

**POLICE AND CRIME COMMISSIONER FOR
WEST MERCIA**



RECORD OF DECISION

TITLE: Ending of Strategic Alliance with Warwickshire Police
Ref: PCC/D/2018/26

EXECUTIVE SUMMARY

The structure of governance prescribed within the existing alliance collaboration agreement is now preventing the maximisation of effectiveness, efficiency and benefit realisation, rather than enabling it.

These issues have been manifested in a number of areas within West Mercia Police (examples of which are set out in the part 1 report), limiting the quality of day-to-day services to local communities.

The Police and Crime Commissioner (PCC) has statutory obligations regarding securing police effectiveness and efficiency and keeping collaborations under review. To simply tolerate the problems created by the current alliance governance arrangements would be neither in the public interest, nor meet the PCC's statutory duties.

Attempts have been made to reform the alliance arrangement with Warwickshire over a prolonged period of time, however improvements have not been possible to the level required.

PROPOSAL

That the PCC serve notice of West Mercia's intent to withdraw from the strategic alliance with Warwickshire Police and to seek a new collaboration with different governance arrangements in order to improve effectiveness and efficiency.

That the PCC works with the West Mercia Chief Constable, along with their counterparts in Warwickshire, to ensure necessary requirements of the existing alliance collaboration agreement are fulfilled in the withdrawal process.

**APPROVAL OF
West Mercia Police and Crime Commissioner**

I hereby approve the above proposal.

Signed 

PART 1 – NON-CONFIDENTIAL/EXEMPT FACTS AND FIGURES

SUPPORTING REPORT

The strategic alliance between West Mercia Police and Warwickshire Police has delivered significant benefits for both forces. However, it has become clear that the structure of governance prescribed within the collaboration agreement is now preventing the further development of effectiveness, efficiency and benefit realisation, rather than enabling it.

The alliance as currently constituted has ceased to realise the further improvements in effectiveness and efficiency that have been identified. In many aspects the collaboration is no longer providing value for money. These issues have been manifested in a number of areas within West Mercia Police, including:

- OCC performance
- Public contact
- Criminal Justice performance
- Serious and Organised Crime performance
- HR
- IT
- Corporate Communications
- ASI

The current relationship is resulting in one Chief Constable having the ability to effectively countermand the lawful direction and control of the other, whether unintentionally or not. Both areas are frustrated by singular or different approaches to what should, under the current arrangements, be joint decisions and actions. This is resulting in delay and inactivity while issues are resolved, with consequent reduced efficiency and effectiveness.

Attempts to resolve these issues within the existing alliance framework have taken place over the course of more than 12 months, however it has not been possible to make sufficient progress to alleviate the issues caused.

Alternative models of collaboration could be considered as a means of retaining the benefits realised by the current alliance arrangement, whilst fixing the issues that prevent full effectiveness and efficiency being realised. The parameters for any such future collaborative arrangement would need to be agreed between all parties.

FINANCIAL COMMENTS

Termination of the alliance arrangement will, in itself, incur financial liabilities for West Mercia.

Existing financial benefits achieved by the alliance arrangement can be retained under a renegotiated collaboration arrangement. These would be delivered under an alternative system of governance.

The full extent of the total costs to be incurred by West Mercia are as yet unclear. They can only be fully clarified through the negotiation process with Warwickshire.

While the full costs of withdrawal are unknown, it is apparent that the inefficiencies within West Mercia that are resulting from the current alliance arrangement are at a significant cost to the public.

LEGAL CONSIDERATIONS

The terms of the Strategic Alliance Collaboration Agreement stipulate that:

- The party serving notice of termination is liable for reasonable costs incurred by the other party (Warwickshire) as part of the withdrawal process. Warwickshire are legally obliged to minimise these costs.
- Both parties are required to agree an exit strategy.
- The minimum notice for withdrawal from the Alliance is one year. This can be varied by agreement.

Sections 22A to 23A of the Police Act 1996 as amended require Chief Constables and Police and Crime Commissioners to keep under consideration whether collaborative arrangements may be in the interests of service effectiveness and efficiency. Potential opportunities must be presented to the other body, who have an obligation to consider them. Any collaboration arrangements require agreement and/or consultation between PCC and the Chief Officer of the respective force area. Such arrangements must be kept under review as to their ongoing effectiveness and efficiency.

PUBLIC ACCESS TO INFORMATION

Information in this form is subject to the Freedom of Information Act 2000 (FOI Act) and other legislation. Part 1 of this form will be made available on the West Mercia Commissioner's website. Any facts and advice that should not be made automatically available on request are not included in Part 1 but instead in a separate Part 2 report. There is no part 2 report.

OFFICER APPROVAL

Chief Executive Officer

Signature  Date 8th October 2018

