

REPORT TO: POLICY AND RESOURCES COMMITTEE - 11 JUNE 2012

REPORT ON: POLICE REFORM - PATHFINDER PROJECT FOR LOCAL SCRUTINY AND ENGAGEMENT

REPORT BY: CHIEF EXECUTIVE

REPORT NO: 175-2012

1. PURPOSE OF REPORT

To recommend trialling new arrangements for local scrutiny and engagement with the Police as part of a pathfinder project in preparation for the establishment of a Scottish Police Service.

2. RECOMMENDATIONS

It is recommended that members:

- a) note that Dundee has been accepted as a pathfinder to trial new local scrutiny and engagement arrangements with the Police in preparation for the establishment of a Scottish Police Service
- b) agree that, as part of the pathfinder project, the remit of the Policy and Resources Committee should be extended to include approval of the Local Policing Plan and scrutiny of Police performance reports, with additional quarterly meetings of the Committee being arranged to allow sufficient time for discussion
- c) note that the local Police Commander will brief members on a strategic assessment, consult with members on a draft Local Policing Plan, provide reports on the force's performance for the scrutiny of members and formally submit the Local Policing Plan for approval, in line with the provisional timetable set out in paragraph 5.9 of this report
- d) remit the Chief Executive to bring forward a report evaluating Dundee's pathfinder, and the outcome of pathfinders in other areas, to inform a decision on the longer-term structures for scrutiny and engagement with both the Police and Fire and Rescue services

3. FINANCIAL IMPLICATIONS

None.

4. BACKGROUND

- 4.1 The Police and Fire Reform (Scotland) Bill, which is currently being considered by the Scottish Parliament, provides for the establishment of new Scottish Police and Fire and Rescue Services and includes a framework for local scrutiny and engagement arrangements involving local authorities and the new national services. When the Bill becomes an Act, local authorities and the new services will need to put arrangements in place for local scrutiny and engagement from day one of the new services, which could be as early as April 2013. The existing Joint Boards will retain their current responsibilities until then.

- 4.2 To prepare for the change, the Scottish Government has established a Local Scrutiny and Engagement Implementation Network, which provides an opportunity for local authorities and the Police and Fire Services to plan, trial, evaluate, refine and share learning about the implementation of local arrangements before these go live. Local authorities have been invited to join this Network as pathfinders, trialling ways of implementing the new arrangements, or as networkers, keeping in touch with developments, contributing to discussions and learning from the experience of pathfinders elsewhere. At the meeting of the Policy and Resources Committee on 23 January 2012, members agreed that Dundee City Council should apply to be a pathfinder for new local scrutiny and engagement arrangements with the Police, and to be a networker for arrangements with the Fire and Rescue Service. The Scottish Government has accepted these applications.
- 4.3 As a pathfinder for Police reform, the Council has been invited to trial new local scrutiny and engagement arrangements which include:
- the designation of a local Police Commander, with significant delegated authority and devolved resources
 - production of a local Policing Plan, prepared by the local Commander and approved by the Council
 - the creation of a strong, formal relationship between the Council and the Police to provide opportunities for increased local democratic scrutiny e.g. through a local committee in which elected members play a role in shaping local Police priorities and scrutinising performance
- 4.4 The Scottish Government has not prescribed any particular approach to the pathfinders - it is up to participants to decide on the methods that will best suit local circumstances, improve local scrutiny and engagement and ultimately deliver better services and outcomes at the local level. Acting as a pathfinder allows for a degree of experimentation to find the right model, while tapping into wider learning and evaluation of the various pilot approaches adopted across the country.

5 **PROPOSED PATHFINDER ARRANGEMENTS FOR DUNDEE**

- 5.1 It is proposed that, rather than establish a new committee or sub-committee, the responsibility for scrutiny and engagement with the Police should be added to the remit of the Policy and Resources Committee, which would become responsible for approving the local Policing Plan and scrutinising Police performance. This arrangement will allow all members to have a say on Police priorities and performance. Given the likely volume of business, and the extent of discussion required on Police reports, it is proposed to convene additional meetings of the Committee on a quarterly basis, on the same night as the Development Management Committee.
- 5.2 Subject to any changes once the Chief Constable of the Scottish Police Service is appointed, it is expected that Chief Superintendent Hamish Macpherson (the current Police Divisional Commander) will be designated as the Local Police Commander for Dundee.
- 5.3 The local Commander will be required to prepare a local Policing Plan that meets the needs of Dundee. Local Policing Plans must:
- set out the main priorities and objectives for policing of the local area

- explain the reasons for selecting those priorities and objectives
 - set out the proposed arrangements for policing, explaining how they are expected to achieve the main priorities and objectives
 - identify outcomes against which the achievement of those priorities and objectives may be measured
 - describe how the priorities, objectives and arrangements are expected to contribute to the delivery of other relevant outcomes
- 5.4 When preparing Policing Plans, local Commanders must have regard to the most recently approved Strategic Police Plan and must consult others as considered appropriate. They must publish agreed Plans in a form specified by the Scottish Police Authority. The local authority will have statutory powers to monitor and scrutinise the delivery of Police functions, to provide feedback to the local Commander and to make recommendations for improvements.
- 5.5 The Bill also aims to ensure that the structures for local delivery of Police functions are fully integrated with Community Planning, so:
- the local Commander will have a statutory duty to participate in the Community Planning Partnership
 - there will be a statutory requirement on the local Commander to include information on Community Planning in the local Policing Plan

The Bill does not explicitly refer to Single Outcome Agreements, as these are subject to policy guidance rather than being a statutory requirement, but there is a clear expectation among all concerned that the Police will continue to engage with the SOA process. For example, the Local Policing Plan is likely to refer to the SOA outcomes and how the Plan will help to achieve this.

- 5.6 It is anticipated that the initial local Policing Plan will be largely produced using existing Tayside Police and Dundee Division plans. A group representing all the stakeholders at national level has produced a template for the local Policing Plan as a framework within which individual plans can be attuned to local needs and demands. The Plan must include a set of outcomes, performance against which will provide a basis on which local Police Commanders are held to account by the Council, the Community Planning Partnership and the community in general (e.g through publication on websites and through the media). These outcomes are to be based on a local strategic assessment which brings together and analyses relevant data on crime and public perception, and should be used to drive performance in terms of the reduction and prevention of crime and improved community safety.
- 5.7 The Bill provides for local authorities approving the Local Policing Plan, but does not identify any mechanism for resolving disputes in the event of any disagreement on this between the Council and the Police Service. The Scottish Government have provided assurances that there will be procedures to resolve any concerns, but do not feel it is appropriate to cover these in the legislation.
- 5.8 The Police Divisional Commander for Dundee has indicated that he intends to finalise the local Policing Plan for Dundee by March 2013. This plan will set priorities and objectives for the next three years, but will be subject to annual reviews. The process will begin with the production of a strategic assessment which will be presented to

members for discussion, prior to formal submission of a draft Plan. The Plan will include performance measures relating to crime, efficiency and public perception. Performance on these will be reported to members using a local scorecard, including a commentary which explains what the Police are doing to address concerns as well as highlighting areas of good practice and high achievement. These performance reports will allow members to scrutinise Police performance towards achieving joint objectives, targets and standards of service. Members will also be kept informed of change and improvement activity within the local Police service, and be given statistical information on complaints. Although the new Plan will not be submitted for approval until 2013, the Police will submit performance monitoring reports in the meantime based on current plans. It is expected that the Local Commander and a Superintendent with operational responsibility will attend Committee to present and answer questions on these.

5.9 The provisional timetable for key elements of scrutiny and engagement with the Police during the pathfinder project is as follows:

- briefing on the new arrangements and on the strategic assessment process to describe how the force arrived at the current plan - 13 August 2012
- performance report based on current police plans - 19 November 2012
- briefing on the next strategic assessment and consultation on draft local Policing Plan - 21 January 2013
- formal submission of local Policing Plan for approval - 18 March 2013

5.10 It is recommended that the Chief Executive be remitted to bring forward a report evaluating the pathfinder arrangements with the Police (and reporting on evaluation of pathfinders elsewhere) in order to inform a decision on the longer term arrangements for local scrutiny and engagement with both the Police and Fire Rescue Services.

6. **POLICY IMPLICATIONS**

This report has been screened for any policy implications in respect of Equalities, Sustainability, Strategic Environmental Assessment, Anti-Poverty and Risk Management. There are no major issues. The template for local Policing Plans includes a section on Diversity and Equality, including an expectation that all policies, procedures and practices will be equality impact assessed and an expectation that measures of satisfaction from a public perception survey will be monitored to assess whether or not the service is responding appropriately to the needs of all communities.

7. **CONSULTATIONS**

The Director of Corporate Services and the Head of Democratic and Legal Services, along with the Divisional Commander from Tayside Police, have been consulted in the preparation of this report.

8. **BACKGROUND PAPERS**

None.

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Chief Executive

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04/06/2012