

For Information	
Public/Non Public*	Public
Report to:	Police and Crime Panel
Date of Meeting:	30th October 2013
Report of:	Paddy Tipping Police Commissioner
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Agenda Item:	6

REGIONAL COLLABORATION – FURTHER UPDATE

1. PURPOSE OF THE REPORT

- 1.1 This report presents the Police and Crime Panel (Panel) with a further more detailed update report in respect of Regional Collaboration.
- 1.2 In accordance with section 13 of the Police Reform and Social Responsibility (PR&SR) Act 2011 and subject to certain restrictions, the Commissioner must provide the Panel with any information which the Panel may reasonably require in order to carry out its functions. The Commissioner may also provide the Panel with any other information which the body thinks appropriate.

2. RECOMMENDATIONS

- 2.1 The Panel to note the contents of this update report and consider and discuss the issues.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To provide the Panel with information so that they can review the steps the Commissioner is taking to fulfil his pledges and provide sufficient information to enable the Panel to fulfil its statutory role.

4. Summary of Key Points

LEGITIMACY FOR COLLABORATION

- 4.1 HMIC reports *Policing in Austerity: Rising to the Challenge* (2013) and *Increasing Efficiency in the Police Service: The role of collaboration* (2012) identified the benefits that collaboration can bring. These include encouraging

both a more efficient police service (through economies of scale), and a more effective one (thorough increased resilience and capacity).

- 4.2 A detailed legal framework governing collaboration agreements is set out in the Police Act 1996, as amended by the Police Reform and Social Responsibility Act 2011^a. This imposes a number of interlocking duties on the Chief Constable of a police force and the Commissioner for a police area. The most significant points include the following:
- A collaboration agreement may be made by two or more policing bodies^b (including PCCs) or between one or more Chief Constables and two or more policing bodies (including PCCs).
 - The Chief Constable and the PCC are each under a duty to keep under review the ways in which collaboration functions^c could be exercised so as to improve the efficiency or effectiveness of one or more police forces or policing bodies.
 - Detailed provision is made as to assessing the case for a proposed collaboration and requiring the agreeing parties to give effect to the proposed collaboration if they are of the view that it would be in the interests of the efficiency or effectiveness of one or more police forces.^d
 - Moreover, the PCC is required to hold the Chief Constable to account for the effectiveness and efficiency of the Chief Constables arrangements for co-operating with other persons, whether pursuant to a collaboration agreement or otherwise.
- 4.3 The Secretary of State has given statutory guidance (under section 23F of the Police Act 1996) as to police collaboration^e. Chief Constables and Commissioners are required to take this guidance into account in considering whether or not to enter into a collaboration agreement and in planning and making collaboration agreements.
- 4.4 The 2011 Act inserted sections 22B and 22C into the 1996 Act, which place **new duties** on chief officers and policing bodies (Commissioners) to keep collaboration opportunities under review and to collaborate where it is in the interests of the efficiency or effectiveness of their own and other police force areas. **This is a stronger duty** than the previous one for police authorities, who were required only to support collaboration by their own forces.

^a See sections 22A to 22C; 23; 23AA; 23B-H; 23HA; and 23I of the Police Act 1996 as amended

^b By s.23I of the 1996 Act, „policing body“ includes a local policing body; and by s.101(1) of that Act, a local policing body includes a police and crime commissioner

^c In one area, police air support, the Secretary of State has required collaboration between all police areas: see SI 2012/1690 Police (Collaboration: Specified Function) Order 2012

^d 1996 Act, section 22B (duty on chief officers) and section 22C (duty on policing bodies, including PCCs)

^e Statutory Guidance for Police Collaboration, Home Office, October 2012, available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/117559/police-collaboration.pdf

- 4.5 The new duties require chief officers and policing bodies (Commissioners) to work together to review opportunities to collaborate, to engage with their prospective collaboration partners and to make a judgment as to whether those opportunities present the best option available. Where collaboration is judged to be the best option, **they must collaborate**. Another key difference from the previous arrangements is that where collaboration would provide the best outcome for another police force or group of forces, then a chief officer or policing body (Commissioner) **should pursue it – even if they do not expect their own force to benefit directly itself**. This is designed to ensure that collaboration takes place wherever it is in the wider public's best interest.
- 4.6 Following their election, the PCCs for the East Midlands region^f recognised the importance of understanding their financial commitments related to regional collaboration arrangements in order to ensure that these were fully reflected in their medium-term financial strategies. In February 2013, they therefore set up a Regional Efficiency Board to review the current arrangements for joint working. Her Majesty's Inspectorate of Constabulary (HMIC) was invited to join this board as an independent observer.

HMIC REVIEW

- 4.7 In July 2013, the Police and Crime Commissioners (PCCs) for the East Midlands Region commissioned Her Majesty's Inspectorate of Constabulary (HMIC) to conduct a review of the arrangements for collaboration between the five forces in the region^g. The purpose of the commission was:
- To provide [the PCCs] with high-level assurance on the overall approach to collaboration between, and by, forces within the East Midlands policing region; by assessing current arrangements; by assessing what is being developed and by considering future possibilities.
- 4.8 A draft of this HMIC report is currently being considered by Commissioners and the content therefore is currently restricted.
- 4.9 Commissioners in the Region want to be assured that both current and future collaboration arrangements are providing value for money and in commissioning the HMIC to review the arrangements wish to explore whether there is room to improve still further the efficiency and effectiveness of the service offered by EMSOU.
- 4.10 The HMIC report once agreed and finalised will be made available to the public on its web site and the Panel via the PCC website soon.^h

^f *The East Midlands region comprises the police forces of: Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire.*

^g *Police and Crime Commissioners can commission HMIC to undertake inspections under section 54(2BA), Police Act 1996.*

^h <http://www.hmic.gov.uk/>

EMSOU HISTORICAL DEVELOPMENT

- 4.11 The forces of the East Midlands have been working in collaboration for over a decade, since the establishment of the East Midlands Special Operations Unit (EMSOU) in 2002. This started as a dedicated undercover policing and test purchase unit covering just Nottinghamshire and Leicestershire. It has since expanded incrementally to include all five East Midlands forces, as well as five major areas of policing: serious and organised crime; major crime; intelligence; forensics; and counter-terrorism.
- 4.12 EMSOU was the first regional unit of its kind in England and Wales. It is widely considered that the forces showed great vision, as well as strong and cohesive leadership, in establishing the collaboration programme, which was ahead of its time. The forces and their successive leaders have continued to support and develop it. As a result, the region was the first to increase capabilities in critical operational areas through joint working; and forces continue to reap significant benefits in terms of resilience in some major operational areas (such as serious and organised crime and major crime).
- 4.13 EMSOU has a number of key strengths. These include its efficient and effective structure which provides the five forces with resilience in relation to serious and organised crime and it is able to manage operations well with access to a broad range of operational tactics. The forces have a strong history of dealing with serious and organised crime groups. Collaboration in this area is considered by most as effective but the HMIC review will hopefully provide Commissioners with the necessary assurances.
- 4.14 Similarly, the Major Crime Unit is considered by many to deliver an effective response to major crimes. It has skilled staff that have responded well to the workload and coped with the demand in the region.

CURRENT COLLABORATION ARRANGEMENTS

- 4.15 The following collaboration arrangements are in place as shown in the table below:

2002	East Midlands Special Operations Unit EMSOU undercover policing and test purchase unit 2007
2002	East Midlands Special Operations Unit EMSOU Counter Terrorism Intelligence Unit
Apr-10	Regional Asset Recovery Team
Jul-11	East Midlands Special Operations Unit EMSOU Technical Support Unit
Jul-11	Regional Review Unit
Aug-11	East Midlands Strategic Commercial Unit (Procurement)
Sep-11	Major Crime
Sep-11	Serious and Organised Crime
Oct-11	East Midlands Special Operations Unit EMSOU Special Branch
Feb-12	Police e-Crime unit
Feb-12	Regional Intelligence Unit
Apr-12	Forensic Services
Apr-12	Learning & Development
Apr-12	Occupational Health
Nov-12	Legal Services (initially Nottinghamshire and Derbyshire in July 2011 – joined by Leicestershire and Northamptonshire in November 2012)
Nov-12	Fraud and Financial Investigation
Apr-13	Serious Collision Investigation Unit

4.16 In addition, the Protected Persons Unitⁱ (went live this summer (2013)).

4.17 The East Midlands Police Collaboration Programme (EMPCP)^j is based in Hucknall, in Nottinghamshire, and has the task of delivering changes which will improve many areas of operational and non-operational policing functions.

4.18 It has four portfolio areas, each overseen by a Chief Constable from one of the East Midlands forces, with the fifth Chief Constable in the role of Programme chair.

4.19 The portfolio areas are:

- Specialist Crime
- Operational Support
- Specialist Operations
- Resources

4.20 In total, the EMPCP is working on more than 40 projects as diverse as improving IT infrastructure, police legal services, training programmes, streamlining fraud and financial investigations and regionalising the management of HR data.

4.21 **East Midlands Special Operations Unit** - operates from various locations around the region. It is divided into a number of specialist policing units, many

ⁱ The Protective Unit is a collaboration of 3 Forces Notts, Derbys & Leics

^j <http://www.eastmidlandscollaboration.police.uk/About%20Us.html>

working with a range of other law enforcement partners at regional and national level.

- 4.22 **EMSOU Major Crime (EMSOU-MC)** - investigates homicides and kidnap with demands and extortion, and other serious cases, as well as managing issues of threat, risk and harm in all five force areas.
- 4.23 **EMSOU Serious Organised Crime (EMSOU-SOC)** - tackles organised crime groups involved in drugs supply, supply of firearms, cyber crime, armed robbery and money laundering across all five force areas.
- 4.24 **EMSOU Forensic Services (EMSOU-FS)** - undertakes forensic analysis, identification and crime scene investigation across three force areas - Derbyshire, Lincolnshire and Nottinghamshire.
- 4.25 **EMSOU Special Branch (EMSOU-SB)** - assesses and reduces the risk to the whole region from potential terrorist activity and domestic extremism.
- 4.26 **EMSOU Regional Review Unit (RRU)** - independently reviews on behalf of all five forces undetected major crime investigations, as well as procedure and practice of critical incidents and missing persons inquiries, as well as analysing acquittals at court and successful appeals against conviction.
- 4.27 **Regional Asset Recovery Team (RART)** - uses specialist financial investigation techniques to recover assets from criminals involved in money laundering and serious organised crime in the East Midlands.

RECENT ACHIEVEMENTS

- 4.28 While collaboration has achieved a lot in terms of organisational change, improving policing standards, saving public money and making the East Midlands police forces much more resilient, the bottom line is about making the region a safer place to live, work and visit.
- 4.29 Some of EMSOUS's most recent successes include:
 - In February 2013, 18 men were given prison sentences totalling 120 years after EMSOU-SOC foiled the gang's plan to distribute around £2m worth of high value cocaine in Lincolnshire.
 - In December 2012, a Derby man was sent to prison for his part in a £52 million money laundering operation which was investigated by the Regional Asset Recovery Team.
 - That same month an EMSOU-led investigation into a drugs supply network operating throughout Britain resulted in a total of 64 years in prison for 13 people. EMSOU worked closely with colleagues in the West Midlands and the North West to bring the gang to justice.

- In November 2012, members of a 14-man car theft gang from across the Midlands were sentenced to a total of more than 24 years in prison for burgling houses to steal car keys and vehicles in Nottinghamshire, Derbyshire, Leicestershire and further afield, some of which were then shipped to southern Africa.
- EMSOU-SOC successfully established a link between 60 different crimes and recovered 40 stolen vehicles, including a dozen already in Africa, working with the South African Police Service to trace the stolen cars.

OTHER COLLABORATION OPPORTUNITIES UNDER CONSIDERATION

4.30 On 2nd September 2013, the Police and Crime Commissioners Board was briefed on proposed collaborative developments, which are not at the stage of full business cases. These include:

OPERATIONAL SUPPORT

- CRIMINAL JUSTICE
- EAST MIDLANDS IT
- PROFESSIONAL STANDARDS - VETTING
- LEGAL SERVICES
- CONTACT MANAGEMENT
- INFORMATION MANAGEMENT

SPECIALIST OPERATIONS

- SERIOUS COLLISION INVESTIGATION UNIT
- STRATEGIC ROADS POLICING
- ARMED POLICING INTEROPERABILITY
- SPECIALIST OPERATIONS – COMMAND & CONTROL
- SPECIALIST DOGS
- CIVIL CONTINGENCIES
- EMRICC – PUBLIC ORDER
- EMRICC – PUBLIC ORDER & CBRN

RESOURCES

- TRANSACTIONAL HR SHARED SERVICE CENTRE
- EMCHRS – OCCUPATIONAL HEALTH UNIT
- EMCHRS – LEARNING & DEVELOPMENT
- PROCUREMENT
- ESTATES & FACILITIES

- CORPORATE SERVICES
- ERP - SHARED SERVICES
- FLEET

5. Financial Implications and Budget Provision

- 5.1 The financial implications of regional collaboration were reported in the previous report to the Panel but for completeness are repeated in this section of the report.
- 5.2 The regional collaboration revenue budget for 2013-14 is £20,931,299. This was approved by the regional PCC's in February. The latest forecast out-turn reported to PCC's on 2nd September 2013 is estimated to be £20,699,816 and represents an estimated under spend of £231,483.
- 5.3 The revenue budget is supplemented by Force's Contributions of Officers in Kind who provide the regional services. The estimated Officer in Kind contribution for the year equates to £8,933,237.
- 5.4 The revenue contributions are split based upon each PCC's share of the funding formula for government grant. This equates to the following percentage shares where there are 5 forces collaborating:
- Nottinghamshire 27.3%
 - Leicestershire 22.8%
 - Derbyshire 22.2%
 - Northamptonshire 14.9%
 - Lincolnshire 12.8%
- 5.5 These percentages vary where there are only 3 forces in the collaboration.
- 5.6 The Regional PCC's were presented with a growth budget over the medium term financial plan period, which they did not agree. They requested that a piece of work should be undertaken to identify further efficiencies within the regional services. An Efficiency Board was set up with the aim of identifying savings by the end of July.
- 5.7 At the September 2013 board meeting of the regional PCC's there was a recommendation from the Efficiency Board to action the identified savings of £2.4m phased over the next 3 years.
- 5.8 The regional collaboration also has a capital programme totalling £420,471. This is to provide vehicles and equipment to the regional services. This

expenditure will be financed by the use of regional reserves £377,468 and a contribution from the regional collaboration fund £43,003.

- 5.9 Regional Reserves were £1,207,428 as at 01.04.13 and are estimated to be £874,960 as at 31.03.14.

6. Human Resources Implications

- 6.1 None - this is an information report.

7. Equality Implications

- 7.1 None as direct result of this report.

8. Risk Management

- 8.1 All risks are managed within each regional project/service. By collaborating risks relating to finances and resilience are being mitigated.

9. Policy Implications and links to the Police and Crime Plan Priorities

- 9.1 The objective to Spend Your Money Wisely within the Police & Crime Plan includes a commitment to achieve greater savings from existing collaborations.

10. Changes in Legislation or other Legal Considerations

- 10.1 Recent legislative changes in respect of collaboration are detailed in paragraphs 4.2 – 4.5.

11. Details of outcome of consultation

- 11.1 The Deputy Chief Constable has been consulted on this report and feedback responded to.

12. Appendices

- 12.1 None

13. Background Papers (relevant for Police and Crime Panel Only)

- Police and Crime Plan 2013-2017

For any enquiries about this report please contact:

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