

Strategic Police Priorities for Scotland

**Final Business and Regulatory
Impact Assessment**

October 2016



Scottish Government
Riaghaltas na h-Alba
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Strategic Police Priorities for Scotland - Final Business and Regulatory Impact Assessment

Title of Proposal

Strategic Police Priorities for Scotland

Purpose and intended effect

Background

The Strategic Police Priorities (SPPs) are set under the Police and Fire Reform (Scotland) Act 2012 (the Act). They provide an outline of what is expected of our police service.

Scottish Ministers must consult with the Scottish Police Authority (SPA), the Chief Constable, representatives from local authorities and anyone else they consider relevant before setting new Priorities. Scottish Ministers must have regard for the policing principles when setting SPPs:

Policing Principles

“(a) that the main purpose of policing is to improve the safety and well-being of persons, localities and communities in Scotland, and

(b) that the Police service, working in collaboration with others where appropriate, should seek to achieve that main purpose by policing in a way which—

- (i) is accessible to, and engaged with, local communities, and
- (ii) promotes measures to prevent crime, harm and disorder.”

Objective

In September 2015, the Scottish Government’s Programme for Government set out a commitment to work with members of the public, communities and elected representatives to review the SPPs. The revised Priorities reflect have been informed by discussions during our process of consultation with communities and key stakeholders, together with lessons that have been learned over the first three years of operation of Police Scotland and the SPA.

The revised Priorities are focussed around seven themes;

- Localism
- Inclusion
- Prevention
- Response
- Collaborative Working
- Accountability
- Adaptability

Rationale for Government Intervention

The existing Priorities were set in 2013 in the context of police reform and the creation of Police Scotland and the SPA. As we enter a new phase of transformation and improvement, the review of the SPPs provides an opportunity to work with partners to shape our police service, ensuring it is fit for purpose and truly reflective of the needs of communities across the country.

Consultation

Within Government

Engagement has been conducted with colleagues from across Scottish Government, in particular with colleagues within Police Division, Fire and Rescue, Safer Communities, Community Justice, Justice Analytical Services, Health Planning, Transport and Road Safety, Wildlife Management, Tackling Poverty and Social Inclusion, Youth Justice, Public Service Reform and Public Bodies, and the Equality Unit.

Public Consultation

The revised SPPs have been developed following an initial phase of engagement which ran from December 2015 to April 2016 and a formal consultation which ran from 22 June to 16 August 2016. Both exercises sought views and information from members of the public, communities, Local Police Scrutiny Committees and other stakeholders.

Alongside the public consultation a partial Business and Regulatory Impact Assessment (BRIA) was published (along with a partial Equality Impact Assessment and Children's Rights and Wellbeing Impact Assessment). The consultation paper included a specific question that sought views on the impact assessments. There were no comments that referred to the BRIA although one response highlighted the importance of support from Police Scotland to the oil and gas sectors in Scotland.

Business

The discussion paper and consultation paper were sent to a range of organisations including the Scottish Retail Consortium, the Federation of Small Businesses, Scottish Business Resilience Centre and NFU Mutual. Additionally, officials spoke with the Federation of Small Businesses about the policing needs of businesses.

We know that effective policing is important to businesses and to the wider economy. It is important that policing maintains a focus on business crime, including cyber-crime and fraud, alongside public safety and other issues, supporting partners and communities to create and maintain an attractive and effective business environment.

Through our engagement we heard that crime affecting businesses can be underreported and that businesses need to be confident that police services will take them seriously, offering an effective response where necessary. We also know that

partnership and collaborative working with businesses and business organisations is important to support security and wellbeing.

Options

Option 1 – Do Nothing - Continue with the current SPPs.

During our consultation we heard that many people considered the existing SPPs to be fundamentally sound. However, these Priorities were framed around the initial stages of Police Reform and are now somewhat dated. For example, the current Priorities make specific reference to the 2014 Commonwealth Games. It is important that the SPPs remain current and take account of the changing demands on our police service.

Option 2 – Review and Revise the SPPs

Moving forward, the revised Priorities will provide a clear mandate for the Scottish Police Authority and Police Scotland. They will set out our shared aspirations and expectations for policing in Scotland and will be used by Scottish Ministers, the SPA and Local Scrutiny Committees to guide our approach to policing in the years to come. Importantly, they will reflect the changing demands on the police service and the changing expectations of Scottish society.

Sectors and groups affected

Policing affects all sectors and groups in Scottish society.

Benefits

Option 1 – There are no benefits.

Option 2 – The SPA plan to develop a new Strategic Police Plan in 2017/18. A revision of the SPPs offers the opportunity to ensure that Plan supports the delivery of a police service which is fit for purpose, truly reflective of the needs of communities across the country and able to meet existing and emerging challenges.

Costs

Option 1 – No monetary cost.

Option 2 – No monetary cost.

Scottish Firms Impact Test

By revising the SPPs which underpin our approach to policing, we can help to make Scotland a more attractive proposition in terms of business investment and opportunity.

Competition Assessment

Using the Competition and Markets Authority (CMA) competition filter questions below, it has been established that the preferred policy option is unlikely to have any impact on competition. We have concluded therefore that the SPPs will not limit the number or range of suppliers directly or indirectly nor will it limit the ability or reduce the incentives of suppliers to compete.

Will the measure directly or indirectly limit the number or range of suppliers?

No – the revised SPPs do not include any change to current procurement practices. Any costs to suppliers will be unaffected.

Will the measure limit the ability of suppliers to compete?

No – the only channels suppliers use to compete will remain the national advertising portal for Public Contracts in Scotland as now. The SPA is listed in The Public Contracts (Scotland) Regulations 2015 and is expected to comply with the Scottish Procurement Policy Handbook.

Will the measure limit suppliers' incentives to compete vigorously?

No – it will have no impact on suppliers incentives to compete.

Will the measure limit the choices and information available to consumers?

No – there are no restrictions on suppliers which would impact upon consumers.

Test run of business forms

The SPPs will not introduce any statutory business forms.

Legal Aid Impact Test

The revised Priorities will not create any new rights or responsibilities.

Enforcement, sanctions and monitoring

The SPA and Police Scotland have a statutory duty to ensure that the SPPs are reflected in the Strategic Police Plan and Annual Police Plan (APP).

Progress against the SPPs is measured by the SPA through quarterly performance reporting and the Annual Review of Policing.

Implementation and delivery plan

The implementation and delivery of the SPPs rests mainly with the SPA and Police Scotland:

Strategic Police Plan

Under the Act, the SPA is charged with developing a Strategic Police Plan¹ which will set out the main objectives for the SPA and for the policing of Scotland. The SPA has a statutory duty to have regard for the SPPs when preparing the Strategic Police Plan. This plan is subject to a consultation process and must be laid in Parliament. We expect that a revised Strategic Police Plan will be published and laid before the Scottish Parliament in early 2017 and that plan will reflect the revised SPPs.

Annual Police Plan

Developed by Police Scotland, the APP sets out the priorities for police activity across a given year. The Priorities set out within the plan are identified through engagement with communities across Scotland and current priority areas include:

- Violence, disorder and antisocial behaviour
- Road safety and road crime
- Protecting people at risk of harm
- Serious organised crime
- Counter terrorism

The Chief Constable has a statutory duty to have regard for, and ensure that the APP is consistent with, the SPPs. The APP must be laid in Parliament by 1 April each year. The APP for 2017/18 will reflect the revised SPPs.

Local Police Plans

Local Police Plans set out local policing priorities for each of Scotland's 32 local authority areas, and link to the APP. They are informed by evidence of local service priorities, and developed through consultation with local communities, partners, and elected members. A local authority can specify measures it would like included in a local police plan, and the plan is presented to the local authority for approval.

Post-implementation review

As already stated, progress against the SPPs is currently measured by the SPA through quarterly performance reporting and the Annual Review of Policing².

The purpose of the review is to provide the Scottish Government and other stakeholders with a clear picture of progress against the priorities and a statement on the direction for the coming year. The review assesses the SPA's performance in carrying out its functions as well as an assessment of Police Scotland's performance and how both organisations are working towards achieving the objectives of the Strategic Police Plan.

Additionally, Police Scotland reports crime statistics³ quarterly and annually. Further work is planned throughout 2016 involving the SPA, Scottish Government and Police

¹ <http://www.spa.police.uk/about-us/consultation-on-draft-strategic-plan/>

² <http://www.spa.police.uk/news/322981/296928/>

³ <http://www.scotland.police.uk/about-us/our-performance/>

Scotland to develop and strengthen the way that progress is measured and reported in preparation for a revised SPA Strategic Police Plan in 2017.

Summary and recommendation

It has been three years since the creation of Scotland's single police force, Police Scotland, and single police authority, the SPA. The initial SPPs were drafted at the outset of that significant change and restructure.

The Scottish Government is committed to ensuring that police services remain reflective of the needs of people and communities across Scotland and the revised SPPs will support our efforts in this regard.

Declaration and publication

I have read the Business and Regulatory Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs. I am satisfied that business impact has been assessed with the support of businesses in Scotland.

Signed:



Date: October 2016

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