Justice Sub-Committee on Policing

Impact of police reform on local policing

Written submission from COSLA

Thank you for the opportunity to submit evidence on the impact of police reform on local policing. In order to assess the impact of the new national policing arrangements, COSLA has undertaken a survey of Conveners of local police and fire committees across Scotland. Please find the full results of this survey at Annex 1.

In addition to having responses from the majority of the 32 Convenors, we have discussed the findings both at COSLA’s Community Wellbeing Executive group and at Convention, both of which agreed the survey results were an accurate reflection of elected members experience at local level.

The responses to the survey highlight the ambivalence and ambiguity expressed by members over this subject. Many felt unable to adequately comment on the arrangements thus far, given the short period of time that has passed. The first local plan under the new arrangements was a single year plan and is due to expire at the end of March 2014. The second local plan, due to be presented in early 2014, is to be a three year plan. Given that this will be the first time a three year plan is presented by the Police for local scrutiny, very little of the scrutiny role of local government has been fully tested in practical terms. Furthermore, while the process is still in its infancy, members are very aware relationships are subject to change as time progresses. Elected members feel there is a lack of clarity over the form of the three year plan. COSLA suggests and would welcome a rolling three year plan, as this would afford flexibility and the ability to cater for changes that occur as the new processes continue to bed in.

To summarise the endorsed survey findings, in general, Convenors have expressed that they are content with the relationship between them and their council and the local Police Commander in the development of the local planning arrangements. They are also, in the main, comfortable with the knowledge of the areas they are being asked to scrutinise. The initial view is that scrutiny arrangements are felt to be sufficient to allow Convenors to ensure planned outcomes are being delivered. The Convenors felt that the number of elected members involved in planning and scrutiny of the two national services has noticeably increased with the new arrangements, increasing the quality and extent of local accountability, although, many respondents did feel that they would benefit from internal or external briefings to support their scrutiny role. However, locally elected members feel that, since the new arrangements have come into force, they have not been able to influence strategic direction at a local level in the way they had envisaged.

After the previous joint board arrangements there seemed to be a smaller proportion of members continuing to have contact with neighbouring authorities on policing (and fire) matters, although a good proportion felt there were common themes that might be addressed at a regional level. Of the respondents, a larger number felt that the national frameworks needed changes and would be interested in attending a
Scottish Local Government Convenors of Local Police and Fire and Rescue Committees Meeting to discuss national issues and matters of common interest.

At the COSLA Community Wellbeing Executive Group, while the broad findings above were endorsed from a Convenor’s perspective, a number of further issues were raised. Most notably, those elected members who were not convenors did not generally feel that locally, their feeling of accountability, or knowledge of or ability to drive change had improved. In the main, members relationships locally were mixed. However, councillors with regular engagement at the local level spoke positively of the police officers that they were in contact with on a regular basis.

Where members did express significantly negative views it was not at local arrangements, but at the national level, and predominantly about policing rather than fire. A number of examples of top-down approaches were given, including stop and search of individuals and the checking of cars, insurance and licenses; both national operational matters over which the local commander has no control and therefore there is no local oversight or apparent influence. In this regard, members expressed unease at the decisions taken above the local level and imposed on local commanders thus creating at times a ‘collision’ between national and local priorities.

Members, generally, feel that they have lost meaningful local control and that there is an increasing centralisation agenda at play. The examples widely supported by elected members included the rushed consultation around counter closures, the lack of a clear policy rationale for these and the similar approach believed to have been taken over Community Safety Analysts. Anecdotally, there seemed to be some frustration at the relative powerlessness of the new arrangements, something presumably felt more widely given the larger number of elected members now involved.

Furthermore, Executive Group members continued to express their concerns around the 3 year plans due to be presented to local authorities for local scrutiny. Members had two specific concerns. Firstly, that the plans will not contain enough detail to empower local scrutiny arrangements. Secondly, there is real uncertainty and concern over what happens should members not agree part or all of the plan presented to them. There appears to be a lack of clarity as to the escalation process for councils between The Police Service of Scotland and the Scottish Police Authority. Given that the plans are due to be presented in early 2014, to come into effect as of April 2014, there has been little if any time set aside for negotiation or amendments to be made.

Should you wish to discuss any of the issues raised above directly with Police and Fire Convenors, we hold an up to date list of the relevant councillors and their contact details.

Please note that Cllr Stephen Hagan is writing to you separately to provide evidence on Decriminalisation of Parking Enforcement.

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10 January 2014

In December 2013 COSLA undertook a survey of all 32 Local Authority Police and Fire Convenors. The aim of this survey was to inform COSLA’s response to the Justice Sub-Committee on Policing’s call for evidence on the impact of police reform on local policing. 18 Convenors responded. The results are detailed below. Given that the survey findings have been endorsed by the COSLA Community Wellbeing Executive Group and Convention, we have anonymised the comments received so as not to identify individual councils.

1. Are you content with the relationship between your council and the local Police commander and / or the Senior Fire and Rescue Services Officer in the development of the local planning arrangements?
   Yes 18

2. Are you comfortable with your knowledge of the areas you are being asked to scrutinise?
   Yes 17 - No 1

3. Would you benefit from either internal or external briefings to support your scrutiny role?
   No 4 - Yes 12

4. Does the relevant national framework and template allow enough local variation to meet local priorities?
   No 5 - Yes 13

5. Are the scrutiny arrangements sufficient to allow you to ensure planned outcomes are being delivered, and to require corrective action if they are not?
   No 5 - Yes 13

6. Are enough resources, time and commitment available to make local scrutiny and engagement work?
   No 3 - Yes 15

7. Has the number of elected members involved in the planning and scrutiny of the two national services noticeably increased?
   No 5 - Yes 13

8. Do you believe that the new arrangements increase the quality and extent of local accountability?
   No 6 - Yes 12

9. Do you feel able to drive and influence change and improvement at a local level?
   No 7 - Yes 11
10. Have you, or are you planning to have, a broader scrutiny of Police and Fire alongside Community Safety and/or other areas of Public Safety?
   No 5 - Yes 13

11. If the answers to any of the above are ‘No’ please provide the reasons for your answer below.

   Nationally driven indicators are being reported so the scope of performance reporting has been reduced, meaning that it is less easy to require/apply corrective action.

   Scrutiny of (remaining) local matters has increased but the scope of influence has markedly decreased through national decisions continuing to be enforced locally.

   Police and Fire should be considered independently as we now have a different relationship with each service. Depending on the service the national strategy has a direct asset impact on local areas so when priorities are ranked according to demand, rural nuances are not catered for.

   Accountability is altered as the range and type of information available from scrutiny varies between the two national services and we are restricted by what information or data-sets each service determines can be made available to local members.

   Not sure how much influence we have locally when it is a national agenda that is being followed.

   There is no Local influence in the new services at all and they are less locally accountable than before. Community Safety should fall into the same committee for greater partnership working, however that has not happened.

   The new system still in the bedding in process.

   We already have regular meetings at local area committees where meeting local priority targets are reviewed and explained. Those with a keen interest in setting plans sit on the joint police & fire committee and they were probably the same ones who fed back comments under the old system at area committees.

   We have, for some years, been operating with an embedded CI as Director of Community Safety, have police and fire at area committee, in the last year held a shadow police & fire committee, and attendance when necessary at the scrutiny committee. There are therefore many opportunities to communicate, to set priorities, targets, and review performance. We are confident that this effective way of working will be maintained.

   Councillors have sufficient knowledge regarding scrutiny with adequate internal support. However, local accountability is questionable given the recent national intention regarding Control Rooms, Traffic Wardens, and Public Counter Services which leads to real concerns regarding the ability to influence national decisions.
A lot of policing issues arise through national policy and direction. The sudden demise of road safety officers is a national policy, yet this directly conflicts with the fact that road safety is supposed to be a high priority locally. The lack of local consultation on police counters caused local concerns.

Local scrutiny is now coming together will regular meetings with local police and fire commanders.

Too early to say in many of these areas, we need more time to see how things progress. More local accountability is certainly seen to be more evident, however whether the Local Authority scrutiny committees have any real ability to influence Police / Fire is questionable and we would need to see how the first three year police plan is dealt with before answering in an informed manner. The initial one year plan was a holding operation and we would suggest running a similar exercise just after those three year plans have been finalised.

12. Are you in any regular contact with neighbouring councils' police and fire local committee members?
   No 13    Yes 5

13. Are there common themes that you are collectively interested in furthering at a Regional level?
   No 5    Yes 13

   Road safety.

14. If you have answered yes to the above questions, please provide comments below.

   Unsure how the local input influences the national agenda

   I think it was intended there would be at least 4 Local Elected Members on each of the Boards has not happened and they should be.

   We have had no contact with our neighbouring councils, however our Chair of the scrutiny committee I believe has had some contact.

   We are keen to reduce reoffending and reduce domestic violence. These are top priority issues with SWSCJA and our CJSW committee, that meet to share knowledge, and share the lead on different initiatives. The partners necessary are much wider than the police and fire. The lead elected representatives on these committees sit on the individual police & fire committees.

   It is necessary to consider delivery over a wider area and the two other island authorities and Highland which has a significant rural area provides similarity to benchmark and learn from one another.

   That's what was excellent about the Police Board pre reform - it allowed detail but also a strategic view and these common themes to be raised and explored. Effectively the Police in our area visit three scrutiny committees delivering reports to each. There should be a requirement for scrutiny panels to meet at
least once or twice a year in their police division area to retain a regional perspective. Dialogue at the moment relies too much on informal contact and everyone involved wanting to make the time to do it, rather than being required to.

15. Are the existing and formal relationships between your local arrangements and members of the Board of the F&RS or the SPSA satisfactory?
No 6 Yes 11

16. Do we need to negotiate changes to the relevant national framework and local plan template to meet local priorities?
No 6 Yes 9

17. Are the National Outcomes for Police/Fire appropriate and allowing enough discretion locally?
No 5 Yes 10

18. Are there strategic matters that COSLA should be seeking to address with the new national services?
No 5 Yes 10

19. Would you be interested in attending a Scottish Local Government Convenors of Local Police and Fire and Rescue Committees meeting to discuss national issues and matters of common interest?
No 1 Yes 15

20. Please offer additional comments below on what your reasons are for your answers above.

Still too early to give definitive answers to this set of questions and they may change in the passage of time when the system becomes more bedded in.

Good initial contact with Board Members has been made –but it is still too early to say if this will be effective either way at this stage. Strategic matters for discussion include the process and rationale behind national decisions around use of resources and the consequences of those decisions.

It is too early for a meaningful conclusion and any judgement would be premature.

Some national priorities are simply not a local priority.

I find it difficult to answer the above questions as it is too early yet to make comment.

While I have only been Chair of the new structure for scrutiny for one meeting to date, there is already an issue regarding joint “approval” and what role the council does and/or doesn’t have in approving Police or Fire plans and actions. While we don’t anticipate to be at odds with the local priorities for Police and Fire, it is something which may cause difficulties somewhere in Scotland at
some point.

I feel that any changes to the framework or national outcomes is premature. The new forces need to bed in and review no earlier than 1 year on. Some plans were just for a year for the new committee, but also because of earlier changes have been accepted and agreed as normal practice here. Any changes will be minor.

The last learning event (organised by Scottish Government) was a waste of time with the consultant's presentation based on English policing and scrutiny, and declaring that there was no history of scrutiny or good practice in Scotland! At 6 months post Police Scotland and regular committee contact, the choice of workshop, taking scrutiny to the basic level; explaining that good methodology was to start with an open question, was insulting and suggested that government officials misunderstood elected members ability to set priorities and scrutinise. Performance reporting on outcomes, and revealing/indicating what key indicators are available in the huge amount of data gathered by Police Scotland to help measure that, might be helpful.

Police Scotland has to gets itself organised and how it deals with councils and local scrutiny. Our national police board rep has not been in regular contact or attended any meetings. I have had regular contact with the Fire Board rep who has attended Committee meetings. It would be useful discussing common concerns and developing local scrutiny.

We should build on good connections between local boards and national boards and we need proper consultations and time to act upon any outcomes which we may be able to assist with at local level, such as police counters.

There is a conflict between national and local priorities and I would hope that some local discretion is allowed. For example, in rural areas discretion is used when dealing with farm staff who have pocket knives for cutting bales and working with sheep.

COSLA has a role in items such as the decision to discontinue Traffic Wardens which was decided with little local consultation.

Living in an island community we have continual issues regarding resilience. There are questions on the depth of experience and the fact that there is never a full complement of officers on the island. At present Shetland is short of six officers and that has been the case for some time. The recent helicopter incident highlights the resilience issue. It was twenty hours later before additional officer were able to get on island to assist in police duties. Fog caused the delay.

It is still too early to really say. There has been Police contact on Board established, Fire have been advised of this. We had cause to raise an issue with the National Fire Board – but received no response. We are not convinced that the Fire and Rescue service are allowing the local senior commander enough flexibility. Police - We shall see. Running down Traffic Warden numbers while 'proposing' to stop operating the service was not an encouraging start.
21. If you have any other views you’d like to express about matters that need to be progressed to increase councils’ role in planning for and holding to account the two relevant emergency services or ensuring that they integrate with local Community Planning arrangements please provide these below.

Agree with the sentiment behind this question. Recent behaviour / decisions at a national level has meant that fundamental expectations around how community planning partners are expected to operate have not been met.

Locally we have and had a good relationship with these services but too early to say whether the national influence will change this work in the future.

I have undertaken a series of visits to all fire stations in my local authority area, which was very useful. I am about to do the same with police stations where there has been regular changes of staff. This increases my local knowledge.

Meetings involving chairs and national board members may give chance to learn from one and other, and possibly help make the new boards have a better understanding of the vast differences between urban and rural areas of Scotland.