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# Have you got what it takes?

Your role as police and crime commissioner (PCC)

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## Your role as police and crime commissioner (PCC)

### Important facts

As a PCC, you will have a responsibility to hold the police to account on behalf of the public. You will also have to hold the chief constable to account for the performance of your force area's officers and staff.

You will provide the local link between the police and communities, working to turn the desires and ambitions of the public, in terms of policing and crime reduction, into action.

You will receive all the funding relating to policing and reducing crime and, after consulting the chief constable, will be responsible for how it is spent.

You will set the strategic direction and aims for your force through the Police and Crime Plan (the plan), and set the local precept (council tax charge).

You will appoint the chief constable and remove them from office when necessary (as long as the relevant legal requirements are met).

You will have wider responsibilities, including responsibility for delivering community safety and reducing crime, the ability to make crime and disorder reduction grants within your force area, and a duty to deliver better value for money or improve the effectiveness of policing.

### Background

The Police Reform and Social Responsibility (PRSR) Act 2011 creates a PCC within each force area in England and Wales outside London. The 2011 Act gives these PCCs responsibility for holding their chief constable to account for policing in their force area.

The PCC answers to the public on the delivery and performance of the police service in their area. The PCC also consults the chief constable when setting the aims of the force in their area. They answer to the electorate (everyone who votes) and the chief constable answers to them. A police and crime panel in each force area will assess the performance of the PCC and look at their actions and decisions. How these roles and responsibilities will interact is included in the policing protocol.

PCCs will assess, support and challenge the overall performance of their forces against the priorities agreed within the plan. However, while doing so, the PCC must not obstruct the operational independence of the police force and the chief constable who leads it.

Removing a chief constable would depend on following the process set out in part 2 of schedule 8 to the 2011 Act and regulations made under section 50 of the Police Act 1996.

PCCs must be transparent and allow the people who live in the force area to assess their performance and that of the chief constable. Because of this, the Government has set out detailed requirements to allow for this open and transparent assessment.

PCCs must agree to any request from the police and crime panel to go to their meetings and prepare and issue a report each year to the panel on whether the PCC has achieved their aims set out in the plan.

So that the PCC can carry out their functions effectively, they will need access to information and officers and staff within their force area. This access to information must not be obstructed by the chief constable, but it does not restrict the chief constable's control of the force.

## More information

PCCs will need to make sure the policing needs of their communities are met as effectively as possible, bringing communities closer to the police, building confidence in the system and restoring trust. They will give the public a voice at the highest level, and give the public the ability to make sure their police will answer for their actions and decisions. However, it will not be for the PCC to tell the professionals how to do their job - the legislation continues to protect the operational independence of the police by making it clear that the chief constable will still keep direction and control of the force's officers and staff. The operations of the police will not become political - in other words, who is arrested and how investigations work will not become political decisions.

The policing protocol sets out the roles and responsibilities of the PCC, chief constable, Home Office and the police and crime panel and builds on the Government's commitment to limiting the role of the Home Office in day-to-day policing matters. This will then give the police a greater freedom to fight crime as they see fit.

## Equality and diversity

The public-sector equality duty, which came into force on 5 April 2011, places a legal duty on public authorities to take account of the need to get rid of unlawful discrimination, harassment and victimisation as well as to promote equal opportunities and encourage good relations between everyone. The Police Reform and Social Responsibility Act 2011 amends the Equality Act to make the public-sector equality duty apply to PCCs and the Mayor's Office for Policing and Crime.

You can find quick-start guides on the public-sector equality duty, and on the specific duties that support it at:

<http://www.homeoffice.gov.uk/publications/equalities/equality-act-publications/equality-act-guidance/equality-duty?view=Binary>

<http://www.homeoffice.gov.uk/publications/equalities/equality-act-publications/equality-act-guidance/specific-duties?view=Binary>

## What are the chief constable's responsibilities to the PCC?

So that the PCC can carry out their role effectively, they will need access to information and officers and staff within their force area. This access to information must not be obstructed by the chief constable, but it does not restrict the chief constable's control over the force.

## Can PCCs work with other PCCs?

PCCs may enter into collaboration agreements with other PCCs, other policing organisations and partners that improve the efficiency or effectiveness of policing for one or more policing organisations or police forces by consulting the chief constable. (If this relates to the functions of the police force, it must be with the agreement of the chief constable.)

## Can a PCC appoint a deputy?

Yes. A PCC may, if they want, appoint a deputy police and crime commissioner to their staff. The deputy post is considered a member of the PCC's staff, but is the only post that is not politically restricted. As a result, they can carry out political activity on behalf of the PCC. All other posts within the PCC's staff are politically restricted and bound by strict local government laws.