
Report to Clackmannanshire Council

Date of Meeting: 11th October, 2012

Subject: Police & Fire Service Reform

Report by: Chief Executive

1.0 Purpose

- 1.1. The purpose of this report is to provide an update on the current position in respect of police and fire reform and to advise the Council of options for the organisation of local policing

2.0 Recommendations

- 2.1 It is recommended that Council:

- a) notes progress in the national reform of the police and fire services;
- b) agrees to advise the Chief Constable that the Council's preferred approach to area policing is to have a local commander dedicated to Clackmannanshire;
- c) agrees to begin work in partnership to develop the Local Policing Plan for Clackmannanshire;
- d) notes that further discussions will take place with the fire service to determine the designation of a senior officer for Clackmannanshire and to take forward the development of a local plan; and
- e) agrees scrutiny arrangements as set out at paragraph 5.10.

3.0 Considerations

- 3.1 The legislation enabling reform received Royal Assent on 9 August 2012 and the new services are expected to begin on 1 April, 2013.
- 3.2 The Police & Fire Reform (Scotland) Act 2012 makes provision for policing and fire and rescue services across the country. The key aspects of the new legislative framework from the Council's perspective are summarised below:
- 3.3 Police

a - Strategic police plan

- the Police Service for Scotland must prepare a strategic police plan which sets out the main objectives for the Authority and for the policing of Scotland, explains the reasons for selecting each main objective, describes what the Authority considers should be done by it or by the Police Service in order to achieve the main objectives, where reasonably practicable, identifies outcomes by reference to which the achievement of the main objectives may be measured, and includes any other information connected with the Authority's functions, or policing, which the Authority considers appropriate.

b - Local Policing

- the chief constable of Scotland must ensure that there are adequate arrangements in place for the policing of each local authority area
- for each local authority area, the chief constable must, after consulting the local authority, designate an officer as local commander (an officer may be designated as local commander in relation to more than one local authority area).

c - Local authority role in policing

- a local commander must involve the local authority in the setting of priorities and objectives for the policing of its area.
- a local authority may monitor and provide feedback to the local commander on the policing of its area, and (in particular) may provide to the local commander its views on any matter concerning or connected to the policing of its area, and any recommendations for the improvement of the policing of its area that it thinks fit.
- a local authority may specify policing measures that it wishes the local commander to include in a local policing plan and may provide feedback by reference to any local police plan in force for the area.
- a local commander must provide to the local authority such reports on the carrying out of police functions in its area (including by reference to any local policing plan in force for the area), statistical information on complaints made about the Police Service in, or the policing of, its area, and other information about the policing of its area, as the local authority may reasonably require.

d - Local police plans

- a local commander must prepare and submit a local police plan to the relevant local authority for approval.
- A local police plan is a plan which:
 - sets out the main priorities and objectives for the policing of the local authority's area,
 - explains the reasons for selecting each of those priorities and objectives,
 - sets out the proposed arrangements for the policing of the local authority's area (and how those arrangements are expected to achieve the main priorities and objectives),
 - where reasonably practicable, identifies outcomes by reference to which the achievement of those priorities and objectives may be measured,
 - describes how those priorities, objectives and arrangements are expected to contribute to the delivery of any other relevant local outcomes which are identified by community planning, and
 - includes any other information connected with the policing of the local authority's area which the local commander considers relevant.

- in preparing a local police plan, the local commander must have regard to the most recently approved strategic police plan and make such consultations as appropriate
- if the local authority approves a local police plan submitted to it, the local commander must publish it in such form and manner as the Authority may specify.
- the local commander must review the local police plan if a new strategic police plan for Scotland is approved or if the local plan has not been modified for 3 years since its publication
- the local commander and the local authority may agree to modify an approved local police plan at any time.

3.4 Fire

a - Strategic plan

- SFRS must prepare a strategic plan setting out how SFRS proposes to carry out its functions, setting out outcomes by reference to which the carrying out of its functions may be measured, and including such other material relating to its functions or to a period other than the period mentioned in paragraph (a) as SFRS thinks fit.

b - Local Service Provision

- the Scottish Fire & Rescue Service (SFRS) must ensure that there are adequate arrangements in place for the carrying out of its functions in each local authority area.
- SFRS must involve each local authority in determining priorities and objectives for SFRS in connection with the carrying out in the local authority's area of SFRS's functions.

c - Local fire and rescue plans

- SFRS must prepare a local fire and rescue plan for each local authority area which sets out:
 - priorities and objectives for SFRS in connection with the carrying out in the local authority's area of SFRS's functions
 - the reasons for selecting each of those priorities and objectives
 - how SFRS proposes to deliver those priorities and objectives
 - in so far as is reasonably practicable, outcomes by reference to which delivery of those priorities and objectives can be measured
 - how those priorities and objectives are expected to contribute to the delivery of any other relevant local outcomes which are identified by community planning and
 - such other matters relating to the carrying out of SFRS's functions in the local authority's area as SFRS thinks fit.
- in preparing the local fire and rescue plan, SFRS must have regard to the framework document and the SFRS strategic plan consult such persons as SFRS considers represent employees of SFRS, and such other persons as SFRS considers appropriate.

- SFRS must submit a plan for approval to the local authority for the area to which the plan relates and publish the approved plan.

d - Review the local fire rescue plan

- SFRS may at any time review the plan and following this review, revise the plan. SFRS must review the local fire and rescue plan if the Scottish Ministers make an order, a new strategic plan is approved or the plan has not otherwise been revised for 3 years since its publication

e - Provision of information to local authority

- SFRS must give to a local authority such information or reports relating to the carrying out of SFRS's functions in the authority's area (including reports given by reference to any local fire and rescue plan in force for the area) as the authority may reasonably request.

f - Local Senior Officers

- after consulting the local authority, SFRS must designate an employee of SFRS as Local Senior Officer for each local authority area for the purpose of carrying out on behalf of SFRS the delegated functions. A person may be designated in relation to more than one local authority area.

g - Monitoring by local authority

- a local authority may monitor and provide feedback to SFRS on the manner in which SFRS carries out its functions in the authority's area and (in particular) may provide to SFRS its views on any matter concerning or connected to the manner in which SFRS carries out those functions in the authority's area, any recommendations for improvements in the manner in which SFRS carries out those functions in the authority's area that it thinks fit.

4.0 Transition Phase - National

- 4.1 Chairs of the Police and Fire authorities have been appointed as have the new Chief Officers.
- 4.2 Work is now being taken forward under a number of workstreams each with a focus on what Day 1 of the new Service will look like. In respect of police, an initial Blueprint document has been approved by leaders of the service which outlines the high level organisational structure of the new single force and how some of the functions will be delivered on Day 1. A Day 1 implementation plan is being developed which will be centrally controlled and locally delivered. The emphasis for both organisations is to ensure that local front line services remain fundamentally unchanged on Day 1

5.0 Transition Phase - Local

Police

- 5.1 Local discussions have focused on arrangements for:
1. appointing a nominated local Police Commander,
 2. developing an agreed Local Policing Plan, and

3. suitable local scrutiny which will allow the Council to hold the local commander to account for delivery of the local policing plan.
- 5.2 A meeting took place in August attended by the Chief Constable of Central Scotland Police, his fellow chief officers, Clackmannanshire representatives on the Joint Police Board, the Council Leader and the Council's Chief Executive. As a result of this meeting, the Acting Chief Constable has written to the Chief Executive outlining a number of proposals to progress arrangements pertaining to the three matters mentioned above.
- 5.3 Three potential options for the appointment of the local police commander for Clackmannanshire have been offered by the Acting Chief Constable of Central Scotland Police:
 - 1) Designate the current Superintendent role within Stirling and Clackmannanshire Area Command, Central Scotland Police, as the new Local Police Commander for both the Stirling and Clackmannanshire Council areas. This officer would be dedicated to this role and accountable for the delivery of both the Clackmannanshire Policing Plan and the separate Stirling Policing Plan. This approach reflects the current arrangements and would ensure that resources could be deployed flexibly across Clackmannanshire when needs arise.
 - 2) Designate the current Chief Inspector, Clackmannanshire, as the new Local Police Commander for Clackmannanshire Council Area. This officer would be dedicated to this role and solely responsible for the delivery of the new Clackmannanshire Policing Plan. This approach would be a departure from the current arrangements of a shared Superintendent Area Commander and result in both Stirling and Clackmannanshire operating independently with separate Local Police Commanders. Whilst resources would still be available to be deployed across local policing areas as needs arise, this would not be as flexible as deploying officers across a single combined Clackmannanshire and Stirling command.
 - 3) Designate the current Chief Superintendent role within Communities Policing, Central Scotland Police, as the new Local Police Commander for the Clackmannanshire Council Area. This officer would most likely be designated as the Local Police Commander for both Stirling and Falkirk Council areas, in addition to the Clackmannanshire Council area. This approach is permitted by the legislation which allows a Local Commander to be shared between Local Authorities.
- 5.4 Under Options 1 and 2 the Acting Chief Constable has confirmed that it would still be his intention to retain the current Chief Superintendent, Communities Policing role on an interim basis to oversee the transition of existing Force wide functions into the new Police Service of Scotland and co-ordinate the existing shared services and joint working across Forth Valley.
- 5.5 It is considered that option 2, having a Chief Inspector designated as the local commander for Clackmannanshire, is the most appropriate way forward. This option will enable maximum local accountability while also benefitting from the retention of a chief superintendent to co-ordinate joint working as relevant across Forth Valley.
- 5.6 In terms of the development of the Local Policing Plan, it is proposed that work should begin as soon as agreement is reached on the local commander. The National Police Reform Team has set out a framework for strategic and

local planning called the National Intelligence Model which is summarised below.

STRATEGIC PLANNING - POLICE SERVICE OF SCOTLAND

The National Intelligence Model (NIM)

It is intended that following its compilation, the national Strategic Police Plan, which will reflect the Scottish Policing Assessment will be used to set out priorities at a national level. Local joint strategic assessments, compiled by police with partners at each Local Authority Area, will take cognisance of the national priorities and add local priorities for inclusion in the Local Police Plan. These joint strategic assessments will in turn feed the National Scottish Policing Assessment in an iterative and interactive process.

The preparation of the Local Police Plan from the joint strategic assessment will fully involve the Local Authority and Community Planning Partners in the priority setting process and so in this way the Local Police Plan will be developed in consultation with the Local Authority discharging the legislative requirement of the Police and Fire Reform Bill.

This priority setting process will assist in the production of local SOA's, as well as the Local Police Plan. This process will facilitate a performance framework that will enable the Police Service of Scotland to manage performance down to the local level, incorporating the wider aspects of community confidence and community well-being as well as the core issues of crime and detection levels.

Aligning local policing with the Community Planning and the Local Authority area structure and basing business planning on the principles of the National Intelligence Model through strategic assessments, together with priority setting at this level and at the national level, and delivered through the Tactical and Coordinating Group process, will facilitate an evidenced based, transparent and effective business model focussed on the achievement of outcomes.

The Local Police Plan and scrutiny arrangements

The Local Police Plan, which is required by the Police and Fire Reform Bill, section 48, will be a key document, providing an evidence based set of outcomes for the delivery of local policing and facilitating intelligence led policing and partnership working.

Measuring performance against these outcomes will also provide the framework against which the Local Police Commanders can be held to account by their communities, the community planning partnership and whatever local scrutiny arrangements will replace Police Boards. There will also be a requirement to ensure that local performance measures are linked to the Scottish Policing Performance Framework.

The Published Police Plan

It is intended that this document will be submitted to the Local Authority along with The Committee Report and will show Priorities and Outcomes under the suggested headings of Diversity and Equality (Statutory duty), Creating Safer Communities (National Priorities), Dealing with Local Concerns (Local Priorities), Delivering an Excellent Service (Quality of Service) and Community Engagement Standards. It is intended that this document should be no larger than could be produced on two pages of A4 and will suitable for publication and public display.

The Action Plan

This document will contain actions or outputs necessary to be undertaken in order to achieve the outcomes under each priority articulated in the Police Plan. It is envisaged that a performance management process will be developed alongside this action plan to enable police and partnership managers to accurately assess progress at regular reporting intervals.

- 5.7 Given existing joint working between Central Scotland Police and the Council, work can be taken forward fairly straightforwardly to build on the existing

strategic partnership assessment and begin to identify the local policing priorities for Clackmannanshire. This can be used to populate the Local Policing Plan once further guidance is received from the National Police Reform Team in regard to content and standardised format.

- 5.8 In terms of the development of local scrutiny arrangements, there are a number of potential options which the Council could consider based on its existing governance arrangements. These include:
- a) using the Housing, Health & Care Committee as the scrutiny body for the local policing and fire plans (this committee has community safety within its remit)
 - b) using the Resources & Audit Committee as the scrutiny body for the local policing and fire plans
 - c) using the Council as the scrutiny body for the local policing and fire plans
- 5.9 Options also exist to establish an additional committee, or committees, to undertake the scrutiny function (e.g. Police & Fire Committee, Community Safety Committee). Depending on the Council's preferred option in relation to the appointment of the local police commander, a joint board with another council could be an option.
- 5.10 It is considered that on balance the most appropriate arrangement in the first instance would be for the Resources & Audit Committee to be the scrutiny body for local policing and fire plans. This is because of the remit that Committee has in relation to community planning. The local plans themselves would be submitted for consultation to the councils' committees prior to being formally approved by Council.

Fire

- 5.11 Work on developing the Scottish Fire & Rescue Service is advancing along similar lines as the police although has a lower public profile.
- 5.12 A Transitional Fire & Rescue Framework for Scotland has been published to provide guidance and support on the priorities and objectives while the process of reform is underway.
- 5.13 The document sets out the expectations of the Fire & Rescue Authorities in contributing to the fire reform agenda, ensuring a smooth introduction for the new Service whilst maintaining current fire & rescue outcomes. It also seeks to protect the people, resources and processes that will underpin the future service.
- 5.14 Four key workstreams have been agreed: Prevention and Protection, Response and Resilience, Workforce, and Business Support, each of which will encompass a number of specific projects. Work to deliver these projects will be taken forward by individuals from all eight of the current Services. In addition, the Scottish Government will lead on a small number of projects on key areas around accountability and governance. This Transitional Fire and Rescue Framework, in conjunction with the Blueprint for the single service,

provides the overarching vision and co-ordination. The Framework sets out a range of priority outcomes, activities and associated performance indicators which are to be applied across all authorities.

- 5.15 Locally, a meeting took place in August attended by the chief officer representing Central Scotland Fire & Rescue Service, Clackmannanshire representatives on the Joint Fire Board, the Council Leader and the Council's Chief Executive.
- 5.16 There is less clarity on the operation of the local model in respect of the fire and rescue service but further meetings with chief officers are planned and the fire service is engaged in work with the Council regarding the revision of the 2013-14 Clackmannanshire SOA.

6.0 Other Issues

- 6.1 Aside from ensuring continuity of local policing post April 2013, there are also several broader issues relating to services which are currently delivered in partnership such as emergency planning (at Forth Valley level) and out of hours communications (delivered on behalf of the Council by Central Scotland Police).
- 6.2 In respect of emergency planning, a separate review is taking place at national level in the context of move to single police and fire services to ensure that the robustness of the arrangements which exist currently via existing Strategic Co-ordinating Groups is not undermined. At local level, the SCG is organised at Forth Valley level and has operated very effectively with the direct involvement of the Chief Constable, Firemaster and council Chief Executives. It is unclear as yet what impact the planned organisational structure of the new national services will have on current effectiveness
- 6.3 In respect of out of hours contact centre, there will be no immediate impact on this service as there will be continuity of existing local force communication arrangements beyond April, 2013. Clackmannanshire Council is not unique on having bilateral arrangements with local police services and it is expected that consideration will be given to these issues on an ongoing basis. Council may be interested to know that there are plans with the new Police Service for Scotland to introduce a single non-emergency number (101).
- 6.4 Finally, Central Scotland Joint Police Board wishes to ensure that Central Scotland Police is effectively managing the transition towards the new service and making the necessary arrangements for local policing. At the Board meeting on the 30th August 2012, it was agreed that Councillor Les Sharp, Vice Convenor, would act as the Board Champion for Reform in respect of Clackmannanshire Council and provide a conduit for any formal engagement at Board/Council level.

7.0 Conclusions

- 7.1 In its response to various consultations on police and fire reform, the Council unanimously agreed that retaining the key principles of local accountability, effective local governance arrangements and a voice for Clackmannanshire

were fundamental to effective local policing and fire services in the context of all Scotland services. It is important that the Council continues to take the opportunities which are open to it to shape the future governance and organisational landscape to ensure that these principles are given, and continue to be given, effect.

8.0 Sustainability Implications

8.1 No implications

9.0 Resource Implications

9.1 *Financial Details - no implications*

9.2 *Staffing - no implications.*

10.0 Exempt Reports

10.1 Is this report exempt? No X

11.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input type="checkbox"/>
The Council is effective, efficient and recognised for excellence	X

(2) **Council Policies** (Please detail)

12.0 Equalities Impact

12.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes No X - not applicable.

13.0 Legality

13.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes x

14.0 Appendices

14.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

15.0 Background Papers

15.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered) :

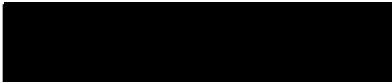
Yes:

1) Police & Fire Reform (Scotland) Act 2012

2) Letter from Acting Chief Constable, CSP, to Council Chief Executive dated 11 September, 2012

3) Transitional Fire & Rescue Framework for Scotland, 2012

Author(s)/Approved by

Elaine McPherson	Chief Executive	
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