

**Special Shetland Islands Council****17 December 2012**

Community Safety & Resilience Board – Pathfinder Project	
GL-103-F	
Joint Report Presented by: Team Leader – Safety & Risk Area Commander – Northern Constabulary	Governance & Law

1.0 Summary

- 1.1 The purpose of this report is to bring Members up to date with the progress of the Pathfinder project and seek approval for the formation of the Community Safety & Resilience Board which is a multi-agency board delivering on the 'Safer' strand of the Shetland Performance Framework and the Single Outcome Agreement. Following agreement from Shetland Islands Council, these documents will come before the Shetland Partnership for final approval. As the next Shetland Partnership Board meeting is not until February 2013, an initial meeting of all the key Community Safety & Resilience Board members will take place at 12 noon on Monday 17th December 2012 to ensure continued progress in this regard.
- 1.2 In consultation with partners, a Community Safety & Resilience Plan will be developed for the Shetland area. This will include the Local Policing Plan and the Local Fire and Rescue Plan and is to be agreed both with Shetland Islands Council and the Shetland Partnership.

2.0 Decision Required

2.1 Members are asked to RESOLVE to:

- i) Approve the structure and membership of the Community Safety & Resilience Board as detailed in the proposed Terms of Reference (*appendix 1*)
- ii) Approve the Governance arrangements (*appendix 2*)
- iii) Approve the Reporting Structure (*appendix 3*)
- iv) Nominate one Member from the following wards to join their colleagues, Shetland North Member Alistair Cooper and Shetland South Member Allison Duncan, and to represent their respective communities on the Board:

- Lerwick South
- Lerwick North
- Shetland Central
- Shetland West
- North Isles

3.0 Detail

- 3.1 The Police and Fire Reform (Scotland) Act was passed by the Scottish Parliament in June 2012, and received the Royal Assent in August. The purpose of the Act is to create a single police and a single fire service. The effective date for implementation of the new arrangements is 1 April 2013.
- 3.2 Part 1 of the Act deals with the formation of a single Police Service for Scotland (PSS) and a new governing board, the Scottish Police Authority (SPA). Key provisions include:
- The composition and functions of the Scottish Police Authority;
 - That the Chief Constable must ensure adequate arrangements for the policing of each local authority area;
 - There will be a designated local commander for each local authority area, subject to direction and control of the Chief Constable;
 - A local policing plan has to be agreed between the local commander and the local authority, setting out priorities and the arrangement for policing in the local authority area;
 - The local authority has powers to request reports and information on policing in the local area. This is aimed at feeding back views on any matter concerning local policing in the area and recommending improvements;
 - Specifying the roles of the Chief Constable and designated local commanders
- 3.3 In terms of the role of Local Authorities, the Act empowers them to:
- Monitor and scrutinise local service delivery
 - Provide feedback and make recommendations
 - Approve local plans
- 3.4 Part 2 of the Act establishes a new Scottish Fire and Rescue Service (SFRS). The SFRS will be responsible for the governance and administration of fire and rescue services across Scotland. The Act inserts new sections into the Fire (Scotland) Act 2005. Key amendments specify:
- The duties on the SFRS to ensure adequate arrangements for SFRS functions in each local authority area;
 - The requirement for the SFRS to designate an employee as Local Senior Officer for each local authority area;
 - The requirement for the SFRS to involve each local authority in determining priorities for SFRS functions in the area;
 - A duty for the SFRS to prepare local fire and rescue plans to be agreed by the local authority
 - Local authority powers to request reports and information on SFRS services in the local area.

- The Act includes a framework for the delivery of local scrutiny and engagement arrangements, which all local authorities and the new services will implement when the legislation is enacted.
 - The Scottish Government has created a Local Scrutiny and Engagement Network to support the new arrangements. The network includes a number of pathfinders, tasked with trialling new arrangements for the local scrutiny and engagement of police and fire services, with these to be in place by 1 April 2013.
 - The Scottish Government has confirmed Shetland as a joint Islands pathfinder, with Orkney and the Western Isles.
- 3.5 In order to be truly effective it is vital to have a common understanding of the key priorities for each organisation and across local communities through high level strategic assessment, and operate harmoniously with the Shetland Partnership. The proposed Community Safety & Resilience Board will have as its driving force the 'Safer' strand of the Shetland Performance Framework, taking into account the principles of prevention, early intervention and partnership working.
- 3.6 Likewise, as a pathfinder it is equally important that we share our learning through <https://knowledgehub.local.gov.uk/web/localscrutinyandengagementnetwork> which is the knowledge hub for pathfinder authorities.
- 3.7 The proposed Community Safety and Resilience Board will comprise representation from the key agencies as detailed in *appendix 1*, along with one Elected Member from each ward to ensure that all local issues are included.
- 3.8 The Board will report to each of the key agencies through its respective Board member but will take its overall direction from the Shetland Partnership, reporting at each meeting to ensure the strands and emerging themes remain pertinent, both now and into the future so that it can collectively deliver on the relevant key strategic objective with confidence. The directional and reporting structure is detailed in *appendix 3* of this report.
- 3.9 Within the overall Governance framework, the specific arrangements need to be clearly detailed and followed with performance being measured at least on an annual basis. Governance for the Board is detailed in *appendix 2* of this report and will be supported by a self-assessment framework which will measure the performance of the Board in this respect. The self-assessment framework will be finalised after the Board has been formally established and will come before the Council and the Shetland Partnership in the new year.
- 3.10 The Shetland Community Safety & Resilience Plan 2013-16, as agreed by partners agencies will come before Elected Members and the Shetland Partnership before 31st March 2013

4.0 Implications

Strategic

- 4.1 Delivery On Corporate Priorities – The formation the Community Safety & Resilience Board, with representation from Members and key partners will be largely responsible for delivering on the ‘Safer’ strand of the Shetland Performance Framework and item 10.3 of the Single Outcome Agreement.
- 4.2 Community /Stakeholder Issues – By appointing one Member per ward to the Board, it ensures that community and stakeholder issues from all parts of Shetland are recognised and included.
- 4.3 Policy And/Or Delegated Authority – Only full Council have the authority to approve the structures and process required in terms of the commitment given by Shetland Islands Council to joint working arrangements at this level and scale.
- 4.4 Risk Management – Without such a comprehensive and robust approach there is a significant risk that the ‘Safer’ strand of the Shetland Performance Framework may not be achieved. There are however a number of positive risks that arise from the suggested formatting, role and remit such as the ability to:
- Foster a stronger, formal relationship with the Police, Fire, and Rescue Services
 - Have more involvement in the setting of local priorities and objectives
 - Acquire a greater understanding of local issues for our key partner agencies
 - Request reports on the carrying out of police functions; statistical information on police complaints and any other information reasonably required
 - Provide a monitoring role, and duty to give feedback including recommendations for improvement
 - Approve local plans, following consultation as appropriate by the local commander
- 4.5 Equalities, Health And Human Rights – The Governance arrangements as detailed in Appendix 2 take account of equalities, Health and Human Rights
- 4.6 Environmental – No direct implications.

Resources

- 4.7 Financial – None that are outwith existing budgetary provision.
- 4.8 Legal – The Police and Fire Reform (Scotland) Act 2012 creates a new framework for the provision of policing and fire and rescue services. The Council, as a local authority, is given the right under the Act to, amongst other things, monitor and provide feedback on the provision of those services.

4.9 Human Resources – None

4.10 Assets And Property – No direct implications.

5.0 Conclusions

5.1 The Council has a role to play as a Pathfinder Authority under the auspices of the Police and Fire Reform (Scotland) Act. The formation of a Community Safety & Resilience Board is the best mechanism for ensuring a truly joined up process with local community issues at its heart. It is important that the foundation of the Board is sound and robust which requires its role, remit and Governance arrangements to be able to stand up to local and national scrutinisers.

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10 December 2012

List of Appendices

- Appendix 1 - Community Safety & Resilience Board Terms of Reference
- Appendix 2 - Governance Arrangements
- Appendix 3 - Reporting and Directional Structure

END

COMMUNITY SAFETY & RESILIENCE BOARD - TERMS OF REFERENCE

1. Strategic Objective

- 1.1 To deliver on the 'Safer' strand of the Shetland Performance Framework, namely:

"Shetland stays a safe place to live and we have strong, resilient and supportive communities."

2. ROLE

- 2.1 Membership of the Community Safety & Resilience Board will comprise:

- 7 Shetland Islands council Members (1 from each ward, preferably Chair/Vice Chair of other Committees. The Chair of the Community Safety & Resilience Board will be an elected Member from within the 7 nominees)
- SIC Chief Executive (or his nominee)
- Scottish Fire & Rescue Service
- Police Scotland
- HM Coastguard
- Scottish Ambulance Service
- Procurator Fiscal
- NHS Shetland
- SEPA
- Criminal Justice Authority

Key advisors to the Board will be:

- Strategic Risk Sharing Partnership (SIC representative)
- SIC Emergency Planning Officer
- SIC Community Safety Officer

* Other agencies appropriate advisors as required

3. REMIT

- 3.1. Contribute to the development of Shetland's single Outcome Agreement.
- 3.2. To review and update the "Community Safety Strategy" and "Emergency Planning Strategy" taking into account the revised remit of the Shetland Partnership and the Shetland Community Safety & Resilience Board. Subsequently to develop an appropriate "Plan" and annual work/action plan. This will include the required local Police and Fire Plans as outlined in the Police and Fire& Rescue Services Reform Agenda.
- 3.3. Co-ordinate, monitor and report on the activity of partner agencies to the Shetland Partnership – in accordance with the Shetland Community Safety & Resilience Board's role and when working towards the Shetland Community Safety & Resilience Board's Plan.
- 3.4 To engage and provide direction and support to the sub-groups in the development, co-ordination and implementation of the Shetland Community Safety & Resilience Board's requirements in line with the Shetland Community Safety & Resilience Board Plan, e.g. the antisocial Behaviour Working Group, the Domestic Abuse Partnership, Shetland Emergency Planning Executive/Forum, the Road Safety Advisory Panel, etc.
- 3.5 To exchange information and promote best practice amongst partners to support partnership working to find joint solutions to common issues, whilst removing duplication of effort between partner agencies.
- 3.6 To provide a route for groups and organisations involved in the Shetland Community Safety & Resilience Board to communicate with the Shetland Partnership and Shetland Partnership Performance Group. This includes seeking guidance when necessary and having a representative to the Shetland Partnership.
- 3.7 To maintain an appropriate membership, representative of the local communities and partner agencies.
- 3.8 To promote and maintain effective communication and liaison with regional and national groups, local communities and the media.

4. MEETINGS

- 4.1 The Community Safety & Resilience Board will convene not less than quarterly, with scope for further special meetings as and when deemed necessary by the Board/Chair.

5. REPORTING AND INFORMATION SHARING PROCEDURES

5.1 Reporting:

- 5.1.1 The Community Safety & Resilience Board will report to, and take its direction from, the Shetland Partnership, but on an agency basis will individually report to their respective Boards/Committees as appropriate.

6. DELEGATED AUTHORITY

- 6.1 The Community Safety & Resilience Board has no formal decision making powers but will take its direction from and report to the Shetland Partnership as well as individual agencies reporting through their respective Committees/Boards.

7. ADMINISTRATION

- 7.1 The Community Safety & Resilience Board will be supported administratively by the staff from within the Council's Safety and Risk Services who will ensure that minutes, agendas, supporting papers, etc., are forwarded timeously to all authorised recipients.

8. ARBITRATION

- 8.1 In the event of any disagreement arising between members of the Board and/or between the Board and any given Agency/Service, the role of arbitrator will be executed by the Chair of the Shetland Partnership.

Community Safety & Resilience Board

GOVERNANCE ARRANGEMENTS

1 Foreword

- 1.1 The Shetland Community Safety & Resilience Board strives to successfully deliver on the 'Safer' strand of the Shetland Performance Framework and is committed to following the principles of Corporate Governance in its aim to meet its strategic, corporate and operational objectives.

2 General Purpose

- 2.1 The Board's Governance Arrangements shall become an integral part of its service delivery and shall be reflected in all that it does, leading to improved levels of corporate awareness and understanding, underpinned by the following qualities:
- Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
 - Public Service
 - Respect

3 Scrutiny

- 3.1 The Governance Arrangements shall set measurable standards against which the Board's performance can be continuously assessed through a process of self evaluation supported by a range of clear and robust evidence and shall be subject to transparency and open scrutiny. These standards will be held up for judgement both internally and externally by the following bodies:

3.1.1 Internal Scrutiny

- Shetland Partnership
- Shetland Islands Council
- Police
- Fire
- Coastguard Agency
- NHS Board
- Other partner agencies involved in the community planning, community safety, and emergency planning processes.

3.1.2 External Scrutiny

- Shetland Public
- Local/National/Global Media
- Scottish Government
- Public Sector Inspectorates

4 **Fundamentals of the Code**

- 4.1 The Community Safety & Resilience Board's Code of Corporate Governance consists of **6 Fundamental Elements** that shall run as a "golden thread" through all aspects of the Board's business. These Principles are:

4.1.1 Purpose, Outcomes and Vision

The Community Safety & Resilience Board will focus on:

- understanding and clearly communicating the purpose of the Board
- short, medium and long-term outcomes for the Community
- creating and implementing a vision for the community now and well into the future

4.1.2 Working Together

The Community Safety & Resilience Board will:

- ensure Members and agencies understand the functions of the Board and work together with a common purpose
- clearly define the roles and functions of both Board Members and their respective relationships with the community
- ensure the Board's vision, plans, priorities and targets are developed and tested through robust mechanisms

4.1.3 Conduct and Behaviour

The Community Safety & Resilience Board will:

- Develop, promote and implement a set of clear values
- actively demonstrate the principles of Good Governance
- uphold high standards of conduct and behaviour reflective of exemplary governance

4.1.4 Internal Control and Managing Risk

The Community Safety & Resilience Board will:

- take informed and transparent decisions and be able to evidence same
- provide a robust means of scrutiny with continual self assessment and improvement
- manage risk effectively at operational, corporate and strategic levels, and across all of its activities

4.1.5 Development of Officers and Members

The Community Safety & Resilience Board will:

- develop the capacity and capability of Members and Officers to be fully effective in all aspects of their respective roles, particularly those with responsibility for Governance, and ensure the right skills, knowledge and experience is evident
- Strike the right balance between continuity and renewal in the membership of the Community Safety & Resilience Board

4.1.5 Engaging Stakeholders and Public Accountability

The Community Safety & Resilience Board will:

- engage with local people to ensure a shared vision
- engage with other stakeholders and ensure that partnership arrangements are underpinned by a common vision
- ensure robust accountability arrangements are in place, as well as mechanisms to identify both failure and improvement.

5 Self Evaluation and Improvement Framework

- 5.1 The Corporate Governance Self Evaluation and Improvement Framework consists of a range of key issues broken down into a wider number of requirements against which the Board must be able to evaluate itself and is designed to evidence and identify both achievements and failures, as well as to direct and inform specific areas for further improvement. Specific detail within the self assessment requirements may be amended from time to time to ensure it continues to measure performance effectively.
- 5.2 The Self Evaluation and Improvement Framework follows each of the key principles detailed in section 4 of this Code and details the specific standards to be achieved by the Board, along with the supporting evidence and/or any remedial actions required where current standards fall short of those expected.
- 5.3 Comprehensive 6 monthly reports will be submitted to the Shetland Partnership, via the Shetland Partnership Performance group advising on progress and risks identified, as well as actions taken, or planned, to manage those risks and improve overall performance.

6 Authorisation

This Code, which should be challenged and supported by reliable evidence, shall underpin all that the Board does in the name of the community and shall be reviewed on an annual basis to ensure its ongoing effectiveness.

Signed _____ Date _____

(On behalf of the Shetland Partnership)

