



TO: Business Co-ordination Board
FROM: Chief Finance Officer
DATE: 17 January 2017

REALISING THE OPPORTUNITIES FROM THE POLICING AND CRIME BILL – UPDATE

1. Purpose

1.1 This purpose of this report is to update the Business Co-ordination Board (“BCB”) on recent progress in taking forward closer working between policing and fire.

2. Recommendation

2.1 BCB is recommended to note the report.

3. Introduction

3.1 On 26 January 2016, the Government announced its response to the consultation ‘Enabling closer working between Emergency Services’. The Government confirmed that it proposed to:

- Introduce a high-level duty to collaborate on all three emergency services, to improve efficiency or effectiveness
- Enable Police and Crime Commissioners to take on the functions and duties of fire and rescue authorities, where a local case is made
- Further enable Police and Crime Commissioners to create a single employer for police and fire staff where they take on the responsibilities of their local fire and rescue service, and where a local case is made
- Enable the Police and Crime Commissioner to have representation on their local fire and rescue authority with voting rights in areas where they have not become responsible for fire and rescue and where the fire and rescue authority agrees.

- 3.2 In his letter of 26 January 2016 to Police and Crime Commissioners, Chief Constables, Fire Authorities and Chief Fire Officers, Minister of State Mike Penning confirmed:

‘Our aim is that these measures will help to ensure collaboration is widespread and ambitious across the country. Introducing a new statutory duty on the emergency services to collaborate with one another in the interests of efficiency or effectiveness will drive the sort of innovative collaboration between services that are essential for continuing to keep our communities safe and ensuring value for money for taxpayers. Moreover, enabling a new model of governance for fire services through Police and Crime Commissioners, where a local case is made, will help drive greater accountability to the public and further improve local collaboration.

The Government also believes that central policing making, as well as local delivery, can benefit from a more joined-up approach. That is why the Prime Minister recently announced a Machinery of Government change that has transferred responsibility for fire policy from the Department for Communities and Local Government to the Home Office. This is a natural progression of our work on emergency services collaboration.’

- 3.3 The consultation response stated that there was no intention of giving fire-fighters the power of arrest or other core powers of the constable. It confirmed that the law preventing a full-time police officer from being a firefighter would remain in place.
- 3.4 The Government is legislating for the above changes through the Policing and Crime Bill (the “Bill”). The Bill is making good progress through Parliament and there is every expectation that it will gain Royal Assent in accordance with the original timetable of early 2017, as there are elements of the Bill which require the timetable to be maintained.
- 3.5 The measures in the Bill are enabling rather than mandatory, recognising that local leaders are best placed to determine the sort of collaboration that is in the best interest of their local communities. PCCs can lead on the development of a local business case which examines the options set out in the legislation as follows:
- **The Governance Model:** This would involve the PCC becoming the new governance mechanism for Fire. Under this model, both the Chief Fire Officer and the Chief Constable would be directly accountable to the PCC. The PCC would be known as the ‘Police, Fire and Crime Commissioner’.
 - **The Single Employer Model:** Under this model, the PCC would be able to take an additional step to delegate fire functions to a single chief officer who would employ both police and fire personnel. Both senior police and fire officers could apply for the post. The Chief Officer would have workforce flexibility and be able to delegate police powers to their fire staff as they could do to their police staff (and vice versa). They would not be able to delegate the core powers reserved

for warranted police officers, such as power of arrest. The current law which prevents a full-time member of a police force from being a fire-fighter would remain in place.

- 3.6 In both cases, a PCC would be required to set out a local case for why they think such a proposal would be in the interests of economy, efficiency and effectiveness and public safety.
- 3.7 The legislation also presents a third option whereby the PCC can become a member of the local Fire Authority. This option does not require a local business case, but does require the support of the Fire Authority.

4. Progress to date

- 4.1 While the Bill is passing through Parliament an early dialogue has been initiated between the Cambridgeshire Police and Crime Commissioner (the “Commissioner”) and the Fire Authority and Fire and Rescue Service senior officers to explore the best way to take forward the opportunities arising from the Bill. This represents a continuation of a collaboration journey that has been seeing front line co-operation and joint working for some time.
- 4.2 The Fire Authority has also identified the urgent need to rationalise the fire estate within Huntingdon to improve training facilities and ensure operational resilience.
- 4.3 In recognition of the impending enactment of the Bill, the Commissioner’s Business Co-ordination Board, at its meeting on 21 September 2016, agreed that the Commissioner should seek to initiate joint work with the Fire Authority, and the East of England Ambulance Service NHS Trust, to develop business cases to determine the:
- most appropriate future governance model for police and fire; and
 - best use of the emergency service land and buildings in Huntingdon
- 4.4 The first meeting of the Huntingdon Accommodation Review Board took place on 3 November 2016 and agreed the terms of reference of the group and considered the status of existing Blue Light estates in Huntingdon and the vicinity, and commissioned further work. The second meeting, held on 6 December 2016, agreed that an options paper would be prepared for presentation to the Huntingdon Accommodation Review Governance Board to consider:
- what to focus on in terms of accommodation options
 - what functions are already held
 - remove sharing options that have been ruled out
 - any opportunities still possible with Ambulance Service NHS Trust.'
- 4.5 The Commissioner’s draft Police and Crime Plan sets out the desire to work with the Fire Authority to explore the best way for the Constabulary and the Fire and Rescue

Service to work together to take forward the opportunities from this Bill via adoption of new governance models.

4.6 The Commissioner has shared with the Police and Crime Panel that he is committed to the development of a local business case as set out in the Bill, and alongside this to continue to support the ongoing front line collaboration between police and fire.

4.7 In developing a local business case, the current requirements within the Bill are that the PCC must:

- Develop and submit a business case to the Home Secretary, setting out why the proposed changes (governance or single employer) would be in the interests of economy, efficiency, effectiveness and public safety
- Consult top tier local authorities
- Seek the views of local people

4.8 The Fire Authority will be under a duty to co-operate with the PCC in the development of a local business case.

4.9 If not all parties are in agreement, PCCs will still be able to submit the business case to the Home Secretary, who will be required to seek an independent assessment of the proposal and make a final decision.

5. Taking forward the local business case in Cambridgeshire and Peterborough

5.1 Support has been sought for the Commissioner and Fire Authority to jointly commission a consultancy firm to support the development of a local business case. This will be completed after an open tender exercise which it is proposed is supported by OPCC, Cambridgeshire Constabulary, the Fire Authority and Cambridgeshire Fire and Rescue Service. It was agreed at the Fire Authority meeting on 8 December 2016 that a Police and Fire Business Case Strategic Governance Group (the "Group") be established to launch joint work to complete a business case to identify the opportunities presented by the Police and Crime Bill.

5.2 The consultancy firm will then commence work immediately on appointment and will begin by meeting with key partners to discuss the business case and options, including engagement with the chair of the Police and Crime Panel. The first meeting of the Group was held on 20 December 2016 and the Invitation To Tender was issued on 22 December 2016.

5.3 The outline business case will be prepared and presented to the Fire Authority and the PCC's Business Co-ordination Board for discussion. It will then be submitted to the Home Office with the target date for a decision being spring 2017.

6. Police and Crime Panel

6.1 It is anticipated that the Police and Crime Panel will become the Police, Crime & Fire Panel with a role to support and scrutinise the exercise of the fire and rescue functions of the Commissioner as well as the police and crime functions.

7. Recommendation

7.1 BCB is recommended to note the report.

BIBLIOGRAPHY

Source Documents	Policing and Crime Bill: http://www.publications.parliament.uk/pa/bills/lbill/2016-2017/0055/17055.pdf
Contact Officer	Jason Ablewhite Police and Crime Commissioner for Cambridgeshire PO Box 688 Huntingdon PE29 9LA