

The City of Edinburgh Council

10am, Thursday 14 March 2013

Future arrangements for the scrutiny of Police and Fire & Rescue Services in Edinburgh – referral from Police and Fire Reform Pathfinder Committee

Item number	8.9(a)
Report number	
Wards	All

Links

Coalition pledges	All
Council outcomes	All
Single Outcome Agreement	All

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Terms of Referral

Future arrangements for the scrutiny of Police and Fire & Rescue Services in Edinburgh

Terms of referral

The Police and Fire Reform Pathfinder Committee on 12 February 2013 considered a report outlining the implications of the Police and Fire & Rescue Reform (Scotland) Act 2012 ('2012 Act') in terms of the Council's obligations to undertake scrutiny of police and fire and rescue services and providing proposals for governance and scrutiny arrangements from 1 April 2013.

The Scottish Government had indicated that each Council should have the flexibility to create a structure for implementation of the new arrangements that suited their needs best, within the parameters of the legislation. A number of options had been considered and the two preferred committee models for Edinburgh were submitted to the Committee for consideration.

The Police and Fire Reform Pathfinder Committee agreed:

To recommend Option 1 as the preferred governance and scrutiny arrangements for Edinburgh, and to refer this decision to Council for approval.

For decision/action

The Police and Fire Reform Pathfinder Committee recommend that the City of Edinburgh Council approve Option 1 in the attached referred report.

Background reading / external references

Police and Fire Reform Pathfinder Committee 12 February 2013

Links

Coalition pledges	All
Council outcomes	All
Single Outcome Agreement	All

Police and Fire Reform Pathfinder Committee

10am, Tuesday 12 February 2013

Future arrangements for the scrutiny of Police and Fire & Rescue Services in Edinburgh

Item number	5.1
Report number	
Wards	City-wide

Links

Coalition pledges	P32
Council outcomes	CO5, CO15, CO21, CO23
Single Outcome Agreement	SO4

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Executive summary

Future arrangements for the scrutiny of Police and Fire & Rescue Services in Edinburgh

Summary

The Police and Fire & Rescue Reform (Scotland) Act 2012 came into force on 1 October 2012, the purpose being to create a single police service and a single fire & rescue service. This report outlines for members of the pathfinder committee:

- the implications of the Police and Fire & Rescue Reform (Scotland) Act 2012 ('2012 Act') in terms of the Council's obligations to undertake scrutiny of police and fire and rescue services; and
- proposals for governance and scrutiny arrangements from 1 April 2013.

Recommendations

To consider the options for the future arrangements for scrutiny of police and fire & rescue services in Edinburgh and refer to the Council for approval.

Measures of success

Not applicable.

Financial impact

Not applicable.

Equalities impact

Not applicable.

Sustainability impact

Not applicable.

Consultation and engagement

Not applicable.

Background reading / external references

Future arrangements for the scrutiny of Police and Fire & Rescue Services in Edinburgh

1. Background

- 1.1 The Police and Fire & Rescue Reform (Scotland) Act 2012 came into force on 1 October 2012, the purpose being to create a single police force and a single fire and rescue service.
- 1.2 A single committee of the Council was established to act as a local pathfinder project for Edinburgh to support the development of the national plans for police and fire & rescue.
- 1.3 Many of the tasks currently carried out at local authority level by police authorities, joint police and fire & rescue boards, including setting of budgets, will form part of the work of the new central authorities.
- 1.4 In preparation for the new arrangements, in place from 1 April 2013, governance and scrutiny arrangements for police and fire & rescue services in Edinburgh require to be agreed.

2. Main report

2.1 Local Accountability

- 2.1.1 The 2012 Act ensures that local authorities will be able to directly influence police and fire & rescue service functions in their areas via the following:
 - The Local Commander (police) and Local Senior Officer (fire and rescue) will have a statutory duty to work with the local authority to set priorities and objectives for police and fire and rescue services in their local area.
 - The Local Commander (police) and Local Senior Officer (fire and rescue) will be required to prepare the local plan for police and a local plan for fire and rescue that meets the needs of the local area.
 - The local authority will have statutory powers to monitor the delivery of police and fire and rescue functions in the area.
 - The local authority will have statutory powers to provide feedback to the Local Commander (police) and Local Senior Officer (fire and rescue) and to make recommendations for improvements.

2.1.2 The proposed new local arrangement offers several advantages and opportunities, including:

- increased local scrutiny with the previous Lothian and Borders Police and Fire and Rescue Boards being replaced by one 'committee' focused on the Edinburgh area.
- improved partnership working via the creation of one 'committee' for both police and fire and rescue and the inclusion of Community Planning partners.
- elected members to be more involved in and aware of service delivery in Edinburgh with increased scrutiny and advice provided at one meeting.

2.2 Pathfinder

2.2.1 A single committee of the Council was established to act as a local pathfinder project for Edinburgh to support the national plans for police and fire & rescue reform during 2012/2013.

2.2.2 In preparation for go live on 1 April 2013, City of Edinburgh Pathfinder has been meeting on a regular basis to discuss the arrangements that require to be in place at a local level to comply with the new legislative requirements, and have also been engaging at a national level as part of the Local Scrutiny and Engagement Implementation Network (LSEIN) to support the development and implementation of local scrutiny frameworks.

2.2.3 The Police and Fire Reform Pathfinder committee met on 25 January 2013 and agreed that a further meeting of the Committee would be held on 12 February 2013, to consider and recommend an appropriate governance proposal for agreement by the Council on 14 March 2013 and for implementation from 1 April 2013, in accordance with legislation.

2.3 Remit and Governance

2.3.1 Many of the tasks currently carried out at local authority level by police authorities and joint police boards, including the setting of police budgets, will form part of the work of the Scottish Police Authority. Although the current statutory police authorities and joint police boards will cease to exist under the new arrangements, local authorities will still have a role in local policing (e.g. monitoring local performance and working with local police commanders in setting local priorities). Local authorities will also retain the ability to provide additional funds for policing in their areas.

2.3.2 The main role of the committee will be to advise, agree, scrutinise and review the Edinburgh Police and Fire & Rescue plans and services to:

- 2.3.2.1 consider and recommend improvements in local policing and fire & rescue services.
- 2.3.2.2 contribute to the delivery of national outcome 9 'we live our lives safe from crime, disorder and danger' and the City of Edinburgh Single Outcome Agreement (SOA), in particular 'Edinburgh's communities are safer and have improved physical and social fabric.'
- 2.3.2.3 consider progress and performance reports on the implementation of the Edinburgh Police and Fire & Rescue Plans and services.
- 2.3.2.4 receive statistical reports on complaints about policing and fire & rescue in Edinburgh.
- 2.3.2.5 provide comments in response to consultations on policing and fire & rescue services.
- 2.3.2.6 promote engagement with all interested parties including community planning partners and neighbourhood partnerships.
- 2.3.2.7 to make representations to the national authorities, as required, in relation to wider scrutiny issues and concerns.

2.4 **Options: arrangements for scrutiny of police and fire & rescue services**

- 2.4.1 The Scottish Government has indicated that each Council should have the flexibility to create the structure for implementation of the new arrangements that suits their needs best, within the parameters of the legislation.
- 2.4.2 A number of options have been considered and the following provides an outline of the most preferred committee models for Edinburgh from 1 April 2013:
- 2.4.3 **Option One: Public Safety Executive Committee**
 - 2.4.3.1 The Pathfinder considered a suggestion from the convener to consider a new executive committee that would focus and draw together areas of public and community safety within Edinburgh and aligned closely to community and neighbourhood planning.
 - 2.4.3.2 The Council agreed new political management arrangements on 20 September 2012. Community safety is currently within the remit of the Health, Wellbeing and Housing committee with links to community planning, via the new Communities and Neighbourhoods Committee. It would, however, be possible for the Council to adjust the executive committee structure and either amend the remit of an existing committee or create a new executive committee.

2.4.3.3 The committee would focus on public and community safety, including the remit outlined in paragraph 4.2, with a membership of 11 (3 Labour, 3 SNP, 2 Conservatives, 1 Green, 1SLD and one co-opted member from the Community Safety Partnership).

2.4.4 **Option Two: Police and Fire & Rescue Scrutiny Committee or Sub Committee**

2.4.4.1 A separate scrutiny committee with the remit outlined in paragraph 4.2.

2.4.4.2 The proposed membership of the committee would be 3 Labour, 3 SNP, 2 Conservatives, 1 Green and 1SLD. To support engagement with community planning partners, it is proposed that there would be additional members of the committee including the convener of the Neighbourhood Partnerships forum and a member of the Community Safety Partnership. In addition, the convener of the committee would sit on the Edinburgh Partnership Board in place of the Police and Fire & Rescue Joint Board conveners.

2.4.5 The report to Council on 14 March 2013 would outline proposals for the new committee and cover key areas such as senior councillor allowances and amendment of the Committee Terms of Reference and Delegated Functions.

3. **Recommendations**

3.1 To consider the options for the future arrangements for scrutiny of police and fire & rescue services in Edinburgh and refer to the Council for approval.

Alastair Maclean

Director of Corporate Governance

Links

Coalition pledges	P32 - Develop and strengthen local community links with police.
Council outcomes	CO5 - Our children and young people are safe from harm and do not harm others within their communities CO15 - The public is protected CO21 - Safe residents, visitors and businesses feel that Edinburgh is a safe city CO23 - Well engaged and well informed communities and individuals are empowered and supported to improve local outcomes and foster a sense of community

