

PFCC Decision Report

Report reference number: 036-23

Classification: Not protectively marked

Title of report:

Fifth Collaboration Agreement in relation to the Seven Force Collaboration

Area of county / stakeholders affected: The seven forces of the eastern region (Essex, Kent, Bedfordshire, Hertfordshire, Cambridgeshire, Norfolk and Suffolk)

Report by: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

Chief Officer: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

Date of report: 6 March 2023

Enquiries to: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

1. Executive Summary

The current collaboration agreement relating to the seven force collaboration expires on 31 March 2023. A new agreement has therefore been drafted to reflect the move from a Seven Force Strategic Alliance to the Eastern Region Innovation Network (ERIN) and a suite of continuing seven force regional projects, as agreed at the Eastern Region Summit meetings held on 12 November 2021 and 9 December 2022.

2. Recommendations

- 1) That the Police, Fire and Crime Commissioner (PFCC) for Essex enters into the fifth collaboration agreement between the local policing bodies and chief officers of police for the policing areas of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Kent, Norfolk and Suffolk attached at Appendix 1.

- 2) That, in agreeing to enter into the collaboration agreement attached at Appendix 1, the PFCC also agrees the amended Terms of Reference for the Eastern Region Summit, attached as Schedule A to the agreement.

3. Background to the Proposal

The agreement represents a further progression and development of the collaborative arrangements originally implemented by the local policing bodies and chief officers of police for the policing areas of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Kent, Norfolk and Suffolk in March 2016. These arrangements have been modified and formalised through three succeeding collaboration agreements.

As set out above, the current collaboration agreement relating to the seven force collaboration expires on 31 March 2023. As agreed at the Eastern Region Summit meetings on 12 November 2021 and 9 December 2022, a new agreement has therefore been drafted to reflect the move from a Seven Force Strategic Alliance to the Eastern Region Innovation Network and a suite of seven force regional projects. The new agreement will commence on 1 April 2023 for a duration of three years (until 31 March 2026), with a 12-month termination period.

4. Proposal and Associated Benefits

The parties to this agreement have agreed to work together on identified areas for collaboration and innovation in order to protect front line operational resources and optimise the delivery of each county's Police and Crime Plan. The parties have previously established a collaborative programme of projects to improve the efficiency and effectiveness of service delivery to the communities of the seven police areas. Those that are progressing and remain outstanding at the date of this agreement comprise those in relation to the Seven Force Forensic Case Management System, Five Force (not including Essex) Digital Asset Management System (DAMS) and the Emergency Services Mobile Communication Programme (ESMCP).

As part of the latest development, the parties to the agreement have now established a network known as the Eastern Region Innovation Network (ERIN) to consider opportunities for joint working and to share best practice and innovation to help improve the efficiency and effectiveness of service delivery to the communities of the seven police areas of the region. ERIN's purpose is to maintain and strengthen professional relationships across the parties to their mutual benefit, in order to deliver the vision and strategy agreed at the Eastern Region Summit meeting on 9 December 2022 (attached for ease of reference at Appendix 2).

The new collaboration is intended to see the eastern region become a centre of excellence for innovation in policing.

5. Options Analysis

The PFCC could chose not to enter into the fifth collaboration agreement in relation to the seven force collaboration. This option is not recommended as it would have the effect of terminating the whole agreement and leaving all parties liable for the costs and liabilities associated with such. This option would also result in a heightened risk

score against risk reference PFCCR014 on the PFCC's Strategic Risk Register ("Benefits of collaboration across the Seven Forces are not achieved") as there would be no defined mechanism through which to achieve such benefits.

6. Consultation and Engagement

The agreement attached at Appendix 1 has already been considered and signed by Chief Constable Harrington.

A copy of the agreement has also been sent to the Senior Responsible Officers (SROs) for the areas of business it directly impacts (including 7F Commercial Services, ERSOU and the 7F Regional Project team), who have confirmed that they are satisfied with the agreement.

7. Strategic Links

This proposal relates to the priority within the Police and Crime Plan to increase collaboration, and the specific commitment to explore further opportunities for a shared service model across the East of England.

8. Police operational implications

There are no operational implications arising for Essex Police from this decision report. Chief Constables remain responsible for the operational delivery of the functions described within the agreement.

9. Financial implications

There are no financial implications arising directly from approving the new collaboration agreement.

The parties will agree annually in advance the budgets for the Seven Force projects and ERIN, together with budgets for any external consultancy that may be required. Under the terms of the agreement, the budgets must be agreed by the end of December in the financial year preceding the financial year for which the budgets are required.

Costs associated with the Seven Force projects and ERIN will be apportioned between the seven police areas (or such lesser number as appropriate) and paid by the parties on the basis of the Net Revenue Expenditure (NRE) of each force in any given year. The seven police areas may also contribute officer / staff resource to the Seven Force projects to which they are parties as well as to ERIN.

The Senior Responsible Officers will apply the procurement policies and arrangements associated with the 7F Single Procurement Function Collaboration Agreement and Seven Force Contract Standing Orders and will ensure that these are also followed by officers and staff within the Seven Force projects and ERIN.

Arrangements for any costs associated with redundancy are detailed at Schedule C to the attached agreement and represent the principles to be applied that were agreed by the Chief Finance Officers to the Chief Constables on 1 December 2019.

10. Legal implications

The parties to this agreement originally agreed to enter into a collaboration agreement dated 7 March 2016 pursuant to section 22A of the Police Act 1996. This was superseded by a second collaboration agreement dated 20 February 2017, a third collaboration agreement dated 1 April 2019 and a fourth collaboration agreement dated 1 December 2019. The agreement attached at Appendix 1 supersedes the fourth collaboration agreement and provides for the change from a collaborative programme delivering joint functions and systems to a network that shares best practice and innovation as agreed by the parties to the agreement at the Eastern Region Summit meetings on 12 November 2021 and 9 December 2022. The agreement also covers the governance of the remaining Seven Force projects that will continue to progress following the expiry of the fourth collaboration agreement.

Under the Police Act 1996 (as amended), PCCs and Chief Constables are under a statutory duty to consider and keep under review collaboration with any other force area in order to improve their efficiency and effectiveness. The agreement attached at Appendix 1 therefore cannot be terminated unless, upon review by the parties to the agreement, it is established that continued collaboration will not improve or maintain the effectiveness and efficiency of any of its signatories. Where this is deemed to be the case, the agreement can be terminated at any time by any party, following consultation with the other parties, by giving 12 months' written notice to all the other signatories. The agreement may also be terminated by notice given by the Secretary of State in accordance with section 23H of the Police Act 1996.

The agreement provides for further governance requirements in respect of two existing collaborations covered by separate collaboration agreements made pursuant to section 22A of the Police Act 1996, namely the Eastern Region Special Operations Unit (ERSOU) and the Seven Force Single Procurement Function.

11. Staffing implications

There are no staffing implications arising from this decision report. The police officers and staff who work within the Seven Force projects and ERIN shall continue as employees and officers of their employing party irrespective of their place of work. Their pay, welfare, pension, terms and conditions and all other respective employment and service matters shall remain the responsibility of their employing party.

Whilst Chief Constables will retain legal direction and control, and thus liability, for their officers and staff working within the Seven Force projects and ERIN, they will receive day-to-day direction from the relevant SRO, who will in turn receive direction from the Lead Chief Constable for each of the Seven Force projects and ERIN as appropriate.

12. Equality, Diversity and Inclusion implications

There are not considered to be any equality, diversity and inclusion implications arising from this decision report.

13. Risks and Mitigations

There are no material risks arising from this decision report that require addressing. Approval of the updated collaboration agreement is a control measure for risk reference PFCCR014 on the PFCC's Strategic Risk Register ("Benefits of collaboration across the Seven Forces are not achieved"). As set out in section 5 above, it is anticipated that the score for this risk will escalate if the updated collaboration agreement is not approved.

14. Governance Boards

PCCs and Chief Constables agreed at the Eastern Region Annual Summit in December 2022 to formalise the Eastern Region Innovation Network (ERIN) in place of the former Seven Force Strategic Alliance.

The content of the attached agreement was reviewed by the PFCC and the Chief Constable at their formal Performance Meeting on 21 February 2023. It was also consulted on via the 7 Force Deputy Chief Constables and Chief Constables Meetings in February 2023.

In relation to the governance of the agreement itself, the parties have established the Eastern Region Summit (attended by all the PCCs, Chief Constables and Chief Executives and Monitoring Officers of the eastern region) which has overall responsibility for the Seven Force projects, ERIN and the Seven Force collaborative functions. Whilst the Eastern Region Summit is not a decision-making body in its own right, it may make 'in principle' decisions and recommendations wherein each of the parties retains its individual executive sovereignty as a corporation sole. Where such 'in principle' decisions or recommendations are made by the Summit, it is expected that each of the parties will then proceed to make executive decisions within their own Schemes of Governance and Consent as appropriate to give effect to those 'in principle' decisions and recommendations.

The operation and governance of the Seven Force collaborative functions are provided for in separate agreements made pursuant to section 22A of the Police Act 1996. The Eastern Region Summit will maintain overall strategic oversight of these collaborative functions.

15. Links to Future Plans

The agreement will be subject to further review in advance of its expiry in March 2026.

16. Background Papers and Appendices

Appendix 1 - Fifth Collaboration Agreement in relation to the Seven Force Collaboration

Appendix 2 – The Eastern Region Innovation Network Consultation and Strategy Paper

Report Approval

The report will be signed off by the PFCC’s Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O.

Sign:



Print: P. Brent-Isherwood

Date: 6 March 2023

Chief Financial Officer

Sign



Print: Janet Perry

Date: 7 March 2023

Publication

Is the report for publication?

YES

NO

If ‘NO’, please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State ‘None’ if applicable)

None

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

Redaction

If the report is for publication, is redaction required:

1. Of Decision Sheet?	YES	<input type="checkbox"/>	2. Of Appendix?	YES	<input type="checkbox"/>
	NO	<input checked="" type="checkbox"/>		NO	<input checked="" type="checkbox"/>

If 'YES', please provide details of required redaction:

N/A

Date redaction carried out:

Chief Finance Officer / Chief Executive Sign Off – for Redactions only

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign:

Print:

Chief Executive / Chief Finance Officer

Decision and Final Sign Off

I agree the recommendations to this report:

Sign: 

Print: Roger Hirst

PFCC/Deputy PFCC

Date signed: 14th March 2023

I do not agree the recommendations to this report because:

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Sign:

Print: