
Report To:	Local Police & Fire Scrutiny Committee	Date:	29 November 2018
Report By:	Ruth Binks Corporate Director Education, Communities & Organisational Development	Report No:	P&F/04/18/HS
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Subject:	Scrutiny of Scottish Ambulance Service Activities		

1.0 PURPOSE

- 1.1 The purpose of this report is to update the Local Police and Fire Scrutiny Committee in respect of the scrutiny arrangements of the Scottish Ambulance Service (SAS).

2.0 SUMMARY

- 2.1 At the meeting of the Local Police and Fire Scrutiny Committee on the 27 September 2018 it was decided that a report be submitted to the next meeting of the Committee regarding scrutiny arrangements in respect of SAS.
- 2.2 The Police and Fire Reform (Scotland) Act 2012 (the 2012 Act) came into force in October 2012, the purpose being to create a single police service and fire and rescue service in Scotland. The implications of the 2012 Act for Inverclyde Council is that the Local Authority must be consulted on local service plans for each service and must approve them.
- 2.3 SAS was established in 1999 under The Scottish Ambulance Service Board Order 1999 (the 1999 Order), which amended the National Health (Scotland) Act 1978. SAS is responsible for the provision of accident and emergency response, patient transport services, air ambulance services, and SCOTSTAR for the residents of Scotland. The 1999 Order classifies SAS as a Special NHS Board and not a function of a regional NHS Board.
- 2.4 The new structure for community safety arrangements in Inverclyde includes the creation of a senior officers groups and a review of the operational groups within the wider partnership. There is an opportunity to engage with SAS as a community safety partner.

3.0 RECOMMENDATIONS

- 3.1 That the Committee note the information contained within the paper in respect of scrutiny arrangements for the Scottish Ambulance Service specifically the following:
- That there is no legislative obligation under The Police and Fire Reform (Scotland) Act 2012 for Scottish Ambulance Service to have their activity formally scrutinised
 - That accountability and governance of the Scottish Ambulance Service is to Scottish Ministers through the Scottish Government Health Directorates.
 - That Scottish Ambulance Service becomes a member of the Inverclyde Community Safety Partnership.

4.0 BACKGROUND

- 4.1 At the meeting of the Local Police and Fire Scrutiny Committee of the 27 September 2018 it was decided that a report be submitted to the next meeting of the Committee regarding scrutiny arrangements in respect of SAS. Reference
- 4.2 The legal obligations of the Council to set up a scrutiny arrangement for both Police and Fire & Rescue services are set out in the 2012 Act. The 2012 Act replaced Local Authorities' role as police authorities and fire and rescue authorities through the creation of the Scottish Police Authority (SPA) and the Scottish Fire & Rescue Service (SFRS). The 2012 Act includes a framework for the delivery of local scrutiny and engagement responsibilities.
- 4.3 The 2012 Act ensures that Local Authorities will be able to directly influence police and fire and rescue service functions in their area via the following:
- The Local Commander (Police) and Local Senior Officer (Fire and Rescue) will have a statutory duty to work with the Local Authority to set priorities and objectives for police and fire and rescue services in their local area.
 - The Local Commander (Police) and Local Senior Officer (Fire and Rescue) will be required to prepare a local plan for police and a local plan for fire and rescue that meets the needs of the local area.
 - The Local Authority will have statutory powers to monitor the delivery of police and fire and rescue functions in the area.
 - The Local Authority will have statutory powers to provide feedback to the Local Commander (Police) and Local Senior Officer (Fire and Rescue) and to make recommendations for improvements.
- 4.4 Within Inverclyde, scrutiny arrangements for police and fire and rescue functions are delivered under the Local Policy and Fire Scrutiny Committee. At the meeting of the Inverclyde Council on the 7 June 2018 the Council were asked to approve changes to the Standing Orders and Scheme of Administration including changes to Local Police and Fire Scrutiny Committee with the following powers delegated to the Committee. GM/LP
/061/18
- To consider and recommend improvements in local Police and Fire and Rescue services;
 - To recommend priorities and objectives for the policing of the local area;
 - To recommend priorities and objectives for Fire and Rescue services in the local area;
 - To agree the Police and Fire and Rescue local plans;
 - To scrutinise and review the outcomes, priorities and objectives set out in the Police and Fire and Rescue local plans;
 - To provide comments in response to consultations on Police and Fire and Rescue services;
 - To promote engagement with all interested parties including community planning partners and neighbourhood partnerships;
 - To make representations to the national authorities, as required, in relation to wider scrutiny issues and concerns;
 - To consider Council reports on matters which affect local Police and Fire and Rescue Services in Inverclyde providing that, where necessary, these will be remitted to the appropriate Service Committee for decision.
- 4.5 The Public Bodies (Joint Working) (Scotland) Act 2014 (the 2014 Act) required all Local Authorities and Health Boards to integrate Health and Social Care services and to jointly prepare, consult and submit for approval an integration scheme to the Scottish Ministers setting out the local governance arrangements for integration. The Integration Scheme sets out clearly what matters are delegated to the Integration Joint Board (IJB) and specifies the legislative provisions. The Integration Scheme for the Inverclyde IJB was agreed by Inverclyde Council and by NHS Greater Glasgow & Clyde in 2015. In order to comply with additional legal provisions updates were made to the integration scheme and approved by Inverclyde Council on 22nd February 2018. VP/LP/
024/18
- 4.6 The 2014 Act and the IJB scheme of administration sets out the parties to the scheme and the

functions which must be delegated to the IJB. As SAS is classified as a specialist NHS Board it does not fall under the remit of the IJB nor does it fall under the remit of a regional NHS Board.

- 4.7 SAS was established in 1999 under The Scottish Ambulance Service Board Order 1999 (the 1999 Order), which amended the National Health (Scotland) Act 1978. SAS is responsible for the provision of accident and emergency response, patient transport services, air ambulance services, and SCOTSTAR for the residents of Scotland. The 1999 Order classifies SAS as a Special NHS Board and not a function of a regional NHS Board. In addition, the Scottish Ambulance Service Board is responsible to Scottish Ministers through the Scottish Government Health Directorates.
- 4.8 At the meeting of the Local Police and Fire Scrutiny Committee on 27 September 2018 members were asked to note the governance arrangements for the Inverclyde Community Safety Partnership. An invitation for SAS to attend a future Community Safety Partnership meeting has been accepted by the office of the Regional Director (West).

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5.0 SCRUTINY ARRANGEMENTS ACROSS SCOTLAND

- 5.1 Scrutiny arrangements (in respect of police and fire scrutiny) across Scotland are diverse and a very much dependent on the council committee structure of Local Authorities as well as previous arrangements prior to the enactment of the 2012 Act. Appendix 1 provides an overview of the 32 scrutiny mechanisms however broadly speaking, the structures will fall under one of the following categories
- Dedicated 'blue light service' (police and fire & rescue and sometimes Scottish Ambulance Service);
 - Within an existing community safety committee;
 - Within an audit/performance committee;
 - As part of full Council.
- 5.2 Some Local Authorities scrutiny arrangements do include representation from SAS but an examination of the Schemes of Administration it would appear that these Scrutiny Committees have existing community safety committees and would therefore suggest that the relationship of SAS predates the introduction of scrutiny under the 2012 Act. It is also important to note that the three examples below are of Local Authorities who could be described as remote and rural and have other unique relationships that may only be relative to that areas such as HM Coastguard, the Scottish Environment Protection Agency, Mountain Rescue and third sector organisations supporting community safety activity.
- 5.3 A review of scrutiny arrangements across Scotland has indicated that currently two Local Authorities do engage with Scottish Ambulance Service as part of their scrutiny arrangements; however it should be noted that their attendance is optional and they are not required to provide an update report or have their activity scrutinised.
- 5.4 **Scottish Borders Council** carry out their scrutiny functions under the remit of the Scottish Borders Police, Fire and Safer Communities Board. This committee was established for the 2012 Act however has reviewed their Scheme of Administration to ensure the Council's Community Safety Manager attends the Board to report and advise on progress against agreed Community Safety performance measures. Representation from SAS extends to a performance report at meetings.
- 5.5 **Shetland Islands Council** carry out their scrutiny functions under the remit of the Shetland Islands Council Community Safety and Resilience Board. This committee is a community planning board with representation from elected members and a range of community planning partners including SAS. The remit of the Board includes the review and update of the 'Community Safety Strategy' and 'Emergency Planning Strategy' including their scrutiny function under the 2012 Act. Representation from SAS extends to a performance report at meetings and its service delivery in respect of the 'Community Safety Strategy' and 'Emergency Planning Strategy'.
- 5.6 **The Highland Council** historically carried out their scrutiny functions under the remit of the

'Communities and Partnership Committee' though this dissolved in 2017 with the Scrutiny functions of the 2012 Act now carried out by the full council and the delivery of the local plans remitted to 8 area committees across the authority area. There is no evidence if there is SAS involvement in the 8 area committees.

6.0 IMPLICATIONS

6.1 Finance

There are no financial implications.

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
N/A					

Annually Recurring Costs/(savings)

Cost Centre	Budget Heading	With effect from	Annual net impact £000	Virement From	Other Comments
N/A					

6.2 Legal

There are no legal implications.

6.3 Human Resources

This report does not impact on Human Resources.

6.4 Equalities

Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
X	NO - This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required.

6.5 Repopulation

This structure is intended to protect and assist the local communities.

7.0 CONSULTATIONS

7.1 None.

8.0 BACKGROUND PAPERS

8.1 There are no background papers.

Appendix 1- Overview of scrutiny arrangements across Scotland

LOCAL AUTHORITY	SCRUTINY COMMITTEE NAME	TYPE OF SCRUTINY
Inverclyde Council	Local Police and Fire Scrutiny Committee	Existing Community Safety Committee*
Aberdeen City Council	Public Protection Committee	Within an audit/performance committee
Aberdeenshire Council	Communities Committee	Within an audit/performance committee
Angus Council	Scrutiny and Audit Committee	Within an audit/performance committee
Argyll and Bute Council	Community Services Committee	Within an audit/performance committee**
City of Edinburgh Council	Corporate Police & Strategy Committee	Within an audit/performance committee***
Clackmannanshire Council	Scrutiny Committee	Within an audit/performance committee****
Comhairle nan Eilean Siar	Communities & Housing Committee	Within an audit/performance committee
Dumfries and Galloway Council	Police, Fire & Rescue Sub Committee	Dedicated blue light service
	Area Committee	Within an audit/performance committee*****
Dundee City Council	Community Safety and Public Protection Committee	Existing Community Safety Committee
East Ayrshire Council	Police and Fire and Rescue Committee	Dedicated blue light service
East Dunbartonshire Council	East Dunbartonshire Council	Full Council
East Lothian Council	Police, Fire & Community Safety Committee	Existing Community Safety Committee
East Renfrewshire Council	Cabinet (Police & Fire)	Dedicated blue light service
Falkirk Council	Scrutiny Committee (External)	Within an audit/performance committee
Fife Council	Environmental, Protective Services and Community Safety Committee	Existing Community Safety Committee
Glasgow City	Safe Glasgow Group	Existing Community Safety Committee
Midlothian Council	Police and Fire and Rescue Board	Dedicated blue light service
North Ayrshire Council	Police and Fire and Rescue Committee	Dedicated blue light service
North Lanarkshire Council	Community Safety and Partnership Governance Sub-Committee	Existing Community Safety Committee
Orkney Islands Council	Police and Fire Sub-Committee	Dedicated blue light service
Perth and Kinross Council	Housing and Communities Committee	Existing Community Safety Committee
Renfrewshire Council	Police and Fire & Rescue Scrutiny Sub-Committee	Dedicated blue light service
Scottish Borders Council	Police, Fire & Rescue and Safer Communities Board	Existing Community Safety Committee
Shetland Islands Council	Community Safety and Resilience Board	Existing Community Safety Committee
South Ayrshire Council	Partnerships Panel	Within an audit/performance committee
South Lanarkshire Council	Executive Committee	Within an audit/performance committee
Stirling Council	The Public Safety Committee	Existing Community Safety Committee

LOCAL AUTHORITY	SCRUTINY COMMITTEE NAME	TYPE OF SCRUTINY
The Highland Council	The Highland Council {LOCALITY} Area Committee	Full Council Existing Community Safety Committee*****
The Moray Council	Police and Fire and Rescue Services Committee	Dedicated blue light service
West Dunbartonshire Council	Community Planning West Dunbartonshire Management Board	Within an audit/performance committee
West Lothian Council	Community Policy Development and Scrutiny Panel	Within an audit/performance committee

*Previously dedicated blue light

**Local Authority describe the committee as 'Strategic Service Committee

***Whilst scrutiny of the local plans lie with this committee the Authority also has Locality Partnerships where the local plans are subject to scrutiny.

****Disestablished August 2018

***** Whilst main business is scrutinised via the sub-committee, the local plans are developed through 4 area committees.

*****The full council will approve the local plans for the authority area however scrutiny of performance is remitted to 8 local area committees.