

The Highland Council
Community Safety, Public Engagement and Equalities
Committee - 26 March 2014

Agenda Item	5ii(b)
Report No	CPE 4/14

Proposed response to the Draft Highland Local Police Plan 2014–2017

Report by Head of Policy and Reform

Summary

This report advises members of the amendments and process required for approving the first Local Police Plan for Highland 2014–2017.

1. Background

- 1.1 It is a requirement of the Police and Fire Reform (Scotland) Act 2012 that a local commander must prepare and submit a local police plan to the relevant local authority for approval. The draft plan was made available to the Council on 11th of March 2014 and is presented by the local commander separately to this committee meeting.
- 1.2 The Council's programme contains a commitment that we will play a full part in agreeing local plans for police and fire and rescue services in Highlands and that we will monitor performance against these plans. By considering and agreeing this plan we will support the programme commitment.
- 1.3 In considering the Council's response, members are reminded of:
 - The requirements for local police plans and the role of the Council in approving them as set out in the Police and Fire Reform Act (Scotland) 2012 and summarised in Appendix 1;
 - The expectations of members on the local police plan identified at the member workshop held in December 2013 (reported separately to this Committee meeting);
 - Members' contribution to the 22 Ward Policing Plans, developed through local consultation and ward forums, which outline the policing priorities at a ward level. These are available on the [Police Scotland website](#);
 - Feedback received through the Citizens' Panel highlighting the top three community safety concerns as road safety, alcohol abuse and antisocial behaviour.
- 1.4 The process for agreeing the local police plan by the Council is set out in the revised Scheme of Delegation. This requires consideration at two committees; the CPE Committee and the Education, Children and Adult Services (ECAS) Committee with both Committees recommending to Council the terms of agreeing the Local Police Plan and to ensure alignment with the Single Outcome Agreement (SOA). Both committees have a community safety interest as follows:

- CPE Committee - an overview of crime and community perceptions of crime, fire safety, road safety, anti-social behaviour, hate incidents, violence against women, environmental safety and crimes, door stop crime, cold calling and scams and regulating the supply and storage of hazardous goods.
- ECAS Committee - youth justice, alcohol and drugs, adult protection, child protection, offending and re-offending.

The ECAS Committee will consider the draft plan at its meeting on 21st May with final agreement brought as starred items from both Committees to the following Council meeting on 26th June 2014.

2. The draft plan

- 2.1 The draft local police plan proposes five priorities, namely:
- road safety;
 - alcohol and drugs abuse / misuse;
 - antisocial behaviour / disorder;
 - crimes of dishonesty; and
 - protecting people.

Each priority includes a list of outcomes and objectives, including preventative activities, with many delivered in partnership.

- 2.2 The draft plan describes how priorities were identified, the local policing arrangements and the fit with national outcomes and Highland outcomes agreed through the SOA. It includes a description of the performance, accountability and scrutiny arrangements for the plan, methods of engagement with partners and communities and how equalities issues are taken into account.

3. Proposed response from the CPE Committee

- 3.1 The proposed response from the Committee covers: preliminary comments on the introduction and foreword; an assessment of the extent to which the plan content meets statutory requirements; where it can be improved to support community planning agreements; member expectations from the workshop in December 2013; and where the plan content and layout can be strengthened. Given the short time available to prepare this report for members, further officer feedback needs to be coordinated and may be provided verbally at the meeting. The partnership groups dealing with road safety, anti-social behaviour, violence against women and hate incidents should also have an opportunity to consider the draft plan.

3.2 Preliminary comments

In the introduction (paragraph 1.2 in the draft local Plan) the Council's governance arrangements for agreeing the Local Police Plan through consideration at the CPE and ECAS Committees and with agreement at Council should be noted. The Council contribution to the foreword of the Local Plan would be from the Leader of Council following the Council meeting

in June 2014.

3.3 Meeting statutory requirements

Appendix 1 describes the requirements for producing local police plans. In summary these are about setting out priorities and objectives for policing in the Council's area, explaining why they have been selected and how local policing will achieve them and how these relate to community planning outcomes and will be measured. Members are reminded that the legislation allows the Council to specify policing measures it wishes to be included in the local plan.

3.4 The draft local police plan does set out priorities and objectives, the rationale for them and identifies the fit with national and local priorities. There are two areas however where further information would help to meet the statutory requirements better. These are in relation to:

- The local policing arrangements for achieving the priorities. In particular it would be helpful to know what the total resource for policing the Highlands is and how that might change over the plan period. This includes staffing (locally based as well as national resources likely to be called on) and succession planning, an overview of the budget and any planned changes to physical assets. While members do not have a role in agreeing resources for the plan (that is a matter for Police Scotland) it would be useful to have resources clarified in section 5 of the draft plan so that the Council and partners can be aware of likely impacts on their operations for community safety services delivered in partnership and to identify opportunities for more shared service approaches. It may also provide community assurance on the resource for local policing.
- Improving the measurement of progress. While the draft plan sets out what is expected to increase or decrease over time for each priority, it would be more helpful to know what the base-lines and targets are for these measures. This will help the Council in its role of scrutinising performance. It would also help the Council and its partners know what is expected of the police for those areas of partnership service delivery. Some targets may need to be agreed in partnership where there are dependencies to Council, NHSH and other services.

3.4 Improvement requested to support community planning arrangements

The draft local police plan aligns with the partnership priorities set out for community safety in the [Highland Single Outcome Agreement 2013/14–2018/19 \(SOA\)](#) in that the SOA identifies alcohol abuse, anti-social behaviour, road safety, hate crimes and violence against women as partnership priorities. The draft plan also describes the arrangements used for partnership working through the Safer Highland structure. Generally the draft plan expands on the commitments made by Police Scotland in the SOA and provides a more detailed description on how outcomes and priorities will be achieved. However, there are a few areas where alignment could be stronger and where clarification is needed. This is described below for each of the priorities in the draft local plan.

3.5 Road safety

In addition to the activities in the draft local plan, the SOA highlights the police commitment to participate in or deliver targeted campaigns for young and male drivers (although some of it will be delivered through Driving Ambition as it is referenced in the plan). Re-stating this commitment in the local plan would be helpful. Also it would be helpful if there was flexibility to deliver any other road safety campaigns as identified through the road safety group. While the plan refers to the national road safety targets for reducing the number of people killed, or seriously or slightly injured on the roads, it would be helpful to include these targets in the plan as they are in the Highland SOA, together with the figures relating to road crime and public perception of road safety.

3.6 Alcohol and drug abuse/misuse

This matter will be considered by the ECAS Committee as part of their remit; however it can be highlighted to members on that Committee that the SOA includes two further actions not included in the draft local police plan: the availability of data and reporting of alcohol related crimes; and identifying misusers at high risk of offending through improved partnership processes (akin to GIRFEC).

3.7 Antisocial behaviour (ASB)

It is noted that the draft local plan expands on the SOA definition of antisocial behaviour incidents, broadening it from breach of the peace, vandalism and noise nuisance to include serious and petty assaults. There are two areas where clarity in the draft local plan is needed:

- The SOA focuses action on the top 3 beats for ASB whereas the draft plan identifies the 5 Highland wards with the highest level of incidents. If these are different areas, the change in focus needs to be explained in the plan and in the partnership group as partner services may be affected;
- Whether preventative activity proposed in the plan referring to 'reducing the number of premises currently identified as causing significant and persistent disorder or serious nuisance to the community' is the same as the SOA outcome on 'reduction in the number of households escalated to stage 3 for noisy behaviour through operation notebook'. As above, if these are different priorities, the change in focus needs to be explained in the plan and in the partnership group as partner services may be affected.

Base-lines and targets relating to ASB should be included in the draft plan. Base-lines are provided in the SOA.

3.8 Crimes of dishonesty

There is no reference in the Highland SOA on explicitly decreasing dishonesty crimes; although there is an outcome that 'Highland becomes even safer' which focuses on decreasing all types of crimes and offences and increasing their detection rate. The inclusion of this priority may be driven by national priorities and includes housebreaking, thefts and bogus caller fraud. Members can welcome its inclusion in the local plan given work presented earlier to this Committee on preventing bogus callers and scams and because of the rural dimension highlighted in the draft plan.

3.9 Protecting people

In the draft plan this focuses on domestic abuse and hate crimes, both within the remit of this Committee. Members of the ECAS Committee may wish to comment on the need to include other vulnerable groups that partners work to protect and the significant contribution the police make to that work (e.g. child protection and vulnerable adults). Improvements proposed for the CPE Committee to consider are set out below:

- For hate incidents, it would be helpful if the local plan includes the outcome in the SOA that ‘people who report hate incidents feel satisfied with the response received from public agencies’ and to include in the plan the wider context for underreporting of hate crimes and incidents. This would explain the inclusion in the draft plan of its long term outcome on ‘decreasing the number of people who are victims of hate crimes’ alongside its short term objective aiming to ‘increase the reporting of hate incidents’ as a way of encouraging reporting.
- For Violence against Women to fully align with the SOA, the plan should include information on repeat victimisation and perpetration of domestic abuse. Data on trends should be included as they are for the SOA and the underreporting of these incidents should be acknowledged.

3.10 Action included in the SOA but not included in the draft local plan

The SOA recognises issues of place and how public bodies need to take into account the Highland geography in designing and delivering services. There are two aspects of this:

- In section 5 of the draft local plan the challenge of policing in rural and remote areas of Highland could be included. Information on responding to incidents in these areas would provide reassurance to Highland communities and to partners.
- A long term outcome in the SOA is that ‘Areas with most multiple deprivation become safer and are felt to be safer’. While this is listed in the draft local plan in section 6 national outcomes, it is not explicit how this will be taken forward in the local police plan. Given the Government focus on prevention and reducing inequalities, this SOA action should be more prominent in the local police plan.

3.11 The SOA also includes environmental outcomes. A specific community safety commitment to ‘reduce wildlife crime in the Highlands’ is important given the outstanding natural environment and biodiversity of the region. While this does not fit within the 5 priorities identified for the draft local plan, if there was a section at the end of the plan considering environmental impact, this action could be included there along with the police contribution to reducing carbon emissions (as a signatory to the Highland Climate Change Declaration). This might offer scope for information on emergency planning arrangements to be included in the local plan, given they often relate to severe weather events, and to provide partner and public reassurance of the important police role in responding to emergency planning events.

3.12 Improvement requested to meet member expectations

As reported separately to this committee, in the member workshop in December 2013 members were keen for certain information to be included in local plans. This is replicated below along with a request for improvements to the draft local plan, where relevant.

1. *The need for the experience of vulnerable groups to be reflected in the plans (using equality impact assessment, attending the meetings after CPE Committee and listening to views of the Community Advisory Group set up by the police for example).*

A good proportion of the draft plan is concerned with vulnerable groups and Police Scotland's duties under the Equality Act (2010). The draft plan can be strengthened for hate crimes and violence against women as described in paragraph 3.9 above and members of the ECAS Committee will be able to comment on coverage for vulnerable groups within its remit.

2. *The need for plans to include targets that can be measured, not just high level outcomes.*

The need to strengthen the performance content of the plan for alignment with the SOA and for targets to be set is highlighted above and requested.

3. *The usefulness of reporting to Area Committees on community safety trends and performance.*

When the final police plan is approved, performance against it can be measured. This will mean a change to current performance reporting to the CPE Committee. Reports to Area Committees have been agreed by the Local Commander and this will begin in 2014 after the Highland Plan is approved.

4. *Finding positive ways to engage with the public including improving press releases to show what is being achieved and making use of social media.*

The plan could be improved by including in the introduction the improvements that have been achieved already in community safety and that the region performs very well compared to the rest of Scotland which has also seen reducing crime rates. The Highlands are one of the safest places to stay and including this contextual information would provide better assurance for the public.

5. *The need to share premises and services wherever possible.*

It is proposed above that information is included in the local plan on resources, including staffing and physical assets. It would also help to have a statement confirming Police Scotland's intention locally to work

with community planning partners on joint resourcing. This could be in the introduction or under section 8 on engagement.

3.13 Strengthening the content and layout

One of the legislative duties is for the approved local police plan to be published in such form and manner as the Authority may specify. Minor improvements to the content and layout could be made by inserting a contents page, numbering the priorities and inserting hyperlinks to the Highland SOA and to the Ward Policing Plans. In keeping with the SOA it might help to highlight which objectives and outcomes are short, medium or long term (currently only long term outcomes are identified).

4. **Implications**

4.1 Resource implications – there are no new resource implications for the Council arising from this report. The local commander has noted an interest in using the Council's Citizens' Panel for future surveys and this is being confirmed with panel members. Any costs arising from partner use of the panel would be met by partners.

Legal implications – the legal duties on the local commander and the local authority on the production and approval of the local police plan are described in the report.

Equalities implications – the report acknowledges the coverage of the draft local plan for equalities issues and identifies where commitments to vulnerable groups can be aligned better with the SOA.

Climate Change/Carbon Clever implications – there are no new climate change implications for the Council and the report highlights where the draft local plan could be strengthened on environmental impact.

Risk implications – there is a risk to the ability of members in fulfilling their scrutiny role of police if the performance content of the local plan is not improved by including base-lines and targets.

5. **Recommendations**

5.1 Members are asked to agree the improvements required for approval to be given to the local police plan as set out in section 3 of this report. These relate to: comments on the introduction and foreword; the need for further information on resourcing, a commitment to joint resourcing locally and for the performance content to be strengthened; the improvements detailed to ensure alignment with the SOA; the need for contextual information describing the high levels of community safety in the region and where the plan content and layout can be strengthened.

5.2 Members are asked to note that the draft local plan will also be considered by members of the Education, Children and Adult Services Committee in May before Council approval of the local plan to be sought in June 2014, based on the recommendations from both committees.

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Extract from the Police and Fire Reform (Scotland) Act 2012 relating to Local Police Plans and the Local Authority role in approving them.

Part 1 Police Reform, Chapter 7 Local Policing

Section 44 Local policing

- (1) The chief constable must ensure that there are adequate arrangements in place for the policing of each local authority area (and any adjacent territorial waters).

Section 45 Local authority role in policing

- (1) A local commander must involve the local authority in the setting of priorities and objectives for the policing of its area.
- (2) A local authority may monitor and provide feedback to the local commander on the policing of its area, and (in particular) may provide to the local commander—
 - (a) its views on any matter concerning or connected to the policing of its area, and
 - (b) any recommendations for the improvement of the policing of its area that it thinks fit.
- (3) A local authority may specify policing measures that it wishes the local commander to include in a local policing plan.
- (4) A local authority may provide feedback by reference to any local police plan in force for the area.
- (5) A local commander must provide to the local authority such—
 - (a) Reports on the carrying out of police functions in its area (including by reference to any local policing plan in force for the area),
 - (b) Statistical information on complaints made about the Police Service in, or the policing of, its area, and
 - (c) Other information about the policing of its area, as the local authority may reasonably require.
- (6) A local commander may refer a requirement under subsection (5) to the chief constable if the local commander considers that complying with the requirement would or might prejudice—
 - (a) the carrying out of any operation by the Police Service, or
 - (b) the prosecution of offenders.
- (7) A requirement referred under subsection (6) has effect only if it is confirmed by the chief constable.

46 Duty to participate in community planning

- (1) In section 16(1) of the Local Government in Scotland Act 2003 (asp 1) (duty to participate in community planning) —

- (2) The chief constable must delegate the carrying out of the chief constable's functions under section 16(1)(e) of the Local Government in Scotland Act 2003 in each local authority area to the local commander for that area.

Section 47 Local police plans

- (1) As soon as is reasonably practicable after the first strategic police plan is approved under section 34, a local commander must prepare and submit a local police plan to the relevant local authority for approval.
- (2) A local police plan is a plan which—
 - (a) sets out the main priorities and objectives for the policing of the local authority's area,
 - (b) explains the reasons for selecting each of those priorities and objectives,
 - (c) sets out the proposed arrangements for the policing of the local authority's area (and how those arrangements are expected to achieve the main priorities and objectives),
 - (d) where reasonably practicable, identifies outcomes by reference to which the achievement of those priorities and objectives may be measured,
 - (e) describes how those priorities, objectives and arrangements are expected to contribute to the delivery of any other relevant local outcomes which are identified by community planning, and
 - (f) includes any other information connected with the policing of the local authority's area which the local commander considers relevant.
- (3) In preparing a local police plan, the local commander must—
 - (a) have regard to the most recently approved strategic police plan, and
 - (b) consult—
 - (i) the joint central committee of the Police Federation for Scotland,
 - (ii) such persons as appear to the local commander to be representative of senior officers,
 - (iii) such persons as appear to the local commander to be representative of superintendents (including chief superintendents),
 - (iv) such persons as appear to the local commander to be representative of police staff, and
 - (v) such other persons as the local commander considers appropriate.
- (4) If the local authority approves a local police plan submitted to it, the local commander must publish it in such form and manner as the Authority may specify.