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INTRODUCTION

This non-statutory national guidance is for those involved in implementing the new local scrutiny and engagement arrangements created by the Police & Fire Reform (Scotland) Act 2012. It is aimed primarily at local authorities, who will be responsible for scrutinising local police and fire and rescue services. It has been produced by the Scottish Government in close collaboration with key strategic partners, including COSLA, SOLACE, the Improvement Service, the Scottish Police Authority, the Scottish Fire and Rescue Service Board and senior operational leaders in the police and fire and rescue services.

The guidance was consulted on widely in December 2013 and this version addresses comments received. This is a living document and version updates will be issued regularly to reflect developments in practice across Scotland under the new arrangements. As such, feedback on the guidance is always welcome (see p.15).

A short summary version of this guidance will be published prior to 1 April 2013.

This guidance is part of the Safer Communities Programme

Safer Communities Programme
A series of guidance, support and tools for partnership working
safer scotland SCOTTISH GOVERNMENT

ABOUT THIS GUIDANCE

The Police & Fire Reform (Scotland) Act 2012 aims to strengthen the connection between the Police Service of Scotland and Scottish Fire and Rescue Service ("the services") and the communities they serve. There are three key elements to this: designated local commanders (police) and local senior officers (fire); local police and fire plans; and formal mechanisms for engaging communities and scrutiny by local authorities.

This statement is non-statutory guidance about the formal mechanisms for engagement and scrutiny; it offers evidence-based advice on what works, based on learning from the 21 Pathfinders operating across Scotland as part of the Local Scrutiny & Engagement Project, established to support local partners through the transition to the new local arrangements. Local partners will already be doing much of this and are free to adopt elements of it over time as they see fit.

The principles and characteristics in this statement provide a practical checklist for creating an environment that allows good scrutiny and engagement to flourish under the local provisions in the 2012 Act. They are designed to complement, not replace, guidance on Single Outcome Agreements and on Best Value (BV) (links to these are provided on page 15), both of which remain critical to this work.

This statement is primarily aimed at local authorities, who are responsible for scrutinising police and fire and rescue services locally. Separate guidance is being produced by the services for local commanders/senior officers.

A clear line of sight between local and national priorities is vital and this statement encourages a two-way relationship. The process in Diagram 1 could apply equally to local groups *and* the national oversight bodies of the new services.

By 'scrutiny' we mean…** local authorities' new role monitoring the delivery of police and fire and rescue services in their local authority areas. **By 'engagement' we mean…** service interaction with elected members and community safety and community planning partners, *and* action to engage, involve and empower communities.

This guidance will be updated regularly to take into account developing practice and evidence. We recognise the need for ongoing support, guidance, training and evaluation to ensure police and fire reform delivers its intended benefits. The Scottish Government's Community Safety Unit will continue to support this work.
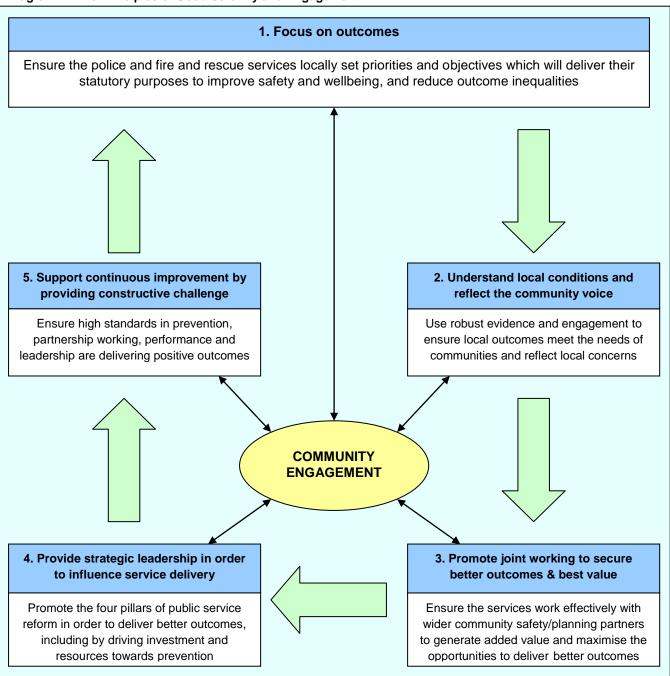
Further information is available on the Knowledge Hub (see link in footer), including a short guide to the 2012 Act and a set of Frequently Asked Questions. A repository of good practice case studies is being developed, as are process maps which will detail the structures, processes and relationships being established by the Pathfinders. The services are also making available corporate templates for local police and fire plans in order to facilitate the development of interim plans for 2013-14. See page 15 for links to other relevant guidance that you might find useful.

FIVE PRINCIPLES FOR GOOD SCRUTINY AND ENGAGEMENT

These principles are based on good practice and promote the 'four pillars' of public service reform[1]. They are primarily aimed at scrutineers on new local scrutiny committees but will be useful for all partners involved. Following them will promote the broader conditions in which scrutiny and engagement can flourish but it is for local authorities themselves to determine their own approach within the flexible framework provided by the Police and Fire Reform (Scotland) Act 2012.

Diagram 1: Five Principles of Good Scrutiny and Engagement

1. Focus on outcomes

Ensure the police and fire and rescue services locally set priorities and objectives which will deliver their statutory purposes to improve safety and wellbeing, and reduce outcome inequalities

5. Support continuous improvement by providing constructive challenge

Ensure high standards in prevention, partnership working, performance and leadership are delivering positive outcomes

2. Understand local conditions and reflect the community voice

Use robust evidence and engagement to ensure local outcomes meet the needs of communities and reflect local concerns

COMMUNITY ENGAGEMENT

4. Provide strategic leadership in order to influence service delivery

Promote the four pillars of public service reform in order to deliver better outcomes, including by driving investment and resources towards prevention

3. Promote joint working to secure better outcomes & best value

Ensure the services work effectively with wider community safety/planning partners to generate added value and maximise the opportunities to deliver better outcomes

[1] In response to the Christie Commission's recommendations, the Government's public service reform agenda will be built on four pillars: (i) a decisive shift towards prevention; (ii) a greater focus on 'place' to drive better partnership, collaboration and local delivery; (iii) investing in people who deliver services through enhanced workforce development and effective leadership; and (iv) a more transparent public service culture which improves standards of performance.

THE PRINCIPLES

Principle 1: Focus on outcomes
Ensure the police and fire and rescue services locally set priorities and objectives which will deliver their statutory purposes to improve the safety and wellbeing, and reduce outcome inequalities

Both the statutory purposes of policing and of the Scottish Fire and Rescue Service set out in the 2012 Act and the Fire Framework focus on improving the safety and wellbeing of the people of Scotland.

Principle 2: Understand local conditions and reflect the community voice
Use robust evidence and engagement to ensure local outcomes meet the needs of communities and reflect local concerns

Local authorities have statutory powers to work with local commanders and local senior officers to set local priorities and objectives for police and fire and rescue services that meet community needs.

Principle 3: Promote joint working to secure better outcomes and best value
Ensure the services work effectively with wider community safety and community planning partners to generate added value and maximise the opportunities to deliver better outcomes

The new purposes of policing and the Scottish Fire and Rescue Service as set out in the 2012 Act and the Fire Framework place partnership working at the centre of local outcomes delivery.

Principle 4: Provide strategic leadership in order to influence service delivery
Promote the four pillars of public service reform in order to deliver better outcomes, including by driving investment and resources towards prevention

Local authorities have statutory powers to make recommendations to local commanders and local senior officers for improvements to service delivery. On policing, they also have powers to specify measures that they wish the local commander to include in the local police plan.

Principle 5: Support continuous improvement by providing constructive challenge
Ensure high standards in prevention, partnership working, performance and leadership are delivering positive outcomes

Local authorities have statutory powers to approve local plans, monitor delivery of police and fire and rescue functions in their area and provide feedback to the local commander and local senior officer.

CHARACTERISTICS OF GOOD AND BEST PRACTICE

These characteristics highlight good and best practice in relation to the five principles of good local scrutiny and engagement. It is recognised that they will not all be appropriate or feasible in all circumstances and may take some time to deliver.

We have separated 'characteristics of good practice', which we feel are crucial for delivering the Act, from 'characteristics of best practice', which, while no less important, might be harder to secure and, therefore, offer longer term aspirations.

We will update these characteristics in future versions of this guidance to reflect developing practice and will look to provide a means for you to track your progress.

A repository of good practice case studies is in development and the first tranche of case studies will be available prior to 1 April 2013.

PRINCIPLE 1: FOCUS ON OUTCOMES

Characteristics of **good** practice:

- Meetings are focused on the achievement of agreed outcomes, both national and local.
- Early intervention and preventative approaches are promoted as part of a balanced response to problems in order to offer the best chance of delivering agreed outcomes.
- Local police and fire plans, prepared to fulfil the statutory duty in the 2012 Act, complement each other.
- Police and fire is dealt with as part of an holistic approach to community safety which sits within the context of the Single Outcome Agreement.
- Local outcomes are set on the basis of a proper assessment of risk.
- Joint priority-setting tools, like strategic assessment, are used to identify and prioritise risks and plan future activity.
- Priority setting is done in collaboration with the full range of community planning partners, e.g. health, education etc., the voluntary sector and with diverse communities.
- There is a regular, ongoing dialogue between scrutineers and the local commander and local senior officer (and their teams) about cause and effect in relation to activity and outcome achievement.
- Scrutiny committees are comfortable operating within a national policy, legislative and financial environment that is similarly focussed on improving outcomes.
- The strengthening of community engagement, participation and influence is seen as central to delivering better outcomes.
- There is a commitment to evaluate and research to learn lessons and improve outcomes.

Characteristics of **best** practice:

- Local police and fire plans are aligned with an overarching community safety or other integrated outcome focused plan (whilst ensuring statutory duties are met).
- The scope of joint priority-setting tools, like strategic assessment, covers *the whole* Community Planning Partnership.
- Innovative methodologies are used to improve service provision and outcomes.

PRINCIPLE 2: UNDERSTAND LOCAL CONDITIONS AND REFLECT THE COMMUNITY VOICE

Characteristics of **good** practice:

- Discussions focus on outcomes for people and places.
- Strategic assessment or needs analysis is used to draw strategic conclusions about the issues and inequalities facing different areas and population groups.
- Local communities and the business and third sectors have been involved in developing and influencing an understanding of place and communities.
- Plans identify risks to community safety, set priorities for action and promote equality and diversity of service delivery.
- Scrutineers hear a range of views and present evidence-based recommendations.
- Local plans reflect multi-member ward-level community engagement plans.
- The National Standards of Community Engagement and the Principles of Inclusive Communication are adopted where appropriate.

Characteristics of **best** practice:

- There are common approaches to gathering, analysing and responding to insight from local communities.
- There is no reliance on one way to hear views, but people can give their views in a range of ways that suit them.
- The quality and impact of community engagement is measured and reported on.

PRINCIPLE 3: PROMOTE JOINT WORKING TO SECURE BETTER OUTCOMES AND BEST VALUE

Characteristics of **good** practice:

- Scrutiny committees are fully integrated, without duplication, into community planning structures.
- Existing structures, including Community Safety Partnerships, are reviewed to ensure there is a good fit with the local scrutiny and engagement arrangements.
- The activities of partners, both individual and collaborative, are determined through joint tasking and problem solving.
- Memorandums of Understanding exist, outlining how disputes will be resolved.
- Opportunities are identified and exploited to integrate services at a local level where this supports better outcomes.

Characteristics of **best** practice:

- Joint tasking and problem solving takes place at the *community planning* level.
- There are joint strategic commissioning plans and there is support for managers and frontline staff to work collaboratively with service users and across organisations in developing and delivering preventative approaches.
- There is a commitment to sharing good practice through peer networks, including practitioner networks and centres of expertise.
- Innovative approaches to collaborative working, such as Whole Systems Thinking* and community budgeting^, are trialled and adopted where appropriate.
- Partners learn together where appropriate.

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* Whole System Thinking is a method of analysis and decision-making that looks at the interrelationships of the constituent parts of a system rather than narrowly focusing on the parts themselves. By incorporating a range of perspectives, conditions, connections and capabilities into a dynamic analysis, practitioners of systems thinking often reach dramatically different conclusions than those who construct 'solutions' from within a limited range of focus. (Source: www.pathtree.com)

^ Community budgeting (also known as Total Place) is an initiative that looks at how a 'whole area' approach to public services can lead to better services at less cost. It seeks to identify and avoid overlap and duplication between organisations – delivering a step change in both service improvement and efficiency at the local level. (Source: www.localleadership.gov.uk/totalplace)

PRINCIPLE 4: PROVIDE STRATEGIC LEADERSHIP IN ORDER TO INFLUENCE LOCAL SERVICE DELIVERY

Characteristics of **good** practice:

- Scrutiny is respected as a check and balance on strategy and operational performance.
- Scrutineers have information, knowledge and skills to bring about positive change.
- Scrutineers can access independent support to help their work.
- Scrutineers demonstrate leadership by encouraging a focus on prevention and ensure arrangements are in line with all 'four pillars' of public service reform (see footnote on page 3).
- Scrutineers encourage action that achieves best value.
- Scrutiny committees can articulate the value they add and police and fire services can articulate changes made resulting from scrutiny.
- Scrutiny carries out proactive reviews and does not just react to events.

Characteristics of **best** practice:

- Scrutineers show leadership in supporting transformational performance improvement in Single Outcome Agreement priority areas: economic recovery and growth, employment, early years, safer and stronger communities, reducing offending, health inequalities and physical activity, and outcomes for older people (see Single Outcome Agreement guidance for further information – link on p.15).
- Scrutineers encourage joined-up thinking across traditional departmental boundaries.
- Scrutiny committees involve and engage the public sector, including education, and the private and third sectors.
- Community engagement activities have an identifiable impact on service plans/activities.

PRINCIPLE 5: PROMOTE CONTINUOUS IMPROVEMENT BY PROVIDING CONSTRUCTIVE CHALLENGE

Characteristics of **good** practice:

- Scrutineers can assimilate data and information from people and professionals to understand relevant issues.
- New scrutineers are offered appropriate inductions into the work of the services and their role as scrutineers.
- Scrutiny committees have a shared understanding with council leaders, local commanders and local senior officers about how the scrutiny role should work.
- Scrutiny committees progress innovative ways to scrutinise.
- An evidence based approach, underpinned by disaggregated data, is used to drive improvement in meeting the differing needs of local populations.
- The committee understands the need to protect confidentiality on matters which may be sub judice or may jeopardise an ongoing police operation and understands the role of the Procurator Fiscal in directing police investigations.
- There is a culture of robust self-evaluation and action research is used to monitor the effectiveness of approaches in real time.

Characteristics of **best** practice:

- Scrutineers are aware of activity and performance in other local authority areas.
- National data sets are used to benchmark performance with comparable areas.
- There is common training and support for scrutineers across different disciplines.

CHECKLIST QUESTIONS FOR SCRUTINEERS

These checklist questions are designed to help scrutineers in their scrutiny role. In addition to marking Yes/No, scrutineers may wish to score answers 1-5 (worst-best) to reflect levels of performance in the areas highlighted.

Scrutineers and local commanders and local senior officers may also find these questions helpful as a guide to inform personal and organisational development and as the basis for 360 degree feedback.

We will continue to develop the questions based on feedback on their usefulness.

Principle 1: Focus on outcomes

Questions for scrutineers	Yes/No	Actions/Notes
Are the services focused on outcomes for communities?		
Are local plans informed by (and do they inform) the Single Outcome Agreement?		
Do the services use robust evidence to drive local priority setting?		
Are local priorities based on evidence of local need and demand?		
Is activity in the local plans based on evidence of what works to address the root causes of problems?		
Do the local plans prioritise early intervention and prevention as part of a balanced approach to risk reduction?		
Do the services focus on reducing outcome gaps within populations and between areas?		
Do local plans indicate that the services are clear about the long term outcomes to be achieved over the next decade?		
Do local plans indicate that the services are clear about the contributory outcomes, indicators and targets by which progress towards long term outcomes will be demonstrated over the short and medium terms?		
Do the police and fire plans complement one another?		
Are police and fire dealt with as part of an holistic response to community safety?		
Is my scrutiny of the services focused on assessing their performance in delivering agreed outcomes?		
Does the committee promote the use of research and evaluation to learn lessons that will improve outcomes?		

Principle 2: Understand local conditions and reflect the community voice

Questions for scrutineers	Yes/No	Actions/Notes
Do I have a clear and evidence-based understanding of the people and places I represent?		
Does the committee engage directly with communities, businesses and the third sector to improve its understanding of people and place?		
Do I reflect the concerns of the communities I represent at scrutiny meetings?		
Do I highlight the particular circumstances of a range of different communities?		
Do I promote a culture of openness and transparency, where the public has access to information, is heard and responded to?		
Do I put the needs and aspirations of the community at the forefront when scrutinising the services?		
Do the priorities, outcomes and commitments in local plans reflect partners' shared understanding of the needs of the people and places I represent?		
Is it clear how the local plan has been influenced by multi-member ward-level community engagement?		
Do the services use an evidence-based approach, underpinned by disaggregated data, to drive improvement in meeting the differing needs of local populations?		
Do the services engage effectively and innovatively with diverse communities?		
Are diverse communities able to influence priority setting and comment on operational performance?		
Have local people engaged constructively in discussions about the priorities in the local plans?		
Do the services build the capacity of communities to deliver for themselves in a planned and coordinated fashion?		
Do the local plans promote equality and diversity of service delivery?		
Have the National Standards of Community Engagement and the Principles of Inclusive Communication been adopted in relation to engagement about local plans?		
Do partners coordinate and share their community engagement activity?		

Principle 3: Promote joint working on prevention to secure better outcomes and best value

Questions for scrutineers	Yes/No	Actions/Notes
Do I work constructively with partners to improve performance?		
Do I encourage partnership working to generate added value from collective skills, knowledge and resources?		
Am I building effective relationships and networks with the services and other stakeholders, locally and nationally, to promote peer learning and collaboration?		
Do I know what the total resources available to community safety and community planning partners to deliver the local plan are?		
Do I encourage the use of shared asset management, decision-making and integrated working in order to streamline services and bureaucracy?		
Does the information I receive from the services allow me to understand and question whether we are achieving best value?		
Do partners involved in delivering the local plan focus on 'place' as a way of driving better partnership?		
Is the Single Outcome Agreement the foundation for effective partnership activity in relation to the development and delivery of local plans?		
Do I encourage strong links with community planning and community safety structures and processes?		
Are the services successful in encouraging the right partners to contribute to the delivery of local plans? Am I helping them to do this?		
Do we have a performance framework in place for partnership working?		
Is the use of joint tasking and problem solving routine in your area?		
Are opportunities to integrate services at a local level exploited where this supports the delivery of better outcomes and best value?		
Are there protocols in place setting out how to deal with disputes between partners, for instance in relation to agreeing local plans?		
Is good practice being shared through peer networks?		
Has the appropriateness of community budgeting been considered?		

Principle 4: Provide strategic leadership in order to influence service delivery

Questions for scrutineers	Yes/No	Actions/Notes
Am I involved in establishing what communities need, allowing me to establish priorities?		
Am I able to access independent expert support to help me fulfil my scrutiny role?		
Am I able to influence decision-making within the services?		
Can I identify the tangible impacts I have had on service delivery?		
Have the service delivery changes I have influenced led to improved outcomes for the people I represent?		
Do local plans reflect national priorities in a local context?		
Am I engaging actively with national partners to ensure that local issues and local service delivery inform the national approach?		
Do I influence and drive planning and investment decisions by partners towards achieving the outcomes set out in the Single Outcome Agreement?		
Am I aware of the 'four pillars' of public service reform?		
Can I demonstrate how I have shown leadership in encouraging a focus on prevention?		
Do I regularly make recommendations for service delivery improvements when scrutinising the delivery of local plans?		
Do I encourage joined-up thinking across traditional departmental boundaries?		

Principle 5: Support continuous improvement by providing constructive challenge

Questions for scrutineers	Yes/No	Actions/Notes
Do I have a good understanding of how the services are performing locally?		
Have I received an appropriate induction into the work of the services and my scrutiny role?		
Do the services report on performance in a way that is clear, concise, balanced and presented in a way that is understandable and allows me to judge how well they are doing?		
Does the information I receive cover: ▪ service performance? ▪ customer satisfaction? ▪ trend data? ▪ benchmarking data? ▪ targets? ▪ outcomes?		
Does the information I receive tell me: ▪ if the services are meeting their targets? ▪ why variances occur? ▪ what the implications are of not meeting a target? ▪ if resources are adequate? ▪ what the impacts are on people who use the services, local people and partner agencies? ▪ if there is an impact on equalities, sustainability or efficiency? ▪ what the implications are for local priorities?		
Do I interrogate performance reports and ensure that they highlight not just successes but also areas for further development?		
Do I make recommendations for how to improve performance locally, building on good practice from across Scotland?		
Do I regularly challenge the services on the performance information presented to me in a robust, constructive and purposeful way?		
Do I require any training to help me understand performance management or to challenge the services on performance?		
Am I aware of activity and performance in other local authority areas?		
Do I use national datasets to benchmark performance with comparable areas?		

Guidance on performance management

Some of the checklist questions are taken from or draw on Appendix 1 (p. 37) of Audit Scotland's *Managing performance: are you getting is right?* (October 2012). We would recommend that scrutiny committees also refer to this guidance, which includes questions for councillors and questions for officers and is available here: www.audit-scotland.gov.uk/media/article.php?id=215

FURTHER INFORMATION

Contact details

Further information about this guidance can be sought from the LSE Project Team:

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Stay in touch

There is significant further information, including from our Pathfinders, on our Local Scrutiny and Engagement Knowledge Hub group pages at: https://knowledgehub.local.gov.uk/group/localscrutinyandengagementnetwork

You can receive regular updates on the Project by following us on Twitter at: http://twitter.com/theLSEnetwork

Further guidance

- **Guidance on Single Outcome Agreements**
  http://scotland.gov.uk/Topics/Government/local-government/CP/SOA2012
- **Guidance on Best Value**
  www.scotland.gov.uk/Publications/2004/04/19166/35250 (local authorities)
  www.scotland.gov.uk/Publications/2011/03/22154607/0 (public bodies)
- **Guidance on the roles and responsibilities of councillors**
  www.audit-scotland.gov.uk/docs/best_value/2010/bvrm_100826_councillors_officers.pdf
- **Guidance on performance management**
  www.audit-scotland.gov.uk/media/article.php?id=215

Related products

- A short guide to the local provisions in the 2012 Act
- A set of FAQs on local scrutiny and engagement.
- Process maps detailing the structures and processes being developed across Scotland are about to be produced (contact Kirsty Bosley for more details).

Acknowledgements

Our thanks to the many colleagues and partners that have contributed to or commented on this guidance, including members of our Project Board, Reference Group and Learning Network, and the Centre for Public Scrutiny.

Feedback for updates

This is Version 1.0, published on 16 January 2012. If you wish to provide feedback for a future version of this guidance, email theLSEnetwork@scotland.gsi.gov.uk