

MEMORANDUM OF UNDERSTANDING (MoU)

RE: INTENSIVE ACTION PILOT AREA PROJECT

BETWEEN:

DYFED POWYS POLICE SERVICE

-and-

**DEPARTMENT FOR RURAL AFFAIRS, WELSH ASSEMBLY
GOVERNMENT**

Memorandum of Understanding

Purpose

Dyfed Powys Police Service and Welsh Assembly Government are committed to the efficient and effective planning, implementation, and policing of the Bovine TB Eradication Programme and particularly the Intensive Action Pilot Area (IAPA) Project in South West Wales.

This Memorandum of Understanding (MoU) provides a framework through 10 'Strategic Working Principles' (SWP's) as to the way in which Dyfed Powys Police Service and the Welsh Assembly Government will interact and work together for the effective management of the IAPA project. It provides a strategic framework for information sharing and delivery of the frontline operations for this project. It supports the aims of the Dyfed-Powys Police Local Policing Plan and the 'One Wales' agenda in providing a platform for managing the policing challenges, pre, during and post the IAPA Project implementation.

Please note that this MoU expresses a convergence of will between the parties, indicating an intended common line of action. It is not intended by the parties either to imply a legal commitment or create a legally enforceable agreement.

Context

In context, this Memorandum of Understanding recognises that within the period of the IAPA Project implementation that Dyfed-Powys Police (DPP) will need to maintain an effective and efficient police service to all the communities of Dyfed & Powys and in this regard the constitutional position of the Chief Officer of Dyfed-Powys Police remains a 'criticality factor' throughout this period .

Strategic Objectives

The core joint strategic aim is to:

‘Work together in partnership to safely and successfully deliver the IAPA Project’

Meeting this core joint strategic aim will support:

1. The delivery of a key element of the Dyfed-Powys Police Local Policing Plan 2009 – 2012 that seeks to provide the:

‘Improved protective services of ‘domestic extremism’, ‘critical incidents’ and ‘public order’ within the framework of ‘Safeguarding our Community’ delivered through a model of service that focuses on Safety, Satisfaction, Confidence and Justice’.

2. The delivery of the ‘National Policing Plan for Wales 2008 – 2011 – Working Together to:

‘Effectively counter domestic extremism to ensure public safety and promoting joint working with other partners in local government and having due regard to Welsh Assembly Government’s devolved policy agenda’

3. The delivery of the ‘One Wales – A Progressive Agenda for the Government of Wales – Sustainable Environment’ and item 173 of its related Delivery Plan 2009 - 2010 that commits to providing within Wales:

‘A sustainable environment through the provision of support for rural communities which includes as a specific action the vigorous pursuit of a programme for the eradication of Bovine TB’

Strategic Working Principles

The statements that follow set out the strategic working principles (SWP) as to how Dyfed-Powys Police will work and interact with Welsh Assembly Government over the period of the IAPA activities. Nothing within these principles will affect the standing of the Welsh Assembly Government or the constitutional position of the Chief Constable of Dyfed-Powys Police in his operational autonomy and discretion to allocate such resources as he has to such of his many duties as is appropriate in all the circumstances of each case, not subject to any direction from the Welsh Assembly Government and/or Welsh Ministers.

It is recognised that any ‘Police’ resources specifically allocated and funded by the Department for Rural Affairs for the IAPA Project will be used by the Chief Constable for such activity. The Chief Constable shall retain the right to redirect these resources to other operational requirements only in exceptional operational circumstances.

1. We will recognise that:

- The role of Dyfed-Powys Police is to safeguard the communities within the IAPA area and to ensure that **(a)** Welsh Assembly Government officials and/or authorised agents acting on their behalf are safely and properly able to carry out their lawful duties within the IAPA; **(b)** all

communities are protected within the IAPA area; (c) crime and disorder is prevented; and (d) peaceful protest is enabled.

- The role of Welsh Assembly Government officials and/or authorised agents acting on their behalf is to undertake the implementation of the IAPA project within the terms of the TB Eradication (Wales) Order 2009 and other appropriate legislation.

2. *We will co-operate at a strategic level*

- The Minister for Rural Affairs, Chief Constable of Dyfed Powys Police, Director for Rural Affairs and Police 'Gold Commander' (any other relevant nominated person) will undertake regular discussions as to progress and this will not be constrained by any operating protocols that exist within this (or any other) Memorandum of Understanding. The overriding principle being that these strategic level officials must be able to engage in a dynamic, flexible and transparent manner to ensure the successful implementation of the IAPA Project within the Dyfed Powys Police area.

3. *We will have an agreed operational command structure and strategic priorities*

- The operational response to the IAPA Project will be managed within a multiagency environment in line with nationally agreed command frameworks and protocols so as to ensure the effective service delivery by all relevant agencies and that the confidence of communities within and beyond the IAPA Project area is maintained.

4. *We will strengthen the intelligence co-operation and data sharing within the legal framework*

- We will share information between agencies, where ever lawful and appropriate to do so, in support of the key aim of delivering a successful and safe programme.
- We will share information between agencies, where ever lawful and appropriate to do so, in support of the key aim of tackling extremism and keeping the peace and wider responsibilities for national security.

5. *We will work together to implement this project whilst respecting the operational independence of the police service and the requirements of Welsh Assembly Government and other organisations involved in or affected by this operation*

- The roles and responsibilities of Dyfed-Powys Police and Welsh Assembly Government officials (that includes agents acting on their behalf) in carrying out work within the IAPA are outlined within SWP 1 and these must be respected and acknowledged as both organisations work to implement the IAPA Project during its identified period.
- There will be formulated an agreed operating protocol for the project implementation that will clarify relevant role and responsibilities of agencies during the operational deployment of staff relevant to the IAPA

6. We will conduct cross agency training to improve the awareness of operational staff within the agencies of the challenges and issues relevant to this project

- We will agree a common learning and development strategy for operational deployment of staff within this project that will be approved by the 'Gold Group' (see SWP 3).
- We will strengthen core command skills of senior police officers and other relevant officials involved in the policing and management of this project.
- Dyfed-Powys Police will work to enhance its capability to counter threats from extremism and organised crime.

7. We will develop a robust communications strategy relevant to this project

- We will work together to develop an agreed set of strategic principles that will assist the communication process that will support the implementation of the IAPA Project.
- The communications strategy will also support the development and agreed principles and processes for the management of requests for information under the Environmental Information Regulation (EIR) and Freedom of Information Act (FOI) that relate to the implementation of the IAPA Project.

8. We develop a common strategic approach to security for all information and data relevant to this project

- There will be common agreed principles and processes for the protective management (within the auspices of Government Protective Marking Scheme) of documents that relate to the implementation of the IAPA Project.
- There will be common agreed principles for the security of all data and information relevant to the implementation of the IAPA Project.

9. We will develop a common approach to risk and health and safety management relevant to the implementation of the IAPA project

- There will be an agreed risk management programme to support the delivery of the IAPA Project as it relates to identification of the risks to vulnerable people, places and property and the placing of appropriate 'risk' control measures.
- There will be an agreed safety management programme to support the delivery of the IAPA Project as it relates to maximising the safety of people, places and property as to those involved or affected by this project.

10. We will develop a number of agreed Strategic Cost Sharing Principles (SCSP's), implemented through a Cost Recovery Agreement (CRA) to support funding and resourcing over the period of the IAPA project

- The development and agreement of a set of strategic cost sharing principles and cost recovery agreement to ensure that local taxpayers within the Dyfed-Powys Police area do not incur a disproportionate share of the costs of policing the IAPA project throughout its implementation period.
- Dyfed-Powys Police and the Welsh Assembly Government will set the strategic cost sharing principles on the basis of 'reasonable cost recovery' yet retain the right to re-engage in relation to the reimbursement of additional costs of resource deployment in accordance with national guidance from the Association of Chief Police Officers.
- The Cost Recovery Agreement (CRA) signed by the Chief Constable of Dyfed-Powys Police and the Director for Rural Affairs provide the process by which Dyfed-Powys Police may recover reasonable costs for the policing of the IAPA Project.

Governance

Underpinning these 10 'Strategic Working Principles' will be the 3 themes of governance, these being *transparency, integrity* and *openness*. Where necessary each organisation is encouraged as good practice to engage audit processes to demonstrate these themes of 'governance in action' as it implements the Strategic Working Principles in the management of the IAPA Project. Dyfed-Powys Police will engage with and meet the costs of a member of its Police Authority and the Wales Audit Office to assist with its adherence to these themes of governance.


Review

This Memorandum of Understanding (MoU) will be agreed (through signature) by the Chief Constable of Dyfed Powys Police and the Director for Rural Affairs, Welsh Assembly Government and shall remain valid for the period of the IAPA Project. To ensure that it remains 'fit for purpose' and relevant it shall remain under continual review. It will be updated and amended in accordance with material developments affecting the working relationship of Dyfed Powys Police Service and the Welsh Assembly Government in relation to the project. All updates and amendments shall be periodically notified to its identified signatories for consideration and agreement.

Signatories



Ian Arundale
Chief Constable
Dyfed Powys Police



Rory O'Sullivan
Director for Rural Affairs
Welsh Assembly Government

Date: 29/1/10

Date: