

POLICE AND CRIME COMMISSIONER (PCC) FOR LINCOLNSHIRE REQUEST FOR DECISION

REF: 023-2015


DATE: 14 August 2015

SUBJECT	EAST MIDLANDS OPERATIONAL SUPPORT SERVICE
REPORT BY	Chief Superintendent 1634 Chris Haward (EMOpSS)
CONTACT OFFICER	Chief Superintendent 1634 Chris Haward (EMOpSS) Telephone 0116 248 2074
<p>EXECUTIVE SUMMARY AND PURPOSE OF REPORT</p> <p>In November 2014 the four Chief Constables and PCCs of Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire were presented with the detailed business case for the creation of East Midlands Operational Support Service (EMOpSS). This was approved (subject to consultation) and the projected go live date for EMOpSS is Monday 4th May 2015:</p> <p>It is necessary that a formal collaboration agreement between the four EMOpSS forces is in place before this date to ensure legal compliance, protocols for command, governance, liability and insurance are all provided for.</p> <p>A section 22 Police Act agreement was presented to the Collaboration Board and PCCs who were asked to consider and where possible agree its terms. A review clause has been added to ensure the section 22 is revisited after 6 months from go live of EMOpSS.</p> <p>This agreement formalises the proposals presented in the original Business Case presented in November 2014 and the subsequent alterations following consultation. The alterations were also presented to the PCCs in person and at the Collaboration Board together with adjusted financial projections. The Board approved the changes and recommended the business case be implemented from May 2015.</p>	
RECOMMENDATIONS	<p>That:</p> <ul style="list-style-type: none"> the Business Case and amendments post consultation for EMOpSS are approved and taken forward to implementation; the Section 22 agreement is approved and signed by the PCC to formalise this collaboration; a full review of the Section 22 agreement will take place within 6 months.

POLICE AND CRIME COMMISSIONER FOR LINCOLNSHIRE

I hereby approve the recommendation above, having considered the content of this report.

Signature:



Date: 14/08/15

A. NON-CONFIDENTIAL FACTS AND ADVICE TO THE PCC

A1. INTRODUCTION AND BACKGROUND

1. Over the past 4 months the draft section 22 agreement has been developed and consulted upon with respective ACPO Teams and PCCs. The core sections of the Section 22 include (NB this is not an exhaustive list):

Governance and Accountability

This sets out the governance mechanisms, terms of reference and head of units responsibilities. Line management accountability remains within portfolio of a locally based ACC reporting directly to the Chief Constable lead for operations.

A single Ch. Supt. has been nominated as head of unit and will report through a governance mechanism including:

- o The Four Force Collaboration Governance Board
- o The Strategic Management Board
- o The Operational Performance Board

The remit and responsibilities of each are set out in more detail in the section 22.

Financial Contribution

This section sets out how the funding of EMOpSS is to be calculated, building on the centrally funded and 'in kind' funded elements as set out in the business plan. This section is critical to the understanding and commitment of forces to maintain their share of officers, staff, revenue and capital costs to ensure the successful operation of EMOpSS.

The section is supported by annexes to the agreement which detail the establishment figures and financial contributions to EMOpSS.

Audit and Inspection

The Audit and Inspection clauses simply set out the way in which these practices will be done and the compliance elements for each force.

Human Resources Principles

Due to the nature of the EMOpSS structures and funding principles this is a key element in the section 22 detailing how forces will provide resources to EMOpSS and endeavour to maintain these in the interests of collaboration.

It is worded in such a way that stresses the importance of maintaining the establishments from each force through 'best endeavours' based on legal advice taken. It will be incumbent on each force to meet this requirement to prevent any force(s) propping up the financial shortfalls of others where establishments have not been filled.

Confidentiality and Information Management

This is a common clause in many section 22 agreements and provides the information assurance for each SIRO in each force.

Procurement, Facilities and Services

This section proposes a delegated authority for the Head of EMOpSS. In the immediate response to major incidents / disasters it allows for deployment and mobilisation together with purchase of emergency aid provisions if needed.

It is not intended that this allows arbitrary purchase of planned equipment or estate improvements without recourse to the appropriate board. It merely offers flexibility and responsiveness at times of critical need.

Insurance & Liabilities

This section sets out the responsibilities of each force in relation to insurance and liability. Where possible common insurance policies will be enacted but many have to remain force led.

The EMOpSS project team have explored the critical areas around vehicles, weapons, licensing etc and are satisfied that the section 22 is broad enough to cover all aspects of EMOpSS business at this time.

Review and Variation of Agreement

This allows for the review and variation of the section 22 agreement after 6 months. This allows members of the board to seek early agreement allowing the go live of EMOpSS and a review once the operating practices are fully known and the implications for the section 22 best understood.

Lead Agency

This section sets out the lead force / agency / partner for core aspects of the EMOpSS infrastructure including procurement, legal services, estates, HR, finance and professional standards.

2. Further clauses in the section 22 cover aspects such as termination, use and control of assets, intellectual property, Public Interest Disclosure and arbitration.

A2. LINKS TO POLICE AND CRIME PLAN AND PCC'S STRATEGIES/PRIORITIES

Reducing Crime – The EMOpSS model is based on a significant evidence base and designed to maintain a local footprint and response presence in each county. The specialist skills EMOpSS provide will continue to support the investigation, prevention and detection of crime.

Being there when we are needed – the evidence base for EMOpSS allows for a more focussed and cost effective deployment of specialist resources mapped very closely against demand and need. Through greater utilisation of the officers and staff in EMOpSS it is anticipated that better support and response can be given to:

- Responding to firearms incidents
- Responding to Killed and Seriously Injured Road Collisions
- Policing events and protest
- Support to prolonged or specialist search
- The investigation of KSIs
- Road Safety
- Denying Criminals the Use of the Road
- Protecting Officers and Public from harm through better deployment of Taser / Armed Officers when appropriate.

Meeting the Strategic Policing Requirement – following the Paris attacks on Charlie Hebdo significant testing and planning has been put in place to ensure the EM region is resilient and able to mobilise in this situation. As EMOpSS goes live we will be able to provide approximately 30% more capability / capacity as a 4 force collaboration than as independent forces. Our speed of mobilisation is improved and our core of specialist commanders more readily available and 'fit for purpose' in such a serious situation.

B. FINANCIAL CONSIDERATIONS

The proposals made in the EMOpSS business case identify the following efficiencies across four forces (many of these are already being realised):

Force	Salary Costs	Ancillary Costs	Mileage	OT, SA + Exp	SLT Savings 14/15	-16 X PCs	Total Cost	Baseline	Saving
	£	£	£	£	£	£	£	£	£
Leics	9,051,049	986,681	27,188	368,646	-190,038	-852,688	9,390,838	11,239,818	1,848,979
Lincs	5,487,824	553,750	15,258	208,954	-35,702	0	6,265,786	7,220,825	990,741
Northants	5,702,509	630,939	17,385	309,795	-40,669	0	6,660,628	7,434,454	814,495
Notts	8,528,928	1,184,688	32,644	284,000	-201,315	0	10,030,260	10,834,541	1,005,596
Total	28,770,310	3,356,058	92,475	1,171,395	-467,724	-852,688	32,347,512	36,729,638	4,659,811

The Agreement includes a number of Financial issues which should be highlighted as being subject to change as the collaboration develops, including:

- The financial model included within the Section 22 Agreement is based on a full year in respect of 2015/16 and will need to reflect a part year effect in line with the start date for the Collaboration.
- The figures included within the budget are subject to review and validation to the Business Case.
- The budget for EMOpSS (for central staffing, in-kind staffing and non-staffing costs, net of income) will require to be developed and agreed, with the result included in schedule 2.
- The arrangements in place for the early part of the Agreement in respect of cost sharing will need to be reviewed for future years as the collaboration reaches its operating model.

It is recognised that a six month review of the Agreement will take place in order to address the issues raised.

C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS

[This should include the legal powers the PCC has for making the decision]

The Police Act 1996 sets out the conditions and requirements under which Police Forces should collaborate.

The EMOpSS Business Case has been subject to legal scrutiny and an Equalities Impact Assessment / Community Impact Assessment to ensure that the operating model is compliant with ECHR considerations and will not negatively impact on public confidence.

Where necessary Standard Operating Procedures have been rewritten and Authorised Professional Practice has been followed throughout.

D. PERSONNEL AND EQUALITIES ISSUES

As mentioned above the EMOpSS Business Case has been subject to a CIA and EIA. Staff Associations and Unions have been consulted throughout and appropriate appeal and governance structures are in place for any officers or staff affected by the changes.

E. REVIEW ARRANGEMENTS

A full project implementation and operational review will take place within 12 months from go live with a full review of the section 22 terms after 6 months.

The governance and accountability structures are set out in the section 22 agreement

F. RISK MANAGEMENT

Project Risks are managed by the EMOpSS Project Team and a full risk register is maintained.

Operational and Financial risks will be managed through the Governance structures set out in the section 22 agreement via the Strategic Management Board chaired by CC Neil Rhodes and through the EM Collaboration Board.

H. PUBLIC ACCESS TO INFORMATION

Information in this form along with any supporting material is subject to the Freedom of Information Act 2000 and other legislation. Part 1 of this form will be made available on the PCC's website within one working day of approval. However, if release by that date would compromise the implementation of the decision being approved, publication may be deferred. An explanation for any deferment must be provided below, together with a date for publication.

Is the publication of this form to be deferred? No

If Yes, for what reason:

Until what date:

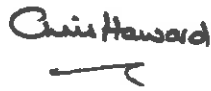




Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate part 2 form.

Is there a part 2 form? Yes

If Yes, for what reason:

The S22 Agreement appended to the Decision Notice is restrictedly marked.

ORIGINATING OFFICER DECLARATION

	Initial to confirm
Originating Officer: Ch. Supt. Chris Haward recommends this proposal for the reasons outlined above.	
Financial advice: The PCC's Chief Finance Officer has been consulted on this proposal.	
The CC's Chief Finance Officer has been consulted on this proposal.	
Monitoring Officer: The PCC's Monitoring Officer has been consulted on this proposal	
Chief Constable: The Chief Constable has been consulted on this proposal	

OFFICER APPROVAL

Chief Executive

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. Consultation outlined above has also taken place. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lincolnshire.

Signature:

A handwritten signature in black ink, appearing to be 'M. J. ...', written over a horizontal line.

Date: 13/8/15