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Document Title	Scottish Police Authority/Police Scotland Joint Agreement on Police Policy Engagement

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East Lothian Council

Additional information:

Authorised By	Paolo Vestri
Designation	Service Manager - Corporate Policy
Date	12/03/15

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SCOTTISH POLICE AUTHORITY

Meeting	SPA Board Meeting
Date and Time	24 February 2015, 12.30 – 15.30hrs
Location	John McIntyre Conference Centre, Pollock Halls, 18 Holyrood Park Road, Edinburgh EH16 5AY
Title of Paper	SPA/Police Scotland Joint Agreement on Police Policy Engagement
Item Number	16
Presented By	John McCroskie, SPA Director of Communications and Relationships
For Approval/For Consultation	For Endorsement
Appendix Attached: Yes or No	Yes

PURPOSE

The purpose of this paper is to set out a public statement of expectations on how the SPA and Police Scotland are engaging on police policy issues and decisions, in particular those issues likely to raise significant public interest. The presentation of this document reflects the SPA's position that there is a clear accountability framework for policing in Scotland, with clear statutory authority, and that this framework should be supported by working protocols such as this to bring the policing principles of an engaged and accessible police service to life. It has been developed as part of our responsibility to drive continuous improvement in policing.

BACKGROUND

Last Autumn, the Chair of the SPA initiated work to develop a public statement of expectations on how engagement between Police Scotland and the takes place on police policy issues. This accelerated discussions which had been initiated by the Chair and Chief Constable earlier in 2014 on maturing understanding of SPA and Police Scotland engagement.

The Joint Agreement captures a number of key commitments that both Police Scotland and the SPA are working to, including:

- the commitment from Police Scotland to engage in advance with the SPA on any policy or approach that is likely to raise significant public interest;
- the commitment from Police Scotland to ensure that appropriate and proactive engagement with communities is mainstreamed within its approach to such policies;
- the commitment from the SPA to ensure that advance engagement does not fetter the ability of the Chief Constable to anticipate and meet operational threats and risks, and;
- the commitment from the SPA to champion local and national democratic accountability for policing activities.

The accountabilities and responsibilities set out within the document have been agreed by both the Chief Constable and SPA Chief Executive.

The document will be published on the websites of both the SPA and Police Scotland.

FURTHER DETAIL

The Joint Agreement will work in tandem with the framework document for strategic engagement to enable effective decision-making which encompasses the roles and responsibilities of the Scottish Government, the SPA and Police Scotland. This document has been in place since early 2014 and will also be refreshed in the coming weeks.

The Joint Agreement also positively addresses feedback from local authority scrutiny bodies from the SPA's 'Partners in Scrutiny' forum that a clearer set of public statement expectations around engagement would assist in clarifying roles, relationships and expectations between local and national police scrutiny bodies.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

LEGAL IMPLICATIONS

None

REPUTATIONAL IMPLICATIONS

This agreement sets out clear expectations of the SPA and Police Scotland and will be the benchmark against which all future engagement activity is assessed. Implementation of the joint and individual commitments will significantly contribute to reducing or indeed negating any possible reputational implications.

SOCIAL IMPLICATIONS

Reflected in document.

EQUALITIES IMPLICATIONS

Reflected in document.

RECOMMENDATIONS

Members are asked to endorse the publication of the SPA/Police Scotland Joint Agreement document on future police policy engagement, and note that the document will be added to the suite of documents that set out how the SPA and Police Scotland work together to deliver their respective and joint obligations.

JOINT AGREEMENT ON POLICE POLICY ENGAGEMENT – FEBRUARY 2015

‘STRENGTHENING POLICE DECISION MAKING, STRENGTHENING POLICING BY CONSENT’

The main purpose of policing is to improve the safety and well-being of persons, localities and communities in Scotland. This purpose must be achieved by working in collaboration with others where appropriate, ensuring that policing is focussed on prevention and is accessible to and engaged with local communities. (Section 32 of the Police and Fire Reform (Scotland) Act 2012.)

In carrying out these responsibilities:

Police Scotland will, through the direction and control of the Chief Constable, keep people safe through the day to day deployment of the people and resources allocated to it by the Scottish Police Authority (SPA).

SPA will, through the Chief Constable, hold Police Scotland fully to account for its activities, performance, and outcomes.

Together, SPA and Police Scotland will seek to achieve their complementary responsibilities in ways that strengthen the principles of policing with the consent of the people of Scotland.

To realise the benefits of a single police service and respond to changing risks, policies will continue to be required to combine national effectiveness and local discretion, focussed on delivering improved outcomes for the people of Scotland.

In doing so:

Police Scotland commits to engage in advance with the SPA on any policy or approach that is likely to raise significant public interest or on which they would require to communicate and engage with partners and the public on a national basis.

SPA commits to recognising the sensitive intelligence and risk analysis that underpin the development of some policing policy, and that advance engagement may initially require to be conducted in private and in accordance with the Government Security Policy Framework.

Together, SPA and Police Scotland commit to ensuring that the key issues and outcomes of engagement are discussed with the Scottish Government in a timely manner, ensuring that the Government has an opportunity to provide policy input before decisions are finalised, and brought to public attention in an appropriate and timely way through the existing police governance and scrutiny meetings.

The purpose of advance engagement between SPA and Police Scotland on a policy that is likely to raise significant public interest is to ensure a common understanding of risk, and effective alignment with the letter and spirit of the Policing Principles and Strategic Police Priorities.

In doing so:

Police Scotland commits to give due regard to any recommendations and guidance issued by the SPA.

SPA commits to ensuring that any recommendations or guidance is proportionate and consistent with the strategic priorities and the principles of best value.

Together, SPA and Police Scotland commit to ensuring that advance engagement will not fetter the ability of the Chief Constable to direct and control his resources to anticipate and meet national and local threats, risks and harms.

The objectives of police reform are to sustain strong policing outcomes and ensure equitable access to specialist services in a climate of public service spending constraint.

In doing so:

Police Scotland commits to ensuring that policing policies have clear links to improved outcomes, and that the contribution to outcomes is measurable.

SPA commits to ensuring that in its oversight of police policies and outcomes an appropriate balance is struck between quality and cost.

Together, SPA and Police Scotland commit to assess efficiency, effectiveness, economic, and equality considerations in reaching an informed view on the balance between quality and cost.

The principles of policing in Scotland make clear that policing must be accessible to, and engaged with, local communities.

In doing so:

Police Scotland commits to ensuring that appropriate and proactive engagement with communities and interested parties, and an assessment of impact, is mainstreamed within its approach to developing policies likely to raise significant public interest either at national or local level.

SPA commits to proactively ensuring that the views of communities, communities of interest, elected representatives and partners are regularly sought and captured to inform its governance role.

Together, SPA and Police Scotland commit to communicating in a meaningful way how this engagement subsequently shapes policy decisions and outcomes.

An ethical police service which is accountable to, engaged with, and accessible to the people it serves will further strengthen public confidence and trust.

In doing so:

Police Scotland commits to being open and flexible to change when entering engagement with communities and their democratic representatives on policies of significant public interest.

SPA commits to champion democratic accountability of the policing policies and activities under the direction and control of the Chief Constable.

Together, the Chief Constable of Police Scotland and the Chief Executive of the SPA commit to shared accountability for ensuring this agreement underpins police policy

engagement, and that policing policy decisions are proportionate, transparent and consistent with the highest principles of good governance.

ENDS