Justice Committee

Post-legislative scrutiny of the Police and Fire Reform (Scotland) Act 2012

Written submission from West Lothian Council

The Scottish Parliament’s Justice Committee have launched its call for written views on its post-legislative scrutiny of the Police and Fire Reform (Scotland) Act 2012 outlined in the weblink below.


Police service

1. In your view, what have been the consequences of the 2012 Act for the police service? Please set out your views on (a) any benefits and (b) any negative consequences of the 2012 Act for the police service.

(a) any benefits

- To protect and improve local services despite financial cuts, by stopping duplication of support services eight times over and not cutting front line services;
- West Lothian has seen limited benefits relating to local services as a consequence of the 2012 Act and Police Scotland are proposing reductions to front line police services in West Lothian.
- To create more equal access to specialist support and national capacity - like murder investigation teams, firearms teams or flood rescue - where and when they are needed; and
- Whilst it is beneficial to have access to specialist support and national capacity when they are needed. Police Scotland have not conducted any transparent exercise on how Police Scotland resources are allocated across Scotland. Much of the current allocation to Divisions appears to be based on historical practice and little evidence that it is based on need.
- To strengthen the connection between services and communities, involving many more local councillors and better integrating with community planning partnerships
- West Lothian has seen no strengthened connection between services and communities as a result of the implementation of the 2012 Act.

(b) any negative consequences

- To protect and improve local services despite financial cuts, by stopping duplication of support services eight times over and not cutting front line services;
- Local service delivery has been sustained due to West Lothian Council maintaining many of the local police resources by a significant annual contribution which the Council has managed to maintain up until 2017/18 following the projected £65M savings the Council is projected to deliver over the next 5 years. This has been continued for as long as feasibly possible
Police Scotland has indicated that they will also reduce their contribution to the Community Police team and that there resources will be removed from West Lothian irrespective of local need. As a result Police Scotland will effectively be ‘cutting front line services’ for West Lothian. Another example being the removal by police Scotland of 5 of the 6 school campus officers which followed the changes in funding.

- There is considerable anecdotal evidence from community groups and community activists over response times attending to incidents/crimes are being reported by the public and challenges in getting through to the 101 call number.
- In West Lothian, Police front line services have been reduced at a range of levels across the service cut. West Lothian no longer have a local Chief Superintendent or a Superintendent. We have one Chief Inspector. We have gone from having four Local Inspectors have been reduced from four to two and will soon be reduced further. Officers that are trained are generally placed elsewhere in other local authority areas and despite them having a portfolio that covers West Lothian along with other geographic areas, the distance involved would appear to be a factor that prevents/hinders them from attending meetings/events etc. As indicated previously Police Scotland have not undertaken any shared transparent exercise on how Police Scotland resources are allocated and as a result it’s very difficult for any local authority area or community to be confident that its allocation of resource adequately addresses need.
- Local services have not been improved as there are more instances of calls not yet been attended. The daily partnership working is often hindered when police have yet to attend the initial call and other partners await clarity on what has been carried out before a decision can be made as to what else can be provided. This can only be due to a lack of local police resources.
- To create more equal access to specialist support and national capacity - like murder investigation teams, firearms teams or flood rescue - where and when they are needed;
- Whilst having access to additional national resources that are ‘helicoptered’ in to boost local resources may seem like a good idea. Officers from out with the local area are invariably not familiar with the local community and have little local knowledge and this may hinder local effectiveness, and building relationships with the local community.
- To strengthen the connection between services and communities, involving many more local councillors and better integrating with community planning partnerships
- There has not been any better integration with community planning partnerships. The level of integration and planning has been steady and consistent, there has been no strengthening of this work as a result of the 2012 Act.
- Community and partner confidence in Police has been affected by the poor communication surrounding major issues such as review of Police public counters, which saw Police Scotland close a facility in a purpose built partnership centre in one of our most deprived communities (Fauldhouse). The Council also had significant concerns regarding the consultation and subsequent implementation of the changes to decriminalisation of parking. The removal of Traffic Wardens in West Lothian has had an impact and cause
for concern within the communities. Proposed charging for events including gala days is another example that does not strengthen connection between services and communities.

- Scrutiny of Police is undertaken via the Councils Policy Development and Scrutiny Panel. Police scrutiny reports have been poor in both content and presentation in comparison to Scottish Fire and Rescue service, with limited benchmarking information and an increasing reluctance to provide information at elected member ward level.
- Whilst it is acknowledged that there are reasons for changes in personnel, the frequency that it occurs and the level of knowledge of local priorities and ongoing work that comes with new replacement officers, serves to be a short-term disadvantage in the workflow between Police Scotland and West Lothian Council.
- Partnership working and community confidence has been affected by having 4 Divisional Commanders and 5 Local Area Commanders since the Act was introduced.
- The support to strategic planning however, by Police Scotland, remains varied. Whilst the contact at the Community Planning Partnership remains stable, there has been no regular contact at a senior level by either Police Scotland or the Scottish Police Authority defining aims /next steps and ascertaining any barriers to local outcomes.

2. Have the policy intentions of the 2012 Act in relation to the police service been met?

- The views of West Lothian Council are that the policy intentions of the 2012 Act in relation to the development of the single police service have not been met. Whilst partnership working remains effective, it has not improved as a result of the Act. With the needs of the communities of West Lothian being better met prior to the changes implemented by the 2012 Act.
- It is considered that the current Scottish Government/Cosla review of Local Governance provides for the opportunity for local police services to become part of a single public authority for West Lothian.

Fire and rescue service

3. In your view, what have been the consequences of the 2012 Act for the fire and rescue service? Please set out your views on (a) any benefits and (b) any negative consequences of the 2012 Act for the fire and rescue service.

(a) any benefits

- To protect and improve local services despite financial cuts, by stopping duplication of support services eight times over and not cutting front line services;
- The Scottish Fire and Rescue Service (SFRS) continue to be an open proactive engaged partner locally. Keen to share knowledge and good practice.
SFRS have continually sought to exchange and explain any proposed change to service provision well in advance of any implementation and have proactively sought Council views prior to any formal consultation.

The SFRS readily responded to the Council's request for performance improvement targets to be added to the Local Fire Plan.

SFRS scrutiny reports are exemplary in both content and presentation containing a good balance of strategic and local data and also allow includes appropriate benchmarking data.

To date, the availability of officers within communities would appear to have been protected and the availability of officers and the partnership working has remained strong and stable.

To create more equal access to specialist support and national capacity - like murder investigation teams, firearms teams or flood rescue - where and when they are needed;

It is good to have the specialist teams, and to have them where they are most needed, should the need arise.

To strengthen the connection between services and communities, involving many more local councillors and better integrating with community planning partnerships.

West Lothian has seen no significant strengthened connection between services and communities.

What has been improved, appreciated and acknowledged, is that senior SFRS officers have met regularly with senior executives within West Lothian Council in order to keep them appraised of various steps and forward planning within the planning and transformation process.

(b) any negative consequences

To protect and improve local services despite financial cuts, by stopping duplication of support services eight times over and not cutting front line services;

To date West Lothian has not experienced any cuts in service provision. Whilst we appreciate that the continued retention and recruiting new retained firefighters in local communities is getting harder to maintain, the removal of these officers and local tenders and stations within communities would be a genuine concern. What would also be a concern would be for SFRS to maintain the local tenders and stations but finding that the numbers of firefighters were so low that in fact it breached safety regulations to allow them to fight fires and attend particular calls.

If indeed the numbers of retained firefighters reduce, there may be a concern that SFRS have developed and transformed into new areas of business that would leave their full time firefighters short in numbers to deal with the level of fire calls received.

To create more equal access to specialist support and national capacity - like murder investigation teams, firearms teams or flood rescue - where and when they are needed;

It is good to have the specialist teams, and to have them where they are most needed, should the need arise.
• To strengthen the connection between services and communities, involving many more local councillors and better integrating with community planning partnerships.
• West Lothian has seen no strengthened connection between services and communities.

4. **Have the policy intentions of the 2012 Act in relation to the fire and rescue service been met?**

• The views of West Lothian Council are that the policy intentions of the 2012 Act in relation to the development of the single fire service have not been met.
• The communities of West Lothian were similarly met prior to the changes implemented by the 2012 Act. Since the implementation was put into place and delivered, West Lothian Council has witnessed no significant improvement over the 5 years although the commitment and service delivery has been steady. The service delivery and partnership working with a continued availability of firefighters on the front line and in communities has been maintained. It is only now, that through further transformation we are concerned that we may see a reduction in the number of retained officers, tenders and local village stations.

**Other issues**

5. **Are there any other issues you would like to raise in connection with the operation of the 2012 Act?**

• It is considered that the current Scottish Government/Cosla review of Local Governance provides for the opportunity for local fire services to become part of a single public authority for West Lothian.

West Lothian Council
24 May 2018