

POLICE REFORM CONSULTATION

SOLACE RESPONSE

1. The Scottish Government has now announced its intention to legislate for the creation of a single National Police Service for Scotland, replacing the current eight regional Police Forces that have existed since 1975. A consultation document has been published setting out the Government's proposals and responses are sought by 2nd November 2011. This paper sets out Solace's response.
2. Solace's position in responding to the original consultation on options for reform of Policing in Scotland was that reform was to be welcomed where it would improve outcomes and efficiency and where the costs and potential disruption associated with reform would be outweighed by these benefits. Solace remains unconvinced that a strong enough case has been made for the proposed move to a single National Police Service. The business case is deficient in many respects. It is not clear how the proposed reform will improve outcomes that are already very impressive (eg. lowest recorded crime levels for over 30 years). The claimed efficiency savings (circa £130M) rest upon some questionable assumptions, but even if accepted Solace questions whether they are sufficient to warrant the likely cost and disruption involved in moving to the new National Police Service.
3. That said, the political decision to legislate for the establishment of a single Scottish Police Service has been made and Solace is committed to working with the Government to ensure that the transition to the new Service is successful. There are a number of key concerns regarding the establishment of the new Service that Solace believes need to be addressed through this further period of consultation and in framing the legislative framework to ensure that the new National Police Service effectively balances national and local policing priorities so as to maximise its potential to achieve improved outcomes while delivering efficiencies. Of equal concern is that the transition to the New National Police Service and the way it is structured and operates is such that the potential for disruption to local Community Planning and other critical cross-agency partnership working arrangements is minimised.
4. Central to these concerns is the essential nature of the new National Police Service and the extent of real local government influence in the new Service. Policing is currently a local government function (albeit funded to the extent of 51% by direct Police Grant from the Scottish Government). It is accepted that the decision has been taken that Policing should no longer remain with local government. However, Solace would question whether it necessarily follows that the only alternative is the centralisation of Policing in a new quango under a board wholly appointed and funded by Scottish Government as set out in the consultation paper. Drawing from experience of what works elsewhere (eg. London Metropolitan Police), the new Service could be

designed as a genuine partnership between national and local government. The board could be appointed on a 50/50 basis by Scottish Government and by local government. Funding could continue on the current basis with Police Grant being paid direct to the board and the balance coming from local government.

5. It is appreciated that there are some complex and detailed issues that would have to be satisfactorily worked through in designing such a model (eg. how would the local government members of the board be appointed? and how would funding flow from local government to the Service?) but Solace believes these issues can be resolved if there is the will to establish a genuine national/local partnership at the heart of the new Service. The question is: to what extent is there that will, or has it already been determined that the new Service will be a wholly national function with some minority (tokenistic?) representation on the board for Local Government and Local Government's influence in effect confined to the locality?
6. Solace believes that the case for a genuine national/local partnership on Policing is compelling. Both from a Police and a Local Government view, there are many critical issues that do not neatly fit into a simplistic categorisation as either 'national' or 'local' policing and therefore effective partnership working between national and local levels, between the strategic and operational leadership of agencies and also across agencies at both national and local levels is essential if these critical issues are to be addressed effectively.
7. For example, the consequences of serious and organised crime at the national (or indeed international) level are drug dealing, drug dependency, petty crime, dysfunctional family units, disruptive individuals, chaotic lifestyles and other social problems in localities. Important intelligence critical to combating serious and organised crime is gathered in localities.
8. Critical issues such as public protection and community resilience are both national and local in scope. The Scottish Government has set out a range of social policy objectives such as Early Years Framework and GIRFEC. The recent Comprehensive Spending Review called for increased focus on outcomes and a shift of spending and action to Early Intervention and Prevention. Successful delivery of all of this requires effective local partnership working across Police, Local Government and other agencies. Further, partnership working must exist at both the strategic and operational levels. For example, all inspections of services to protect children have stressed the need for good partnership working across Social Work, Education, Health, Police and others and that this needs visible, committed, consistent leadership from Chief Officers.
9. For all these reasons, Local Government's role and influence in the new National Police Service cannot be confined to the proposed arrangements for accountability of local policing. There also must be strong connections between the strategic leadership of local authorities and that of the National Police Service, as well as between operational service management in local

authorities and the command of policing in localities. To ensure all that of this works effectively Solace would argue there must be real Local Government influence at the national level of the new National Police Service. This can best be achieved by establishing the new National Service as a real national/local partnership as suggested above.

10. Solace welcomes the proposal that the basic building block of the new Service will be the 32 local authority areas, each constituting a local policing area headed by a local area commander. Solace believes that the framework should allow for voluntary combinations of local authority areas to form larger local policing areas.
11. Solace has concerns about the level of seniority and degree of local autonomy of the local area commanders. These issues are inter-related. The proposal is that the local area commander could be any rank from Chief Superintendent to Inspector, depending on the size of the local policing area. This is an unacceptably wide range of seniority that could result in significant divergences in the degree of autonomy of local area commanders. Solace believes this poses risks to effective partnership working in local policing areas. To address this concern, Solace believes the legislative framework should provide for a formal scheme of delegation that will entrench the local operational autonomy of the local area commander. Consideration should also be given to the minimum rank for local area commander.
12. As stated above, partnership working is most effective when the commitment exists at both the strategic and operational levels. Therefore, in addition to the local area commander, Solace believes there should be a designated senior officer, probably one of the Assistant Chief Constables, for every local policing area. This senior officer should be a signatory to the proposed Local Policing Plan, along with the local area commander, and both should be accountable to the Local Authority for its delivery.
13. As regards the Local Policing Plan, the consultation document is unclear whether the local authority role is envisaged as de facto 'Local Police Authority' to approve the plan and then hold the local area commander to account for its delivery, or is merely that of a local consultee whose views on the Local Policing Plan should be taken into account before it is finalised. Solace believes that if genuine local accountability for policing in localities is an objective, then role must be the former. As the proposals are taken forward in legislation consideration will need to be given to how a local authority's refusal to approve a Local Policing Plan is resolved.
14. It is appreciated that the consultation document sets out a number of specific questions on which views are sought. Solace has determined to focus its response on governance and accountability, as set out above. Turning to the specific questions Solace would add further comment as follows.
15. As regards Question 1 (purpose of policing) Solace believes the purpose should include 'to improve the safety and well-being of individuals, families and communities in Scotland' and there should be an explicit requirement on

the new National Service to participate fully in Community Planning, in particular public protection and community safety. This may be an opportune moment to introduce a legislative requirement on the Police Service to deliver Best Value and to participate in Community Planning.

16. As regards Question 3, Solace notes the proposal to consult on the future relationship between the new National Service and Strategic Coordinating Groups, including a possible restructuring of SCGs. Solace believes that the existing SCG structure provides effective coordination of contingency planning, resilience, contingencies response and recovery activities, however the move to a National Police Service affords the opportunity to review current arrangements. Again, the critical issue will be how best to achieve the most appropriate balance between national and local interests.
17. As regards Questions 4, 5, 6 and 7, Solace would argue for the national/local partnership model suggested above. If this is not acceptable to Scottish Government, then Solace believes consideration must be given to how best to ensure that Local Government has real influence at the national level as well as the local. This cannot be achieved simply by reserving a minority of places for Local Government on the National Board. Consideration should be given to ways of making the National Board accountable to Local Government as a whole, in addition to its formal accountability to Parliament through Scottish Ministers. In terms of local accountability (Question 6) Solace's position is set out in paragraphs 10, 11, 12 and 13 above. As regards, Question 7 (funding), as set out above, Solace believes that some control over an element of funding is essential to ensure real Local Government influence over matters of local concern – these being wider than simply local operational policing. Short of that element of control, there needs at the very least to be complete transparency around the allocation of resources to policing in localities and the ability for local authorities to question and challenge this.
18. Solace hopes that the above response to the consultation document is helpful and looks forward to continuing to work with Scottish Government officials as the legislation giving effect to the new National Service is developed and taken forward through the legislative process.

FIRE & RESCUE SERVICES REFORM CONSULTATION

SOLACE RESPONSE

19. The Scottish Government has now announced its intention to legislate for the creation of a single National Fire & Rescue Service for Scotland, replacing the current eight regional Fire & Rescue Services that have existed since 1975. A consultation document has been published setting out the Government's proposals and responses are sought by 2nd November 2011. This paper sets out Solace's response.
20. Solace's position in responding to the original consultation on options for reform of Fire & Rescue Services in Scotland was that reform was to be welcomed where it would improve outcomes and efficiency and where the costs and potential disruption associated with reform would be outweighed by these benefits. Solace remains unconvinced that a strong enough case has been made for the proposed move to a single National Fire & Rescue Service. The business case is deficient in many respects. It is not clear how the proposed reform will improve outcomes that are already very impressive. The claimed efficiency savings rest upon some questionable assumptions, but even if accepted Solace questions whether they are sufficient to warrant the likely cost and disruption involved in moving to the new National Service.
21. That said, the political decision to legislate for the establishment of a single Scottish Fire & Rescue Service has been made and Solace is committed to working with the Government to ensure that the transition to the new Service is successful. There are a number of key concerns regarding the establishment of the new Service that Solace believes need to be addressed through this further period of consultation and in framing the legislative framework to ensure that the new National Fire & Rescue Service effectively balances national and local priorities so as to maximise its potential to achieve improved outcomes while delivering efficiencies. Of equal concern is that the transition to the new National Service and the way it is structured and operates is such that the potential for disruption to local Community Planning and other critical cross-agency partnership working arrangements is minimised.
22. The consultation document poses a number of specific questions and Solace's response to these is set out in the following paragraphs.
23. Question 13 (Purpose): Solace suggests that the purpose of fire and rescue should include 'to improve the safety and well-being of individuals, families and communities' and that the new National Fire & Rescue Service should be subject to a statutory requirement to deliver Best Value and to participate fully in Community Planning.
24. Questions 16 and 17 (National Board): Solace believes there is an opportunity to establish the new National Fire & Rescue Service as a real national/local

partnership with an appropriate balance of the national and local interests, rather than as a centralised service constituted as a new quango. A strong and influential role for Local Government at the national level is essential if the proposals for enhanced local accountability are to work well. Local Government representatives should be appointed by Local Government and should comprise at least half of the proposed National Fire & Rescue Board.

25. Question 18 (Governance/Accountability): Solace welcomes the proposal that the basic building block of the new National Service will be the 32 local authority areas. The legislative framework should allow for local authorities to combine together to form larger local fire and rescue areas. Solace believes that the legislation should provide for clear delegation of powers to and accountability of the proposed Local Senior Officer and that this officer should be required to work closely in partnership with the local authority and other partnership agencies in the locality within the context of Community Planning. The local authority should have the role of approving the Local Fire & Rescue Plan, rather than simply being consulted about it. Consideration needs to be given to how any refusal by a local authority to approve the plan is to be resolved. In addition, effective partnership working requires leadership commitment at both the strategic and operational levels. Therefore, in addition to the designated Local Senior Officer, Solace believes there should be a designated senior officer at the Chief Officer level for every local policing area. This senior officer should be also a signatory to the proposed Local Fire & Rescue Plan, along with the designated Local Senior Officer, and both should be accountable to the local authority for its delivery.
26. Question 19 (Funding): In the spirit of comments above about establishing the new National Fire & Rescue Service as a real national/local partnership, Solace believes that Local Government should continue to have a significant role in funding the Service. Without this, the influence of Local Government on the new National Service will be limited, possibly to the detriment of the objective of enhancing local accountability for local fire and rescue. At the very least there must be full transparency of the allocation of resources to localities and the ability to scrutinise, question and challenge resource allocation and use.
27. Solace hopes that the above response to the consultation document is helpful and looks forward to continuing to work with Scottish Government officials as the legislation giving effect to the new National Service is developed and taken forward through the legislative process.

Solace Scotland
2nd November 2011