

**DERBYSHIRE POLICE AND CRIME PANEL**

**REPORT OF THE DIRECTOR OF LEGAL SERVICES OF DERBYSHIRE  
COUNTY COUNCIL**

**REGIONAL COLLABORATION WORKING GROUP UPDATE REPORT**

**26 January 2017**

**1. Purpose of Report**

To update the Panel on the regional collaboration working carried out by the working group.

**2. Information and Analysis**

The Panel agreed at its pre-meeting on 17 November to establish a working group to look in more detail at regional collaboration of PCCs and police forces.

Members of the working group met for the first time on the 16 December to discuss initial lines of inquiry. A copy of the meeting notes are in Appendix One. The discussion was based on a briefing on regional collaboration which can be found in Appendix Two.

Members agreed that there is a need for the Panel to be informed of the current and future accountability, governance and performance monitoring arrangements for regional collaboration. As a result, a meeting was arranged with the PCC's Chief Executive on 10 January 2017. The meeting notes can be found in Appendix Three.

Members were informed at this meeting that Derbyshire is leading on developing a governance and assurance model for the five East Midland areas. The model is looking at who is accountable for what and to whom, when it comes to regional collaboration. There is significant spend and activity in regional collaboration. For example, this could be a major crime in the Derbyshire area but is handled by East Midlands Special Operations Unit (EMSOU).

In terms of the Panel, the accountability would still be with the Derbyshire PCC. The Panel can challenge and support the PCC to satisfy them that he has made sound decisions and has gained assurances that the regional collaboration is of benefit. The PCC is accountable to the PCP for his actions

and decisions but in the case of regional collaboration there is a vacuum – the PCP does not have a role. The working group thought this governance deficit should be addressed.

The work of governance and assurance is still being developed and the information will be brought to a future Panel meeting. Additionally, the working group feel it would be of benefit to engage with other East Midland PCPs to further understand regional collaboration and consider the value of any collective working.

Furthermore, there is a desire to understand more the nature of Derbyshire's current and planned collaborative arrangements and the EMSOU. This could be requested through a formal update by the PCC to the Panel in 2017.

The working group also noted the potential future of regional collaboration across police forces and Blue Light Services. There are provisions in the Police and Crime Bill to enable PCCs to take on responsibility for fire and rescue services. These matters have major implications for police forces, including Derbyshire, and the working group felt the PCP should be using its role to scrutinise the PCC on any of these potential developments and this is provided for in the draft legislation.

### **3. Other considerations**

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health and transport considerations.

### **4. Background papers**

Files held by the Improvement and Scrutiny Officer.

### **5. OFFICER'S RECOMMENDATIONS**

That the Panel;

1. Notes the information provided in this update from the working group,
2. Notes the work on the development of the East Midlands Regional Collaboration governance and assurance arrangements,
3. Agrees to meet with other East Midlands PCPs to discuss regional collaboration arrangements,
4. Agrees that the regional collaboration working group becomes a standing working group,

5. Agrees that regional collaboration becomes a regular PCP agenda item,
6. Agrees to the PCC updating the Panel on regional collaboration developments at a future Panel meeting.

**John McElvaney**

**Director of Legal Services**

**Derbyshire County Council**

## Appendix One

### Police and Crime Panel Working Group – Regional Collaboration

#### Meeting Notes 16/12/2016

Present:

- Cllr's Frudd, Claff and Bright
- David Rose (Improvement and Scrutiny Officer)

1. Apologies for absence

Cllr Orton.

2. Regional Collaboration briefing

The working group members discussed a briefing document. This highlighted the national and regional context of police collaboration and offered some lines of inquiry for the working group. In particular, working group members noted the following:

- The Police Reform and Social Responsibility Act 2011 strengthened the duties of Police Chief Constables and Police and Crime Commissioners (PCCs) to keep collaboration under review and to collaborate where it is in the interests of effectiveness.
- Where collaboration is judged to be the best option, a Police Chief has to pursue it even if his/her own force would not benefit directly.
- There are no legal constraints for a Panel to request information with regard to collaboration from other Panels, PCC's and Police Forces. However, there is no statutory duty for them to have to respond/attend a requested meeting.
- There is a need for the Panel to be informed of the current and future accountability, governance and performance monitoring arrangements for regional collaboration.
- Furthermore, the working group will look at the value of working with the East Midlands Police and Crime Panel Network to challenge and

support regional collaboration developments. It may be appropriate to try to convene a meeting of representatives of all five East Midlands PCPs to consider this matter.

- There is a desire to understand more the nature of Derbyshire's current and planned collaborative arrangements. Additionally, more information was required with regard the East Midlands Serious and Organised Crime Unit (EMSOU). Working group members would like to understand better what the £9.5m of budget which is allocated to regional collaboration is targeted to EMSOU and how this is performance managed.
- In terms of regional collaboration, working group members wished for more information on Derbyshire's position with regards Staffordshire and Greater Manchester and if regional collaborations were considered to include these areas.
- In terms of Police Officer/staff retention and opportunities for secondment to neighbouring Forces (and vice-versa), is this an area of collaboration which the PCC and Chief Constable has considered?
- The Panel should engage with the PCC on national collaboration developments and direction of travel. For example, any future moves towards regionalised Police areas, fewer Constabularies etc...

#### **Actions:**

- **Invite the OPCC Chief Executive to the next working group meeting on 10 January 2017 to update the working group on regional collaboration governance, accountability and performance monitoring arrangements.**
- **Discuss with East Midlands Police and Crime Plan Network the consideration of conveying a meeting to discuss regional collaboration arrangements.**
- **Request the PCC bring an update on collaboration to a Police and Crime Panel in early 2017.**
- **Provide the Panel an update on collaboration.**

**Derbyshire Police and Crime Panel working group: Regional  
Collaboration**

**Collaboration update and potential lines of inquiry**

**Purpose of report:**

To update working group members on developments of national and regional collaboration and to agree lines of inquiry.

**The legislative context:**

The Police Reform and Social Responsibility Act 2011 strengthened the duties of Police Chief Constables and Police and Crime Commissioners (PCCs) to keep collaboration under review and to collaborate where it is in the interests of effectiveness. Indeed, where collaboration is judged to be the best option, a Police Chief has to pursue it even if his/her own force would not benefit directly.

Where collaboration is judged to be the best option, they must collaborate. Additionally, where collaboration would provide the best outcome for another police force or group of forces, then a chief officer or policing body (e.g. PCC) should pursue it – even if they do not expect their own force to benefit directly itself. This is designed to ensure that collaboration takes place wherever it is in the wider public interest.

**National developments:**

HMIC states that as force collaborations become more mature, while increased collaborative working is generally positive, forces need to analyse the benefits of collaborating effectively both with other forces and with other agencies, and to make informed and intelligent decisions about collaborative working arrangements.

For example, Northamptonshire Police's shared rural intervention vehicle can be deployed for a wide range of tasks and is used in joint investigations into cases of arson. The force also shares an emergency planning team with the fire service, which plans all civil contingency and preparedness and is based in the fire service's headquarters. North Wales Police has a joint arson prevention unit. In Cambridgeshire Constabulary, the Safer Peterborough Partnership is a multi-agency initiative aimed at improving the efficiency and effectiveness of responding to crime and disorder. There is Police staff along

with 23 other agencies including housing enforcement, social landlords, the troubled families' initiative, the anti-social behaviour (ASB) team and fire officers.

The strongest forces work in partnership, not only to respond to demand, but to ensure demand is dealt with consistently across services and to reduce demand through community crime prevention and early intervention. Cheshire Constabulary takes part in the 'Altogether Better' programme, which integrates public services to support troubled families and domestic abuse victims. The programme offers a single point of entry to people for triage (initial assessment) and needs assessment services.

While there are some good examples of strong partnership working within and outside policing, there remain a number of missed opportunities. Some areas of joint working have not changed much since last year and some forces have cancelled plans for further collaborative work. In at least one case, this was because the force made an informed decision not to go ahead based on the lack of worthwhile benefits.

However, this is not always the reason. HMIC found that there are still too many examples of forces unable to demonstrate clearly the benefits of their collaborative or partnership working, and which are not taking advantage of potential efficiencies that can be made. In some cases this has led forces into collaborative working arrangements that may have little benefit for the public or for the efficiency of the force, and may actually be causing the force to perform less well.

HMIC also observed that collaborative working with other police forces is much less ambitious in large metropolitan forces, where the focus tends to be on jointly buying equipment and services rather than wider joint working.

### **Regional developments (from the Derbyshire Police and Crime Plan):**

The Derbyshire PCC stated in his Police and Crime Plan 2016-21:

"For over ten years forces and police authorities/PCCs within the East Midlands Region have collaborated on a wide range of activities, both formally and informally.

These collaborations have greatly enhanced specialist capabilities and resilience within the region as well as delivering significant savings to participating forces. Senior government officials have often cited the East Midlands' approach to collaboration as best practice, challenging other areas to learn from our regional experience.

As the collaborative approach has matured we have been able to develop a mix of collaborative activity that sees two, three, four or all five forces taking part. Recently work was completed on an IT collaboration that saw the largest collaboration of its type in the world being delivered. This project will allow all five forces to share intelligence data more efficiently and has already helped in detecting crime and prosecuting offenders. *HMIC have made mention of the East Midlands Special Operations Unit (EMSOU).*

As Commissioner I wish to build upon this strong foundation and work with my fellow Commissioners and policing colleagues in the East Midlands region to continue to explore ways in which forces can work together. Driving the collaboration agenda are five guiding principles:

- That local policing remains local
- That any collaboration helps deliver a more efficient and/or effective policing service for Derbyshire
- That all areas of business are considered
- That decisions not to participate in a particular collaboration are reviewed regularly, as circumstances may change
- That any costs and/or benefits are shared between participating forces

The five regional Commissioners and Chief Constables will continue to meet regularly to discuss regional collaboration, reviewing existing collaborative work and understanding the business cases for future collaboration”.

### **Derbyshire collaboration – financials**

In terms of finances for regional collaboration, there is a revised budget adjustment of **£0.198m** to **£9.538m** for 2016/17, this includes for EMSOU.

The table below shows the PCC’s budget allocation for 2016/17, including the operational policing delivered through regional collaboration:

How have I allocated the 2016/17 Budget?		
<b>Passed to the Chief Constable £m %</b>	<b>£m</b>	<b>%</b>
Operational policing delivered by Derbyshire Constabulary	149	91.6
<i>Operational policing delivered through regional collaboration</i>	9	5.7



<b>Retained by the Commissioner</b>		
To run my office	1	0.6
To commission victim services and make grants (excl £1.2m MoJ Grant)	1.4	1
To support the capital programme	1.2	0.7
To pay debt charges and receive investment income	0.6	0.4
<b>Total (rounded up to nearest £0.5m)</b>	<b>162</b>	<b>100</b>

### **Officer recommendations:**

The issue of collaboration, both nationally and regionally is one which needs to be monitored, challenged and supported by the Police and Crime Panel. The working group could look to breaking down collaboration into different areas to help simplify what can be complex arrangements. For example:

- The strategic vision of collaboration by the PCC.
- The governance, performance management and accountability of East Midlands Regional Collaboration by PCC's.
- Financial Management of regional collaboration
- Blue Light collaboration
- Back office collaboration

With this in mind, the working group could look to do the following:

- Request information from the OPCC Chief Executive to understand the current and future accountability arrangements for regional collaboration.
- Request the PCP working group on budget monitoring to challenge and support PCC's financial management of regional collaboration.
- Examine Blue Light innovations to challenge and support the PCC in areas which the Panel feel could be valuable.
- Work with the East Midlands Police and Crime Panel Network to challenge and support regional collaboration developments. It may be appropriate to try to convene a meeting of representatives of all five East Midlands PCPs to consider this matter.

## Appendix Three

### Police and Crime Panel Working Group – Regional Collaboration

#### Meeting Notes 10/01/2017

Present:

- Cllr's Frudd, Claff and Orton
- David Peet (Chief Executive, Office of the Police and Crime Commissioner)
- David Rose (Improvement and Scrutiny Officer)

#### 3. Apologies for absence

Cllr. Bright.

#### 4. Regional Collaboration briefing

The working group members met with the Chief Executive of the Office of the Police and Crime Commissioner (OPCC). The following points were noted:

#### General

- Historically, regional collaboration was through major crime and special operations (for example counter terrorism).
- The East Midlands Special Operations Unit (EMSOU) is well developed and is seen nationally as containing best practise.
- There is a maturity in the relationships between the East Midlands Forces, which allows for not only 5 force collaborations, but also 4,3 and 2.
- As well as the EMSOU, which is based near Junction 24 of the M1, the ROCU's operate from the same base.

#### PCC's role

- The PCC's need to understand what is going on with regional collaboration.
- Section 22 of the Police Reform Act allows for joint working between police forces. It is important that PCC's are kept up to date with developments from their respective Chief Constables and as part of the wider East Midlands Regional Collaboration.

## Funding

- Funding for regional collaboration is based on a number of factors, for example population of area, police size etc...
- If there is 5 force collaboration, then Derbyshire approximately contribute 22%. Nottinghamshire contribute slightly more.

## Examples of joint working / collaboration

- All 5 forces share legal services, which has resulted in significant savings. For example, estimates show a cost of outside legal services provision costing £100/hr compared to the £30/hr when it is 'in-house'.
- There is also joint working with forces outside of the East Midlands area. For example, Derbyshire will work closely with forces in Manchester and Sheffield.
- However, in terms of collaboration, the model follows the old Government of East Midlands (GOEM) area.

## Governance and assurance

- Derbyshire is leading on developing a governance and assurance model for the 5 East Midland areas.
- The model is looking at who is accountable for what and to whom, when it comes to regional collaboration.
- There is significant spend and activity in regional collaboration.
- For example, this could be a major crime in the Derbyshire area but is handled by EMSOU.
- In terms of the Panel, the accountability would still be with the Derbyshire PCC.
- The Panel can challenge and support the PCC to satisfy them that he has made sound decisions and has gained assurances that the regional collaboration is of benefit.
- The work of governance and assurance is still being developed and the information will be brought to a future Panel meeting.

## Blue light collaboration and police mergers

- It was noted that there are developments from the Police and Crime Bill which could impact on Police working with Fire Authorities.

- The Bill would be enabling legislation, which would allow PCC's to take on the work of the Fire Service.
- There is also a range of options, including closer joint working.
- Derbyshire Police and Fire already share their HQ.
- The PCC has stated he is not in the market for takeover of the Fire Service. However, there is continued discussion on joint working.

**The next working group meeting will be on Tuesday 7 February 2017 at County Hall, Matlock.**