the business.

It is clear from research undertaken by the E&D Training working group that limited E&D training has been delivered following the initial roll out of the National Equal Opportunities Training Strategy in 2001. Training records in the legacy forces are limited with the result that there are no accurate records of who received E&D training,

Currently all probationers receive E&D training as part of their initial basic training at the Scottish Police College (SPC), newly recruited Police Specials also receive E&D training as part of initial basic training. The content and frequency of E&D training offered to other staff groups Police Staff and serving officers, line managers, senior managers, executive leaders varied across legacy forces and agencies which has resulted in a lack of consistency. In the absence of any national E&D training there is a need to develop a national e- learning resource to support the Police Scotland/SPA Equality Diversity and Dignity in the Workplace SOP to ensure that all staff are aware of the expectations of staff from Police Scotland/SPA in how they deliver policing in Scotland. This training would also assist in embedding Police Scotland/SPA values of Integrity, Fairness and Respect. The anticipated outcomes include enhancing the performance of employees and confidence in the organisation as an employer and service provider. There is a considerable threat to the organisation in failing to ensure that all staff are aware of organisational expectations relating to behaviour and conduct in the workplace and in delivering a service to the public to Keep People Safe”.

The “Diversity E-Learning Module draft v18” (PS18284) **was not delivered** due to resource challenges in the Police Scotland Learning Technology

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department who were responsible for converting the training content into an E-learning package.

I am not aware of any other Diversity E-Learning Modules that were available in Police Scotland in 2015.

3. What was your involvement in preparing the materials for the e-learning EDI training in 2015? Please explain the process for producing these materials.

I chaired a short-term Equality and Diversity Training working group that was created to progress the Equality and Diversity E learning package. The group had representatives from the Equality and Diversity People and Development team, Safer Communities, Training and Development team and a representative from SPA. The group undertook a scoping exercise that involved desk top research, accessing pertinent Police Scotland HR and legacy force information. Contact was made with staff and officers from Police Scotland to understand their needs in relation to equality and diversity training. Benchmarking exercises were undertaken with a range of other organisations in the public and private sector and UK Police forces to understand what they were providing in relation to Equality and Diversity Training. The group then developed a draft Equality and Diversity E Learning package that was shared with a range of stakeholders that included the Equality and Human Rights Commission (EHRC), Scottish Human Rights Commission SHRC, Advisory, Conciliation and Arbitration Service (ACAS), recognised trade unions, Scottish Police Federation, Association of Scottish Police Superintendents (ASPS), Diversity Staff Associations, Stonewall, Safer Communities team, People and Development, Ethic team, Training and Development, SPA senior leaders. These stakeholders and other stakeholders were asked to provide feedback on the draft package. A consultation record was drawn up that included all consultation responses. Further contact was made with the stakeholders to discuss their feedback on the draft package. The draft package was amended and informed by feedback from stakeholders and was also captured in the Equality, Diversity, and Inclusion (EDI) e-learning training Equality Impact Assessment. We continued to develop the draft package and invited representatives from the

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SPA Quality Assurance team and Training and Development to a meeting with the Equality and Diversity Training working group on the 20 May 2015 to discuss the transfer of the draft package to the Learning Technology team for them to put the draft training into an E Learning package. It was confirmed at this meeting that their department was unable to complete this task due to challenges with resources.

I continued to have further discussions with the Learning Technology team and the Scottish Police College to consider other solutions to enable this work to be progressed without a positive result.

- 4. Insofar as not already covered in response to the above questions, to what extent was data available to Police Scotland used to produce the training materials? In particular, was Police Scotland human resources data considered?**

I was the Equality and Diversity People and Development Manager and was part of the Police Scotland Human Resource function. I had access and made use of Police Scotland HR data and had access to HR data and information from legacy forces and agencies about their processes and practices in producing the training materials. The team of Equality and Diversity human resource specialists I managed had previously worked in separate Legacy Forces as E&D specialists. My team and I had a significant role in writing the Police Scotland and SPA Equality Diversity and Dignity Standard Operating Procedure that informed the Equality, Diversity, and Inclusion (EDI) e-learning package.

- 5. Who was the target audience for the e-learning EDI training in 2015?**

All Police Scotland and Scottish Police Authority (SPA) police officers, police staff and special constables.

- 6. What was the rationale for providing EDI training by way of e-learning?**

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Police reform offered an opportunity to look wider than the governance structures supporting leadership to consider a holistic approach to culture and behaviours. The service undertook significant work to develop the purpose, vision, and values of Police Scotland.

Executive officers embarked on a national programme of engagement to identify cultural issues relevant to police reform and consider what policing style was required to support 'policing by consent'. This was carried out at the same time as an academic study of cultural issues and the development of values and a code of ethics.

This extensive programme of activity led to the adoption of:

- Organisational Purpose "To improve the safety and wellbeing of people, places and communities in Scotland" and Focus "Keeping people safe".
- The adoption of a Code of Ethics for policing in Scotland, revolving around three core values - Integrity, Fairness and Respect - and a commitment to human rights.
- A National Decision-Making Model for Scotland. This decision-making tool placed our values and human rights at the centre of all our decision-making. The scale of police reform, set against a background of significant budget reductions was also recognised as a risk if we failed to ensure that all staff were aware of organisational expectations relating to behaviours, values and conduct in the workplace and in delivering a service to the public to Keep People Safe.

In view of the above and in view of the number of officers, staff and special constables that required this training, E Learning training was deemed to be the most appropriate and cost-effective method delivery method. It was also seen as a first step to create momentum and assist in the development of an E&D strategic learning and education strategy with effective monitoring of training and evaluation processes. The draft E Learning training also included an assessment for staff to complete at the end of taking the training. The outcome of these assessments would also help identify training gaps to inform future E&D training.

- 7. What are the advantages and disadvantages of providing EDI training in this format?**

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Providing the training in this format enabled Police Scotland to set a minimum, consistent standard to ensure that all police officers, police staff and special constables received the same information in the same format. It also provided the opportunity to record and report attendance and enabled large numbers of staff to have ready access to training. There was a need to ensure that all staff were aware of their responsibilities regarding Police Scotland/SPA expectations to treat everyone in accordance with the organisation's values. The training also sought to highlight to staff their responsibilities towards each other and members of the public by challenging attitudes and raising awareness of the legislation that is in place. It was deemed that there was a risk to the organisation if there was a failure to inform and increase staff and officers' awareness and understanding of the purpose, vision and values of Police Scotland and culture and behaviours expected in Police Scotland and SPA once the organisations were established. There was also a focus in aligning staff and officers to Police Scotland vision and values rather than their legacy forces values. Also supported the development of national teams coming together and aligning under Police Scotland rather than legacy forces. The disadvantages of E learning training include lack of face-to-face interaction lack of opportunity to share experiences and discussion. Lack of flexibility to meet different learning styles, lack of input and challenge from Trainers or others undertaking the training, not a conducive format to promoting culture change.

8. Was consideration given to providing EDI training in any other format, such as face to face lessons?

Yes, consideration was given to providing this training in other formats including face to face. Virtual Classroom training is now available in Police Scotland but was not available in 2015.

As an E&D HR professional I would favour face to face training for Equality and Diversity inputs as it provides opportunities to network, engage with others including the tutor, seek clarification, hear other perspectives and experiences, create networks and Allies. Promote culture change.

Policies in respect of EDI training in 2015

9. **What policies were in place in relation to EDI training in 2015 and how did you ensure that you conformed with them in producing and delivering the e-learning EDI training? Please refer to Police Scotland's Equality, Diversity and Dignity SOP (PS11868) (the "SOP") which was first published in 1 August 2013 with additional information regarding caring responsibilities added in the version provided, dated 1 February 2016.**

The only policy that I remember being in place in relation to EDI training in 2015 was the Equality, Diversity and Dignity SOP that was published in 2013.

10. **How was equality and diversity integrated into all relevant training, as stated in the SOP at paragraph 10.1?**

The SOP was published on the 1st of August 2013, the Training submission bid was submitted on the 28th of July 2014. It was expected that the Equality and Diversity E learning training would have been in place in 2015 and would have been rolled out to staff. This training would have been aligned to the SOP and would have provided the platform to develop an E&D strategic learning and education strategy that included effective monitoring of training and evaluation processes. It would have supported learning being delivered in a variety of ways and would have supported the link between competence in diversity as critical to meeting operational needs and mainstream diversity. I am a subject matter "expert" in relation to Equality and Diversity in People and Development, rather than training. I did not have oversight of all trainings that were been developed by Police Scotland at that time, so I am unable to comment on how equality and diversity was being integrated into all relevant training.

There is a legislative requirement that Police Scotland assess policies and practices to consider how they affect people with protected characteristics. Paying due regard to these considerations inform decision making. An Equality and Human Rights Impact Assessment (EqHRIA) is a tool to help make better decisions and ensure that due regard is paid to equality, diversity and human rights in all that we do. It is a comprehensive and proactive

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consideration of equality, diversity, inclusion, and Human Rights and helps identify ways to:

- eliminate discrimination and remove barriers
- promote equality, fairness and inclusion
- foster good relations between different groups

An EqHRIA supports action to improve equality and protect human rights and creates improved employment practices and service delivery through better understanding and ensures evidence-based decisions making.

It encourages participation from a diverse range of stakeholders and provides increased transparency and accountability. It also helps identify and address institutional barriers and discrimination.

11. In your view, how effective was the e-learning EDI training in 2015?

The E learning training in 2015 was not progressed, so I am unable to provide a view.

12. In your view, which Police Scotland EDI initiatives and training have been effective, and which were ineffective? Please explain why.

Most effective has been Police Scotland commit to mainstream equality and diversity into all its business so that due regard to equality and diversity is considered in all that we do as a matter of course. Successful mainstreaming ensures that all staff take personal responsibility for advancing equality and diversity rather than regard this as a responsibility of specialist Equality and Diversity staff. Examples of effective work that has been undertaken by Police Scotland are included in all our Mainstreaming Reports and reflected in the progress of our Equality Outcomes.

In relation to ineffectiveness, progress is impacted by an ever-changing landscape of priorities and changing of personnel in various departments.

“I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry’s website.”

Brenda Armstrong

22nd May 2024