

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	AUTHORITY		
DATE:	14 JULY 2015	REPORT NO:	CFO/070/15
PRESENTING OFFICER	CHIEF FIRE OFFICER		
RESPONSIBLE OFFICER:	CHIEF FIRE OFFICER	REPORT AUTHOR:	JANET HENSHAW
OFFICERS CONSULTED:	STRATEGIC MANAGEMENT GROUP		
TITLE OF REPORT:	ONGOING AND FUTURE COLLABORATION WITH MERSEYSIDE POLICE AND PCC		

APPENDICES:	APPENDIX A: DRAFT TERMS OF REFERENCE
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Purpose of Report

1. To request that Members approve ongoing and potential future collaboration with Merseyside Police and Police and Crime Commissioner (PCC) as outlined in this report

Recommendation

2. That Members;
 - a. Approve the establishment of a Joint Fire and Rescue and Police Committee consisting of the Chair and Vice Chairs with the PCC and Deputy PCC as co-opted members. Draft Terms of Reference for this Committee are attached as Appendix A to this report.
 - b. Instruct the Chief Fire Officer (CFO) and Chief Constable to establish a small Project Team to consider current and potential future collaboration and to adopt agreed Terms of Reference.

Introduction and Background

3. Members will be aware of the Government proposals to enact the Cities and Devolution Bill which will provide for an elected Mayor of a Combined Authority who will exercise the functions of the PCC for the same area.
4. The Government has also been clear that it expects public services to work more closely together and to share services where possible. The Conservative manifesto stated “we will enable Police and Fire and Rescue Services to work more closely together and develop the role of our elected and accountable Police and Crime Commissioners”.

5. Members will also be aware that the Government is committed to further public spending cuts which will continue to have a detrimental effect upon the budgets of the Police and Crime Commissioner and the Fire and Rescue Authority and in particular their ability to continue to operate as a “stand alone” entities in these financially challenging times.
6. It is clear that Merseyside Fire and Rescue Authority (MFRA) has already shown a commitment to collaborative working with other “blue light” services and that this has been successful, with seven of the Authority’s premises shared with North West Ambulance Service (NWAS) or Merseyside Police (MP) and further shared premises pending station mergers.
7. What has been particularly successful is the collaboration between MP and MFRA in sharing the Joint Control Centre and in operational terms to deal together with major incidents in Merseyside.
8. As a result of this, the CFO and Chair and Vice Chairs of MFRA have held recent discussions with the Chief Constable and PCC about how further collaboration might be achieved and how current and future opportunities might be exploited to the benefit of both organisations.

Options for the Short to Medium Term

The Fire and Rescue Authority

9. There is currently, under the provisions of the Local Government Act 1972 and the Local Government and Housing Act 1989 a requirement for a Fire and Rescue Authority to be in place. There must be elected representatives from each District of the Local Authority area and these are nominated by the District Councils on a proportionality basis.
10. However there is no prescribed number of elected Members to be on such an Authority or the number of Committees. In law there is in fact only a need to have an Authority meeting (with no prescribed number of meetings other than at least one a year) and good practice to have an Audit Committee.
11. The CFO is a statutory officer (Head of Paid Service under the Local Government and Housing Act 1989) and as such is accountable to the Fire and Rescue Authority. The Authority is responsible for the appointment and any dismissal of the CFO and other Statutory Officers.

The Police and Crime Commissioner

12. The core functions of PCC’s are to secure the maintenance of an efficient and effective police force within their area, and to hold the Chief Constable to account for the delivery of The Police and Crime Plan.
13. PCC’s are elected for four-year terms and are charged with holding the police fund (from which all policing of the area is financed) and raising the local

policing precept from council tax. PCC's are also responsible for the appointment, suspension and dismissal of the Chief Constable.

14. The Police Reform and Social Responsibility Act 2011 established police and crime panels within each force area in England and Wales (excluding Greater London). These panels consist of at least one representative from each local authority in that area, and at least two independent members co-opted by the panel.
15. Panels are responsible for scrutinizing PCC decisions and ensuring this information is available to the public. They must review the PCC's draft police and crime plan and draft annual report before publication, and the PCC must give their comments due consideration. A Police and Crime Panel may require the attendance of the Commissioner or a member of his or her staff at any time, and may suspend a commissioner from office where he or she is charged with a serious criminal offence. Police and crime panels can veto a PCC's proposed precept or proposed candidate for Chief Constable by a two-thirds majority.

Collaboration in the short and medium term

16. Potential for collaboration would need to be fully explored, by consideration of where premises and other assets could be shared or where areas of current collaboration could be exploited to create savings. This could create "quick wins". In addition operational collaboration would need to be taken into account.
17. Whilst current legislation remains in place, the Fire and Rescue Authority must retain, in addition to the statutory post of CFO (Head of Paid Service), a Monitoring Officer and section 151 Officer (these are both also statutory posts under the provisions of the Local Government and Housing Act 1989). The Police also need a legal adviser and a treasurer and both organisations require other transactional support functions for example HR services (as major employers) and services such as ICT and Estates management, communications and others.
18. It is proposed that a very small Joint Project Team headed by a Project Manager of appropriate seniority, is established to consider how transactional support and other collaboration could be achieved.
19. In order to make savings each Department of each Service would need to be reviewed and identification of numbers and functions of each determined in order to provide a shared corporate service to both Police and Fire. This would involve determination of current staff numbers and an analysis of numbers required in a joint services in each department, as well as consideration of where departments could merge or deletion of duplicated roles.
20. The senior management of a corporate function could consist of Legal, HR, Finance and Resources and the Director of each decided at the outset by undertaking full job role analysis.

Options for the longer term

21. If the above structures were to be agreed and put into place in the short term this would put MFRA and Merseyside Police in a very good position to deal with any new legislation which is likely to be enacted sooner or later.
22. If such legislation is expected, either enabling or directed, the PCC could make an approach to offer to run a pilot scheme in Merseyside and this would be primed if structures had been established for such collaboration already.

Governance

23. It is possible that the MFRA could, in the first instance and with the agreement of its Members, elect to create a Committee of 3 Members consisting of the Chair and two Vice Chairs of MFRA to represent the entire Fire and Rescue Authority.
24. The PCC and Deputy PCC could be co-opted onto this Committee, with full voting rights as co-opted Members to ensure joint working and collaboration. The Police and Crime Panel would continue under its current legislative remit.
25. It is proposed that this Committee would meet at least twice a year, receiving reports from a Project Team as outlined in paragraph 17 above. It is further proposed that this Committee would have a Quorum of three with at least one elected Member from MFRA and at least one co-opted Member from MP in attendance.
26. The CFO would continue to report to the Authority and the Chief Constable would report to the PCC. Both Police and Fire Operations, headed by a Chief Constable and a Chief Fire Officer would sit alongside each other with the reporting lines as they are currently.

Equality and Diversity Implications

27. Any collaboration which could impact on staff would require an EIA before any decision is made. In the meantime reviews of current services would be undertaken taking full account of the Equality Act 2010.

Staff Implications

28. It is recognised that staff may be affected by such a review and should this be the case it would be necessary to enter into consultation with the representative bodies to ensure that staff are fully informed. However it is too early to speculate on the outcome of the review and the implications to staff from both MFRA and MP perspective.
29. More information will be provided at the Principal Officer briefings that are due to commence in July. This will also provide an opportunity for staff to ask questions about the collaboration work.

Legal Implications

30. The Cities and Devolution Bill is presently at its 2nd Reading stage which commenced on 22nd June 2015. Further stages in its progress through the Parliamentary system will be necessary before it can be enacted and at present therefore the Bill is subject to ongoing amendment.
31. In its current form the Bill amends the Local Democracy, Economic Development and Construction Act 2009 and applies to Combined Authorities. It provides for the Secretary of State to make provision by order, with the consent of constituent councils of the combined Authority, for an elected Mayor to exercise the functions of the PCC as described in Part 1 of the Police Reform and Social Responsibility Act 2011.

Financial Implications & Value for Money

32. No decisions should be taken about any collaboration that does not create efficiencies overall.
33. There will be no additional allowance paid to Members of MFRA to sit on this proposed Joint Committee as the Members Allowance Scheme does not allow more than one SRA to be paid. However Members should decide if it would be appropriate to pay any co-optee allowance to the PCC/Deputy PCC.

Risk Management, Health & Safety, and Environmental Implications

34. There are no direct Risk Management, Health and Safety or Environmental implications contained within this report.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

35. The Communities of Merseyside will benefit in any collaboration with MP that makes these communities safer and results in ongoing efficiencies.

BACKGROUND PAPERS

GLOSSARY OF TERMS

MFRA	Merseyside Fire and Rescue Authority
MP	Merseyside Police
PCC	Police and Crime Commissioner