

FALKIRK COUNCIL

**Subject: THE FUTURE OF POLICING AND FIRE AND RESCUE SERVICES
IN SCOTLAND – CONSULTATION RESPONSE**
Meeting: FALKIRK COUNCIL
Date: 27 APRIL 2011
Author: CHIEF EXECUTIVE

1. INTRODUCTION AND BACKGROUND

- 1.1 The Scottish Government recently published consultation documents on the future of policing in Scotland and on the future of Fire and Rescue Services. The proposals featured within these documents are fundamental and will have far reaching consequences on the way in which both services are provided in future. Both consultations are being conducted separately, although it is stated that the findings will be integrated with the findings and key issues emerging from the Christie Commission on the Future Delivery of Public Services, due to report in June 2011.
- 1.2 The Commission on the Future Delivery of Public Services seeks to promote a vision for future public service delivery in Scotland and through its recommendations set out a road map for achieving this. It is regrettable that the Police and Fire and Rescue Service consultations have been conducted outwith the work of the Commission and possibly represents a lost opportunity for it to be able to take a full public sector-wide view on the way forward.
- 1.3 This report outlines an integrated response to both the Police and Fire and Rescue Service consultation exercises, as there are many issues which are common to both. Responses are sought by 5 May 2011.

2. AN OVERVIEW OF BOTH CONSULTATIONS

- 2.1 Preparatory work on both consultations has been supported by the following organisations and bodies:
 - The Scottish Government;
 - The Association of Chief Police Officers in Scotland;
 - The Ministerial Advisory Group which includes Fire and Rescue Convenors;
 - Police convenors; and
 - The Convention of Scottish Local Authorities.

Proposed Structural Options

- 2.2 Both consultations propose three structural options for further consideration, including:

- A single Police Force and a single Fire and Rescue Service, led most likely by a nationally appointed Police Commissioner and Chief Fire Officer;
- A regional approach with fewer joint boards covering much larger geographical areas. The Police consultation envisages three or four regional forces; and
- The current eight forces / brigade structure with enhanced collaboration.

Implications

- 2.3 The single service options and the reduced regional option would see the disbandment of the current joint boards. There is no specific reference to the future of the current direct link between the local authority funding contribution to both the police and the fire and rescue service and local accountability. These two options may be considered to represent a serious degradation of both local accountability and scrutiny. Local joint boards also have the power to recruit / dismiss Chief Constables and Chief Fire Officers at the moment and there is no mention of this continuing in future.

Accountability Alternatives

- 2.4 Within both consultation documents a plethora of different mechanisms are suggested to replace joint boards. Within the police consultation documents enhanced powers for local senior officers or the establishment of a consultative ‘blue light’ committee are proposed. A wider ‘Joint Policing Committee’, based on a model used by the Garda in Ireland is also considered. It is envisaged that such a committee would be more inclusive involving a wider range of stakeholders within a consultative framework.
- 2.5 The Fire and Rescue Service consultation similarly proposes consultative based alternatives to current arrangements, through engagement with local Elected Members at a ward level, community councils and Community Planning Partnerships. The ‘blue light’ committee, as suggested in the police consultation, is also mentioned. In addition to these mechanisms, the fire and rescue consultation considers the establishment of “community resilience hubs” as a means of pursuing meaningful locally based community engagement.
- 2.6 In addition to these structural options, the Police consultation seeks comments on the creation of a single emergency service for Scotland, encompassing the Police, Fire and Rescue Service and the Scottish Ambulance Service.
- 2.7 Respondents are asked to consider to consider proposed options with respect to:
- Improving services and the delivery of better outcomes at both national and local levels;
 - Achieving closer engagement with communities and local authorities;
 - Delivering greater efficiency, while protecting front-line services; and
 - Creating opportunities for decentralisation.
- 2.8 Both consultations propose the following rationale for restructuring:
- Existing structures and planned levels of efficiencies will be insufficient to maintain front-line service strength;
 - Significant cost variations exist regarding the provision of similar services across the different organisations within the current structure;

- There are potentially significant savings which can be realised from service restructuring;
- Fewer structural boundaries make it possible to remove duplication and release further efficiencies;
- Some functions are better being organised at a national level to achieve optimum economy of scale;
- Some of the threats and risks which our emergency services face are national or international in nature and therefore require a national response;
- The national accountability of these services need to be improved; and
- There is further scope to improve the consistency of practice across Scotland.

3. CHALLENGES – THE CASE FOR CHANGE

3.1 The Scottish Government suggests that the diversity of cost practice and culture across eight regional police forces and fire and rescue services does not secure Best Value. Current structures were designed long ago and no longer adequately reflect today's challenging climate, with:

- 32 unitary Local Authorities and Community Planning Partnerships;
- Single Outcome Agreements and new models of funding led by the Local Government Concordat; and
- The need to secure Best Value.

3.2 The provision of some support services for police forces and fire and rescue services is organised at a national level already including:

- The Scottish Police College at Tulliallan and the Scottish Fire Services College at Gullane;
- The Scottish Police Services Authority; and
- The Scottish Crime and Drug Enforcement Agency etc.

3.3 Although significant achievements have been realised through current structures, the restructuring of both police and fire and rescue services can provide a more substantive platform from which to address priorities and persisting challenges. These are summarised within the following table:

Continuing & Future Challenges	
Police	Fire & Rescue
<ul style="list-style-type: none"> • Inconsistent practice across Scotland • Ability to adequately respond to national and international threats and risks • Economic viability of specialist services • Ability to sustain front-line police strength • Perceived lack of national 	<ul style="list-style-type: none"> • Complexity and diversity of working in local partnerships and contexts • Tackling the disproportionate level of fire related deaths in Scotland when compared with the rest of the UK • Tackling service duplication • Inconsistent practice • Broadening of the Fire Service's role • Continuing ability specialist services within current eight brigade structure

<ul style="list-style-type: none"> accountability Fragmented approach to current national police support organisations Cluttered landscape of current accountability arrangements 	<ul style="list-style-type: none"> Weakness of local approaches on training and development Securing Best Value
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4. OUTLINE OF OUR INTEGRATED RESPONSE

- 4.1 The Scottish Government has posed a number of questions within the respective consultation documents, on which views and comments are invited. The questions asked by the Scottish Government are as follows:

Police Consultation	Fire & Rescue Consultation
<ol style="list-style-type: none"> How could police reform improve services and the delivery of outcomes? What do you think are the greatest opportunities and challenges facing policing in Scotland today and how do you think they should be addressed? How can partnership working between the police and other organisations be improved? How can the police better engage with communities to help them be more resilient and self-reliant? What arrangements and relationships do you think would lead to the greatest improvements in national and local accountability? Do you agree that change is necessary to protect front-line services? Which structural option do you think should be pursued and why? How could we best improve accountability, deliver efficiencies and deliver service improvement at local and national levels. Do you have any views on how the process of change should be approached, including the extent and pace of change within a given option? To assist with our Equality Impact Assessment on the reform, please describe any equality issues (in relation to race, gender, disability, 	<ol style="list-style-type: none"> Is this the right vision for the Scottish Fire and Rescue Service? Do you agree that these should be the key principles for the Scottish Fire and Rescue Service? Do you agree that the option to de-centralise the Scottish Fire and Rescue Service should be considered? How well is the Scottish Fire and Rescue Service performing against what you believe to be the key principles and what you consider to be the priorities for improvement? Do you agree that these should be the desired benefits for the Scottish Fire and Rescue Service? What are your views on an appropriate mechanism for Ministers and MSP's to hold the Scottish Fire and Rescue Service to account? What are your views on an appropriate mechanism for local communities to hold the Scottish Fire and Rescue Service to account? What is the right balance between the national and local mechanisms set out in questions 6 & 7? Do you think the number of fire and rescue services needs to be reduced? If so which option do you think should be pursued and why? To assist with our Equality Impact Assessment on the reform, please describe any equality issues (in relation to race, gender, disability, age, sexual orientation, transgender people and

<p>age, sexual orientation, transgender people and religion) relevant to each of the options.</p> <p>11. To assist with our Regulatory Impact Assessment, please describe any financial or other impacts for business, charities and the voluntary sector relevant to each of the options.</p> <p>12. Do you think there needs to be any change to the existing role and responsibilities of the key bodies responsible for policing?</p>	<p>religion) relevant to each of the options.</p> <p>12. To assist with our Regulatory Impact Assessment, please describe any financial or other impacts for business, charities and the voluntary sector relevant to each of the options.</p> <p>13. What aspects of collaboration and joint working between the Scottish Fire and Rescue Service and other emergency services do you believe should be a key focus in future?</p> <p>14. Do you think local fire stations should be developed into community resilience hubs, and, if so what new services would you see them deliver?</p>
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4.2 Detailed responses for both the Police and Fire and Rescue Service consultations are attached at Appendix 1 and 2 respectively.

4.3 Members will be aware that the two consultation exercises are happening at the same time as wider consultation on the future of the public sector. In order to ensure that there are some guiding principles by which all considerations on these matters should be judged against, CoSLA have produced a response to the Christie Commission on the principles that should guide future reform of the public sector. This response is included in appendix three of this report. The key principle that CoSLA state should guide any future reform include:

- Reform should be framed in terms of the improvement of outcomes;
- Reform should look at the whole of the public sector not just one element;
- Reform should be based on robust evidence and a business case that generates community benefit in tandem with a focus on local integration rather than central aggregation;
- Reform should not focus on structures and boundaries to the exclusion of other issues relating to finance, systems and governance; and
- Local democracy and accountability should be at the heart of the reform process and should be enhanced by reform rather than diminished.

4.4 Given the nature of the CoSLA statement and its accord with the Council's own submission, it is suggested that Members endorse the CoSLA principles and commend them to the Christie Commission and also commend its submission on Police and Fire and Rescue Services Reform.

Key Issues

4.5 The Scottish Government has sought to propose radical structural options to primarily help in securing Best Value in the face of the stringent financial climate the Scottish public sector faces in the years ahead. Although both consultations seek to preserve a focus on local service provision and meeting local needs and priorities, there are inherent risks, should the Scottish Government pursue its preferred option of single, nationally organised services be pursued.

- 4.6 Members will be aware of the cost of re-organisation both in terms of money but also opportunity and time. While there is a real need to make savings to the public purse now, significant reform such as that proposed may not deliver any savings for some years and indeed may cost more in the short term though transitional costs. We are also conscious of how disruptive reform and reorganisation can be to an organisation. This does not appear to have been recognised in the reform proposals.
- 4.7 Whilst understanding the need to secure better value for money and with the need to better address national and sometimes internationally based risks, threats and service demands, both consultations recognise the successes and achievements of current structural arrangements. These must be retained and built upon in any future restructuring.
- 4.8 A critical success factor in enacting effective structural change will include taking sufficient time to prepare and invest in change so that the forecast benefits are realised. How services are organised, focused and delivered at a local level are critical as to whether change is successful in the eyes of the public. Continuing and sustainable service quality and delivery on outcomes will be key aspects within their judgement process. There are no guarantees provided within the respective consultations that service outcomes or performance will either be maintained or improved.
- 4.9 Both Central Scotland Police and Central Scotland Fire and Rescue Service are key partners within the Falkirk Community Planning Partnership and of Falkirk Council. It is essential that any new organisations emerging from future restructuring maintain, strengthen and add value to local partnership working. Existing arrangements also see both organisations having direct accountability to local Elected Members and through them, to local communities. It is vital that such forms of accountability are integral to future ways of working.
- 4.10 All of the proposed mechanisms outlined at section 2 of this report see the significant degradation of both local accountability and scrutiny which Elected Members through joint boards currently fulfil. This contradicts the principles set out within both consultations regarding enhanced local working and accountability. It is difficult to see how by replacing the current Elected Member based approach by the proposed consultative framework represents progress. Within current approaches there are no barriers to progressing any of the mechanisms proposed by the Scottish Government.
- 4.11 Elected Members sitting on Joint Boards play a valued local role in championing key community safety messages and initiatives. Meaningful contributions such as this could be diluted as a result of structural change.
- 4.12 Central Scotland Fire and Rescue have already progressed elements of Community Resilience Hubs through opening access to fire stations to community groups and the Scottish Ambulance Service. This is a concept we would welcome developing further.
- 4.13 Both consultations focus on engaging with local communities. This is something, together with many other examples of successful collaboration which benefit from being locally developed and delivered to best meet local needs within the parameters of national legislation, guidance and good practice.

- 4.14 Whatever structural option is pursued it essential that the same locally focused solution is derived to preserve co-terminosity where appropriate. Taking this and the wider reform of public services across Scotland there is an argument for the current structure of the Scottish Ambulance Service to be considered along with both the police and the fire and rescue service. This would help to assure a whole ‘cross blue light’ service approach is taken and, at a local level, close a gap within Community Planning Partnerships. Intrinsic within any future structure is the need first and foremost for locally focused services which meet community and area based needs and priorities.
- 4.15 Both Central Scotland Police and Central Scotland Fire and Rescue Service have sought to develop collaborative service solutions with neighbouring organisations and with Community Planning partners. These, again, may be disrupted as a result of structural change.
- 4.16 Both consultation documents fail to provide a convincing rationale or meaningful evidence which justifies the case for single nationally based organisations. Pivotal to success in any structure will be local leadership, both through Elected Members and senior Officers within both the Police and Fire and Rescue Service, as well as that of key partners. They possess the knowledge and experience to design effective and speedy solutions and service delivery focus to meet the changing aspirations and needs of local communities. Integral to this is the need to retain significant levels of local influence and accountability both in the way in which local police and fire and rescue services are delivered and for their outcomes.

5. CONCLUSIONS

- 5.1 Both the Police and Fire and Rescue consultations represent a landmark in the provision of public services in Scotland. It is regrettable that these consultations have taken place outwith the Commission on the Future Delivery of Public Services, as a fully integrated approach would have stood a better chance of taking a holistic view and progressing a set of recommendations that take the whole of the Scottish public sector into account.
- 5.2 Rushed change without due regard to consultations and working with key partners in the reconfiguration of Police and Fire and Rescue Services at a local level is a recipe for both a flawed process and a lost opportunity. It is therefore essential that we pursue an approach based on consensus to further develop and progress the delivery and organisation of these important public services so that together we are best able to meet the challenges which undoubtedly lie ahead.

6. RECOMMENDATIONS

It is recommended that Members:

- 6.1 Note the key aspects and issues emerging from the respective Police and Fire and Rescue Service consultation exercises;**
- 6.2 Note the options for future structures provided in the consultation documents and provide a view on which option would best meet the current and future needs of the Falkirk Council area;**
- 6.3 Authorise Officers to submit responses, as set out at Appendix 1 (Police) and at Appendix 2 (Fire and Rescue), on behalf of the Council to the respective consultations; and**
- 6.4 Endorse the principles established by CoSLA with regard to public sector reform as set out at Para 24 of the CoSLA submission attached as Appendix 3 to this report.**

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CHIEF EXECUTIVE

Date: 23 March 2011
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LIST OF BACKGROUND PAPERS

1. A Consultation on the Future of Policing in Scotland available at:
2. <http://www.scotland.gov.uk/Resource/Doc/341417/0113500.pdf>
3. A Consultation on the Fire and Rescue Service in Scotland available at:
<http://www.scotland.gov.uk/Resource/Doc/341434/0113503.pdf>

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506046 and ask for Andrew Wilson.