

**SURREY POLICE AND CRIME PANEL****15 SEPTEMBER 2021****COLLABORATION REPORT****SUMMARY**

The Panel has requested a report on collaborative arrangements for Surrey Police, both with other police forces and with blue-light services. The report also includes information on PCC's legal responsibilities in respect of collaboration and how the PCC measures the effectiveness of the arrangements in place.

**RECOMMENDATIONS**

That the Panel notes the report on collaboration.

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## Collaboration and PCCs: what does the law require PCCs to do?

PCCs have a role in overseeing and driving various collaborative arrangements, both with other police force areas and with blue-light partners. PCCs' statutory responsibilities vary depending on the type of collaboration and are covered by various different pieces of legislation. The principle types of collaboration and PCCs' roles in each are set out below.

### Police collaborations

Collaboration agreements between two or more PCCs, or between two or more police forces and PCCs are usually established to achieve greater efficiencies of scale, to drive savings or to improve operational effectiveness.

The Police Act 1996 (as amended) places a duty on PCCs and Chief Constables to keep under consideration whether collaboration could improve the efficiency and effectiveness of their force and one or more other forces or policing bodies.

Police collaborations usually require a "Section 22A" agreement between the parties. This agreement provides a legal framework for how the collaboration will operate. It will include arrangements for the direction and control of officers or staff; provision for sharing costs and benefits; ownership of assets; complaints handling; staffing matters; auditing arrangements; conditions for terminating an agreement; the process of review; and oversight and accountability arrangements. PCCs will publish S22A agreements, or where there are operational or commercial sensitivities, they will publish the fact that an agreement has been entered into.

Forces cannot make collaboration agreements without their PCC also being a part of the agreement. Usually, one lead force and PCC will be charged with leading the delivery and governance of the service within the agreement, but with the arrangements for setting strategic direction, funding and governance agreed collectively by the PCCs that are party to it. Likewise, Chief Constables that are party to the agreement will collectively approve the delivery plan, monitor the operational effectiveness and efficiency, and monitor compliance with standards.

One of the main responsibilities of a PCC is to hold the Chief Constable to account for the efficient and effective policing of an area on behalf of the public, including any arrangements for collaboration. A PCC can also include information about collaborative arrangements within their Police & Crime Plan. The Surrey Plan is currently in its consultation phase, but it may provide an opportunity to communicate the PCC's vision and expectations around collaboration during her tenure.

PCCs need to ensure that they keep collaboration under review, although there is no single structure to do this and it will vary on the collaboration in question. Oversight may be via regular performance meetings (as is the case for regional collaboration arrangements for Surrey and the South East) or via update reports to accountability meetings with the Chief Constable (in the case of smaller, more established collaborations).

Mutual aid arrangements are different to collaboration, and are covered by Section 24 of the Police Act 1996. Mutual aid enables Chief Constables to use each other's officers, at cost, to meet any special short-term demand on force resources.

### **Bluelight collaboration**

The Government sought to formalise and promote emergency service collaboration by introducing a statutory duty to collaborate in the Policing and Crime Act 2017. This places a duty on ambulance, fire and policing bodies (i.e. police forces and PCCs) to '*keep under consideration whether entering into a collaboration agreement with one or more other relevant emergency services could be in the interests of the efficiency or effectiveness of that service and those other services*'.

PCCs have other levers to encourage blue-light collaboration. For example, PCCs possess statutory responsibilities for co-operative working and must have regard to the relevant priorities of each responsible authority (including fire and health partners), who may have distinct priorities for collaboration.

### **Fire**

Under the Policing and Crime Act 2017, PCCs can apply to take on responsibility for fire governance and become Police & Fire Commissioners (PFCCs). This currently requires local consultation and the submission of a business case to the Home Secretary. To date, four PCCs have taken this option and their responsibilities include setting the Fire budget and local fire and rescue objectives through a Fire Plan. Following a recommendation from Phase One of the Government's PCC Review, a White Paper on Fire and Rescue is expected, which will include consultation on the mandatory transfer of fire and rescue functions to PCCs across England, where boundaries are coterminous (as they are in Surrey).

### **What collaborations are in place in Surrey and how these are kept under review?**

Surrey Police and the PCC are party to a number of formal collaboration arrangements at various levels – national, regional and local (the latter is primarily with Sussex Police). There have been various drivers to enter into these collaborations over a number of years.

Surrey's main collaboration arrangements are set out below. How the PCC oversees the efficiency and effectiveness of these arrangements will depend on the size, scale and delivery model of the collaboration in question. But in each instance, the PCC needs to be able to understand the benefits of the collaboration and how they ultimately improve services for the public.

### **National Police Collaborations**

There are a number of Section 22A collaboration agreements to which all PCCs and Chiefs – including Surrey - are parties. PCCs and Chiefs usually enter into these national arrangements where collaboration will drive significant savings, promote improvements in specialist areas, or where a function is more effectively done once on behalf of policing. These include:

- The collaboration agreement under which the National Police Chiefs Council (NPCC) was created and operates
- Transforming Forensics (a programme to drive efficiencies through new national forensics processes, and provide support on quality standards and accreditation)
- Other national collaboration agreements include (not exhaustively), the National Police Coordination Centre, National Police Freedom of Information and Data Protection Central Referral Unit, National Wildlife Crime Unit (NWCU), the National Police Air Service (NPAS) and the National Counter Terrorism Policing HQ. Mostly these relate to providing specialist policing services on a national basis.

Often, the effectiveness of these arrangements is kept under review by PCCs at national-level board meetings and via the APCC (Association of Police & Crime Commissioners). Individual PCCs will sometimes represent a broader group of PCC colleagues at such meetings. This is the case for PCC Lisa Townsend, who has recently taken on the role of South East PCC representative on the National Police Air Service Strategic Board, which oversees police aviation arrangements. Operational delivery issues are a matter for Chief Constables and they will have their own governance mechanisms at a more tactical level.

### **Regional Collaborations**

Surrey has entered into a number of collaborative arrangements with other Forces in the South East region.

The South East Regional Organised Crime Unit (SEROCU) was established in 2014 to protect and safeguard local communities across the South East of England from Serious, Organised Crime. SEROCU comprises specially trained police officers and staff from Thames Valley, Sussex, Surrey and Hampshire, and works in conjunction with UK Border Force, HM Revenue and Customs (HMRC), the National Crime Agency (NCA) and the Crown Prosecution Service (CPS). It has specialist teams that provide capabilities in areas such as economic crime, asset recovery, technical surveillance, covert operations, prison intelligence and undercover online work.

Counter Terrorism Policing South East (CTPSE) is a specialised regional unit, made up of officers and staff from five police forces - Hampshire Constabulary, Kent Police, Surrey Police, Sussex Police and Thames Valley Police. It works with a range of partners to help protect the public and national security by preventing, deterring and investigating terrorist activity. CTPSE also has officers and staff working within local police forces and teams of specialist investigators, intelligence staff, digital and forensic experts. It is part of a national Counter Terrorism Police network.

An Assistant Chief Constable from Thames Valley Police oversees both SEROCU and CTPSE from an operational perspective and reports quarterly to the PCCs and Chief Constables in the region. This includes detailed information on the budgetary and financial positions for CTPSE and SEROCU as well as performance information on both units. A Section 22A is in place for these units.

Forces in the South East also work collaboratively to provide a regional approach to shaping and implementing a number of national policing programmes, thus setting the foundations for further regional integration. This is formalised through the South East Region Integrated Policing Programme (SERIP). Established in 2017, SERIP is working on programmes including Identity Access Management; Digital Evidence Management Solutions; a regional approach to forensics; and delivery of the Emergency Services Mobile Communication Programme.

### **Surrey-Sussex Police Collaboration**

Surrey and Sussex Police operate a number of services and portfolios jointly – both operational and ‘back office’ functions. This bi-lateral collaboration has its roots in the late 2000s when the Government of the day planned to merge police force areas. There have been a number of drivers for continued collaboration with Sussex, including the delivery of savings, improving efficiency and effectiveness and providing a better service to the public.

The current Section 22A for the Surrey-Sussex collaboration was signed in April 2014 by the then Chief Constables and PCCs. Collaborated services within the agreement include the following:

- Specialist Crime – headed up by a shared Assistant Chief Constable. This includes major crime, scientific support, cyber-crime, surveillance
- Operations – headed up by a shared Assistant Chief Constable. This includes dogs, firearms licensing, operations planning, public order, roads policing, tactical firearms
- Finance and Services – headed up by a shared Director. Includes transport, procurement, insurance, finance, commercial planning
- People Services – headed up by a shared Director. Includes HR, occupational health
- IT – headed up by shared Director
- Corporate Services – includes Health & Safety, Vetting, Information Security and Change Delivery.

Whilst personnel in collaborated teams will work across two force areas, they remain ‘employed’ by the home force, and subject to their home force’s terms and conditions.

In earlier days of the bi-lateral collaboration, the respective Chief Constables and PCCs established a collaboration board for oversight of collaborative arrangements and to provide a place to review emerging opportunities. As the collaborations became increasingly part of ‘business as usual’ for Surrey and Sussex, the Board was disbanded. Instead, there is a defined governance framework to support the delivery of collaborated services with a number of boards to oversee service delivery, performance monitoring, risk management and financial benefits. PCCs continue to maintain oversight via their performance meetings with their Chief Constables. A detailed review of the Surrey-Sussex collaboration arrangements was also commissioned earlier this year and is discussed in more detail later in this report.

## Blue-light Collaboration

There are a number of examples of collaborative working between Surrey Police and Surrey Fire & Rescue Service, which include or have included the following:

- Surrey Fire taking on South East Coast Ambulance Service's (SECAMB) requests for welfare-related forced-entry to properties (leading to faster entry, reduced demand on Surrey Police and reduced cost).
- A process by which Surrey Police can task Surrey Fire & Rescue to support missing person activity in relation to fast time notifications
- The implementation of a joint emergency services boarding-up service across Surrey and Sussex.
- The Joint Response Unit (JRU) to better integrate policing and health and to promote a more fitting response to individuals facing crisis where police officers work on a designated SECAMB vehicle to drive a reduction in avoidable emergency department attendance, police and ambulance on-scene waiting times and a better functional relationship between both services

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## Benefits and Disbenefits of Collaboration

It is generally accepted that it is in police forces' interests to collaborate, both on a local and national scale. Robust collaboration arrangements offer the opportunity to make savings, reduce bureaucracy and improve efficiencies and effectiveness. They also allow forces to work together on the provision of specialist services that could not be provided individually. Ultimately, collaborations should improve the service that forces provide to the public. Collaboration can be complex, requiring skilled change management processes to deliver and ongoing trust between the parties involved. Keeping the benefits – and disbenefits - of collaboration under review allows PCCs and Chief Constables to ensure that original objectives continue to be met.

Surrey and Sussex have recently undertaken a review of their collaborative arrangements across both forces. This concluded that collaboration generally works well and provides a number of benefits to both forces and the public. These are summarised below:

- Resources and Resilience: in most collaborated teams, there is an ability to use resources from the other force when demand dictates. For example, Sussex officers will assist at the Epsom Derby whilst Surrey officers are deployed at Brighton Pride. Specialist skills are more accessible for each force when resources are shared and larger, collaborated teams are generally more resilient
- Financial savings: an original driver for collaboration was the need to make savings in the face of austerity. Service levels of both forces would have been considerably eroded had collaboration not occurred
- Learning and Development: there are more opportunities for staff and officers to develop and progress their careers, with a knock-on positive effect on retention and wellbeing
- Consistency and standardisation: for example, in terms of service to the public, sharing best practice, provision of equipment, shared use of systems, reducing duplication of effort, sharing intelligence.

Although the benefits of collaboration are considered to outweigh disbenefits, Surrey and Sussex have identified some areas which require further consideration or improvement. These include:

- Differing Terms and Conditions for staff/officers: as staff/officers in collaborated teams remained 'employed' by their home force, this can result in different pay and benefits for doing the same job. Work is underway to achieve a structure across both forces which will ensure roles are rewarded in an affordable, fair and transparent way
- Resources: the resources of a collaborated service may be used more by one force than another due to differing and fluctuating levels of demand
- Flexibility and agility: at operational level, teams can make decisions and implement new policies quickly and efficiently. However, at a leadership and strategic level, governance and decision-making can be slowed down
- Force/PCC priorities: with two PCCs each responsible to their own electorate and two Chief Constables, it is recognised that there can be occasions when priorities may not align and a balance has to be sought between a collaborated versus local approach.

## Financial Costs and Benefits

Collaboration is often pursued in response to financial pressures and accordingly, funding can be one of the more difficult barriers (perceived or actual) to collaboration. There is no single model for funding a collaboration. The arrangements will vary according to the particular circumstances of the collaboration and the parties to it and will be detailed in the relevant Section 22A agreement.

The Surrey-Sussex collaboration uses an apportionment ratio of 45% Surrey and 55% Sussex for all costs, savings and income of collaborated services. This apportionment is based on a formula reflecting Force budgets, population, demand or combination of these, which most closely reflects levels of resources or demand for most activities. It is generally felt that the ratio is simple, transparent and easy to apply consistently. The apportionment ratio is kept under review and is defined in the Section 22A agreement and in a more detailed Surrey & Sussex Finance Protocol. The protocol is reviewed and approved annually and provides clarity on how all aspects of the financial model operates, from budget setting and monitoring, in year finance support through to the preparation of the Statement of Accounts.

In terms of financial benefits, these are more difficult to quantify since from 2011 the Force has had to make significant savings as part of its overall spending pressures. Between 2011 and 2021 the Force has delivered over £75m in savings and it is estimated that currently £12m per annum is delivered by way of savings from collaboration with Sussex, particularly in support services, which has removed duplication and created a more streamlined structure. This, however, has been against a backdrop of demand changes and other challenges, whilst also maintaining the service we are offering to the people of Surrey and Sussex. What is clear is that had collaboration not been undertaken there would likely have been

a decline in the service provided by the Force. It is worth noting that Sussex have also benefitted from a similar level of savings and work is ongoing to exploit further opportunities.

However the focus of collaboration has always been more than just delivering savings – the other two main drivers were:

1. Delivering operational efficiencies - through streamlining ways of working to free up capacity, and very often the need to absorb increasing volume and/or complexity of demand within the existing resource/funding envelope (and therefore some of the changes we made were about cost avoidance)
2. Improving resilience – using resources across the two forces to better manage peaks/extremes of demand and also better utilisation of specialist skills.

When entering into collaboration, the focus has been on reducing management costs by having a shared management structure and increasing operational efficiency rather than a wholesale reduction in headcount. This may follow at a later stage once processes etc are aligned.

In terms of regional collaboration the savings are estimated to be about £1m with any non-financial benefits on top of this.

### **Keeping Collaboration Under Review**

Many of Surrey's existing collaboration arrangements are well-established. However, it is important that collaboration is kept under review to make sure it continues to meet its original objectives. How this is done will depend on the scale of the collaboration in question, but some examples of how Surrey keep collaboration under review are set out below.

The PCC's internal Auditors, Southern Internal Audit Partnership (SIAP), undertook a review of Surrey-Sussex collaboration governance in December 2020. The audit focussed on the arrangements in place regarding governance, performance management, and finance. The audit report gave the highest level of assurance (substantial) to collaboration governance, noting that 'a sound system of governance, risk management and control exist, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited'.

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) published its report 'Hard Yards' in July 2020, following an inspection of all Forces in England and Wales to examine the effectiveness of police-to-police collaborations. It set out a number of themes around collaboration and its findings were then used to assess the current Surrey-Sussex collaboration arrangements.

The recent Surrey/Sussex collaboration review involved examining the existing written agreements, discussions with senior and front-line stakeholders and an assessment of benefits tracking and efficiencies. The full findings have yet to be



finalised, but are due to be shared with Chief Officers and PCCs of Surrey and Sussex at a workshop, scheduled for November 2021. This will afford participants an opportunity to consider whether there are potential areas for further collaboration and to review existing collaborations to ensure they are getting the full benefits of working jointly. With the current financial uncertainty in public sector finances following the pandemic, financial considerations could play a considerable part in setting the agenda for future collaborations.

## **Conclusions**

As this report hopefully demonstrates, “collaboration” is a broad and complex agenda that extends across many areas of policing and beyond. In this report, it is only possible to give a high level overview of the current arrangements in place. It may be beneficial for members to focus on one particular area of interest at a future meeting which would allow the PCC to provide more detail and context.

Whilst it is still early in her tenure, PCC Lisa Townsend is conscious of the considerable benefits that can be achieved by collaboration, be that local, regional or national. Certain policing functions simply could not be delivered on an individual force basis. With reference to the Surrey-Sussex collaboration – the arrangement probably most familiar to members of the Panel - the PCC has seen first-hand the excellent work that now forms part of ‘business as usual’ across the two force areas. But conversely, she has also been made aware of the pressures that can be felt in some of the collaborated teams and, in some cases, of the perception that one party benefits either operationally or financially to the detriment of the other. Whilst there are no plans to change current arrangements, this reinforces the need to keep collaboration under review.

The PCC also recognises that there will be a point at which collaborative opportunities, particularly those between two forces, are exhausted. Any new collaboration would need to be justified against clear criteria setting out the operational and financial benefits and ultimately the benefits to the public. The PCC is reassured that the recent internal audit of collaboration governance has demonstrated that governance and oversight of collaboration arrangements is robust.

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