

## Police & Crime Commissioners - Update

### No 2 – September 2011

**This is the second of a series of bulletins about the transition to Police and Crime Commissioners. Through these communications we aim to provide up-to-date information about the transition to PCCs and to stimulate discussion between local partners about what this means for you. Included is the current position of the Police Reform and Social Responsibility Bill, further details on the transition to PCCs programme, an update on future funding arrangements, and information on the Home Office Support and Modernisation Fund.**

**Thanks to those who have sent queries and comments to the PCC Partners Inbox. We aim to respond to all emails within 5 working days and will use your comments to inform the content of these bulletins.**

#### **The current position of the Police Reform and Social Responsibility Bill – as of 26th September 2011**

The Bill has now received Royal Assent and is the Police Reform and Social Responsibility Act 2011. It can be found on the Parliament website, here:

<http://services.parliament.uk/bills/2010-11/policereformandsocialresponsibility.html>

The next stage will be implementing the Bill and we will continue to work with local partners to inform the Home Office transition programme.

#### **Police and Crime Commissioner Elections**

The House of Lords approved an amendment to the Bill before Royal Assent to change the date of the first elections for PCCs to November 2012. Whilst these need for reform is urgent, and the preparations for elections in May 2012 were on track, the tight timescales for planning and holding elections means a November election will allow proper time for preparations to be made to ensure the elections are properly administered. This additional time will also allow good quality independent candidates to benefit from additional time to plan and campaign for these elections.

The substantive policy is not changing and has been in development for a long time with the Government working closely with stakeholders on the transition from police authorities to PCCs. The Bill has been subject to much scrutiny and debate and preparations for implementation in 2012 are on track.

#### **Police and Crime Panels (PCPs)**

Local authorities should begin to consider how they will establish the Police and Crime Panel for their force area. We would also encourage the identification of a Lead Authority who will be responsible for the day to day running of the Panel. The Lead Authority will receive Home Office funding to support this new responsibility – further detail on this will be issued in due course. The Home Office will also be issuing some guidance to Local Authorities on establishing Panels. However there is a significant

amount of local scrutiny expertise, for example in crime and disorder overview and scrutiny committees, and we would encourage partners to use this to begin discussions as soon as possible.

To begin these conversations with partners we have set out some further information about Panels below:

*How will Police and Crime Commissioners be held to account?*

The Commissioner will be held to account in a number of ways. The ballot box will be the ultimate judge of the success or failure of each Commissioner. We will also build on local government's existing accountability arrangements by ensuring that local elected councillors, as part of a Panel with co-opted independent members, will further scrutinise the actions of the Commissioner in the public interest. Police and Crime Panels will have a key role in providing the checks and balances to the power of Police and Crime Commissioners.

The Commissioner will have to publish information which will help the public to understand what is happening in their area. They are required to publish the Police and Crime Plan and the Annual Report which reports progress on the delivery of the plans. The public can use this information to hold the Commissioner to account and to inform their view on the Commissioner's work.

HMIC will also have the power to inspect forces and report back to the public with objective and robust information on which to make informed judgments about the effectiveness of the force and the Commissioner.

*How will Police and Crime Panels scrutinise the PCCs?*

Police and Crime Panels will have powers to make reports and recommendations about any actions and decisions taken by the Commissioner, and have a specific role in scrutinising the draft Police and Crime Plan, council tax precept, chief constable appointments, and the Annual Report. They will also have the power to summon the Commissioner and their staff in for public questioning. They will be able to invite the Chief Constable to attend these sessions but will not be able to compel their attendance.

Key to the scrutiny process will be transparency. All reports and recommendations made by the Panel will be published and sent to the force's local authorities. In return, the PCC must publish all their responses. The Panel will be able to publicly question the Commissioner about their actions and will have a specific responsibility to do this in relation to the Annual Report. This unprecedented level of transparency will mean the Commissioner will have no option other than to robustly justify their decisions.

The Panel will have veto powers over the Commissioner's proposals on the force precept, and over the appointment of the Chief Constable – with a two thirds majority vote.

**Police and Crime Panel misconceptions:** We have had questions from partners about what else a PCP might be responsible for and, in order to clear up any misconceptions, we can confirm that:

The Panel will not scrutinise the performance of the force. That is the role of the Police and Crime Commissioner. The Panel will scrutinise the actions and decisions of the Commissioner.

Panels will not perform an audit function. Police and Crime Commissioners will be audited by the Audit Commission much like other local authorities.

### **Funding**

Understandably, some of the queries we have received relate to funding from local authorities and police authorities – particularly for the next financial year (2012-13). Decisions regarding transitional arrangements for 2012-13 will be agreed by Ministers in the autumn. Key messages on these decisions will then be communicated to all partners at the earliest opportunity.

### **Wales**

Police and Crime Panels in Wales will not be committees of local authorities and will instead be freestanding bodies established by the Home Secretary. However, we expect that local authorities and councilors within Wales will want to play a leading role in this reform and we will be working closely with them to enable this. Further information about the process for establishing police and crime panels across both England and Wales will be issued in due course.

### **Home Office Support and Modernisation Fund**

Applications are currently being considered under the Home Office Support and Modernisation Fund. The purpose of the fund is to provide practical support and advice to frontline voluntary, community, and social enterprise (VCSE) organisations that support Home Office objectives in preparation for the arrival of Police and Crime Commissioners in May 2012. The grant will fund an alliance of sector umbrella bodies to provide support to the sector to help it develop to take advantage of the changing local delivery and commissioning landscape, including the delivery of more open public services.

### **Next Steps: Engagement with Partners**

- Deep Dives (autumn 2011) – Focused work in the West Midlands, West Yorkshire, Leicestershire and South Wales areas including detailed analysis of the impact of the PCC policy locally. This will include mapping out the issues, the changing partnership landscape, how the PCC may operate in practice and what this might mean for them and their partners. We will also include a session on PCPs. Findings from the Deep Dives will then be fed into future events including;
- Engagement Events - (January-March 2012) – Following the Deep Dives we will deliver a range of events for local partners. This will provide an opportunity for us to provide further detail on the PCC and PCP policy as well as a space for partners to consider what action they need to take locally prepare for the upcoming changes. Planning for these events is currently underway.

**We aim to send regular bulletins until at least the introduction of PCCs in November 2012 to keep you informed about what we are doing at the centre and what opportunities there are for you to get involved locally.**

**In the meantime, please email your comments and questions to [PCCpartnersenquiries@homeoffice.gsi.gov.uk](mailto:PCCpartnersenquiries@homeoffice.gsi.gov.uk) - please put "PCC Transition" as the email subject.**

