Justice Committee
Scottish Government’s Draft Budget 2013-14

Written submission from the Association of Scottish Police Superintendents

1 Introduction

1.1 ASPS welcomes the opportunity to provide written and oral evidence to the Justice Committee in relation to the Scottish Government's Draft Budget, with regard primarily to the budget for police reform and with reference to the reduction by the UK Government of the Scottish Government budget by “over 11 per cent in real terms over four years”1. We also recognise the Scottish Governments intentions in “supporting household budgets… and delivering the key commitments…” including “maintaining 1,000 additional police officers commitment”2.

2 Context

2.1 ASPS has long supported the concept of a single police service for Scotland, believing this can deliver an improved service, drive out inefficiencies, reduce bureaucracy and achieve financial savings. A single service is the “what” in terms of change – at the heart of successful reform is how it is to be achieved, set in the context of the challenging economic environment and the proposed Scottish Government draft budget. The deterioration of the economic situation was clearly not anticipated to occur at such a rapid pace, occasioning cuts over such a short period of time and constraining public spending and investment for a number of years to come.

2.2 The police reform budget cannot be viewed in isolation from other public sector budgets. Policing is inextricably linked to the wider justice system and is impacted upon by budgetary cuts in health, education, social work, local government and so on. It is however a reality that the police are the first and last service of call when the public are in crisis. Along with fire and rescue services, the Scottish Ambulance Service, the NHS and Social Work we provide the safety net when everyone else has gone home for the evening or weekend. Where cuts result in reduced services elsewhere, the police can reasonably anticipate picking up at least some of the fallout as people encounter personal crises. It is of course for our elected representatives in the Scottish Parliament to decide on public spending priorities but we ask that you remember our very broad role in Scottish society.

3 Prevention

3.1 We note the Scottish Government’s “focus on public service reform … and the …decisive shift towards more preventative interventions….in terms of…improving outcomes and ensuring financial sustainability of public services”3. We support a move towards prevention and would highlight the comments in this connection in the Christie Review. However, this needs to be an ethos which is embraced across all

---

1 Scottish Government Budget Draft, page 5
2 Scottish Government Budget Draft, page 6
3 Scottish Government Budget Draft, page 8
public services and not solely policing. ‘Prevention’, in our view, needs to acknowledge the social consequences of chaotic lifestyles, poor life choices or lack of opportunities, and the important interventions which a range of agencies is able to offer in this connection. While it is difficult to be optimistic about the economic future or upbeat about the challenges ahead, it is important that a long strategic view is taken around funding decisions which may affect individual agencies’ capabilities.

4 Strategy

4.1 The Scottish Government’s strategy to promote collaboration and partnership working is welcome - the real challenge is in encouraging and supporting organisations in making the break from past working behaviours and culture and making this a reality. Police and fire reform is the first major public sector reform. Police reform is challenging for all those involved and realisation of identified benefits is, to a large extent, dependent upon wider public sector reform. Wider public sector reform, accompanied by greater recognition of the potential role of the third sector, needs to follow police and fire reform. ASPS has always held the view that fourteen Health Boards and thirty two Local Authorities are neither practical nor sustainable in a country the size of Scotland. A major opportunity in terms of prevention is offered by police reform and we hope the new Police Service of Scotland seizes this opportunity and demonstrates that prevention is at the heart of everything it does.

5 Cashable Savings

5.1 The single Police Service of Scotland and Fire Service are intended to “develop greater performance in the delivery of public services …. to protect and improve local services, create more equal access to specialist support and national capacity and strengthen the connection between services and communities supported by recurring cashable savings from 2016-17 in excess of £130 million”\(^4\). The scale of this challenge is immense. How to achieve it is equally problematic in the context of the political constraints of maintaining 1000 additional police officers (17,234) and no compulsory redundancy.

5.2 We would wish to be clear we are not in support of compulsory redundancy. We are opposed to this and in particular to the application of Police Pension Regulations 1987 Regulation A19\(^5\) which provides for the compulsory retirement on grounds of efficiency of the force. This applies to a regular police officer (not ACC or above) who has completed 30 years pensionable service. These officers have amassed a significant amount of experience, knowledge and investment in training and have a lot to offer the public. It takes many years to train an officer and it is not in our view a good use of public money to require an officer who wishes to remain in public service to leave, when other alternatives to achieving cash savings are available. Many of these officers will be at an age where they will still wish to be active in the workforce and they should not be discriminated against.

5.3 Policing is delivered by people for people. Successful policing depends upon well trained, well led and motivated people with a stake in making Scotland safer and

\(^4\) Scottish Government Budget Draft, page 28

\(^5\) http://www.legislation.gov.uk/uksi/1987/257/regulation/A19/made
stronger. A balanced workforce is in our view essential. Success could be measured in terms of crime statistics but public perception is significantly influenced by the daily interaction, engagement and experiences of ordinary people when they call for a police service. Local, visible and accessible police services play an incredibly important part in public confidence and how communities feel about their safety.

5.4 Reducing the police workforce must only be considered once all other options have been scrutinised and implemented or where, through duplication of effort, reductions are clearly evidenced as essential. It is people that will deliver crime reduction. Combining enforcement with preventative measures such as early intervention can pay dividends but success will depend upon having the right people, with the right skills, in the right places, doing the right things with the right support.

5.5 Police reform proposals to achieve savings could, according to media reports\(^6\), include up to 3000 police staff job losses. We find it difficult to accept that there are 3000 “duplicated posts” in police staff jobs across Scotland. We would point out that, over the past three years, all policing structures in Scotland have been subjected to repeated review and scrutiny which has delivered significant savings. Where further police staff cuts are proposed, we would question the underlying reasons. Is it because these posts are surplus to the needs of the new service? Or is it more about preserving sworn officer numbers within a context of continuing public sector spending constraint?

5.6 We would suggest that, in many cases, the work done by police staff posts will not stop. Rather, the work will be picked up either by remaining police support staff, or else by redeployment of sworn police officers away from operational policing functions and into back office posts. Our concern is that, in the future, Police officers will be answering telephone calls, completing licensing enquiries, photocopying documents, reporting on performance, feeding people in custody and so on rather than being visible, accessible and using their police powers as intended.

5.7 Police Officers will not be “ring fenced” in reform. There are proposals for “management delayering”. Clearly there will be only a much leaner Chief Officer team and many senior officers (Assistant Chief Constable and above) who will not have a post in the Single Police Service will at some point leave the service. But a single police service will also mean that there will be no requirement for quite as many Chief Superintendents, Superintendents, Chief Inspectors, Inspectors and Sergeants.

5.8 Cashable savings in terms of delayering can only be achieved once management ranks leave the service and there are currently no mechanisms other than Regulation A19 to require a police officer to retire or leave the service other than for Senior Officers as defined by the Police and Fire Reform (Scotland) Act 2012, Section14. Any form of compulsory redundancy for Police Officers below the rank of ACC would signal the end of the independent office of Constable.

5.9 ASPS have repeatedly called for a moratorium on substantive promotions, something that is still taking place despite an agreement by ACPOS to implement this from November 2012. While we welcome this, it is in our view far too little too late. We have been concerned, for some months, by Chief Constables’ apparent unwillingness to act in a collegiate fashion and take cognisance of the likely demands of the new service. Instead, we have seen a rash of promotions, several of which were apparently unconnected with obvious business needs – the net result being an additional and, in our view, avoidable additional cost for the new service.

5.10 We note the Scottish Government’s desire to ensure that “frontline services are protected”. Defining “frontline” is incredibly difficult. For example, is the front counter assistant at a small police station – who is the first person a victim of serious crime might encounter – “front” or “back” line staff? How does one define the officers who manage Registered Sex Offenders? And the officers who work with Social Work colleagues in relation to child protection?

5.11 Budget cuts and where the axe will fall are difficult things to deal with and quite rightly, large salaries are paid to people who have to take such decisions. I would however advise genuine open and transparent consultation and negotiation with staff associations in arriving at these decisions.

5.12 The new Scottish Police Authority 2013-14 draft budget\(^7\) is £1,085.5 million and 2014-15 plans of £1,040.6 million. This provides the funds for the operation of the new Authority and the Single Police Service of Scotland. This budget includes the expected savings through police reform: 2013-14; £42 million and 2014-15; £88 million. We note that the Scottish Government will continue to support policing through the Police Central Government budget: 2012-13; £242.4 million, 2013-14; £115.8 million and 2014-15; £106.1 million. This includes police reform, the Scottish Crime Campus and the Police Investigation Review Commissioner as well as the Scottish Safety Camera Programme and Airwave.

5.13 We also note the budget allocated to support police reform under Police Central Government: £60 million in 2013-14 and £70 million in 2014-15\(^8\). There has been a significant investment in police reform since the Cabinet Secretary’s announcement on 7\(^{th}\) September 2011. To date decisions have apparently been taken to make Tulliallan the interim HQ (finance is already invested in making this happen), implement a Single Non-Emergency Number (SNEN) for Scotland, and appoint the SPA Chair, Board members, and Chief Constable of the Police Service of Scotland.

5.14 I understand that the transfer of budget to the SPA from Police Central Grant includes, amongst many other areas, the funding for the additional 1000 police officers that has received support from several political parties in the past. In light of our comments above, we would welcome clarity around the flexibility the SPA and the Chief Constable will have in maintaining or otherwise the 1000 additional police officers.

---

\(^7\) Scottish Government Budget Draft, page 76
\(^8\) Scottish Government Budget Draft, page 85
5.15 In our additional submission, in March 2012, to the Justice Committee on Police Reform we suggested that the Justice Committee may wish to examine closely the financial assumptions in establishing the PIRC. The 2011/12 budget for the Police Complaint Commissioner was £930K and the cost of the new arrangements are estimated at £2m to £4m and as these costs are currently being carried out by police forces in Scotland, it is assumed that introducing the PIRC will be cost neutral, with transition costs of circa £80 to £122K and £50K to £76.5K. ASPS lack access to the detail relating to the costs associated with current investigation arrangements for the scope of investigations that the PIRC will be taking on in the future, intuitively, the estimates do seem somewhat low and should be carefully examined.

5.16 It is not just in relation to the PIRC that we lack access to the financial detail. Trying to get a clear picture of what the service actually costs now and what it would cost in any new model has been tremendously difficult to date. We are sceptical about the strength of the financial foundations on which the Scottish Government Outline Business Case was originally built. Clarity is required about the costs associated with the Police Service occupying Gartcosh Crime Campus, the impact of the 1% pay rise recently announced, costs associated with ICT and what the contingency plans are in the event that insufficient numbers of police staff apply for VR/ER, or too many with critical skills and knowledge do seek VR/ER.

5.17 We recognise that there has been a lot of work done and many proposals developed, but there has yet to be meaningful consultation and negotiation with Staff Associations on proposals that impact on the people delivering police services. With 25 weeks to go we still do not know what the new structure will look like on Day 1 or what the path looks like to the end state of the new service. We, as a Staff Association, do not yet know how many posts there are, where they are located or at what rank or grade. We do not know what changes are proposed in this regard for Day 1 or the final end state.

5.18 While our members are involved in doing much of this work they are doing so not in their capacity as members of a Staff Association but as members of a professional disciplined hierarchical service subject to police regulations. As a Staff Association we are able to provide professional challenge as well as support for proposals where we believe they have got it right or there is no other practicable choice.

5.19 Policing is about people, done by people for people. There must be scope for challenge about the cashable savings options proposed. It is essential that there is challenge around what has been considered and what has not. Police ICT, like many other public sector ICT programmes, does not have a happy or particularly successful history. The Scottish Government Police Reform Outline Business Case estimated a £60 million annual spend on police ICT in Scotland. It is not clear if this included the annual ICT spend that is currently funded through Police Central Grant. A key point of challenge here must be some independent assurance that collaboration, shared services or business partnering has been considered and

---

9 Police and Fire Reform (Scotland) Bill, Explanatory Notes, Pages 17-18
10 Scottish Government Police Reform OBC, page 18
either will be adopted or has been rejected for sound financial reasons. £60 million is not an insignificant spend – is the public getting value for money here and is the police service getting the services it needs at a price it can afford?

5.20 To emphasise our point, there are examples of failure in relation to police ICT projects. A recent example is the Common Performance Platform Project which was closed recently, with no products delivered, despite significant investment. There may well be other examples. The key point is there may be less expensive and perhaps more affordable options available in relation to areas such as ICT or other such services. I am not advocating privatisation by any means but providing challenge to seek assurances that a disciplined Best Value approach is being implemented for police reform.

5.21 The Christie Commission points towards less “silo” thinking, greater collaboration and closer partnership working to provide better services and outcomes. Cashable savings must be achieved through police reform but there must be challenge to ensure that collectively public sector service “assets are sweated.” There are several issues to consider in this connection before the tax payer can be assured that all options have been considered before any decision to removing police staff from the workforce. Has, for example, every practical option for public sector collaboration been explored? Are all stand-alone police stations, which are not required for holding persons detained or arrested, considered as either a location to host more than one service or as physical assets which could be sold to generate income and reduce costs in maintenance? In this connection we would argue that our relationship with the public has recently been influenced by technological developments, and that this has led to a significantly reduced footfall in some police stations. While we recognise the political sensitivities at local levels, we would suggest that the police building estate is overdue for review and that some significant savings could be made from selected closure of under-utilised and energy-inefficient buildings. Equally, how efficiently run is the police vehicle fleet, and are there opportunities for economies of scale?

5.22 Despite 14 months having passed since police reform began as a programme there still are more questions than answers. The uncertainty and lack of meaningful consultation on a range of proposals to date has been unhelpful, although the scale of the challenge is acknowledged. We have long argued for the early appointment of the Chief Constable and hope that there will now be a rapid improvement in communication and clarity over decisions that will affect my members, other staff associations and the public we serve. I have already met with the Chief Constable and hope to meet with the Chair of the Scottish Police Authority shortly.

5.23 There are many other changes coming in the Scottish Government Programme: Scottish Criminal Law and Practice (Carloway); Licensing of Air Weapons; changes in drink drive and speed limits to name some of the more prominent examples. None of these is likely to be cost neutral, particularly for policing. The economic outlook remains unpromising. An appropriately funded and resourced police service is a necessity.

6 Conclusion

6.1 It is difficult to be optimistic when considering the financial reality we all face. My experience tells me that it is almost inevitable that the police will face the consequences of cuts in other services in terms of increased demand – perhaps not as recorded crime but in dealing with people and families in crisis. We are fortunate that, despite our imperfections, the police service has a default “can do” attitude, in the context of budget cuts it is time to question if that attitude can persist.

David O’ Connor
President
16 October 2012