Justice Committee

Police and Fire Reform (Scotland) Bill

Supplementary written submission from the Auditor General for Scotland

Thank you for your invitation to provide additional evidence to the Justice Committee following my evidence session on 6th March. My main purpose in writing is to inform the Committee about some of the early messages which are likely to be in Audit Scotland’s forthcoming report arising from the performance audit of mergers in Scotland’s public sector. These may be relevant and useful to your consideration of police and fire reform.

I shall also take the opportunity to provide further information in response to the question from Mr Roderick Campbell.

Early emerging findings from the Audit Scotland performance audit on mergers

The report on public sector mergers was timed to help inform future mergers, and is therefore due to be published in June. However, given that the findings might assist the Committee’s consideration of police and fire reform, I am taking the unusual step of informing you of some of the emerging messages. The audit work has only recently been completed, so I would emphasise we are still finalising the content.

The audit team has identified that the most significant factor in creating a successful merger is good early leadership. When leadership teams were in place from early in the process and remained stable, the mergers worked well. The absence of such a team could mean that difficult decisions were deferred and that the vision and strategic objectives for the new organisation were not well developed.

The Scottish Government often establishes ‘programme boards’ to manage the process, and these tend to focus on ensuring that mergers happen on time, and that stakeholders are involved. However, this can mean that the important work of creating the vision for the new organisation and designing its structure, strategic objectives and early priorities for action receive less attention. This work has not always been done early enough to benefit the new organisation and ensure its full operational effectiveness from day one.

Given the strength of the evidence supporting this emerging finding, and the importance of ensuring the new Police Service of Scotland and Scottish Fire and Rescue Service are given the best possible start, I would like to suggest that the Committee might give further consideration as to how the early appointments of the first post-holders might be achieved. I wonder whether, for example, the Committee could suggest that the Bill be amended to include a clause providing for the first appointments of the conveners of the Scottish Police Authority, and the Scottish Fire and Rescue Service, the chief constable and the senior fire officer to be made by Parliament, with the possible involvement of the Crown Office in the case of the police appointments, and with the agreement of the Cabinet Secretary for Justice.
SPA Board

I was asked by Mr Campbell to give some examples of how the SPA board could establish its own mechanisms for engaging with local communities. I stressed in my answer the importance of members of the SPA board getting a good understanding of the real and proper concerns of local communities in relation to policing. Local circumstances of individual council areas vary enormously, and the SPA board as well as the local commanders need to be aware of the differing local priorities. However, local communities also need to be aware of national priorities and the resources available both nationally and locally, hence the importance of a dialogue between the SPA and local communities.

How the SPA chooses to do this will, of course, be for the board to decide. However, there are a number of ways board members could promote and encourage such a dialogue. For example, board meetings could be held in different parts of the country, board members could have skills or expertise in a specific aspect of policing (for example, antisocial behaviour) and engage with councils where this is a local priority, or board members could attend local meetings where police performance was being considered. The chief constable will also of course be in constant dialogue with the local commanders and can inform the board members of relevant issues that may arise at a local level.

However the SPA board chooses to engage with local communities, I remain of the view that the board should be one of governance rather than representation, with board members having appropriate skills and expertise to effectively hold the chief constable to account for the performance of the Police Service of Scotland. I have given examples to the Committee of the tensions that could be created if any other membership structure was selected.

Parliamentary scrutiny

Finally, I would like to mention again the view which I offered in both my original submission and in the evidence session that the Scottish Parliament should be seen as having the central role in ensuring there is a mechanism for open, transparent and democratic scrutiny of the new Scottish Police Authority and Police Service of Scotland. I recognise that the Justice Committee has a heavy workload, and indeed I mentioned the pressures of that workload in my written submission. I would suggest that this adds weight to my thought that the Bill might include a specific mechanism for ensuring Parliamentary scrutiny of the SPA and the Police Service of Scotland.

I would be happy to provide further information if this would be of assistance to the Committee.

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16 March 2012