



The Scottish
Government

Keeping Scotland Safe and Strong-
A Consultation on Reforming
Police and Fire and Rescue
Services in Scotland: Analysis of
Consultation Responses

Crime and Justice



**KEEPING SCOTLAND SAFE AND STRONG – A CONSULTATION
ON REFORMING POLICE AND FIRE AND RESCUE SERVICES IN
SCOTLAND:
ANALYSIS OF CONSULTATION RESPONSES**

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<http://www.scotland.gov.uk/Publications/2011/12/12130956/0>

A four-page summary detailing the main findings from the consultation was published by the Scottish Government on the 16 December 2011 (*Keeping Scotland Safe and Strong – A Consultation on Reforming Police and Fire and Rescue Services in Scotland: Research Findings*). This can be accessed online at: <http://www.scotland.gov.uk/Publications/2011/12/15130636/0>

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LIST OF ABBREVIATIONS

BRIA	Business and Regulatory Impact Assessment
CIFRA	Chief Inspector of Fire and Rescue Authorities
COSLA	Convention of Scottish Local Authorities
CTIU	Counter Terrorism Intelligence Unit
CPP	Community Planning Partnership
EQIA	Equality Impact Assessment
FB	Fire and Rescue Authorities/ Joint Boards
Fire Org	Fire organisation
FRS	Fire and Rescue Service
HMICS	Her Majesty's Inspectorate of Constabulary for Scotland
Ind	Individual
LA	Local Authority
LGPS	Local Government Pension Scheme
NDPB	Non Departmental Public Body
NHS	National Health Service
OPCAT	Optional Protocol to the Convention Against Torture
Oth	Other
PB	Police Authorities/ Joint Boards
PCCS	Police Complaints Commissioner for Scotland
PNB	Police Negotiating Board
Pol Force	Police Force
Pol Org	Police organisation
RNLI	Royal National Lifeboat Institution
SCDEA	Scottish Crime and Drug Enforcement Agency
SFRAU	Scottish Fire and Rescue Advisory Unit
SFRS	Scottish Fire and Rescue Service (proposed)
SPA	Scottish Police Authority (proposed)
SPSA	Scottish Police Services Authority
SPSO	Scottish Public Services Ombudsman
UK ISAR	United Kingdom International Search and Rescue Team
Vol	Voluntary sector

EXECUTIVE SUMMARY

The Scottish Government introduced the Police and Fire Reform (Scotland) Bill 2012 to Parliament on 16 January 2012.¹

To help shape the final proposals and the legislation, a written consultation paper², “Keeping Scotland Safe and Strong: A Consultation on Reforming Police and Fire and Rescue Services in Scotland”, was published on 8 September 2011 which set out proposals for how best to establish these single services. This report provides an independent analysis of the consultation responses to that consultation.

145 responses to the consultation were received. 115 responses (79%) were from organisations, and 30 (21%) were submitted by individuals. A summary of respondents’ views on the key issues follows.

Modern purpose for policing and fire and rescue

There was much support for modernising the purpose of policing and fire and rescue as part of the reforms. However, there was support and opposition in equal measure to the specific wording proposed for the modern purpose of policing, which some respondents viewed as too broad and generic, without a distinct policing relevance. The proposals for a new purpose for fire and rescue were generally supported with the emphasis on partnership working particularly welcomed.

The majority view was in favour of setting out the purpose of policing in national guidance; much support was expressed for the proposal to place the purpose of the Fire and Rescue Service in the Fire Framework. Both of these were seen as providing the flexibility for future updating as necessary.

There was much agreement, especially amongst police bodies, with the plans to retain the existing functions of policing but in a modern form. Although most police bodies wished to see the current police oath retained, the overall balance of views amongst respondents from all sectors was in favour of modernising the oath. The majority of those who expressed a view, including almost all of the local authorities, supported the proposal to retain the existing functions for the Scottish Fire and Rescue Service.

¹ The Scottish Parliament: Police and Fire Reform (Scotland) Bill
<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/45701.aspx>

² The Scottish Government: Keeping Scotland Safe and Strong: A Consultation on Reforming Police and Fire and Rescue Services in Scotland
<http://www.scotland.gov.uk/Publications/2011/09/15110325/0>

Integration and partnership arrangements

There was broad, cross-sector support for the proposal to integrate the Scottish Police Services Authority (SPSA) and the Scottish Crime and Drug Enforcement Agency (SCDEA) into one single police service led by a Chief Constable. Views were mixed, however, on whether some support functions (including forensic services and the DNA database) should report to, and be directly accountable to the proposed Scottish Police Authority (SPA). Some felt that this could create conflicts in terms of the SPA operating as both service provider and governance body.

An overarching view was that current partnership arrangements should be aligned with the new body as soon as possible, with current, effective local partnerships protected and supported.

The transfer of Scottish Government fire and rescue assets (such as the Scottish Fire Service College and management of the Firelink Communications System contract) to the new service was widely supported in principle, although it was stressed that sufficient funding should accompany the assets transfer.

Composition and appointment of Boards

Respondents were largely in favour of a number of appointments to the SPA and to the Board of the new Scottish Fire and Rescue Service (SRFS) being reserved for serving councillors nominated by COSLA. The perceived benefits of this included:

- commands public confidence
- accountable
- reflects geographical and socio-economic diversity
- achieves a political balance
- preserves links with local government.

There was general agreement amongst respondents that each of these bodies should comprise more than 11 members to ensure representation of a wide range of skills and geographical diversity. The skills most commonly mentioned by respondents as important amongst Board members were:

- knowledge of policing/fire and rescue issues
- knowledge of local government working
- expertise in finance/business
- strategic thinking.

Several respondents recommended that Board members be supported with training, for example on equality and diversity issues.

Governance and accountability

Many respondents welcomed the proposed intention to enhance local accountability under the reforms, but a common view was that the arrangements outlined for local accountability appeared unclear and confusing. Clarity was

requested on the role of local councils in the development and agreement of local policing and fire and rescue plans.

A recurring theme was that local authorities should have a meaningful role in contributing to their local plans for policing and fire and rescue, with some degree of alignment of local decision-making with delegated budgetary responsibility. There was considerable support, largely amongst local authority respondents, for framing the role and function of local committees in statute.

Greater clarity was requested on the lines of responsibility and accountability between the local officer (Local Commander for police; Local Senior Officer for fire and rescue), local partners (council and committees) and the Chief Officers (Chief Constable for police; Chief Officer for fire and rescue). There was speculation on whether national or local needs would take precedence and how these would be prioritised.

Concern was raised over possible variation in rank of Local Commanders and Local Senior Officers, a common view being that lower ranked officers may have less influence over allocation of resources to their respective authorities.

Finance and funding

The proposed new funding and financial accountability arrangements were broadly welcomed as logical and appropriate for new single services. There was, however, a common perception that information was lacking on the establishment of local budgets, and in particular, local authorities' role in scrutinising these.

Clarity was requested on whether the current practice of local authorities raising additional funds for local priorities (such as additional police officers) could continue.

Many respondents stressed the need for transparency in the way funds are allocated to support local plans, with several urging that rural communities should not lose out at the expense of the central belt of Scotland.

Concern was raised over the implications of reform for VAT, finance carry-forward mechanisms, and borrowing capability. An early decision on the legal status of the new single services was called for in order to clarify these financial issues.

Scrutiny

The proposal that Her Majesty's Inspectorate of Constabulary for Scotland (HMICS) continues to be responsible for inspections of the Scottish Police Service was broadly welcomed, as was the proposal to transfer audit responsibilities from the Accounts Commission to the Auditor General.

The consultation presented 4 options for handling police complaints, criminal allegations, serious incidents, and reviews of investigations. The balance of view, especially amongst police organisations, was in favour of the creation of a new, independent body whose functions would include the existing responsibilities of the Police Complaints Commissioner for Scotland (PCCS).

Most of those expressing a view supported the proposed external scrutiny and audit role for the Scottish Fire and Rescue Advisory Unit (SFRAU). This proposal was seen as providing an independent, professional challenge which would ensure robust scrutiny arrangements and enhance public confidence.

Further information was called for regarding local inspection and audit arrangements.

The proposal that the Scottish Fire and Rescue Service introduces an internal complaints procedure which follows the Scottish Public Services Ombudsman's (SPSO) principles and procedures for handling complaints was supported. Clarity was requested by respondents on the role of local government in monitoring and scrutinising complaints. It was emphasised that current expertise should not be lost under the future arrangements.

Workforce

There was much support for the proposals to retain Regulation 21 under the 2004 Regulations³ which provide safeguards for police officers and for police officers and staff to maintain their terms and conditions in the transfer to the new services. Likewise, the proposal to retain the terms and conditions of staff transferring to the Scottish Fire and Rescue Service (SFRS) was welcomed. There was, however, repeated emphasis on what was seen as an urgent need to address harmonisation of such conditions for staff.

Calls were made for communication about the reforms to be timely, with the changes managed carefully in order to reduce conjecture and maintain staff motivation. A recurring view was that standards in delivery of service should not be affected during the transition period and that early appointments of senior officers should help in driving the reforms forward.

Some respondents expressed concern that officers and staff may be required to relocate across Scotland post reform. In particular, it was considered that possible centralisation of specialist and support functions could result in a drain on opportunities outwith the centre.

The consultation sought views on the specific workforce issue of the current prohibition on police constables being employed as firefighters. This issue generated mixed views even *within* respondent sectors. Overall, however, the

³ The current regulations relating to the appointment and terms and conditions of service for all police officers are set out in the Police (Scotland) Regulations 2004.

majority of those who provided a view supported retaining the existing prohibition. Those wishing to see the prohibition removed comprised largely rurally located respondents concerned about shortages of officers in rural, remote and island areas.

Equality Impact Assessment

Two themes dominated the responses. Firstly, it was argued that centralisation of functions should not detract from the experience and expertise of local partnerships and specialist services in addressing local equality issues. Secondly, concern was expressed that possible centralisation of support functions is likely to impact most on women who make up most of the support staff and who could be faced with reduced employment opportunities and restricted work options.

Business and Regulatory Impact Assessment

A recurring view was that adverse impacts should not be underestimated and that risks and issues associated with “business as usual” needed to be further quantified. Many respondents expressed their view that anticipated benefits may not be realised.

1. INTRODUCTION

1.1 The Scottish Government is committed to ensuring that the police and fire and rescue services in Scotland deliver against several of the National Outcomes by focusing on the frontline. Progress has been good in recent years with recorded crime at its lowest level in 35 years and the number of fire related deaths and injuries steadily reducing⁴.

1.2 Severe financial challenges facing the public sector along with new threats to safety have led to debate over how to secure such frontline policing and fire and rescue services in a financially sustainable way. Two written consultation exercises⁵ were run by the Scottish Government between February and May 2011 which proposed options for reform. These were followed by extensive engagement with stakeholders across Scotland about the future of the Scottish Police and Fire and Rescue Services.

1.3 The Government has introduced legislation which will create a single Scottish Police Service and a single Scottish Fire and Rescue Service. To inform the development of the legislation, a further written consultation paper⁶, “Keeping Scotland Safe and Strong: A Consultation on Reforming Police and Fire and Rescue Services in Scotland”, was published on 8 September 2011 which set out proposals for how best to establish these single services. Comments were invited by 2 November 2011 to help shape the final proposals and related legislation.

1.4 145 written responses to the consultation were submitted. These responses have been made publicly available on the Scottish Government website⁷ unless the respondent has specifically requested otherwise.

1.5 The consultation document was divided into 2 parts. Part 1 focused on police service reform and posed 12 questions on this topic; Part 2 focused on fire and rescue service reform, asking another 14 questions. Views were also invited on the partial Equality Impact Assessment (EQIA) and the partial Business and Regulatory Impact Assessment (BRIA) undertaken as part of the proposals for reform.

⁴ Scottish Government Crime and Justice Statistics:

<http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice>

⁵ Scottish Government Police Reform webpage: <http://www.scotland.gov.uk/Topics/Justice/public-safety/Police/ConsultationFuturePolicin>

<http://www.scotland.gov.uk/Topics/Justice/public-safety/fire-and-rescue-services/fire-reform>

⁶ Keeping Scotland Safe and Strong: A Consultation on Reforming Police and Fire and Rescue Services in Scotland, Scottish Government, 15 September 2011:

<http://www.scotland.gov.uk/Publications/2011/09/15110325/0>

⁷ The consultation responses can be viewed at:

<http://www.scotland.gov.uk/Publications/2011/12/12130956/0>

Responses

1.6 145 responses to the consultation were submitted and analysed. Whilst responses from police bodies (e.g. police forces, Police Authorities/Joint Boards) and fire bodies (e.g. Fire and Rescue Services, Fire and Rescue Authorities/Joint Boards) tended to address the questions relating to police or fire respectively, local authorities and many individual respondents addressed topics on both police and fire and rescue issues. The presentation of the analysis of the comments submitted to the consultation follows the order of the questions set out in the consultation document.

Respondents

1.7 115 responses (79%) were submitted by organisations, with 30 (21%) submissions from individuals. Table 1 shows the numbers of responses by category of respondent. The list of the organisations responding to the consultation is in Annex 1.

1.8 A wide range of organisations responded including both police and fire bodies, the voluntary sector, national and local partnerships and other entities. 26 local authorities submitted responses representing 18% of the overall submissions.

Table 1: Respondents by category

Category	Abbreviation used in report	Number	Percentage %
Local Authority	LA	26	18
Police Force	Pol Force	6	4
Police Authorities/Joint Boards	PB	6	4
Police organisation	Pol Org	12	8
Fire and rescue service	FRS	3	2
Fire and Rescue Authorities/Joint Boards	FB	5	3
Fire organisation	Fire Org	6	4
Voluntary sector	Vol	8	6
Community Planning Partnership	CPP	7	5
NHS	NHS	1	1
Other	Oth	35	24
Total organisations		115	79
Individual	Ind	30	21
Total		145	100

1.9 Table 2 overleaf shows the area from which submissions originated. Almost one-third (30%) of submissions were from national bodies; 19% were from individuals and organisations located in Strathclyde; 13% of responses originated in Grampian.

Table 2: Respondents by geographical area

Area	Total		Organisations		Individuals	
	Number	%	Number	%	Number	%
Central	5	3	5	4	-	-
Dumfries and Galloway	4	3	3	3	1	3
Fife	4	3	3	3	1	3
Grampian	19	13	12	10	7	23
Lothian and Borders	16	11	9	8	7	23
Northern	12	8	9	8	3	14
Strathclyde	28	19	21	18	7	23
Tayside	10	7	9	8	1	3
National	43	30	43	37	-	-
Outwith Scotland	3	2	1	1	2	7
Unknown	1	1	-	-	1	3
Total	145	100	115	100	30	102*

*Does not add to 100% due to rounding.

Method of analysis

1.10 An electronic database was used to collate the responses to assist analysis. This database stored free text in a systematic manner whilst providing the flexibility for amendments as the work progressed. The fields used to record the material were based on questions used in the consultation document.

1.11 A qualitative approach to the analysis of responses has been taken on account of the open-ended nature of the questions posed. Quantification of support for, or opposition against, proposals has been attempted where respondents indicated this clearly. However, numbers should be regarded as *indicative* rather than *absolute*, as no assumption can be made about the views of those who provided commentary without stating specifically where the balance of their views lay. Although the consultation invited all interested parties to comment, the views documented are those of the consultation respondents and cannot be extrapolated to the wider Scottish population.

1.12 The following 15 chapters document the substance of the analysis, presenting the main issues, arguments and recommendations contained in the responses. As seen in the Executive Summary, several issues cut across both police and fire and rescue reform, but in the interests of transparency the responses relating to the different services have been analysed and presented separately in the main body of this report. Part 1 (chapters 2 – 8) focuses on police reform; Part 2 (chapters 9 – 16) is dedicated to the questions on fire and rescue reform. Finally, responses to the partial EQIA and partial BRIA are outlined in Annexes 2 and 3).

PART ONE: POLICE

2. A MODERN PURPOSE FOR POLICING

Question 1: What are your views on how we might strengthen the proposed purpose? Should the purpose be set out in national guidance, or in some other way?

Summary of the proposal in the consultation document:

- Establish a modern purpose for policing in 21st century Scotland which will be a declaration of the outcomes policing is seeking to achieve and will include some broad strategic principles for delivering them.

2.1 84 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	6	LA	24
PB	6	Vol	3
Pol Org	10	CPP	4
FRS		NHS	1
FB		Oth	16
Fire Org		Individuals	14

Note: Abbreviations used in the above table are described in Table 1.

Strengthening the purpose

2.2 26 respondents from a range of sectors broadly agreed with the proposals including the suggested wording for a modern purpose of policing:

“The purpose of policing is to improve the safety and well-being of individuals, families and communities in Scotland.”

This wording was viewed as being *“clear and brief, focusing on the outcomes”* (LA); in line with the Christie Commission recommendations (Pol Force) and supporting an emphasis on prevention (LA).

2.3 25 respondents, again from a range of sectors, did not support the proposed wording for a modern purpose of policing. The most common criticisms were:

- Too broad and vague.
- Too generic. Does not convey a distinct police purpose. It could apply equally to other public sector organisations.
- Too open to individual interpretation.

The proposed wording was viewed as *“uninspiring”* (Ind), incorporating an *“unspecific set of aspirations”* (PB) and *“not memorable”* (CPP, LA).

2.4 5 respondents (2 of them police organisations) argued that it was not necessary to establish the purpose of policing, which was perceived as “*well respected and understood by every police officer*” (Pol Org).

2.5 Many suggestions were made for additional text to insert into the modern purpose of policing. Most common requests were for explicit mentions of:

- partnership working
- prevention
- protection
- detection and investigation of crime.

4 respondents urged that explicit reference be made to improving safety for organisations and businesses. 3 respondents requested that the modernised purpose make reference to the protection of human rights.

Setting out the purpose

2.6 39 respondents provided a view on where the purpose should be set out, with 26 of these favouring national guidance. This was seen as facilitating widespread understanding of the purpose and allowing for flexibility in amending the purpose in the future. 11 respondents recommended that the purpose be given a statutory footing. 2 respondents wished to see the purpose set out in either national guidance or legislation.

Question 2: What are your views on our plans to retain existing functions in a modern form and on our proposals to modernise the oath?

Summary of the proposal in the consultation document:

- Retain all of the duties placed on police constables under the 1967 Act in the reform legislation, but restate and reframe them using more modern language.

2.7 76 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	11	LA	23
PB	6	Vol	5
Pol Org	10	CPP	3
FRS		NHS	
FB		Oth	3
Fire Org		Individuals	15

Note: Abbreviations used in the above table are described in Table 1.

Retention of functions

2.8 44 respondents stated that they agreed with the plans to retain existing functions in a modern form. The proposal was viewed as aiding clarity and

transparency. The most common recommendations for updating the existing functions were for a greater focus on:

- partnership working
- working with communities
- early intervention and prevention functions.

No respondents argued for retention of functions without modernisation.

Modernising the oath

2.9 62 respondents provided a view on the proposals to update the oath, with 37 of these favouring modernisation. The proposed inclusion of wording relating to fairness, integrity, diligence and impartiality was particularly welcomed by 9 respondents. 6 respondents requested that the wording should also accommodate some reference to accountability to communities. 2 respondents called for explicit reference to the protection of human rights.

2.10 Police bodies (forces, Police Authorities/Joint Boards and organisations) were disproportionate amongst the 25 respondents wishing to see the current oath retained. Common arguments in support of this view were that the oath had stood the test of time, had a link with the past and there was no clear evidence to suggest it should be changed.

2.11 Summary

- Support was expressed for setting out the purpose of policing in national guidance.
- There were mixed views on the proposed wording for a modern purpose for policing
- The majority view was for the retention of existing functions in a modern form.
- The balance of view was in favour of the police oath being modernised.

3. STRUCTURE OF A SINGLE SCOTTISH POLICE SERVICE

Question 3: What are your views on our proposals for integrating existing bodies into a single service or on how and when partnership arrangements should adapt to align with this new structure?

Summary of proposals in the consultation document:

- Bring together existing 8 police forces, SPSA and SCDEA into a single police service.
- Governance by a single SPA and led by a Chief Constable.
- Maintain independence of forensic services and DNA and fingerprint databases.
- Continue major role for police in work of Strategic Co-ordinating Groups and consider opportunities to improve effectiveness under new service.

3.1 91 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	6	LA	25
PB	6	Vol	4
Pol Org	11	CPP	5
FRS	1	NHS	1
FB		Oth	19
Fire Org		Individuals	13

Note: Abbreviations used in the above table are described in Table 1.

3.2 Despite some respondents still expressing reservations about the need to reform the police service, most accepted that the decision to reform had been taken and there was now a need to plan for integration. 9 respondents considered it difficult to comment on account of what they perceived to be a lack of detail in the consultation document.

Integration of national services

3.3 20 respondents from a range of sectors explicitly welcomed the integration of SPSA and SCDEA into the single police service, although 4 expressed concern over how accessible centralised services will be for remote areas. 2 respondents queried where the Counter Terrorism Intelligence Unit (CTIU) would fit with the proposals. 2 others requested information on the integration arrangements for emergency response and call centre functions.

3.4 Views were mixed on the proposal for some support functions (including forensic services and the DNA database and fingerprint database) to be independent of the Chief Constable, but to report to, and be directly accountable to, the SPA. 11 respondents expressly supported the proposal, but others had reservations. 7 respondents questioned how the SPA will operate as both

service provider and the governing body, and recommended that further consideration be given to the accountability aspects of this arrangement. One respondent (Pol Org) identified the separation of the forensics database from the criminal justice database as a potential risk, predicting greater flexibility if such functions were marshalled together under the Chief Constable; another (Pol Force) envisaged risks associated with the separation of budgetary and operational aspects of these services. One individual's view was that functions such as forensics should, for the sake of integrity, be completely separate and outside of the reformed policing structure.

3.5 The future governance and funding arrangements for camera safety partnerships were raised by 4 respondents, who urged that grant-funding be secured and a dedicated budget ring-fenced.

3.6 3 respondents recommended that reform of functions should not necessarily result in *geographical* centralisation in one location, as they perceived that benefits could be gained from spreading these functions across a range of locations.

Partnership arrangements

3.7 32 respondents specifically addressed partnership arrangements within the new structure, with an overarching view that these should be aligned as soon as possible, and current, effective local partnerships be protected and supported. One respondent commented:

“Every Scottish police force has heavily committed to partnership working, and it is important that during the transition period the value brought by partnerships is not lost. The force anticipates that partnership would be a key theme running through the process for designing the new service” (Pol Force).

3.8 Several of the 32 respondents addressing this issue considered that Community Planning Partnerships should form the basis for partnership working with the reformed police service, with a key theme being the need for a strong, local, bottom-up direction to partnership working rather than national dictate. It was suggested that the single service should adapt to align with local partnership arrangements rather than the other way around (Oth).

3.9 4 respondents recommended that consideration be given to partnership working at regional level. One respondent (Pol Org) remarked that the consultation made no mention of wider UK and international partnerships and how the new service will re-align with bodies such as the National Crime Agency and Interpol.

3.10 2 police respondents felt that the diagram in the consultation document which set out the proposed structure was lacking in the links between local governance and national mechanisms, with 3 respondents (including 2 local

authorities) questioning how local needs and aspirations will be articulated at national level under reform.

Transitional arrangements

3.11 A recurring theme was the need to prepare appropriately for change. 2 police bodies cautioned that the challenge of ensuring “business as usual” during the change process should not be underestimated. 8 respondents comprising individuals and police bodies suggested that much could be done beforehand to pave the way, including implementing a positive marketing strategy, establishing a phased, re-branding programme and learning from previous experience. 2 respondents considered the proposed timing of reform to be too tight to be seamless, risking low staff morale. 2 police organisations provided their view that the success of integration will lie largely with ensuring that “back office” support functions are transferred effectively with early attention given to harmonisation of pay and conditions and ICT systems (Information and Communication Technology).

Other themes

3.12 4 respondents (3 of them local authorities) expressed doubt over the degree of independence and accountability of the SPA and its separation from Ministers, given that Ministers will have a role in appointing Board members, funding and setting objectives for the SPA, and approving its plans and budgetary decisions.

3.13 2 respondents were concerned that the proposed structure may leave rural locations remote from decision-making, possibly detracting from responsive, local policing.

3.14 Summary

- The integration of SPSA and SCDEA into the single service was broadly welcomed.
- Views were mixed on some support functions including forensic services and the DNA and fingerprint database to be independent from the Chief Constable, but to report to and be directly accountable to the SPA.
- The prevailing view was for existing partnership arrangements to be aligned as soon as possible with the new service.
- A common theme which was raised by those responding to this question was the need to prepare appropriately for change with adequate transitional arrangements in place.

4. NEW ARRANGEMENTS FOR GOVERNANCE AND ACCOUNTABILITY

Question 4: What are your views on the composition of the Scottish Police Authority and the specific skills, experience and expertise required for it to perform its roles effectively?

Summary of proposals in the consultation document:

- To ensure its effectiveness in working together as a unit, the SPA should have no more than 11 members.
- The SPA should combine the right skills, experience and expertise to collectively govern the service and hold the Chief Constable to account.

4.1 83 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	5	LA	25
PB	6	Vol	2
Pol Org	10	CPP	3
FRS		NHS	
FB		Oth	17
Fire Org		Individuals	15

Note: Abbreviations used in the above table are described in Table 1.

Size of the SPA

4.2 45 respondents provided their view that the SPA should comprise more than 11 members. Suggestions of size from 13 to 32 members (one per each local authority) were made. The reasons given for recommending a larger membership included:

- Need depth and capacity to deal with national *and* local issues.
- Perceived to be less likely to be subject to undue influence and control by Ministers.
- Better representation of diverse communities.
- Less likely to give impression of a centralised, “top down” organisation.
- Will ensure better links with local government.
- Gives capacity to include experts as well as elected representatives.
- Ensures adequate numbers at meetings even if a few representatives are unable to attend.

Skills, experience and expertise required of SPA members

4.3 26 respondents (from a range of sectors) considered that the SPA should include a majority, or at least a significant component, of elected members amongst its membership. 3 respondents requested that some places be reserved for personnel who are completely independent of local authorities or government. 2 respondents argued for the SPA to comprise all independent members. There

were mixed views on whether the SPA should be representative of political parties.

4.4 There was some support for a lay component to be built into the SPA to champion the public interest.

4.5 10 respondents from a range of sectors urged that the SPA represent a diversity of geographical areas.

4.6 Other sectors which a minority of respondents recommended should have representation on the SPA were: business sector; church; judiciary; trade unions; local committees such as community councils; voluntary sector; academia; and former/retired police personnel.

4.7 Overall respondents identified 17 different skill sets which they considered should be displayed within the SPA. The 5 most commonly mentioned were: knowledge of policing issues; knowledge of local government; financial skills; strategic skills; and legal/criminal justice knowledge.

4.8 Several respondents (largely police bodies) recommended that members of the SPA should be supported with continuous training, for example, on equality and diversity issues.

Question 5: Do you think a number of appointments to the Authority should be reserved for serving councillors nominated by COSLA? Or that Ministers should simply ensure that the individuals appointed to the authority include those with experience and knowledge of local government?

Summary of proposals in the consultation document:

- 2 different approaches to appointing members of the Authority were tabled:
 - Appointment by Scottish Ministers through a formal public appointment process which complies with the Public Appointments Commissioner for Scotland's Code of Practice. These appointments would include individuals with experience, and knowledge, of local government and local policing.
 - Ministers could appoint a number of serving councillors, nominated by COSLA, to represent the collective voice of local government on the authority.

4.9 79 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	5	LA	24
PB	6	Vol	2
Pol Org	10	CPP	3
FRS		NHS	
FB		Oth	14
Fire Org		Individuals	15

Note: Abbreviations used in the above table are described in Table 1.

Views on nominations by COSLA

4.10 28 respondents largely from LA, CPP and Oth respondent sectors recommended that at least some appointments should be nominated by COSLA in the first instance. Nominations by COSLA were seen as having the following benefits:

- commanding public confidence
- reflecting geographical and socio-economic diversity
- linking with local government
- accountability
- achieving political balance.

4 respondents called for COSLA nominations to go through the Public Appointment System (Code of Practice for Ministerial Appointments to Public Bodies in Scotland) to ensure security clearance, gender and regional balance.

Views on appointments by Ministers

4.11 9 respondents (3 of them police bodies) were clear in their view that Ministers should not appoint members of the Authority. Their reasons included:

- independence of SPA could be called into question
- will create tension with local government over any appointments made
- open to political interference
- could create a policing quango.

4.12 Suggestions were made by other respondents on other approaches to appointments. The 3 most common were appointments by existing Police Authorities/Joint Boards, by local councils or by MSPs.

Question 6: What are your views on the roles and responsibilities for governance and accountability set out?

Summary of proposals in the consultation document:

- Scottish Ministers will appoint the Chair and members of the SPA, set its budget and high level strategic objectives.
- The SPA will govern the service and hold the Chief Constable to account.

- The Chief Constable will lead and manage the service; be accountable for its actions and performance; produce an annual delivery plan and associated budget; and designate a Local Commander for each local council area.
- Each council will have the right to formally comment on the Local Policing Plan; monitor and scrutinise performance against the Local Policing Plan; and monitor and scrutinise complaints.
- The Local Commander will prepare, for the agreement of the council, the Local Policing Plan; be the lead officer for the police’s role in community planning; and allocate local resources and seek resources from the Chief Constable to deliver the Local Policing Plan.

4.13 91 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	6	LA	26
PB	6	Vol	4
Pol Org	11	CPP	6
FRS		NHS	
FB		Oth	19
Fire Org		Individuals	13

Note: Abbreviations used in the above table are described in Table 1.

Local accountability

4.14 The majority of responses focused on local accountability issues including the relationship between Local Commanders and local authorities, committees and partnerships. Many respondents welcomed the commitment to enhance local accountability, but a common view was that the arrangements for local accountability were unclear and confusing. One respondent commented:

“It will be challenging to create a model which matches the Government’s aspirations for enhanced national and local accountability” (LA).

4.15 Paragraphs 3.19 and 3.20 of the consultation document were singled out by 27 respondents as appearing to be inconsistent and confusing in stating on the one hand that the council and Local Commander will develop the local policing plan “jointly”, yet on the other reducing the council’s role to one of formally commenting on the plan. Paragraph 3.25 was seen as adding to the confusion by stating that the Local Commander should prepare the local policing plan “for the agreement of the council”. A recurring theme was that the council should have a robust and well defined role in contributing to the local plan, with the right to reject the plan if necessary.

4.16 14 respondents, largely local authorities, recommended that there should be an alignment of local decision-making with delegated budgetary responsibility,

although it was acknowledged that budget setting by the SPA would impact on the local plan and local budget.

4.17 12 respondents, largely local authorities, supported framing the role and function of local committees in statute, including an articulation of the process by which local committee views and concerns can be aired at SPA level. The role of local committees was seen as potentially weakened and tokenistic without such statutory backing.

4.18 4 respondents specifically commended the *intention* to allow local authorities to develop their own local mechanism for exercising their rights and formalising the relationship between the council and the Local Commander. However, there was some concern that in practice this could lead to considerable variation between authorities which would be difficult to benchmark.

4.19 7 respondents (largely police bodies) supported the idea of divisional or regional structures clustering a number of local command areas. Benefits were identified as permitting existing strategic partnerships such as Strategic Coordinating Groups to be retained with representation at divisional meetings; serving smaller local authorities more effectively; and providing a platform for topics which fall between local and national significance.

Local Commander

4.20 4 respondents called for elected member representation in the selection process for Local Commanders. This proposal was seen as supporting and preserving aspects of local accountability and the link to elected members.

4.21 Whilst the allocation of a Local Commander to each local authority was generally welcomed, a recurring comment from police bodies and local authorities was that further thought needed to be given to how the Local Commander would formally relate to local partners. There was confusion over the Local Commander's lines of responsibility and accountability. A few respondents from a range of sectors suggested that whilst Local Commanders will have some level of accountability to local authorities, they are ultimately answerable to the Chief Constable which could result in local needs taking second place. Calls were made for Local Commanders to have delegated budgetary and decision-making autonomy to ensure that they can engage in a meaningful way with local committees.

4.22 2 respondents requested that the Local Commander's listed responsibilities be expanded to provide greater coverage of *operational* policing as opposed to what was perceived to be a focus almost wholly on *accountability*.

4.23 It was considered that the current proposals set up a substantial risk of tension between individual councils and the Local Commander due to their lack of clarity on the arbitration process which would ensue should conflict arise over local policing plans.

4.24 The suggestion that Local Commanders could integrate the local policing plan with the wider Community Planning Partnership and single outcome agreements was welcomed particularly by the partnerships themselves. This was seen as enabling the Local Commander to be accessible and responsive, fitting with a local, bottom-up approach whilst interfacing with top-down governance.

4.25 12 respondents from a range of sectors raised the issue of variation in rank of Local Commanders as potentially problematic. A common view was that lower ranked Local Commanders may defer to those higher ranked, resulting in larger local authorities exerting greater influence over the allocation of resources. Local authority respondents suggested a minimum rank be set for Local Commander at a level sufficiently high to hold influence over resourcing and decision-making.

Chief Constable

4.26 Overall, the role of Chief Constable was seen as being well defined in the consultation document although requests were made from police organisations for the explicit inclusion of the functions of operational delivery and crime investigation. The importance of operational independence of the Chief Constable was emphasised.

4.27 Common concerns focused on what respondents perceived to be the lack of clarity on the interface between the Chief Constable and local committees and in particular the relationship between local and national policing priorities. It was not clear to 8 respondents how potential conflicts between national and local policing priorities will be resolved. 2 respondents urged that the Chief Constable be accountable to local councils *in addition to* the SPA. A recurring theme was to question how local voices can be heard by the Chief Constable.

Scottish Parliament

4.28 8 respondents, including 7 police bodies, commented specifically on the role of the Scottish Parliament. Whilst some welcomed Parliament's proposed role in scrutinising the Scottish Policing Plan, others cautioned that Parliament's involvement in overseeing national and local policing plans could, potentially, become overly bureaucratic and risked compromising the independence of the police service.

4.29 Further detail was requested on Ministers' operation of the "power of direction" in relation to the SPA. Clarification was called for on the circumstances in which this power might be used, what would constitute a "last resort" and what safeguards could be put in place to ensure that the power is not misused.

Scottish Police Authority

4.30 Very little comment was made on the proposed responsibilities for the SPA, over and above those previously reported in relation to membership of the SPA.

Local authority monitoring and scrutinising complaints

4.31 11 respondents representing a range of sectors focused on the proposal for local authorities to monitor and scrutinise complaints. There were mixed views on this proposal, with the broad welcome by some counter-balanced by others' caution that councils will need to be supported to carry out this function. A few respondents were confused about how this proposal fitted with proposals for complaints handling in section 5 of the consultation document.

Potential omissions

4.32 Potential omissions from the consultation document were suggested as:

- governance arrangements for centralised departments such as firearms, licensing
- police appeal tribunals
- partnership arrangements with Health Board Accountability Officers for Controlled Drugs, nationally and locally.

4.33 Summary

- A strong view was that the SPA should comprise more than 11 members to ensure representation of a wide range of skills and geographical diversity.
- Respondents were largely in favour of a number of appointments to the SPA being reserved for serving councillors nominated by COSLA.
- Despite many respondents welcoming the proposed intention to enhance local accountability under the reforms, a common view was that the arrangements outlined for local accountability appeared to be unclear and confusing.
- A recurring theme was that local authorities should have a meaningful role in contributing to their local policing plan, with some degree of alignment of local decision-making and delegated budgetary authority.
- There was considerable support for framing the role and function of local committees in statute.
- Greater clarity was requested on the lines of responsibility and accountability between the Local Commander, local partners and Chief Constable.
- Concern was raised over possible variation in rank of Local Commanders, a common view being that lower ranked officers may have less influence over allocation of resources to their respective authorities.

5. FUNDING

Question 7: What are your views on the proposed new funding and financial accountability arrangements set out?

Summary of the proposal in the consultation document:

- Consolidate all of the funding currently provided for policing through a variety of different routes into a single funding stream which the Scottish Government will provide to the SPA.

5.1 79 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	6	LA	26
PB	6	Vol	2
Pol Org	10	CPP	5
FRS		NHS	
FB		Oth	14
Fire Org		Individuals	10

Note: Abbreviations used in the above table are described in Table 1.

5.2 24 respondents (largely from sectors other than local authorities) expressed their clear support for the proposals which some described as simplifying the current arrangements, bringing a transparency and accountable framework to funding. However, 5 respondents were clear that they disagreed with the proposals, one commenting:

“100% police funding controlled and allocated by central government is not welcome” (Pol Force).

Other respondents provided recommendations, requests for clarity on aspects of the proposals, or other relevant commentary reported below.

Role of local authorities in budget setting

5.3 The topic attracting most comment was what many perceived to be the absence of information on the establishment of local budgets, and specifically the role of local authorities in the scrutiny of budgets. A dominant theme was that centralisation of funding risked the dilution of local accountability and local prioritisation of resources. One respondent summed up this view:

“...the centralisation of all funding for the new Scottish Police Service severely limits local accountability. If local government have no financial responsibilities at all, then it is difficult to see how local accountability can meaningfully occur” (Ind).

5.4 20 respondents highlighted that local authorities are currently able to raise additional funding for local priorities, including extra officers. It was commonly felt that this supplementary funding should be acknowledged and the practice of securing additional monies by local authorities for local policing priorities allowed to continue under reform.

Distribution of funds by the Chief Constable

5.5 16 respondents from a variety of sectors called for transparency in the way funds are allocated by the Chief Constable for the delivery of local policing plans. 3 requested an outline framework setting out how decisions will be taken. One (Oth) commented that apportioning sizeable public monies will require expertise. Another (Ind) urged that a “*bun fight*” between local councils should be avoided. 2 respondents called for formal reporting to councils on local authority budgets and actual spend.

5.6 7 respondents comprising police bodies and local authorities recommended that centralisation of funding should not dilute rural communities’ ability to influence resource allocation, emphasising that a drift of funds to the central belt is not desirable.

5.7 3 respondents expressed concern that funds should not be directed to poorly performing areas at the expense of supporting high standards in other locations.

Legal status of the SPA

5.8 A common request was for clarity on the legal status of the new police national authority in order to establish the future arrangements for VAT and powers to carry forward and/or borrow funds. One typical comment is below:

“An important issue is the status of the new body ie. NDPB, Executive Agency, etc. Since an NDPB seems more consistent with the necessary separation from potential political direction, the mechanisms through which the NDPB will be established are key. Both the Financial Memorandum and Framework Document need to ensure that issues such as borrowing capability, carry-forward mechanisms and VAT liability are dealt with effectively to ensure the strengths of the current force arrangements are not lost in transition to the new structure” (Oth).

5.9 7 respondents requested clarity on the arrangements for transfer of financial reserves and capital assets under the single service and how these will be re-distributed.

5.10 Summary

- A significant body of respondents addressing this question supported the proposals for funding and financial accountability, viewing them as simplifying the current arrangements and aiding transparency.
- There was a common perception amongst those responding that information was lacking on the establishment of local budgets, and in particular, local authorities' role in scrutinising these.
- Clarity on the legal status of the new police body was requested in relation to determining VAT implications and other financial arrangements.

6. SCRUTINISING THE SCOTTISH POLICE FORCE – AUDIT, INSPECTION AND COMPLAINTS

Question 8: What are your views on our proposals for inspection and audit?

Summary of proposals in the consultation document:

- Inspection of the Scottish Police Service will continue to be undertaken by HMICS.
- Audit responsibilities for the SPA and the service will transfer from the Accounts Commission to the Auditor General.
- The relationship between HMICS and the Scottish Parliament will be put on a more structured footing by requiring HMICS to lodge its inspection reports with Parliament. HMICS will also be required to present its reports to the SPA.

6.1 72 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	4	LA	21
PB	6	Vol	2
Pol Org	11	CPP	4
FRS		NHS	
FB		Oth	11
Fire Org		Individuals	13

Note: Abbreviations used in the above table are described in Table 1.

6.2 32 respondents simply welcomed the proposals as being largely uncontroversial, sensible and building on existing arrangements.

6.3 6 respondents specifically welcomed the continued role of HMICS which was viewed as impartial and independent. 2 respondents recommended that HMICS discontinue the practice of employing serving police officers as secondees. 5 respondents welcomed the proposal that HMICS present its inspection reports to the SPA. 4 respondents welcomed the proposal that HMICS lodge its inspection reports with Parliament.

6.4 A recurring comment (largely made by local authorities) was that proposals for audit and inspection at a local level are not covered in the consultation. There was concern that such a task would be challenging for HMICS. Several respondents argued that audit and inspection should cover the contribution the new service makes to Community Planning Partnerships and single outcome agreements.

Question 9: What are your views on our proposals and options for handling complaints, criminal allegations, serious incidents and reviews of investigations?

Summary of proposals in the consultation document:

- Less serious criminal allegations will continue to be handled within the Scottish police service under the independent direction and control of the Crown Office and Procurator Fiscal Service.
- An independent body should undertake the investigation or review of the small number of cases currently handled by a different force and the investigation of allegations of misconduct by chief officers referred to it by the SPA.

6.5 73 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	6	LA	21
PB	6	Vol	3
Pol Org	10	CPP	2
FRS		NHS	
FB		Oth	12
Fire Org		Individuals	13

Note: Abbreviations used in the above table are described in Table 1.

6.6 The consultation document provided 4 options for handling complaints, criminal allegations, serious incidents and reviews of investigations. 30 of the 73 respondents considering this question provided a clear view on which of the 4 options they preferred:

Option 1(a) New body; incorporating PCCS functions	12 respondents
Option 1(b) New body; PCCS functions transferred to SPSO	4 respondents
Option 2(a) New body; incorporating HMICS inspection and advisory functions	8 respondents
Option 2(b) New body; incorporating HMICS inspection and advisory functions; PCCS functions transferred to SPSO	6 respondents

Of those who expressed a clear preference, Option 1(a) received most support, especially from police organisations when compared to other respondent sectors. Local authorities were prominent amongst supporters of Option 2(a) when compared with other respondent sectors. **Option 1(a)** was seen as providing an

independent and efficient approach which would enhance public confidence, be in line with other jurisdictions, and maintain a distance and separation from HMICS.

6.7 Supporters of **Option 1(b)** felt this to be more in line with the Sinclair and Crerar Reviews on audit, inspection and complaints, whilst also maintaining an independence from HMICS.

6.8 The benefits of **Option 2(a)** were cited as: enhancing public confidence that the police are subject to robust inspection; best option for efficient use of time and effort; providing the opportunity to learn from the complaints system.

6.9 **Option 2(b)** was viewed as providing an efficient approach which removed duplication of effort.

6.10 Broad support was expressed for the establishment of a new, independent body in terms of providing a fresh start and a simple, efficient and impartial way of operating. 10 respondents argued against the establishment of a new, independent body to investigate cases currently investigated or reviewed by different forces. The main arguments were that this was an unnecessary expenditure at a time of austerity; other existing bodies (HMICS/PCCS) already have the skills to do this; and not enough consideration had been given to this – more examination of options and implications are needed.

6.11 A variety of more general concerns raised by respondents included:

- The consultation document does not adequately make the link between paragraph 3.20 and Section 5 regarding local council role in monitoring and scrutinising complaints.
- The expertise built up by elected members in handling constituent queries and concerns should not be lost.
- There is a need to incorporate human rights standards (e.g. promptness; competence; victim participation) into system for handling complaints.
- There is a need to be consistent with the proposals for a common complaints system across the wider public sector, currently being considered.

Question 10: What are your views on our proposals for Independent Custody Visiting?

Summary of proposals in the consultation document:

- The arrangements for independent custody visiting in Scotland will be placed on a statutory footing, ensuring custody visiting is fully compliant with the Optional Protocol to the Convention against Torture and other

- Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)⁸ in line with the rest of the UK.
- Duties will be placed on the new SPA including ensuring that independent custody visiting schemes are in place and comply with Scottish Government guidance.
 - Legislation will set out relevant duties, obligations and arrangements in relation to the service provided.
 - As at present, Custody visitors will be independent of the police service and criminal justice system.

6.12 67 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	5	LA	19
PB	6	Vol	2
Pol Org	10	CPP	2
FRS		NHS	
FB		Oth	12
Fire Org		Individuals	11

Note: Abbreviations used in the above table are described in Table 1.

6.13 There was widespread agreement across respondent sectors with the proposals and in particular the plan to place the arrangements for independent custody visiting on a statutory footing. This was seen as an opportunity to establish consistency in provision not just across Scotland, but also to align with the rest of the UK.

6.14 Whilst most of those providing a view agreed with the proposal to place duties on the new SPA to ensure the schemes are in place and comply with guidance, a minority of respondents questioned how a nationally run scheme could be implemented locally. One local authority view was that the consultation had not made any strong case for the SPA to have responsibility for operating arrangements. Questions were raised over how the schemes will be resourced.

6.15 3 respondents urged that the profile of OPCAT is raised in order to facilitate compliance. A further 3 respondents argued for a full or part-time national administrator to be put in post to support the schemes. One respondent (Pol Org) called for local authorities to be given a role in reviewing reports on custody visiting as appropriate and for the visiting service to have equal access to cover court cells too as this would bring private companies under the same level of scrutiny.

⁸ OPCAT: <http://www2.ohchr.org/english/law/cat-one.htm>

6.16 Summary

- The proposals for inspection and audit were viewed by many of those responding to this question as sensible and building on current arrangements.
- The proposal that HMICS continues to be responsible for inspections of the Scottish Police Service was broadly welcomed.
- The balance of view was in favour of the creation of an independent body to investigate criminal allegations, serious incidents and reviews of investigations.
- Amongst those answering this question, there was widespread agreement across respondent sectors with the proposals for independent custody visiting and in particular the plan to place the arrangements on a statutory footing.

7. WORKFORCE ARRANGEMENTS

Question 11: What are your views regarding our proposals for officers and staff transferring to the new Scottish police force? Are there any other workforce issues we should be considering?

Summary of proposals in the consultation document:

- Retention of terms and conditions of service on transfer of all police officers and police staff who are in post immediately before the new police service is established.
- Existing officers to retain their current terms and conditions of service under the 2004 Regulations, including Regulation 21, which provides safeguards for officers who are statutorily transferred.

7.1 67 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	6	LA	20
PB	6	Vol	2
Pol Org	9	CPP	2
FRS		NHS	
FB		Oth	10
Fire Org		Individuals	12

Note: Abbreviations used in the above table are described in Table 1.

Terms and conditions post reform

7.2 There was much cross-sector support for the proposals to retain Regulation 21 for police employees and for current employees to maintain their terms and conditions post reform. There was, however, repeated emphasis on what was seen as an urgent need to address harmonisation of such conditions. 2 respondents (PB, LA) cautioned that delays in harmonisation may result in a rise in equal pay cases by employees doing similar jobs but paid differently.

7.3 A concern for many respondents was the possibility that employees of the new service may be asked to relocate anywhere in Scotland and respondents felt that more information on this would be helpful. It was considered that centralisation of specialist and support functions could result in a drain on opportunities outwith the centre. Suggestions were made for regionalisation of some roles and functions and greater use of ICT to reduce the necessity for such centralisation.

7.4 Clarity was requested by 10 respondents (largely police bodies and local authorities) on whether police staff will be part of the Government's pay policy guaranteeing no compulsory redundancies.

7.5 7 respondents (all police bodies or local authorities) sought information on the implications of reform for pensions for staff currently on the Local Government Pension Scheme.

7.6 7 respondents (mostly police bodies and local authorities) requested clarity on the future of the Police Negotiating Board post reform and the situation regarding nomination of elected members to the PNB.

7.7 2 respondents (LA, PB) recommended that there should be consolidation of the national recruitment and promotion processes as part of the harmonisation process.

“Business as usual”

7.8 A common view held by those responding to this question was that the delivery of service should not be affected during the transition phase. Several calls were made for senior appointments (particularly Chief Constable) to be made promptly to help to drive the reforms forward.

Communication and presentation

7.9 9 respondents (mainly local authorities and individuals) urged that communication about the changes should be robust and timely in order to keep conjecture to a minimum and maintain staff motivation. One comment was that change should be managed carefully so that officers “*remain motivated, valued and their safety uncompromised*” (LA).

Other workforce issues

7.10 2 other substantive issues emerged in responses:

- There is a need to consider the implications of the proposals for staff currently employed directly by Police Authorities/Joint Boards or providing support services to Police Authorities/Joint Boards (PB).
- There is a possibility that recruitment to the police service may be affected detrimentally as potential recruits start to become aware that they could be made to serve anywhere in Scotland (Ind).

7.11 Summary

- Despite much support for the retention of terms and conditions post reform, repeated emphasis was placed on ensuring early harmonisation of these for staff.
- More information and clarity was sought on a number of specific workforce issues including compulsory redundancies, pensions, relocation policy and the future of the PNB.
- Robust and timely communication was called for to reduce conjecture and maintain staff motivation.

8. GENERAL ISSUES

Question 12: Are there any other issues we should consider in creating the Scottish police service?

8.1 Many consultees responded to this question by summing up their key points or re-emphasising a comment they had made earlier. However, the following new issues were raised by 2 or more respondents:

- Care should be taken not to lose the strengths of current local partnership working and the benefits of local knowledge. (10 respondents)
- Careful planning for the transition phase is required to ensure the standard of service delivery is not affected and a framework of accountability is operating effectively. (8 respondents)
- Greater clarity is required on how predicted savings will be met, with particular concern over possible job losses amongst police staff. (8 respondents) One respondent commented:

“One of the main justifications for moving to a single service has been financial savings and it is vital that the predicted savings set out in the Scottish Government’s Business Case are achieved to allow savings to be reinvested in the service to protect and enhance the current service” (LA).

- Attention should be paid to maintaining public confidence, with investment in marketing and branding of the new service. (4 respondents)
- ICT systems will need to be integrated, strengthened and ready to support the new service. (3 respondents)
- Reforms should be introduced carefully to avoid detriment to local economies, particularly in rural areas. (4 respondents)
- One single police service will find it challenging to be able to respond to the needs of all areas of Scotland. One size may not fit all. (2 respondents)
- Consideration is required on the future arrangements for activities such as police charities and police historical archives which are currently managed on a police force basis. (2 respondents)
- Lessons should be drawn from elsewhere, for example in the selection system for senior positions and co-operating across boundaries. (2 respondents)

PART TWO: FIRE AND RESCUE

9. A MODERN PURPOSE FOR FIRE AND RESCUE

Question 13: What are your views on how we might strengthen the proposed purpose? Should the purpose be set out in the Fire Framework, or in some other way?

Summary of proposals in the consultation document:

- Creation of a new purpose for the Fire and Rescue Service that reflects the realities of its activities in the 21st century and the Scottish Government's vision for a reformed service, focusing on improving the safety and wellbeing of individuals, families and communities.
- Embedding the purpose in a revised Fire Framework operating under Section 40 of the Fire (Scotland) Act 2005.

9.1 59 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	24
PB		Vol	2
Pol Org	1	CPP	5
FRS	3	NHS	
FB	4	Oth	9
Fire Org	6	Individuals	5

Note: Abbreviations used in the above table are described in Table 1.

Views on the proposals for a new purpose

9.2 17 respondents from a range of sectors provided clear support for the proposals for a new purpose. A recurring comment amongst these respondents was that the proposals emphasised the Fire and Rescue Service's key partnership role. One respondent commented:

"..it further enables and encourages the FRS to participate fully in the wider public protection and community safety agenda" (LA).

The emphasis on better outcomes and the focus on prevention were also welcomed.

9.3 A minority of respondents considered that the proposed purpose could be made more concise and straightforward. 2 specific suggestions were to insert:

- *"to improve the safety and wellbeing of individuals, families and communities"*
- *"to save life, protect property and the environment"*.

9.4 One respondent (LA) felt that the proposed purpose tries to capture too much and should be more akin to the proposed police purpose. 2 respondents (Both) urged that the purpose be framed from the perspective of the public and their expectations of a responsive service which engages with them and delivers good value for money.

9.5 3 respondents recommended slight changes to wording:

- “people **in** Scotland” not “people **of** Scotland” to reflect the inclusion of, for example, migrant workers and people on holiday (Oth)
- “..wellbeing of the people **across all** of Scotland” to help to emphasise rural as well as urban coverage (Oth)
- replace “To improve the safety and wellbeing” with “To **secure** and improve the safety and wellbeing” (LA).

9.6 Many suggestions were made for additions to the proposed purpose. Most common were:

- insert an explicit reference to engaging with communities
- insert an explicit reference to involvement in multi-agency working.

Views on setting out the purpose in the Fire Framework

9.7 23 respondents from a range of sectors highlighted their support for the proposal to set out the purpose in the Fire Framework. The key benefit was seen as ensuring flexibility for future updating, thus allowing the purpose to be responsive and modern.

9.8 Only one respondent (Ind) recommended that the purpose be enshrined in legislation, arguing that definition within the Fire Framework or other such documents “*may lessen its effect and understanding*”.

Question 14: What are your views on our plans to retain existing functions for the Scottish Fire and Rescue Service?

Summary of the proposal in the consultation document:

- No change to the functions of the Scottish Fire and Rescue Service.

9.9 55 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	22
PB		Vol	2
Pol Org	1	CPP	5
FRS	3	NHS	
FB	4	Oth	8
Fire Org	5	Individuals	5

Note: Abbreviations used in the above table are described in Table 1.

Support for existing functions

9.10 38 respondents (including almost all of the LAs) provided clear support for the proposal to retain the existing functions for the Scottish Fire and Rescue Service. The existing functions were viewed by these respondents as still wholly relevant, having been reviewed as recently as 2005.

9.11 Other respondents (largely fire and rescue bodies) considered that reform provides the opportunity to examine, clarify and expand on existing functions which one respondent described as “*overly complicated, fragmented and in some cases unclear*” (Fire Org). Another (FB) remarked that the current “catch all” clause of Section 13⁹ is not sufficient, and that core provision should be detailed. Likewise, “promoting fire safety” was viewed as failing to reflect the broader, preventative function of the service (Fire Org).

9.12 The most common recommendations (made largely by fire and rescue bodies) for additional functions and greater clarity of function are summarised below:

- co-ordination role for inland rescue
- flood response
- tackling anti-social behaviour
- restorative justice
- involvement in demand reduction strategies
- assurance to the UK Government on the continued arrangement regarding Grampian’s UK ISAR team
- supporting the Scottish Ambulance Service in remote, rural and island communities
- participation in the wider public service/protection agenda
- input to improved building design and fire safety strategies
- firefighting at sea/Marine Incident Response Group.

9.13 Summary

- The proposals for a new purpose for fire and rescue were generally supported with the emphasis on partnership working particularly welcomed.
- Much support was expressed amongst those responding to this question for the proposal to place the purpose for fire and rescue in the Fire Framework. The key benefit was seen as ensuring flexibility for future updating.

⁹ Section 13 of the Fire (Scotland) Act 2005 gives Fire and Rescue Authorities and Joint Boards the power to respond to any other eventualities likely to cause death, injury or illness, or harm to the environment (including buildings).

10. STRUCTURE OF A SINGLE SCOTTISH FIRE AND RESCUE SERVICE

Question 15: What are your views on our proposals to transfer Scottish Government assets to the new body?

Summary of proposals in the consultation document:

- Establish a single Fire and Rescue Service overseen by a single Board.
- Transfer the Scottish Fire Service College and its assets from the Scottish Government to the new Scottish Fire and Rescue Service.
- Transfer the management of the contract for Firelink to the single service.
- Transfer specialist resources, currently provided by the Scottish Government to augment the FRS's response to a major national threat, to the single service.

10.1 55 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	23
PB		Vol	2
Pol Org	1	CPP	3
FRS	3	NHS	
FB	4	Oth	8
Fire Org	6	Individuals	5

Note: Abbreviations used in the above table are described in Table 1.

10.2 Of the 52 respondents who provided a clear view, 51 supported in principle the proposals to transfer Scottish Government assets to the body.

10.3 The reasons given in support of the proposal were:

- will better meet the needs of the service
- provides the potential for a more streamlined resource
- gives a clearer definition of responsibilities and accountability
- provides the potential for rationalisation
- will lead to greater harmonisation of assets across areas
- will remove tensions over priorities between Government and the new body.

10.4 Most supporters qualified their approval with provisos:

- Sufficient funding transfer should accompany asset transfer, including funds for maintenance of assets which require upkeep/replacement, so as to prevent any negative impact on the delivery of service (24 respondents from a range of sectors). One respondent urged:

“A condition survey of assets should be carried out and provision for any backlog maintenance be recognised in budget allocations.” (FRS)

- Assets should be transferred in a manner which allows equitable access to specialised equipment for rural and remote areas (5 respondents).
- Care should be taken not to lose expertise (e.g. training courses) which have been developed locally (5 respondents). 3 respondents suggested that training courses developed locally could be maintained on a regional basis, with a national lead.
- Clarity is required on the transfer of assets which are currently jointly owned e.g. combined airport and local authority fire appliances (3 respondents).
- Specialist training (e.g. deaf awareness) should not be lost (Vol).
- There should be transparency in decisions on priorities once assets are transferred (Fire Org).
- The new body should be given autonomy to manage its assets as it sees fit (e.g. in partnership with other sectors) (Oth).

10.5 3 respondents suggested that the Scottish Government remain a *stakeholder* in relation to the management of the Firelink communications system, but responsibility should be passed to the blue light services. This proposed arrangement was envisaged as facilitating a “service-led” contract that will meet the needs of the 3 services.

10.6 Summary

- The transfer of Scottish Government fire and rescue assets (such as the Scottish Fire Service College and management of the Firelink Communications System contract) to the new service was widely supported in principle.
- A repeated emphasis made by consultees was that sufficient funding should accompany any assets transfer.

11. NEW ARRANGEMENTS FOR GOVERNANCE AND ACCOUNTABILITY

Question 16: What are your views on the composition of the Board of the Scottish Fire and Rescue Service and the specific skills, experience and expertise required for it to perform its roles effectively?

Summary of proposals in the consultation document:

- The Board of the Scottish Fire and Rescue Service will require a range and mix of skills, experience and expertise to deliver its responsibilities.
- The responsibilities of the Board will not be confined to “national issues”. It would also be responsible for ensuring that the Scottish Fire and Rescue Service is effective at a local level and that local plans were being delivered.

11.1 62 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	24
PB		Vol	2
Pol Org	1	CPP	4
FRS	4	NHS	
FB	4	Oth	12
Fire Org	6	Individuals	5

Note: Abbreviations used in the above table are described in Table 1.

Size of Board

11.2 An emerging theme was that clarity is needed on the proposed size of the Board, as no indication of this had been given in the consultation document. Of the 12 respondents who made explicit recommendations for the size of Board, all proposed at least 11 members. A typical comment was:

“...concerned that the interests of 32 local authorities cannot be effectively managed by a small Board” (LA).

Suggestions were made for size of Board ranging from 11 to 32 members (representing each local authority). Most suggestions were for between 13 and 20 members.

Elected members on the Board

11.3 35 respondents specifically recommended that locally elected councillors form part of the Board. 16 respondents suggested that locally elected councillors comprise at least half of membership. Reasons given for promoting locally elected membership included:

- Need to incorporate and harness relevant expertise and experience built up by locally elected members.

- Particularly important to involve elected members in the “bedding in” phase when continuity of expertise is valuable.
- Brings to the Board knowledge of diverse geographic communities.
- Roots the service in local government.
- Will help the Board to build meaningful relationships with local committees.
- Avoids the perception of an appointed “quango” reporting to the Scottish Parliament.

11.4 2 respondents (Oth, Ind) considered that there should be no, or very limited, places on the Board for serving councillors, with their expertise seen as applicable at local area rather than national level.

Representation

11.5 Many respondents recommended that the Board represent experience from a range of domains. 8 respondents from a range of sectors advocated a balance of experience from urban, rural and remote areas. 5 respondents (LAs and CPPs) urged that the community/voluntary sector be represented on the Board. Other domains nominated for representation by fewer than 5 respondents were: judiciary; academia; lay people; trade unions; national government; both genders; local partnerships; and each existing Fire and Rescue Service.

Skills required of Board members

11.6 One respondent (LA) remarked that given the relatively small size of the Board, it will be essential to ensure that it encompasses a wide range of skills. Respondents identified 12 different skill sets which they considered should be required of Board members. The 5 most commonly mentioned were: knowledge of fire and rescue services; previous direct experience of working in emergency services; knowledge of local government; financial/business skills; strategic thinking; and expertise in the scrutiny of public services. Other skills mentioned by only one or 2 respondents included: ICT skills; experience of organisational management; political skills; appreciation of partnership working; and knowledge of specialist services such as urban search and rescue.

11.7 2 respondents requested that appropriate training be provided for Board members.

Question 17: Do you think a number of appointments to the Board should be reserved for serving councillors nominated by COSLA? Or that Ministers should simply ensure that the individuals appointed to the Board include those with experience and knowledge of local government?

Summary of proposals in the consultation document:

- Appointment of members of the Board by Scottish Ministers through the formal public appointment process.

- Alternatively, appointment by Ministers of a number of serving councillors, nominated by COSLA, to represent the collective voice of local government on the Board.

11.8 48 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	21
PB		Vol	1
Pol Org	1	CPP	3
FRS	3	NHS	
FB	4	Oth	7
Fire Org	5	Individuals	3

Note: Abbreviations used in the above table are described in Table 1.

Nominations by COSLA

11.9 31 respondents (15 of them local authorities) of the 48 explicitly supported the proposal that a number of appointments to the Board should be reserved for serving councillors nominated by COSLA. Only 2 respondents (FB and Oth) recommended that nominations should not be made through COSLA in the first instance.

11.10 Nominations by COSLA were seen as having the benefits of: commanding public confidence; reflecting geographical and socio-economic diversity; linking with local government; accountability; and achieving a political balance.

Use of the public appointment process

11.11 4 respondents considered that there would be no need for COSLA nominees to go through the public appointment process. Another view (LA), however, was that a number of COSLA nominated councillors should be put into the appointment process in order to ensure security clearance, gender and regional balance.

Appointments by Ministers

11.12 3 respondents were clear in their view that Ministers should not appoint members of the Board. They considered that such practice may call into question the Board's independence, and could give rise to political imbalance in representation.

Other suggestions for appointments

11.13 Suggestions were made for other approaches to appointments to the Board. These were: nominations by Fire and Rescue Authorities/Joint Boards (4 respondents); nominations by local councils (3 respondents); by "a democratically, open and accountable process" (FRS); or possibly by Parliament (Oth).

Question 18: What are your views on the roles and responsibilities for governance and accountability set out?

Summary of proposals in the consultation document:

- Chief Officer to lead and manage the Service.
- Chief Officer to produce and publish an annual plan and budget for the delivery of the Service’s strategic plan based upon integrated risk management planning.
- Local councils to formally comment on the local plan.
- Local councils to monitor and scrutinise performance against the local plan.
- Local Senior Officer to have significant delegated authority in the local council area and be responsible for developing and delivering a local plan.

11.14 64 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	24
PB		Vol	2
Pol Org	1	CPP	6
FRS	4	NHS	
FB	4	Oth	11
Fire Org	6	Individuals	6

Note: Abbreviations used in the above table are described in Table 1.

11.15 Overall the proposals were given a cautious welcome, in particular the intention for greater involvement of elected members in planning local arrangements for fire and rescue, but this was balanced by numerous requests for more detail and greater clarity on relationships, lines of accountability and delegated responsibilities.

Local accountability

11.16 The lines of accountability between the local council, the proposed Local Senior Officer (LSO) and the Chief Officer were perceived by many to be confusing. Questions were raised as to whether the LSO will be responsible to local councils or to the Chief Officer and Board. One respondent (Oth) considered that the proposed roles appeared to strike a balance between local accountability and decision-making whilst ensuring national oversight, but others questioned how this would work in practice. For example:

“We have difficulty in accepting that the Local Senior Officer can be “accountable” for the services delivered in that area if decisions relating to the level of service which can be provided are made centrally” (FB).

“Delegating authority to the LSO is welcome, but their ability to deliver against local priorities and expectations within a centrally developed policy and budget arrangement will create a difficult and constant tension” (Fire Org).

11.17 Further confusion was created by the perceived inconsistencies in paragraphs 9.14 and 9.17 in which local councils were stated as having the right to “formally comment on the local plan” (9.14), yet be enabled to “shape local priorities and objectives” (9.17). Paragraph 9.18 was also cited as adding to the confusion by proposing that the LSO prepare the plan “for the agreement of the Council”.

Local committees and partnerships

11.18 12 respondents explicitly welcomed the proposals for alignment of the LSO with community planning arrangements and the suggestion that existing or new local committees facilitate the relationship between the council and the LSO. Calls were made for clarity on the communication mechanisms between local committees and the National Board with 15 respondents (LAs and CPPs) recommending that post reform arrangements for the involvement of local committees, including the communication channels with the Chief Officer and National Board should be framed in legislation.

11.19 3 respondents urged that some responsibility for the setting and deployment of local budgets should remain at local level. According to one:

“This would significantly strengthen accountability and make community engagement more meaningful” (FRS).

Local Senior Officer (LSO)

11.20 More detailed information was requested on the proposed role and lines of accountability of the LSO. The role was perceived to have the potential to enhance local autonomy and promote partnership working, but concern was raised over the LSOs’ degree of delegated responsibility, for example, in relation to control over local budgets. 2 respondents (LA, Pol Org) asked for clarification on what the “significant delegated authority” of the LSO comprised. Another (Oth) cautioned that the LSO should not be swamped by administration and reporting responsibilities.

11.21 2 respondents (both local authorities) suggested that local accountability could be strengthened by involving elected members in the selection and appointment of LSOs. 7 respondents from a range of sectors asked for further guidance on the potential for flexibility in local arrangements including sharing LSOs with other councils, and having more than one plan in cases where a council area is geographically large and diverse.

11.22 3 respondents called for the development of a mechanism for resolving differences in views between local government and LSOs. Another (Vol) asked

for information on proposed sanctions if the LSO fails to produce plans on time and with the involvement of all local stakeholders.

11.23 11 respondents, from a range of sectors, raised as potentially problematic the issue of variation in rank of LSOs. A recurring comment was that the LSO rank must be commensurate with the level of responsibilities of the role. One view (FB) was that all LSOs should be of equal rank so that large areas are not given a stronger voice in resource decisions than smaller or rural areas.

Chief Officer

11.24 Omissions to the role proposed were perceived as:

- responsibility for mainstreaming equality and diversity approaches (5 respondents)
- responsibility for managing major incidents (4 respondents).

Scottish Parliament

11.25 One respondent (Oth) remarked that further clarification is required on the proposed role of the Parliament.

Local Authority monitoring and scrutinising complaints

11.26 Whilst one respondent (CPP) welcomed the proposed role for local councils in monitoring and scrutinising complaints, another (LA) did not see this role as appropriate for the council. One respondent (Oth) asked for more information on how this will operate in practice, and in particular how the proposal sat in relation to the scrutiny arrangements contained in Section 11 of the consultation document.

Potential omissions

11.27 Potential omissions from the consultation document were suggested as:

- role for local people and communities to have their voices heard
- arbitration process should local and national arrangements conflict
- role for accountable officer.

11.28 Summary

- There was general agreement that the Board of the Scottish Fire and Rescue Service should comprise more than 11 members to ensure representation of a wide range of skills and geographical diversity.
- There was much support for the proposal that a number of appointments to the Board should be reserved for serving councillors nominated by COSLA.
- Many respondents welcomed the proposed intention to enhance local accountability under the reforms, but a common view was that the arrangements outlined appeared unclear and confusing.
- Lines of accountability between the local council, LSO and Chief Officer were perceived by many to need clarification.

- Clarity was requested on the communication mechanisms between local committees and the Board with support for framing the involvement of local committees in statute.
- A common view held by respondents answering this question was that the LSO rank should be commensurate with the level of responsibilities of the role, with variation in rank across LSOs identified as potentially problematic.

12. FUNDING

Question 19: What are your views on the proposed new funding and financial accountability arrangements set out?

Summary of proposals in the consultation document:

- Funding paid directly to the SFRS including revenue and capital.
- The Board of the SFRS and Chief Officer to agree the split of funding between national and local priorities and appropriate shared services.
- Allocation of resources to each local designated officer to be transparent and central to the development of the local plan.

12.1 58 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	24
PB		Vol	1
Pol Org		CPP	5
FRS	4	NHS	
FB	4	Oth	9
Fire Org	6	Individuals	5

Note: Abbreviations used in the above table are described in Table 1.

12.2 9 respondents representing a range of sectors expressed their broad support for the proposals which were variously described as “*logical*” (LA), “*appropriate*” (Fire Org) and bringing “*greater coherence and focus to budgetary arrangements*” (Oth). However, one local authority view was that the funding and financial accountability issues raised were too technical and complex to be considered as part of this consultation exercise and required further debate.

Role of local authorities in budget setting

12.3 The topic attracting most comment by respondents was what many perceived to be the absence of information on the establishment of local budgets, and specifically, the role of local authorities in the scrutiny of budgets. 22 respondents raised these issues with additional concerns including:

- Allocation of local budgets should start with local engagement around priorities, risks, demand factors (such as rurality) and should not be a top-down process.

- Some degree of local autonomy and discretion over budgets should be built in.
- Local councils should not be worse off as a result of the proposals and initial budgets should allow for continuity of current local initiatives.

12.4 5 respondents commented that currently local income can be generated to fund additional operational capacity, and they requested clarity on whether this practice will be permissible under the reform arrangements.

Role of Local Senior Officers (LSOs)

12.5 2 respondents (LA, CPP) welcomed what they considered to be the “*well defined role*” for LSOs in the proposed funding arrangements. However, 9 others perceived there to be a lack of clarity around LSOs’ level of discretion to allocate funds to local initiatives and interventions. One fire organisation summed up the views of many in identifying a potential tension between centralised budgetary control and LSOs in meeting local funding expectations.

Role of Scottish Parliament and Ministers

12.6 2 respondents commented that the proposals contained no outline on how Ministers will reach their funding settlement for the Fire and Rescue Service (FB, LA). 6 respondents expressed their concern that:

“the National Board, Ministers and Parliament are too remote to bring effective scrutiny specifically in relation to local fire and rescue plans”.

Role of Chief Officer

12.7 A comment, largely held by local authority and Community Planning Partnerships responding to this question, was that there needed to be a transparent framework, based on robust evidence, for the allocation of resources to deliver national and local plans. The proposals were viewed as lacking detail in this respect.

12.8 6 respondents emphasised that funding allocations should be equitable, taking account of demand factors, with rural areas not losing out to the central belt and other urban locations.

12.9 2 respondents (FB, Oth) called for the Chief Officer to be given flexibility to use resources in ways designed to achieve Best Value.

Other concerns

12.10 A number of other concerns were raised:

- Clarity is required on whether the single service will be liable for VAT. If so, this could have significant financial implications (8 respondents).
- Information is needed on how current reserves will be managed in the transition and post reform (8 respondents).

- Clarity is required on whether prudential borrowing will still be permissible post reform (6 respondents).
- Current liabilities will need to be taken into account in funding arrangements (6 respondents).
- Will the current streamlined procurement procedures remain post reform? (4 respondents)
- Information on post reform pension arrangements is required (3 respondents).
- Clarity is required on the situation regarding insurance of the single service (3 respondents).
- Predicted savings may not be realised, at least not in the short term (2 respondents).
- Will there be a requirement to consider equality in financial decision-making? Is a mainstreamed approach to equality intended? (1 respondent)

12.11 Summary

- Broad support was expressed for the proposed new funding and financial accountability arrangements which were viewed as logical and appropriate.
- There was a common perception that information is lacking on the establishment of local budgets, and in particular, local authorities' role in scrutinising these.
- Many respondents stressed the need for transparency in the way funds are allocated to support local plans, with several urging that rural communities should not lose out at the expense of the central belt.

13. SCRUTINISING THE SCOTTISH FIRE AND RESCUE SERVICE – AUDIT, INSPECTION AND COMPLAINTS

Question 20: What are your views on our proposals for inspection and audit?

Summary of the proposal in the consultation document:

- SFRAU to be given an independent, external scrutiny and audit role.

13.1 54 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	22
PB		Vol	1
Pol Org		CPP	4
FRS	4	NHS	
FB	4	Oth	8
Fire Org	6	Individuals	5

Note: Abbreviations used in the above table are described in Table 1.

13.2 Of those who provided a clear view, 21 welcomed the proposed external scrutiny and audit role for SFRAU, whilst 14 opposed this. Half of those who expressed their opposition were fire and rescue bodies.

Reasons given in support of the proposals

13.3 The proposals were seen as straightforward, and providing an independent, professional challenge which would ensure robust scrutiny arrangements and enhance public confidence.

13.4 The proposals to develop complementary and co-operative scrutiny relationships with other bodies to avoid duplication of working were particularly welcomed by 4 respondents. However, another (Oth) cautioned that the services which these bodies delivered had significant differences and the training which the development of any shared audit and inspection resource should reflect.

Reasons given in opposition to the proposals

13.5 The most common argument against the proposals was that Audit Scotland should be the body which undertakes independent scrutiny. One respondent remarked:

“Audit Scotland are recognised as being an independent audit body and, with support of peer assessors, have been successful in carrying out performance reviews following “modernisation” and as part of the Best Value regime” (Fire Org).

Other reservations about the proposals included:

- Conflicts of interest may arise, for example, if the CIFRA has already served in the single service their independence may come into question (5 respondents).
- The proposals do not adequately establish an independent, professional inspectorate separate from Government (4 respondents).
- The proposals do not necessarily streamline the scrutiny arrangements (1 respondent).
- The creation of a new inspectorate would need justification in terms of value for money and reducing bureaucracy (1 respondent).

Other comments

13.6 A common view held by respondents was that no mention is made of local inspection and audit arrangements, with little mention of inspection and audit arrangements for the Board.

13.7 Clarity was requested largely by local authority and Community Planning Partnerships on the implications of the proposals for the Best Value audit process of local authorities and Community Planning Partnerships.

13.8 4 respondents called for audit and inspection to cover the contribution made to Community Planning Partnerships and single outcome agreements.

13.9 2 respondents requested that formal mechanisms should be put in place for reporting inspection and audit outcomes to local authority committees.

13.10 One respondent (Fire Org) urged that a mainstreamed approach to equality inspection and audit be implemented; another (Vol) recommended that an audit of accessibility of service and EQIA be incorporated.

13.11 2 respondents advocated a change of name for SFRAU to reflect its new functions.

Question 21: What are your views on our proposals for handling complaints?

Summary of proposals in the consultation document:

- The SFRS to be required by law to establish a procedure by which a person, or someone acting on a person's behalf, may make complaints.
- SPSO to retain responsibility to overseeing how complaints are handled, as at present.
- Where the SFRS believes a complaint would be better handled by an independent individual or body, the Service will approach SFRAU to identify and nominate an appropriate person or organisation to take this forward.

13.12 52 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	21
PB		Vol	2
Pol Org		CPP	2
FRS	4	NHS	
FB	4	Oth	7
Fire Org	6	Individuals	6

Note: Abbreviations used in the above table are described in Table 1.

13.13 Of these respondents, only one (Ind) requested that the complaints handling be left as at present. All of the others either expressed their specific support for the proposals or provided general, supportive commentary.

13.14 One recurring comment was that no mention is made in this section of a role for local government, whereas in section 9 of the consultation document a formal role for local government committees is identified “to monitor and scrutinise complaints”. Several respondents urged that the expertise in handling queries and concerns from constituents, built up at local level amongst elected members, should not be lost in the future arrangements.

13.15 3 respondents called for the complaints procedure to be fair, transparent and accessible. One respondent (Fire Org) requested that the complaints process be monitored for equality related issues.

13.16 Summary

- Most of those expressing a view supported the proposed external scrutiny and audit role for SFRAU. This proposal was seen as providing an independent, professional challenge which will ensure robust scrutiny arrangements and enhance public confidence.
- Further information was called for regarding local inspection and audit arrangements.
- The proposal that the Scottish Fire and Rescue Service introduces an internal complaints procedure which follows the Scottish Public Services Ombudsman’s principles and procedures for handling complaints was supported.

14. WORKFORCE ARRANGEMENTS

Question 22: What are your views on the workforce proposals for staff transferring to the Scottish Fire and Rescue Service? Are there any other workforce issues we should be considering?

Summary of proposals in the consultation document:

- Firefighters, officers, control room and support staff who are in post immediately before the new body is established should transfer to the new body on the day of establishment and should retain their terms and conditions of service on transfer.
- The SFRS to establish the terms and conditions which will apply for new officers and staff, and also decide whether to harmonise the terms and conditions of service for support staff previously employed by each of the eight existing Fire and Rescue Authorities/Joint Boards.
- Legislative and administrative arrangements to be put in place to ensure the firefighters remain eligible for the New Firefighters Pension scheme and control room staff and support staff remain eligible to continue in the Local Government Pension scheme (Scotland).

14.1 47 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	18
PB		Vol	1
Pol Org		CPP	2
FRS	4	NHS	
FB	4	Oth	8
Fire Org	6	Individuals	4

Note: Abbreviations used in the above table are described in Table 1.

Transitional arrangements

14.2 3 local authorities recommended that appropriate transition arrangements be put in place to ensure minimal disruption to operational delivery, and protect the safety of officers.

14.3 2 respondents called for consistent, clear, accurate and timely information on the reforms in order to minimise conjecture and concern amongst staff.

Harmonisation of pay and conditions

14.4 10 respondents (largely fire and rescue bodies) explicitly welcomed the proposal for those in post prior to transfer to retain their terms and conditions on transfer.

14.5 15 respondents highlighted the need to harmonise pay and conditions across the country under the single service. 4 of these considered that harmonisation work should be done *prior* to the launch of the new service, to reduce the likelihood of equal pay claims.

Support staff issues

14.6 8 respondents felt that greater consideration should be given to the transition of support staff to the new service. A general view was that support staff should not be adversely affected by the changes, yet the implications for their deployment within the single service were seen as lacking clarity.

14.7 11 respondents requested more information on whether the policy of no compulsory redundancies will apply to support staff.

Relocation issues

14.8 There was some concern that officers, firefighters and other staff may be requested to relocate geographically across Scotland. 2 respondents perceived this to be “*unsettling*” with another (Vol) arguing that no officer or staff member should be forced to serve elsewhere. The policy was seen as having the potential to affect certain staff (rural employees, women, part-time workers, older people and people with disabilities) disproportionately. 2 respondents queried how retained and part-time officers could be expected to re-locate if they had obligations to another, primary employer.

14.9 One respondent (LA) called for maximum use of technology and flexible working regimes in order to minimise the need for centralisation of functions.

Future of National Joint Council Scheme of Conditions of Service

14.10 9 respondents raised the issue of whether the “grey book”¹⁰ conditions should still apply in Scotland or whether the reforms provided the opportunity to create a new set of conditions reflecting a Scottish context and service.

Appointments

14.11 Only 2 respondents specifically emphasised their support for the proposals for new appointments. A further 4 respondents stated that they did not support the proposal for the first Chief Officer to be appointed by Scottish Ministers, but recommended this be undertaken by the Scottish Fire and Rescue Service Board, subject to the approval of Ministers.

Pensions

14.12 6 respondents called for clarity on the future of pensions for staff currently on the LGPS. One respondent (FRS) perceived the omission of any reference to the Firefighters’ Pension Scheme to be concerning.

¹⁰ National pay and conditions for fire officers and support staff up to area manager level is set by the National Joint Council Scheme of Conditions of Service (Grey Book).

Other workforce issues

14.13 4 respondents requested more information on plans to downsize the service in the light of expectations that financial savings will be made.

Question 23: Please highlight evidence where the existing provisions in relation to the employment of police constables causes significant difficulties preventing fire and rescue services delivering their statutory duties. How would you differentiate between the correct duties a special constable/fire officer should follow if they attend an incident where both a crime is being committed and an emergency situation requires urgent action?

Summary of the proposal in the consultation document:

- Retention of the prohibition on police constables being employed as firefighters (under section 51 of the Fire (Scotland) Act 2005).

14.14 37 respondents addressed this question. Most of these were fire bodies and local authorities. Police bodies did not respond to the question, perhaps because it was included within the “Fire and Rescue” section of the consultation document. The full breakdown of respondent sector is below:

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	14
PB		Vol	2
Pol Org		CPP	1
FRS	3	NHS	
FB	4	Oth	4
Fire Org	5	Individuals	4

Note: Abbreviations used in the above table are described in Table 1.

14.15 Of the 31 respondents who provided a clear view, 20 supported retaining the prohibition on constables being employed as firefighters; 11 respondents recommended that the prohibition be lifted. Those supporting the status quo represented a balance of rural and urban locations. Those advocating the removal of the prohibition comprised largely rurally located respondents. Fire bodies and local authorities were represented in both camps.

Arguments in favour of retaining the prohibition

14.16 Few substantive arguments were presented in support of the status quo. The following were documented:

- Best to err on side of caution.
- Cannot be on call to 2 organisations at one time.
- Could cause confusion over responsibilities if prohibition lifted.
- The status quo does not present difficulties.

Arguments in favour of removing the prohibition

14.17 The following arguments were presented in favour of removal of the current prohibition:

- Police and fire services both have protecting life as a core policy.
- Permitting the employment of police constables as firefighters will be beneficial in rural, remote and island areas where there can be a shortage of individuals to fill such vacancies.
- There could be legal grounds for appeals against statutory restrictions on employment under the human rights legislation if the prohibition remains.
- The prohibition does not exist in England and Wales.
- It can be a major advantage at incidents to have one person with both police and firefighter experience and skills.
- Other professionals are not prohibited from becoming firefighters. Police should not be singled out in the Fire (Scotland) Act 2005.

“There are special constables who are also employed as RNLI members, Red Cross, Mountain Rescue operatives, Scottish Ambulance Service personnel...so why has the Fire Scotland Act 2005 identified that police constables are not eligible to be appointed by a fire authority?” (Ind)

Addressing potential difficulties between roles

14.18 6 respondents considered that potential conflicts and confusion at scenes could be addressed by the development of local agreements between Chief Constables and Chief Fire Officers. 2 respondents suggested that guidelines be drawn up and issued to Chief Constables and Chief Fire Officers. 2 others advocated “necessary safeguards” be put in place to minimise confusion.

14.19 Summary

- There was much support for current employees to retain their terms and conditions post reform.
- There was repeated emphasis on harmonising pay and conditions across the country, with some respondents recommending this be done prior to the launch of the new service.
- Further information was requested on how reform will impact on support staff.
- Concern was expressed that officers may be required to relocate across Scotland post reform.
- The majority view was in favour of retaining the prohibition on police constables being employed as firefighters.

15. FIRE SAFETY

Question 24: What are your views on the benefits and/or disadvantages regarding the obligations to promote fire safety at local, regional and national levels?

Summary of proposals in the consultation document:

- SFRS to have obligations to promote fire safety at local and regional levels.
- Consideration of imposing a duty on the SFRS to adopt responsibility for promoting fire safety at national level.

15.1 56 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	22
PB		Vol	2
Pol Org		CPP	5
FRS	4	NHS	
FB	4	Oth	9
Fire Org	6	Individuals	4

Note: Abbreviations used in the above table are described in Table 1.

15.2 There was broad, cross-sector support for the proposal that the new Scottish Fire and Rescue Service should have obligations to promote fire safety at local and regional levels and that consideration be given to imposing a duty on the service to adopt responsibility for promoting fire safety at national level also.

15.3 10 respondents expressed the view that the duty should extend to encompass a wider community safety dimension rather than focus more narrowly on fire safety.

Perceived benefits

15.4 Respondents identified a number of potential benefits associated with the new service promoting fire safety at national, regional and local levels:

- ensures a coherent and joined up approach to promotion
- promotes consistency in approach across Scotland
- enables best practice to be readily identified and shared
- cost-effective in terms of economies of scale
- better able to utilise expertise
- in line with the concept of a single service
- promotes “buy-in” at all levels
- increases the potential for more detailed and focused campaigns.

Concerns and provisos

15.5 5 respondents urged that a national effort to promote fire safety should not detract from local campaigns reflecting local issues. One remarked:

“..the shaping of the service to meet local needs and demands is a key feature of the reform and it would be regrettable if a locally focused fire safety message aimed at tackling local situations was “overridden” by a national effort that emphasises a risk not seen as having the same level of importance locally” (LA).

15.6 Another 7 respondents (including 4 local authorities) requested that further consideration be given to how national activity will link with local initiatives. There was a call for the role of local committee work relating to fire safety to be formalised within the new structure.

15.7 5 respondents urged that sufficient budget should be allocated to support the imposition of a duty to promote fire safety at national level.

15.8 1 respondent (FRS) considered that Government should still support fire safety promotion by facilitating liaison/engagement with other Government areas such as health and education.

Question 25a): What are your views on our proposals to pass the Chief Inspector of Fire and Rescue Authorities enforcement role, under section 61(9)(b) of the Fire (Scotland) Act 2005, to the Scottish Fire and Rescue Service?

Summary of the proposal in the consultation document:

- Consideration of whether the current CIFRA enforcement role for fire safety legislation in certain Crown premises should be passed to the SFRS.

15.9 30 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	8
PB		Vol	1
Pol Org		CPP	1
FRS	4	NHS	
FB	4	Oth	3
Fire Org	6	Individuals	3

Note: Abbreviations used in the above table are described in Table 1.

15.10 25 respondents from a range of sectors expressed their support for the proposal; 2 individual respondents disagreed; 3 respondents provided other relevant commentary.

15.11 A recurring comment was that the proposal for a single authority to enforce fire safety legislation within all premises will result in greater consistency of approach.

15.12 A common concern was that legal conflicts of interest required to be resolved in relation to the single service potentially having to enforce legislation against the Crown through legal action.

15.13 2 respondents (both fire bodies) recommended that appropriate resources are transferred to the new service to support this additional responsibility.

15.14 2 respondents considered it important that the responsibility be seen to be carried out independently and robustly.

Question 25b): What are your views on our proposals to allow duty holders and the enforcing authority to independently refer a disputed matter to the Chief Inspector of Fire and Rescue Authorities under sections 67(1) of the Fire (Scotland) Act 2005. What safeguards, if any, should be put in place to ensure arbitration is only requested in appropriate cases?

Summary of proposals in the consultation document:

- Imposition of the existing functions of the Fire and Rescue Authorities in relation to enforcing fire safety legislation on to the new SFRS.
- The current arbitration process to continue to apply, but the requirement for a referral to be made jointly between the duty holder (a person with fire safety obligations) and the enforcing authority to be removed to allow for either party to independently request a determination.

15.15 29 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force		LA	9
PB		Vol	
Pol Org		CPP	2
FRS	5	NHS	
FB	4	Oth	2
Fire Org	5	Individuals	2

Note: Abbreviations used in the above table are described in Table 1.

15.16 Whilst 14 respondents (largely local authorities) agreed with the proposals, many of the others had reservations. Some of the fire bodies' comments were related to the wider general principle of having a system of referral, rather than to the specific proposed change. A recurring view amongst fire bodies in particular was that referring matters directly to Government may be inappropriate, when it is ultimately a matter for courts to make a determination on

matters of legal interpretation. Referral to government was perceived as having the potential to undermine the new Board and its enforcement officers. A potential alternative identified by 7 respondents was for solicitors who are trained in mediation to be commissioned to consider each dispute and provide an acceptable and independent resolution.

Potential safeguards

15.17 To prevent what one respondent (FB) predicted could be an “*influx of requests*”, the following safeguards were suggested by either one or 2 respondents:

- Utilise a fire safety officer from another service delivery unit in the formal appeal process.
- Consider a role for the SPSO to act as an initial arbiter before the formal arbitration panel is convened.
- Undertake a review of alternative dispute resolution methods.
- Referrals could be liable for the costs incurred, to prevent frivolous or inappropriate cases being forwarded.
- Develop a criteria framework to ensure only significant issues are referred.
- Advertise previous cases through a Government website to enable case reference by duty holders to deter them from making inappropriate applications.

15.18 Summary

- Broad support was expressed for the proposal that the new Scottish Fire and Rescue Service should have obligations to promote fire safety at local and regional levels, and that consideration be given to imposing a duty on the service to adopt responsibility for promoting fire safety at national level also.
- The vast majority of those who provided a view supported the proposals to pass the CIFRA enforcement role to the Scottish Fire and Rescue Service.
- There were mixed views on the proposals to allow duty holders and the enforcing authority to independently refer a disputed matter to CIFRA.

16. GENERAL ISSUES

Question 26: Are there any other issues we should consider in creating the Scottish Fire and Rescue Service?

16.1 Many consultees responded to this question by summing up their key points or re-emphasising a comment they had made earlier. However, the following new issues were raised by 2 or more respondents:

- Attention should be paid to setting up a comprehensive transition framework, supported by funding, which ensures that there is no loss to the standard of service delivery during the reform period.
- Greater clarity is needed regarding how the predicted savings will be achieved, and in particular where staff will be cut, and how frontline services will ensure they maintain their high standards.
- More information is required on the role and status of the Chief Fire Officer, and in particular, whether this will be a uniformed post.
- Clarity is needed on the legal and financial status of the new organisation.
- The location of the new organisation and control rooms need to be considered with criteria for location set out in an open and transparent manner.

ANNEX 1: LIST OF RESPONDENTS

Number. of responses = 145

Reference Number	Organisation
	Local Authority = 26
5	South Lanarkshire Council
33	East Ayrshire Council
40	Renfrewshire Council
41	East Renfrewshire Council
63	East Lothian Council
66	North Ayrshire Council
73	Clackmannanshire Council
76	Argyll and Bute Council
79	North Lanarkshire Council
88	Society of Local Authority Chief Executives (SOLACE) (Scotland)
89	Glasgow City Council
100	Perth and Kinross Council
103	Comhairle nan Eilean Siar
110	Highland Council
112	Angus Council
113	Aberdeenshire Council
114	East Dunbartonshire Council
116	Inverclyde Council
117	Aberdeen City Council
120	Scottish Borders Council
123	Midlothian Council
129	Dumfries and Galloway Council
135	Orkney Islands Council
136	Falkirk Council
138	Convention of Scottish Local Authorities (COSLA)
139	Stirling Council
	Police Forces = 6
36	Grampian Police Force
45	Northern Constabulary
74	Dumfries and Galloway Constabulary
81	Tayside Police
104	Lothian and Borders Police
134	Strathclyde Police
	Police Authorities/Joint Boards = 6
57	Northern Joint Police Board
67	Lothian and Borders Police Board

69	Tayside Joint Police Board
92	Strathclyde Police Authority
99	Grampian Joint Police Board
108	Central Scotland Joint Police Board
	Police Organisations = 12
11	Scottish Police Federation
14	Counter Terrorism Intelligence Unit (Scotland)
25	Police Board Custody Visiting Scheme Administrators
44	Association of Scottish Police Superintendents
48	Association of Scottish Police Superintendents Northern Branch
62	British Transport Police
71	Police Complaints Commissioner for Scotland
94	Scottish Police Services Authority
131	Scottish Crime and Drug Enforcement Agency
133	Strathclyde Police Federation
140	Association of Chief Police Officers' Scotland
141	Scottish Police Authorities Convenors Forum
	Fire & Rescue Services = 3
12	Dumfries and Galloway Fire & Rescue Service
16	Grampian Fire & Rescue Service
126	Strathclyde Fire & Rescue
	Fire and Rescue Authorities/Joint Boards= 5
31	Grampian Joint Fire and Rescue Board
65	Highland and Islands Fire Board
77	Lothian and Borders Fire and Rescue Board
106	Tayside Fire and Rescue Board
145	Central Scotland Fire and Rescue Board
	Fire Organisations = 6
29	Chief Fire Officers Association Scotland, Equality and Diversity Forum
38	Scottish Fire Convenors Forum
53	Chief Fire Officers' Association Scotland
68	Fire Brigades Union
85	Association of Principal Fire Officers Scotland
119	Fire Officers' Association Scotland
	Voluntary Sector = 8
17	Aberdeen Council of Voluntary Organisations
19	Christian Police Association in Scotland
32	Scottish Council on Deafness

39	Black and Ethnic Minority Infrastructure in Scotland (BEMIS)
42	Amnesty International Scotland
50	Scottish Womens Aid
58	Deafblind Society
59	Reform Scotland
	Community Planning Partnerships = 7
20	Community Planning Aberdeen
23	West Lothian Community Planning Partnership
56	East Ayrshire Community Planning Partnership
95	Fife Planning Partnership
105	Aberdeenshire Community Planning Partnership
130	Dumfries and Galloway Strategic Partnership
147	Glen Urquhart Community Council
	NHS = 1
97	NHS Tayside
	Others = 35
18	Isca Consultancy Ltd.
22	Equality and Human Rights Commission
37	Integrity4Scotland
43	Lothian and Borders Emergency Planning Strategic Co-ordinating Group
46	Tayside Safety Camera Partnership
47	Scottish Women's Development Forum
49	National Preventive Mechanism of the UK
54	Grampian Strategic Coordinating Group
55	National Convener of Community Justice Authorities
61	Accountable Officers' Network (Scotland)
70	Glasgow City Council Labour Group
72	Scottish Institute for Policing Research
75	Strathclyde Safety Camera Partnership
78	Scottish Children's Reporter Administration
80	Scottish Countryside Alliance
87	East Dunbartonshire Council SNP Group
90	Accounts Commission for Scotland
91	Liberal Democratic Group of Fife Council
93	Renfrewshire Council's Labour Group
96	UNISON
101	Archives and Records Association
102	The R&A
107	Aberdeen City Council Liberal Democratic Group
109	Transport Scotland

111	Federation of Small Businesses
115	Her Majesty's Inspectorate of Constabulary Scotland (HMICS)
118	Skills for Justice
121	Scottish Youth Parliament
122	Lothian and Borders Safety Camera Partnership
124	The Chartered Institute of Public Finance and Accountancy (CIPFA) Directors of Finance, and Scottish Local Authorities Chief Internal Auditors Group
125	Scottish Human Rights Commission
128	Shetland Community Safety Partnership
132	Scottish Trades Union Congress
143	Auditor General for Scotland
146	Human Rights Consortium Scotland
	30 individuals

ANNEX 2: VIEWS ON THE PARTIAL EQUALITY IMPACT ASSESSMENT

Question 27: Do you have any comments on the partial Equality Impact Assessment (EQIA)? Are there any other potential impacts to consider?

29 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	1	LA	8
PB	2	Vol	2
Pol Org	1	CPP	1
FRS	3	NHS	
FB	3	Oth	4
Fire Org	2	Individuals	2

Note: Abbreviations used in the above table are described in Table 1.

Of these, 5 urged that a full Equality Impact Assessment be undertaken and widely consulted on. One respondent (LA) remarked that each local plan must also be subject to assessment.

The theme which prevailed throughout many responses from police and fire bodies was that centralisation of functions should not impact to the detriment of local partnerships, specialist services, collaborations and local solutions which have all emerged in relation to local equality issues.

Another common theme was that a likely reduction in support staff will have greatest impact on women, who could face reduced employment opportunities, and also find their options restricted on account of the proposed centralised location of support functions.

Other comments which were made by 2 or more respondents were:

- Rather than training staff in British Sign Language (BSL) the new services should make use of fully qualified BSL specialists.
- Keeping a database of staff members with disabilities (as suggested in the EQIA) will be impractical.
- Fatal road traffic accidents affect 17 – 25 year olds disproportionately. Tackling this requires the consideration of shared working across fire and police services.
- A reduced workforce size could reduce the overall diversity of the workforce.

ANNEX 3: VIEWS ON THE PARTIAL BUSINESS AND REGULATORY IMPACT ASSESSMENT

Question 28: Do you have any comments on the partial Business and Regulatory Impact Assessment (BRIA)? Are there any other potential impacts to consider?

15 respondents from the following respondent categories addressed this question.

Respondent category	Number of respondents	Respondent category	Number of respondents
Pol Force	1	LA	4
PB		Vol	
Pol Org	2	CPP	1
FRS	1	NHS	
FB	3	Oth	1
Fire Org	2	Individuals	

Note: Abbreviations used in the above table are described in Table 1.

4 respondents recommended that the Government develop further the initial organisational risk impact assessment. There was a common view that adverse impacts should not be underestimated and that risk and issues associated with “business as usual” need to be quantified in the paper.

3 respondents raised a concern which had been expressed by others in response to other questions, that in their view, the anticipated benefits may not be realised. One respondent (FB) cautioned that the loss of senior management posts may prove a false economy in terms of impacting detrimentally on the service.

Areas of deprivation and/or rural areas were perceived by 5 respondents to be particularly vulnerable to the detrimental impact of reduced employment opportunities as a result of police and fire reform.

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