

Essex Police and Crime Panel	<b>EPCP/06/17</b>
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**Police and Fire Collaboration – Local Business Case**

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**1. Purpose of Report**

This paper presents the Local Business Case for greater collaboration between Police and Fire and Rescue Services in Essex. The business case assesses the three options set out in the Policing and Crime Act 2017 and, on the basis of this assessment, proposes the option of joint governance, whereby the Police and Crime Commissioner takes on the role of the Fire Authority.

As required by the Policing and Crime Act 2017, the Police and Crime Commissioner for Essex will now formally consult on the Local Business Case with the public, top tier Local Authorities, fire and police staff and wider stakeholders.

It is proposed that there is a 12 week consultation period running from the 16<sup>th</sup> February to the 10<sup>th</sup> May 2017. Feedback from the consultation will be considered prior to finalising the Local Business Case ready for submission to the Home Secretary on the 19<sup>th</sup> May 2017.

It should be noted that a Task and Finish group of the Police and Crime Panel, comprising of four panel members, have reviewed drafts of the Local Business Case and provided input and feedback to inform the final version for consultation.

**2. Proposal**

The panel is asked to note the Local Business Case (Annex 1), the Consultation and Engagement strategy (Annex 2) and the proposal to go out to formal consultation with the public, top tier authorities, staff and wider stakeholders.

**3. Background**

The Policing and Crime Act received Royal Assent on the 31<sup>st</sup> January 2017. The Act introduces measures that place a duty on emergency services to collaborate and also enables Police and Crime Commissioners to take on responsibilities for the fire and rescue services in their area where the local case is made to do so.

The Police and Crime Commissioner for Essex was elected in May 2016 with a manifesto commitment for joint governance and closer collaboration between police and fire services.

The Fire Authority agreed in March 2016 to support the move towards greater collaboration and to support the preparation of the Local Business Case. In September 2016, the Fire Authority agreed to invite the Police and Crime Commissioner, in his capacity as the Chairman of the Emergency Services Collaboration Strategic Governance Board to attend and speak at meetings of the Authority and the Policy & Strategy Committee.

On the 28th October 2016, the Fire Authority had a workshop on the draft initial Local Business Case and were invited to input ideas and feedback. A further workshop was run on the 14<sup>th</sup> November.

On the 7th December, the next draft initial Local Business Case was presented to the Fire Authority meeting. This reflected feedback from Fire Authority members such as the inclusion of success measures and a more detailed risk register. This was followed by a further workshop with Fire Authority members on the 20th January 2017.

A task and finish group comprising of Fire Authority and Police and Crime Panel members has also been set up to discuss the potential future workings of a Police, Crime and Fire Panel, should it be established. The first meeting of this group is on the 2<sup>nd</sup> March 2017. Whilst the Local Government Association and Home Office are developing formal guidance for Police, Crime and Fire Panels, the task and finish group will seek to identify and discuss local issues for development.

#### **4. Local Business Case**

The Local Business Case will be presented to the meeting of the Fire Authority on Wednesday 15<sup>th</sup> February 2017. The PCC will seek the Fire Authority's support to go out to public consultation on the Local Business Case.

The Local Business Case reflects the involvement and engagement of Fire Authority Members and officers in its development, as well as initial discussions and engagement with top tier Local Authorities, MPs and wider stakeholders.

The Local Business Case identifies three key drivers for change in Essex:

1. Operational benefits which will keep the public safer;
2. Improved management for fire and rescue; and
3. Financial benefits through more economic and efficient provision of services, with savings reinvested back into front line service and wider community safety and prevention activities.

The Local Business Case identifies that a step change in governance is needed to deliver benefits in all three areas. Collaboration alone will not deliver on full the potential benefits identified, with evidence from studies in other geographical areas and countries finding that control through a single governance structure was a key driver for achieving change.

The Policing and Crime Act provides for three new governance options:

- The first option is the representation option, whereby the Police and Crime Commissioner has a seat and voting rights on the Fire Authority. This option is assessed to have limited benefits in that the Police and Crime Commissioner will be only one of many members of the Fire Authority.

- The second option is the governance model, whereby the Fire Authority is replaced by the Police and Crime Commissioner who becomes the new Fire Authority as a corporation sole. This is assessed to have significant benefits and to be deliverable at a local level.
- The third option is where there is a single Chief Officer for police and fire personnel, who becomes the single employer under the Police and Crime Commissioner. This option is assessed to have significant benefits but scores low on deliverability, in that it could be difficult to deliver locally with early indications that there would be opposition from a number of key local stakeholders.

The Local Business Case supports the Governance Model whereby the Police and Crime Commissioner becomes the new Fire Authority.

## 5. Consultation

The Policing and Crime Act stipulates that the Police and Crime Commissioner must consult the top tier local authorities, the public and staff on the Local Business Case before submission to the Home Secretary for her decision. The Act does not stipulate timescales for the consultation.

The Police and Crime Commissioner plans to undertake a 12 week consultation with the public, top tier local authorities, police and fire staff and wider stakeholders from the 16 February to the 10th May 2017. Details of the Consultation and Engagement Strategy including activity planned are attached at Annex 2.

The Police and Crime Commissioner has engaged the services of *The Consultation Institute* who will provide independent expertise, advice and quality assurance on the consultation process, ensuring that it is equitable, accessible and run to a high standard.

### **A summary of the consultation activity is as follows:**

16th February 2017: The 12 week formal consultation will begin.

Consultation to include:

- On-line survey on Local Business Case options
- Leaflet summarising options and seeking views, which will be distributed widely – both online and paper copies.
- Short video setting out options and seeking views circulated via social media and websites, pointing people to consultation material.
- Formal meetings planned between the Police and Crime Commissioner and Top Tier Authority Leaders and Chief Executives, seeking views. They will also be asked to respond in writing.
- Meetings between the Police and Crime Commissioner and MPs
- Consultation material distributed to staff, with meetings held between the Police and Crime Commissioner and staff groups, including unions and staff representation bodies. **To Note:** This is to consult staff on the Local Business Case itself. Formal staff consultation with regards to any transfer arrangements will take place if and

when the Local Business Case is agreed by the Home Secretary. The Police and Crime Commissioner has publically committed within the business case *not* to make any changes to staff pay and conditions at the point of transfer.

- Focus groups with harder to reach groups will be run, such as young people, BME community groups etc.
- The consultation will end on the 10<sup>th</sup> May 2017.

The Office for the Police and Crime Commissioner will review all feedback gathered during the consultation phase and collate it into a report. This will then be used to inform the final version of the Local Business case, which will be submitted to the Home Secretary. The Police and Crime Panel will provide oversight and scrutiny of the consultation review process, to ensure that Office for the Police and Crime Commissioner (OPCC) has appropriately reflected on feedback in the final version of the Local Business Case. The responses to all consultation feedback will be published on the OPCC website.

#### **Home Office:**

The Home Office has confirmed that if they receive the final Local Business Case by the 19th May 2017 as per the Police and Crime Commissioner's schedule, they will be able to review it and, subject to agreement by the Home Secretary, produce the necessary Statutory Instruments for a 1<sup>st</sup> October 2017 commencement date.

## **6. Next steps**

The consultation will be launched on the 16<sup>th</sup> February 2017. Alongside this, the Office for the Police and Crime Commissioner will commence further work on transition planning. This work will report into the Emergency Services Governance Board chaired by the Police and Crime Commissioner which the Fire Authority Chair, the Acting Chief Fire Officer and Chief Constable all sit on. The transition planning will be undertaken in close discussion and liaison with senior officers from the Fire Authority and Essex Police. A Transition Working Group is being established to take this work forward.