

POLICE AND CRIME PANEL PANEL HEDDLU A THROSEDD



North Wales Police and Crime Panel

Monday, 21 September 2015 at 2.00 pm
Bodlondeb, Conwy

AGENDA

1. **Apologies for absence**
2. **Declarations of Interest: Code of Local Government Conduct**
Members are reminded that they must declare the **existence** and **nature** of their declared personal interests.
3. **Urgent matters**
Notice of items which, in the opinion of the Chairman, should be considered at the meeting as a matter of urgency.
4. **Minutes** (Pages 3 - 11)
To approve and sign as a correct record minutes of the previous meeting.
5. **Announcements by the Chair**
6. **To consider reports by the North Wales Police and Crime Commissioner:**
 - a) Periodic Update by the North Wales Police and Crime Commissioner (Pages 12 - 23)
 - b) Presentation on How the Police and Crime Commissioner is improving confidence in the Police across North Wales
(To include an update on the new Victim Help Centre, partnership working and public satisfaction)
 - c) Update on the Budget 2015/16 (Pages 24 - 26)

7. To consider reports by the Host Authority:

- a) Good practice for police and crime panels (Pages 27 - 61)
- b) Report of the Committee on Standards in Public Life - Leadership, ethics and accountability in policing (Pages 62 - 82)
- c) Procedure for questions to the North Wales Police and Crime Commissioner (Pages 83 - 87)
- d) To consider the Forward Work Programme for the North Wales Police and Crime Panel (Pages 88 - 90)

8. Date of Next Meeting:

Monday, 9 November 2015 @ 2.00 pm

Membership of Panel

Cllr Amanda Bragg
Cllr Brian Blakeley
Cllr Glenys Diskin (Chair)
Cllr Philip C. Evans J.P.
Cllr David Griffiths
Cllr Julie Fallon
Cllr William T. Hughes
Cllr Dilwyn Morgan
Cllr Gethin Williams

Flintshire County Council
Denbighshire County Council
Flintshire County Council
Conwy County Borough Council
Wrexham County Borough Council
Conwy County Borough Council
Isle of Anglesey County Council
Gwynedd Council
Gwynedd Council

Vacancy

Wrexham County Borough Council

Patricia Astbury (Vice-Chair)
Timothy Rhodes

Independent Co-opted Member
Independent Co-opted Member

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If you have any queries regarding this, please contact the representative of the Strategic Director – Democracy and Environment at the meeting.

NORTH WALES POLICE AND CRIME PANEL

Monday, 15 June 2015 at 2.00 pm
Bodlonddeb, Conwy

- Present: Councillor Glenys Diskin (Chair)
- Councillors: Amanda Bragg, Bob Dutton OBE,
Philip C. Evans J.P., Julie Fallon, Gethin Williams and
Dilwyn Morgan
- Independent Co-opted Member: Pat Astbury (Vice-Chair)
and Timothy Rhodes
- In Attendance: Councillor Brian Blakeley
- Officers: Ken Finch (Strategic Director - Democracy and
Environment), Richard Jarvis (Solicitor), Jane Angharad
Jones (Committee Services Officer) and Ffion Wynne
(Translator)
- Also in Attendance: Stephen Hughes (Temporary Chief Executive, Office of the
Police and Crime Commissioner), Kate Jackson (Chief
Finance Officer, Office of the Police and Crime
Commissioner), Diane Jones (Commissioning Officer),
Winston Roddick CB QC (North Wales Police and Crime
Commissioner) and Julian Sandham (Deputy Police and
Crime Commissioner).
- Absent: Councillor: David Griffiths

168. **APPOINTMENT OF CHAIR**

It was proposed and seconded that Councillor Glenys Diskin (Flintshire County Council) be appointed as Chair for 2015/16.

RESOLVED-

That Councillor Glenys Diskin (Flintshire County Council) be appointed as Chair for the North Wales Police and Crime Panel for 2015/16.

169. **APPOINTMENT OF VICE-CHAIR**

It was proposed and seconded that Patricia Astbury (Independent Co-opted Member) be appointed as Vice-Chair for 2015/16.

RESOLVED-

That Patricia Astbury (Independent Co-opted Member) be appointed as Vice-Chair for the North Wales Police and Crime Panel for 2015/16.

170. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor William T. Hughes (Isle of Anglesey County Council).

Councillor Brian Blakeley (Denbighshire County Council) was welcomed to the meeting. Members were informed that Home Office approval had yet to be received, therefore Councillor Blakeley could attend the meeting, but not take part.

171. DECLARATIONS OF INTEREST: CODE OF LOCAL GOVERNMENT CONDUCT

Councillor Julie Fallon declared a personal interest, as her husband is a serving Police Officer in the North Wales Police.

172. URGENT MATTERS

None.

173. MINUTES

The minutes of the North Wales Police and Crime Panel (PCP) held on 9 March, 2015 were submitted for approval.

RESOLVED-

That the minutes of the North Wales Police and Crime Panel held on 9 March, 2015 be approved.

174. UPDATE BY THE CHIEF CONSTABLE

Mr. Mark Polin, the Chief Constable of the North Wales Police had been invited to the Police and Crime Panel (PCP) to allow Members the opportunity to discuss matters in relation to the delivery of the Police and Crime Plan – Progress and Challenges.

The presentation covered the following areas:

- Governance structure
- Police and Crime Plan - construction and delivery
 - Internal and external survey results
 - Quarterly report on Action Plan work streams
 - Discrete scrutiny topics
 - Attendance at Chief Officer performance reviews
 - Response to HMIC recommendations
 - Communication to the workforce and engagement with partners

- Partnership Arrangements across North Wales
 - Strategic Assessment – Police and Crime Plan and Safer Communities Board Plan
 - Cross sector Chief Executives’ Forum
 - Local Service Boards and Community Safety Partnerships
 - Local Criminal Justice Board

- Strategic Policing Requirement
 - Specific references in Police and Crime Plan
 - Budget setting
 - SEB highlight reports
 - Confidential briefings i.e. sensitive operations
 - Departmental visits
 - Child Sexual Abuse – Pallial, CSE & MASH
 - Serious and organised crime and outcomes
 - Civil emergencies and LRF e.g. Anglesey
 - Public order – London and Northern Ireland

- Collaboration North West, all Wales – to include exploring opportunities with Emergency Services
- Codes of Practice
 - National Crime Recording Standards and compliance
 - Code of Ethics
 - Scrutiny of complaints/misconduct matters
 - Authorised Professional Practice

- Engagement with local people – local engagement plans/activity and public surveys

- Value for money – driven by operational requirements, Medium Term Financial Plan, monitoring and scrutiny

- Equality and Diversity
 - Joint Strategic Equality Plan
 - Equality and Diversity Committee
 - Attendance at all North Wales Police Stakeholder Forums e.g. Disability groups
 - Positive Action Strategy and Working Group
 - Annual employment monitoring report
 - Stop and Search Scrutiny Group
 - Hate crime scrutiny plan (currently under development)
 - Cultural survey
 - Community engagement
 - Stonewall

- Safeguarding of Children
 - Focus and scrutiny
 - Discrete briefing on CSE
 - CSA/CSE Summit and action plan
 - Multi agency risk attendance
 - Reporting on Multi Agency Safeguarding Hub (MASH) pilot

- Review of All Wales School Liaison Core Programme
 - Children affected by parental imprisonment - proposed project being driven by the Police and Crime Commissioner (PCC)
- Sustaining service delivery and performance improvement, to include:
- Trends/outcomes and performance in terms of recorded crime
 - CSEW figures
 - Public confidence survey
 - Victim satisfaction survey (April 2015)
- Current concerns
- 'Debate' on future model of policing
 - Funding formula
 - How the Force might look and any implications
 - Top-slicing and meeting the savings requirement
 - Williams Commission and the effect on partnership working
 - Emerging threats to our communities
 - Demand reduction
- Emerging Threats
- Amethyst Team
 - Funding for IDVA and ISVAs
 - Missing Persons Coordinators
 - Child Sexual Exploitation Unit
 - Cybercrime Unit
- Planning for future demand
- Range of police-led initiatives
 - Review of Force Deployment Strategy
 - Review of Force CID establishment to meet increasingly complex demands via Detective Career Pathway
 - Implement agreed resource allocation model for PCSOs
 - Implement new Neighbourhood Policing Strategy to focus on broader problem solving and efficient (directed) engagement
 - Model future LPA structures/design based on fewer staff

The Panel thanked the Chief Constable for a very informative presentation and went on to discuss the following issues:

Members questioned the successes and failures in delivering the Plan. In response, the Chief Constable highlighted the following:-

- The Cultural Survey was positive, given the changes and budgetary challenges
- Staff morale – keeping staff on-board and motivated was constantly reviewed/monitored
- Economic climate and budget constraints
- Reference was made to an article recently published in the Mail on Sunday in relation to the integrity of the recording of Police crime statistics. In response the PCC provided some background to the process and made reference to the recent HMIC Inspection results, indicating that North Wales Police were 94% compliant in terms of crime recording. In addition, Members were advised that the article was written in relation to statistics prepared for by the Crime Survey for England and Wales as opposed to Police Force data.
- The membership of the Safer Communities Board was clarified.
- Members were reassured that the newly appointed Governor of Wrexham Prison would be invited to attend the Local Criminal Justice Board.

RESOLVED:

That the information be noted.

175. **PRESENTATION ON 'HOW THE POLICE AND CRIME COMMISSIONER IS MAKING COMMISSIONING DECISIONS'**

Mrs Diane Jones (Commissioning Officer) presented members with a presentation on how the Police and Crime Commissioner is making commissioning decisions.

The presentation covered the following areas:

- The approach taken to Commissioning Services:
 - Law that introduced the OPCC
 - Police and Crime Plan
 - Needs Assessment for the Development of Victim Services in North Wales
 - Opportunities to engage with the community
- The Commissioning Framework – supporting the Police and Crime Objectives (for North Wales)
 - Prevent crime
 - Deliver an effective response
 - Reduce harm and the risk of harm
 - Build effective partnerships

- Work Streams
 - Crime and disorder grants
 - Community focused funding
 - Victims' commissioning funding

- The Commissioning cycle - the Commissioning Officer highlighted the difficulties working with a 12 month funding cycle and that representations had been made to Ministers by the OPCC for a longer funding cycle.

- Future Commissioning priorities 2015 -16
 - Victims' services
 - Domestic abuse/sexual violence
 - Mental health/drugs and alcohol
 - Restorative justice

The Panel thanked the Commissioning Officer for the informative update.

RESOLVED:-

That the information be noted.

176. PERIODIC UPDATE BY THE NORTH WALES POLICE AND CRIME COMMISSIONER

The Police and Crime Commissioner (PCC) congratulated Councillor Glenys Diskin on her re-appointment as Chair of the North Wales Police and Crime Panel. Patricia Astbury was congratulated on her appointment as Vice-Chair and Councillor Brian Blakeley was welcomed to the meeting.

Other general updates were as follows:-

- Kate Jackson (Chief Finance Officer) was congratulated for being awarded Coleg Llandrillo College Welsh Learner of the Year.
- Congratulations were extended to the Personal Assistant of the Police and Crime Commissioner on the safe arrival of her baby boy.
- Councillor Dilwyn Morgan was congratulated on his election as Chair of Gwynedd Council.
- Condolences were conveyed to Julian Sandham (Deputy Police and Crime Commissioner) on the sad loss of his mother, Barbara Sandham.
- Congratulations were extended following the opening of the new St Asaph Victim Help Centre.

The Police and Crime Commissioner (PCC) presented the North Wales Police and Crime Panel (PCP) with his periodic update for the period 1 February to 1 May, 2015.

The report considered primarily the PCP's broader function under section 28(6) of the Police Reform and Social Responsibility Act 2011 to review or scrutinise decisions made, or other actions taken by the PCC and to make reports and recommendations to the PCC in that regard.

The following areas were highlighted within the report:

- Principal function - Scrutiny of North Wales Police

- Police and Crime objectives
 - 1 Prevent crime
 - 2 Deliver an effective response
 - 3 Reduce harm and the risk of harm
 - 4 Build effective partnerships

- Police and Crime Plan
- Crime and Policing in your area
- Engagement and communication

- The Deputy Police and Crime Commissioner's work and commitments were also highlighted within the report.

The PCP considered the report and discussion ensued regarding the following issues:

- Members were encouraged by the work surrounding children affected by parental imprisonment. The importance of recognising the needs of such individuals, early intervention and collaboration with schools were recognised as key. The PCC advised that he was presenting on such matters to the Safer Communities Board later on in the week.

- Congratulations on the new St. Asaph Victim Support Hub.

- Estates Strategy 2012-16 – Redevelopment of Llandudno Police Station - appreciation and thanks were conveyed for the acknowledgement of the historical past and features of the Police Station.

RESOLVED:-

That the information be noted.

177. ANNUAL REPORT FROM THE POLICE AND CRIME COMMISSIONER

The Police and Crime Commissioner (PCC) presented the Police and Crime Panel (PCP) with his Annual Report 2014/15, as required under Section 12 of the Police Reform and Social Responsibility Act 2011 (the Act).

The report provided a summary of how the PCC had carried out his functions and responsibilities to date and the progress made in that time in meeting the police and crime objectives within the Police and Crime Plan.

RESOLVED –

That the Police and Crime Commissioner’s Annual Report be accepted for 2014/15 and that a record be submitted to the PCC in accordance with Section 28(A) of the Act.

178. FINANCIAL SCRUTINY OF THE CHIEF CONSTABLE BY AND ON BEHALF OF THE POLICE AND CRIME COMMISSIONER

The Chief Finance Officer presented a report describing the activities undertaken by the Police and Crime Commissioner and those acting on his behalf, to ensure that funding is used to deliver the objectives of the Police and Crime Plan, that expenditure is appropriate and proportionate, and that best value is obtained throughout the process.

Members were supportive of the report.

RESOLVED:

That the report be noted.

179. NORTH WALES POLICE AND CRIME PANEL EXPENSES

The Strategic Director (Democracy and Environment) presented a report, which provided details of the expenses paid to members of the North Wales Police and Crime Panel (PCP) for 2014/15.

The PCP’s Terms of Reference requires expenses paid to panel members to be published on an annual basis and made available through the websites of the Host Authority (Conwy County Borough Council), the PCP and that of the Office of the Police and Crime Commissioner.

Details of expenses paid to members of the PCP for 2014/15 were shown in Appendix 1 of the committee report.

AGREED-

That expenses paid to members of the North Wales Police and Crime Panel (PCP) for 2014/15 be published in accordance with its Terms of Reference.

180. TO CONSIDER THE FORWARD WORK PROGRAMME FOR THE NORTH WALES POLICE AND CRIME PANEL

The Strategic Director (Democracy and Environment) presented the Forward Work Programme (FWP) for the North Wales Police and Crime Panel (PCP).

RESOLVED-

That the Forward Work Programme for the PCP be approved.

181. **DATE OF NEXT MEETING:**

The next meeting of the North Wales Police and Crime Panel would take place Monday, 21 September, 2015 at 2.00 pm.

(The meeting ended at 3.40 pm)

Update for the Police and Crime Panel

21st of September 2015

Winston Roddick CB QC, Police and Crime Commissioner, North Wales

This is my report to the panel for the period 1st May to mid August 2015. It is not concerned with the specific statutory reporting requirements with regard to the precept, appointments to my office, the revisions to my police and crime plan, or my annual report. It is concerned primarily with the panel's broader function under section 28 (6) of the Police Reform and Social Responsibility Act 2011 (the Act) to review or scrutinise decisions made or other actions taken by me as the Police and Crime Commissioner (the Commissioner) for North Wales and to make reports and recommendations to me as Commissioner in that regard. Also, pursuant to section 13 (1) of the Act, it provides the panel with the information which the panel reasonably requires of the Commissioner for carrying out its functions (the specific requests).

Section One: My scrutiny of North Wales Police

The purpose of this section of my report is to demonstrate how I have been fulfilling my principal function of scrutinising North Wales Police. I do that by measuring the force's performance of the four objectives of my plan against the measures set out. The principal medium through which I carry out that function is the Strategic Executive Board (SEB) which I chair and on which the chief constable and his senior officers sit.

As explained in earlier reports prior to each meeting of SEB, the chief constable provides me with crime statistics and other information including graphs, tables and charts (of the kind shown below) and it is by reference to these statistics and the trends they might reveal and the measures I mentioned earlier that I scrutinise the performance.

This report concentrates on the force's performance against the measures of my 2015/16 plan (which was published in April 2015).

Police and Crime Objective 1: Prevent crime

There are now six measures by which performance against this objective is measured. They are

1. The level of total crime,
2. The level of victim based crime,
3. The level of resolved crime by type,
4. The level of recorded anti-social behaviour (ASB),
5. The level of domestic burglary,
6. The number of active Special Constabulary officers, volunteers and cadets.



The measures are not performance targets. Their purpose is to assist me in my questioning of the performance figures and to make plain the principal matters I will take into account in making that assessment. The information presented below is to enable panel members not to scrutinise the performance of the force but to demonstrate my scrutiny of this particular objective.

The charts below, which were produced by the chief constable, show the number of all crime recorded and victim based crime recorded every 3 months since April 2010:

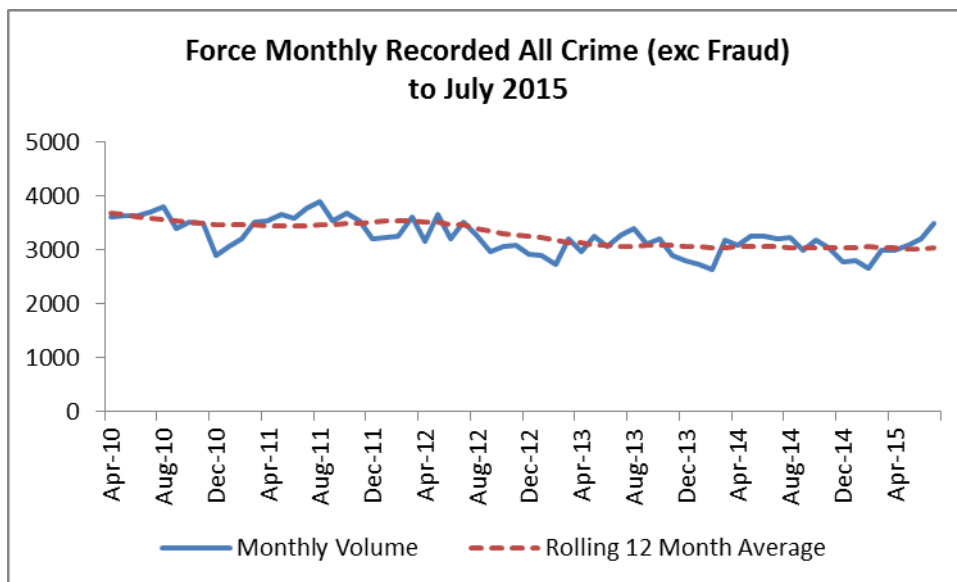


Figure 1: Monthly recorded all crime to July 2015 (source: North Wales Police)

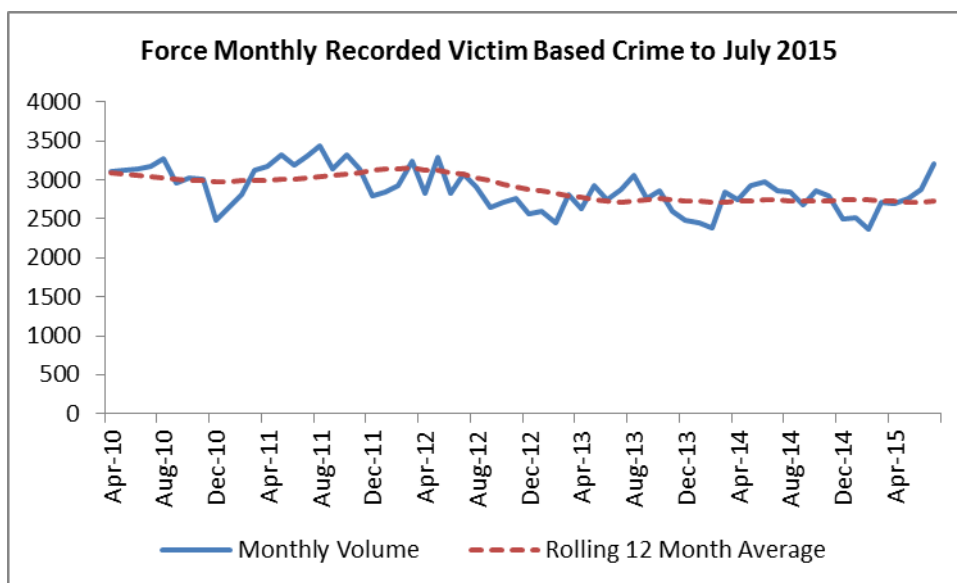


Figure 2: Monthly recorded victim based crime to July 2015 (source: North Wales Police)

The week 1 to 19 figures (1st April 2015- 10th August 2015) show that 13,956 crimes had been recorded year to date, compared with 13,998 last year to date. The week 1 to 19 figures show that 12,577 of the crimes recorded were ‘victim based’ compared with 12,546 recorded last year to date. This represents an increase in victim based crime of 0.2%. The seasonally low weeks for crime in the early part of 2015/16 appear to have come to an end with the last four weeks being within normal seasonal levels, which has had an impact on the crime reduction seen earlier in the year. Crime types with notably changing levels continue to be violence with and without injury. I

continue to monitor specific operational activity being implemented by the force to tackle this increase locally.

In light of the continuing demands placed on the police service by the further financial savings it is having to make, increasing demands from non-crime related issues and the increased prevalence of other threats including child sexual exploitation, cyber-crime, modern slavery and human trafficking, I am keeping a close eye on the steps taken by North Wales Police to prevent crime and the number of crimes recorded. However, as discussed previously with members of the Panel, a small increase in recorded crime isn't necessarily a bad thing since it could well indicate that members of the public have more confidence in reporting certain crime types. I continue to closely scrutinise any increases via my SEB meetings.

Although an assessment of whether I have fulfilled my objectives can only be effectively made at the end of my term, the effectiveness of the force is clearly demonstrated by the fact that there was a 13% reduction in total recorded crime in 2014/15 compared to 2011/12 whilst there was a 13.1% reduction in victim based crime. That equates to 5,386 fewer victims in North Wales.

The total resolved crime rate currently stands at 30.6%. A recent national publication on outcomes indicates that North Wales has a higher than average positive outcome rate, most notably in the proportions of charges and community resolutions, which are significantly higher than the national average.

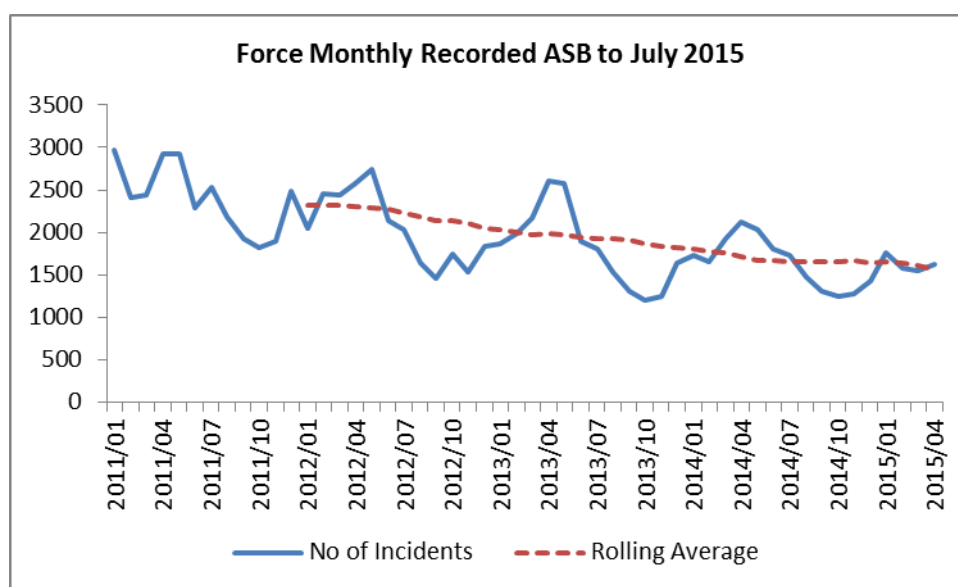


Figure 3: Quarterly recorded ASB to April 2015 (source: North Wales Police)

The table above demonstrates a reduction in anti-social behaviour year on year. There has been a steady and significant decline in the number of ASB incidents over the last four years, reducing by 25.1%. Despite this significant reduction the force assures me that ASB hotspots continue to be monitored, ASB victims' satisfaction surveys continue to be used to understand key issues for victims and regular ASB forums are held with key partners.

I am now monitoring the number of active Special Constabulary officers, volunteers and cadets utilised by the force. The number of special constables has increased by 22.6% to 141 with plans to regularly recruit more throughout the year. The number of volunteers has also increased year on year by 48.6% to 55 and although there are currently no cadets in force, applications from across the Force are being considered by recently appointed cadet leaders.

Despite recent solid performance I am not complacent, especially in light of further financial challenges. Since taking up my role I have gone to great lengths to protect the front line and in order to illustrate this point, I refer the panel to the February 2015 edition of the Police Federation magazine. As the panel may know, the Federation is the staff association that represents police officers up to and including the rank of chief inspector, so these are not my figures. When measuring % workforce reduction in the four years between 2010 and 2014, the panel will find that North Wales Police is at the very bottom with a reduction of only 1.38% (compared to 36.76% in Cleveland). When measuring % officer reduction during the same time period, North Wales Police has seen a 5.96% reduction with only seven forces with a lower reduction (of 42 forces in England and Wales). Those figures speak for themselves and I will continue to do all that I can to protect the 'front line'.

Police and Crime Objective 2: Deliver an effective response

The three measures of this objective as set out in my plan are: (1) the average response times of attendance at police emergencies; (2) the amount of non-emergency calls classified as 'abandoned calls'; (3) the savings target for 2015/16 being achieved; and (4) feedback received through victims' surveys (in particular satisfaction levels).

The average immediate response time stands at 14.3 minutes year to date.

The abandonment rate for non-emergency calls is routinely subject to scrutiny, and currently stands at around 5.4%, which is a 2.0 percentage point increase year on year. I understand that the upturn in the abandonment rate could be attributed to changes to the staffing model in the control room. However, the implementation of training measures in the control room in recent weeks has seen an improvement in the abandonment rate with a return to levels more similar to early 2014.

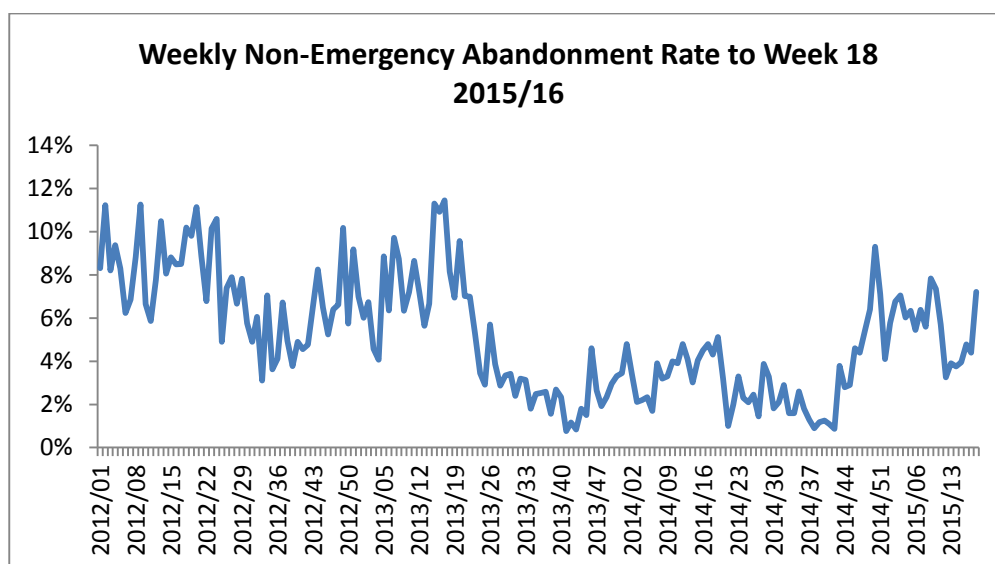


Figure 4: Weekly non-emergency calls abandonment rate (source: North Wales Police)

In respect of satisfaction levels I am pleased to report that overall satisfactions for follow up action across all force surveys remains significantly improved and in the areas of action taken, treatment and whole experience, victims are more satisfied although not significantly so.

Police and Crime Objective 3: Reduce harm and the risk of harm

My 2015/16 plan has four measures for determining the effectiveness of the force's performance of this objective. They are: the number of people killed or seriously injured (KSI) in road traffic collisions, the level of repeat offending (including high risk repeat offenders of domestic violence), the number of arrests and prosecutions of child sexual exploitation perpetrators, and the number of indecent images of children cases prosecuted.

The year to date figures (to May 2015) for those killed or seriously injured on our roads are down from 66 to 40. Although April 2015 did see a seasonally higher level of motorcyclists KSIs, motorcyclist casualties were seasonally low in May. Over the last four years there has been a 5.2% reduction in KSI casualties, down from 382 to 362 in the rolling year to May. My team is continuing to closely scrutinise the number of KSIs and I am confident that the force's road policing teams are working hard to identify and target key vulnerable groups (such as young people and motorcyclists) through various initiatives, which include partnership working with local authorities. I am also reassured by the detail included in the force's KSI problem profile and how tactics are aligned to the problem profile. The Deputy Police and Crime Commissioner is also in the process of scrutinising the work of the Go Safe partnership locally, in particular how Go Safe sites are selected and how the partnership contributes towards KSI reduction.

Preventing re-offending is key to preventing crime generally and I am pleased to note that since 2011/12 there has been a 29.9% reduction in the number of offences committed by repeat offenders, which equates to 3,000 fewer offences. In turn, that will also have led to a reduction in the number of repeat victims. These significant achievements reflect the investment made in North Wales Police's Integrated Offender Management Unit (IOM). The IOM Unit is a collaborative partnership involving North Wales Police, Probation Housing Officers and the Prison Service. It is also supported by Health and Drug Intervention Programme workers and many more.

In order to closely scrutinise the work done by the Force to bring people suspected of child sexual exploitation to justice I am monitoring the number of people who have a CSE risk flag either for victimisation or offending and have been working with the force to develop definitions of and mechanisms for accurately capturing CSE offences. Year to date (a period of 19 weeks) there have been 10 more arrests for CSE than there were for the whole of last year. This demonstrates how determined the force is to tackle the perpetrators of this heinous crime.

Police and Crime Objective 4: Build effective partnerships

This is as important an objective as any of the other three but the performance of it is not susceptible to statistical measurement, and I have not stipulated any measures in the plan for measuring the performance of it.

Amongst the partnership activities I have undertaken recently is the opening of the Victims' Help Centre which opened its doors (and telephones) for business on 1st July and will be officially opened on 25th September.

I am very pleased with all the hard work that has gone into the project that established the Victims' Help Centre. Under the supervision of my Deputy Julian Sandham, the project team have researched victim need in order to establish vital services that are appropriate and most importantly fit for purpose for victims of crime. The centre uses the services of one of the largest and most experienced third sector organisations, Victim Support, but also crucially, is able to access and signpost the services of smaller, local organisations who can provide specialist and specific services for those who need them in their locality. The centre is now fully operational and

I will be closely monitoring the progress and development of the Victims' Help Centre in the coming weeks and months. As well as a tailored recovery package and face to face support, the Victim Help Centre will also provide specialist case workers to help with mental health and hate crime victims. All victims' details will be automatically forwarded to the Victim Help Centre by North Wales Police within 2 working days of reporting a crime unless explicit consent is required.

Crime and Policing in your area

The home office web site <http://www.police.uk> provides statistical information on crime and anti-social behaviour incidents which is post-code specific.

Section Two: General Updates

In this section I provide the panel with a brief summary of the main things I have been doing since the last meeting of the panel.

Engagement and Communication

Part of my role is to provide information and to enable the community to engage with policing. Since the last meeting of the panel, I have undertaken several activities to raise awareness of my role and to provide the communities of North Wales with the opportunity to have their say about crime and policing. The following are a few highlights from recent months:

In May 2015 I co-hosted a Multi-Agency Child Sexual Exploitation Summit in St Asaph so that strategic partners could discuss how child sexual exploitation should be tackled in North Wales. On the 9th June a representative from my office attended an All Wales Multi-Agency Child Sexual Exploitation Meeting chaired by the Children's Commissioner, Sally Holland, with a view to contributing to the development of an All Wales Action Plan in respect of CSE.

In May 2015 in addition to attending a number of meetings with senior officers and undertaking a comprehensive visit to the Crime Services Department in St Asaph I also met with the Chief Executive of Cartrefi Conwy to look at how we could work together to prevent crime and reduce reoffending locally. I also met with the Head of the National Probation Service's Local Delivery Unit and his colleagues to discuss matters relating to the Women's Pathfinder Project and Integrated Offender Management, visited the innovative community facility HWB Dinbych to witness first-hand the educational and employment opportunities afforded to local people at the centre, met with representatives from Relate Cymru's Choose 2 Change Project, and Mosque Leaders.

In May I also met with representatives from HMCPSP as part of its inspection into how effectively the CPS delivers its commitments to communicate with victims locally, conducted an interview with Heart FM in relation to Child Sexual Exploitation, held a Public Surgery in Caernarfon, met with consultants who had been appointed on an All-Wales basis to carry out a piece of work in respect of collaborative opportunities, attended an Association of Police and Crime Commissioners' meeting in London, and at the end of the month attended a joint meeting comprising of senior representatives from North Wales Police, North Wales Fire and Rescue Service, the Welsh Ambulance Service NHS Trust, and Betsi Cadwaladr University Health Board to discuss, amongst other matters, alcohol treatment centres, collaboration, mental health services, and adverse incidents.

June 2015 was also a busy month with engagements including a visit to the local policing team and representatives from resident groups in Rhyl West, as well as a tour of the new Victim's Help Centre in St Asaph prior to the centre opening for business in July. I attended meetings of the North Wales Safer Communities Board and the Association of the Police and Crime Commissioners' Transparency Group, and also met with the Minister for Public Services and the Minister for Health and Social Services at the Welsh Government on the 23rd June.

In July 2015 I visited Ysgubor Goch in Caernarfon to discuss local policing and crime issues with local residents, hosted a two day All Wales Policing Group meeting in Bangor, met with senior representatives from HMCTS and the CPS to discuss the Crown Courts provision in North Wales, attended an Independent Advisory Group meeting as well as the North Wales Regional Leadership Board. I also visited Altcourse Prison to witness how the prison promotes the use of restorative justice and seeks to rehabilitate inmates, as well as attending a meeting at the Home Office, the Association of Police and Crime Commissioners' General Meeting, a meeting of the Association of Voluntary Organisations in Wrexham as a guest speaker, meetings with representatives from the farming unions and the Rural Crime Team at the Royal Welsh Show, and a meeting with the new Chief Executive of the North Wales Regional Equality Network.

In addition to the above I also attended a Flintshire County Council meeting to give a speech about my role and responsibilities as well as to answer questions asked by the councillors before and during the meeting. Towards the end of July I attended a meeting of the All Wales Criminal Justice Board in Cardiff, met a senior police officer from Australia with a keen interest in tackling rural crime and met the new editor of the Daily Post.

Since the last meeting of the panel, in addition to meeting with community representatives, partners and members of the public, I have undertaken several key media activities. These have included:

[Caught on Camera](#)

[Justice in a Day](#)

[New Llandudno Police Station](#)

[Rural crime slashed by two-thirds](#)

[Guide Dogs at Headquarters](#)

[Warning to Drug Dealers](#)

[On patrol with Wrexham Street Pastors](#)

[Students hope to cop a bright future](#)

[HWB Dinbych](#)

[Crime Tzar hails volunteers](#)

[Top Cop from down under](#)

[Speed cameras must be life savers](#)

[Custody watchdogs needed](#)

[Victim Help Centre opening](#)

[Finance Chief's Welsh learner award](#)

[Your community, your choice](#)

The Deputy Police and Crime Commissioner, Julian Sandham

The panel asked to be informed about the work of the deputy commissioner. He is fully and very effectively committed to my very demanding work programme, as is detailed below:

The deputy commissioner's commitments since the last panel meeting have included the following scrutiny activities:

- Meeting representatives from the Go Safe partnership;
- Attending a meeting of the North Wales Police's Crime Recording User Group in order to scrutinise crime recording compliance issues;
- Attending and observing the Force's 'Hydra' system training in ethics for supervisors;
- Attending meetings of the North West Police and Crime Commissioners' Oversight Committee and All Wales Policing Group;
- Visiting the Victim Help Centre in St Asaph;
- Attending the Force's Collaboration Board, at which updates were provided on emergency services collaboration, collaboration activity on an all-Wales basis and collaboration activity on a North West basis;
- Attending meetings of the Force's Confidence and Ethical Standards Committee;
- Visiting Force personnel based within the Crime Services department;
- Attending several meetings to discuss progress with the review of the All Wales School Liaison Core Programme;
- Chairing three meetings of the Integrated Strategy for Victims Project Board;
- Scrutinising information security documentation, and
- Attending meetings of the Force's Strategic Planning Board.

His commitments have also included the following community engagement activities:

- Delivering two lectures to year 2 students on the Foundation Degree in Policing Course at Coleg Llandrillo, on the 'production and status of the police and crime plan' and 'marketing of the police and crime plan';
- Attending meetings of the Wrexham Local Service Board and the Conwy and Denbighshire Local Service Board;
- Providing an input to the new PCSO intake regarding the role of the Police and Crime Commissioner;
- Attending a National Police Air Service (NPAS) regional workshop in Cheshire and subsequently drafting representations to the NPAS Board. This culminated in a letter being sent to the Police and Crime Commissioner of West Yorkshire, Mark Burns-

Williamson, setting out our assertion that the consultation and decision making processes were flawed relating to the NPAS' decision to adopt an operational model incorporating a reduction to 15 bases (which includes reference to the closure of Rhuddlan);

- Attending the Commissioner's Victim Conference;
- Attending a meeting of the North Wales Safer Communities Board;
- Meeting with Ms Judith Magaw, of the Wales Community Rehabilitation Company regarding integrated offender management in North Wales;

Commissioning

The panel will recall the presentation given by my Commissioning Officer at the last meeting. Since that time, the commissioning process for 2015/16 has been completed with all available funding allocated to partners across North Wales who support the delivery of my police and crime plan.

I continue to monitor these projects to ensure they are delivering value for money for the public of North Wales and I can assure the panel that a process is in place to redistribute the funding as and when required.

Participatory Budget:

The highly successful participatory budgeting scheme will be taking place again this year. It was launched on the 10th August and community groups across North Wales are being urged to bid for funding. The total amount of funding which is available to community groups is £42,000 and is specifically for projects to tackle anti-social behaviour and combat crime and disorder. The winning groups will be chosen by a public vote later this year. It is being jointly funded by money recovered through the Proceeds of Crime Act and the Commissioner's Fund.

Community groups are being asked to apply between September 1st and October 2nd. Application packs can be found on my website at www.northwales-pcc.gov.uk and North Wales Police. Voting will take place between October 26th and November 27th.

Award:

The North Wales Police and Community Trust (PACT) has been awarded a national award in the 'Policing and Children' category in the Howard League for Penal Reform Community Awards. 'Justice in a Day' was one of seven projects to be shortlisted in the category alongside the 'Gwynedd and Mon Rural Bureau' and was announced as one of the winners. Justice in a Day has been running since 2010 and has supported 3,500 pupils across North Wales. It takes the viewing teenagers on a journey following a fictional character from the time he broke the law through to sentencing at a real Magistrates Court.

Budget

Details of the 2015/16 revenue and capital budgets are included in a separate report.

Joint Audit Committee

The Joint Audit Committee continues to meet regularly. Following a meeting on the 29th July, the Committee received a briefing on HMIC matters. The next meeting is scheduled for 22 September when, among other things, the final statements of accounts will be discussed.

HMIC Update

During this period HMIC published three separate reports concerning Child Protection, one of which specifically made reference to North Wales Police (Online and on the edge).

Panel members will already be aware that child sexual exploitation is a key priority for North Wales Police and I have invested in a dedicated team to tackle this heinous offence. I was reassured that of the twelve recommendations made within the report, eleven were already implemented in North Wales Police or were in the process of being implemented.

During this period HMIC also published their report following an inspection of North Wales Police custody suites. I was pleased with the overall positive findings however the force have acknowledged that there are certain areas for improvement. In response to the report, the force have prepared an action plan which I have oversight of and continue to scrutinise through my SEB meetings to ensure the HMIC recommendations are met.

Collaboration

Collaboration opportunities on an all Wales basis have been assessed by independent consultants (the cost of which was met by South Wales Police). At the time of writing we are awaiting their findings.

Collaboration with the North West police forces continues to progress well with the areas of forensics and fleet services due to be progressed to the next stage. In the case of forensics, a series of panels have been arranged to identify the optimum collaborative opportunity. My office will be represented on these panels. The final decision will be made by the Chief Constables and the Police and Crime Commissioners.

Misconduct Hearings- Legally Qualified Chairs

Following a public consultation in the autumn of 2014, changes have been made to the police disciplinary system in order to facilitate more transparency, independence and justice. This includes holding police misconduct hearings in public (from May 2015) and replacing Chief Police Officers who currently chair hearings with legally qualified chairs (from January 2016).

We have decided to recruit legally qualified chairs on an All Wales basis and I am leading on this project in Wales. I propose to advertise these positions in September 2015 with interviews being held in October 2016. Legally qualified chairs will have been appointed and trained by January 2016.

Custody Visiting

I continue to recruit independent custody visitors to visit custody suites across North Wales. Since my last update to you I have recruited a further 4 volunteers to carry out these visits. Given that

the custody visitors' term of appointment has been restricted to 3 terms of 3 years, recruitment of custody visitors is an ongoing exercise.

I recently conducted an annual review of my Custody Visiting Scheme. A copy of the report is publically available on my website.

Children Affected by Parental Imprisonment

I informed the panel at the meeting on 16th June 2015 that I was due to present a paper to the North Wales Safer Communities Board on the 17th June 2015 underlining my concerns that children affected by parental imprisonment are not routinely identified in North Wales, and that this highly vulnerable group of children's needs aren't consequently addressed by existing services.

I am extremely pleased to report that the Safer Communities Board endorsed my report and my partners recognised that children affected by parental imprisonment are in need and require support. Indeed, members of the board were grateful that the OPCC had identified this issue.

The Safer Communities Board has asked the North Wales Regional Safeguarding Children's Board to take this matter forwards, in particular to determine how such children could be identified locally. The Safeguarding Board will report back to the Safer Communities Board in due course.

The North Wales Family Support Group which consists of directors from each authority with responsibility for social services/children as well as health, police, welsh government and third sector also discussed my report at their meeting in July and would like to take this matter further at its next meeting, in the context of looking at what existing early intervention services could be afforded to children/families affected by parental imprisonment.

Correspondence

Correspondence figures from 1st May to 31st July

<i>Category of Correspondence</i>	<i>Number</i>
Specific Feedback regarding the policing service	100 – many multiple correspondence from same individuals
General Feedback regarding the policing service	47
Complaints referred to Professional Standards Department	6
Staffing issues (this may include arrangements for misconduct panels, police appeals tribunals, correspondence from staff associations and other relevant matters)	0
General correspondence	54

AGENDA ITEM 6c

Report from the Office of the Police and Crime Commissioner

Title:	Update on the 2015/16 Budget (as at 30 June 2015)
Meeting:	North Wales Police and Crime Panel, 21 September 2015
Author:	Kate Jackson, Chief Finance Officer

1. Introduction

1.1 The aim of this paper is provide members of the panel an update of the policing budget for North Wales as at 30 June 2015 (month 3).

2. Recommendations

2.1 To note the report.

3. Update on the 2015/16 budget

3.1 The net budget for the Police and Crime Commissioner for North Wales was approved by the Police and Crime Panel on 19 January 2015 at £139.836m. As at 30 June 2015, the total projection to the end of the year is a net £0.141m underspend.

3.2 Expenditure is projected to be broadly in line with the budget. However, this consists of a number of projected over and underspends. The most significant of these are:

- Employees – projected overspend £0.408m.
This is the net effect of a number of factors, the most significant of these being:
 - Police Officer Pay £0.689m overspend – the policy of recruiting early will ensure that all police officer posts can be filled. This overspend may be funded from the Probationer Reserve in line with the recruitment strategy.
 - Police Staff Pay £0.336m underspend – the number of agency staff has reduced by 26 over the past year.
- Allowances £0.055m overspend – the original budget incorporates elements for rent, housing and compensatory grants payable to existing officers. As those officers retire, these allowances will no longer be payable; it is estimated that 25 officers in receipt of these allowances may retire during this financial year.
- Transport – projected underspend £0.255m
 - The bulk of this relates to fuel costs, which are increasing, but not at the rate anticipated when the budget was set.
- Supplies and Services – projected overspend £0.111m
 - This projection is the net of a number of small over and underspends, and is based on historic expenditure patterns. Managers are taking action to address these overspends in the expectation that expenditure will be within budget by the end of the year.

- Income – projected additional income £0.405m
 - The bulk of the additional income relates to police led prosecutions. Where the police lead a prosecution and costs are awarded, the police receive the costs as income. There is an associated cost, but this can be funded from the additional income.

3.3 At the current time, capital charges, contingencies and the community safety fund are projected at budget.

3.4 A summary of the budgets and projections is given below.

	Original Budget £'000	Budget 30 June 2015 £'000	Actual 30 June 2015 £'000	Projection to Year End £'000	Projected Variance £'000
Expenditure					
Employees	119,951	119,951	29,875	120,359	408
Premises	8,051	8,051	2,209	8,051	-
Transport	5,133	5,133	1,214	4,878	(255)
Supplies and Services	19,742	19,742	5,880	19,853	111
Debt Charges and Contributions to Capital	1,504	1,504	-	1,504	-
Contingencies	800	800	-	800	-
Community Safety Fund	1,166	1,166	-	1,166	-
Total Expenditure	156,347	156,347	39,178	156,611	264
Income	(16,598)	(16,598)	(2,889)	(17,003)	(405)
Movement in reserves	87	87	-	87	-
Total Net Expenditure	139,836	139,836	36,289	139,695	(141)
Funding					
Grants	(73,162)	(73,162)	(19,518)	(73,162)	-
Precept	(66,674)	(66,674)	(16,668)	(66,674)	-
Total Funding	(139,836)	(139,836)	(36,186)	(139,836)	-
Net underspend					(141)

3.5 Included in the above is income and expenditure related to the Victims' Services grant from the Ministry of Justice. £770,773 has been allocated to the North Wales Police and Crime Commissioner. £747,972 has been committed for the commissioning of victims' services, with the remainder contributing to our associated costs. Commissioned services include: the Victims' Help Centre, IDVA, ISVA and Get Safe Online.

4. Capital

4.1 The original capital programme for 2015/16 is £17.738m as per the Medium Term Financial Plan. When amounts brought forward from 2014/15 are taken into account, this increases to potentially £20.567m, however, some of this expenditure

will now be incurred in 2017/18. Over 50% of the capital budget for 2015/16 has been allocated to three major projects:

- Wrexham Project - £9.389m (total budget £16.8m)
- Llandudno Development - £1.537m (total budget £2.750m)
- Pwllheli Relocation - £1.052m

These projects are at advanced stages of planning and development, but it is likely that some of the expenditure planned on these schemes in 2015/16 will fall into future financial years. The budget for the capital programme will be re-profiled when more information is known.

4.2 £0.622m has been spent on the capital budget during the first quarter. It is normal for expenditure to be low at the start of the financial year; this is exaggerated this year as the bulk of the expenditure on the large schemes listed above will be incurred as building work is completed.

5 Implications

Diversity	No separate diversity implications
Financial	The purpose of this report is inform the Police and Crime Panel of the revenue and capital monitoring position as at the end of June 2015. Adequate funding is vital to the delivery of the police and crime plan and to fulfil our legal requirements
Legal	No separate legal implications
Risk	No separate risk implications
Police and Crime Plan	No separate police and crime implications.



REPORT TO:	North Wales Police and Crime Panel
DATE:	21 September 2015
CONTACT OFFICER:	Ken Finch, Strategic Director (Democracy and Environment) – Conwy County Borough Council
SUBJECT:	Good practice for police and crime panels

1. PURPOSE OF THE REPORT

- 1.1 To present the North Wales Police and Crime Panel (PCP) with the Local Government Association's (LGA) guidance document 'Good Practice for police and crime panels' – attached at Appendix 1.

2. EXECUTIVE SUMMARY

- 2.1 The guidance is built on previous guidance that had been issued to Police and Crime Panels (PCPs) by the Centre for Public Scrutiny and the LGA in 2011 and 2012.
- 2.2 The document is not intended to be a definitive guide, but it looks at a number of issues that have been significant for PCPs so far and shares some good practice examples on how these have been tackled. In looking at what constitutes good practice, emphasis has been placed on what has worked well in some areas and how certain issues can be anticipated and planned for, to cut down on the amount of work needed for PCPs to respond.
- 2.3 Whilst the North Wales PCP has already embedded or is in the process of embedding most of the areas of good practice outlined within the guidance, consideration should be given to some of the approaches taken by other PCPs.

3. RECOMMENDATION(S)/OPTIONS

- 3.1 That the guidance document 'Good practice for police and crime panels' be noted and consideration is given to the following areas of good practice highlighted within the document:

- Police and Crime Panel Resources - Should the North Wales PCP invite the Community Safety Partnership to a meeting to provide an analysis and an assessment of the impact of the Police and Crime Commissioner's (PCC) policies?
- Confirmation Hearings – should the North Wales PCP have some involvement in the appointment process for Senior Appointments and receive reports from the independent members PCCs are required to appoint.
- Questions to the PCC – that the protocol for Questions to the Police and Crime Commissioner be acknowledged as a tool for effective scrutiny.
- Transparent scrutiny – should all correspondence between the PCC and the PCP be publicly available on the website?
- Collaboration - Should the North Wales PCP be regularly presented with the papers of the North West Joint Committee?

4. BACKGROUND INFORMATION

4.1 The document provides guidance on how local areas can best develop accountability approaches and procedures on behalf of their local communities. Below is a summary of the guidance and suggested approaches.

4.2 Roles and Responsibilities:

4.2.1 **Holding to account – providing challenge and gaining assurance –** PCPs must assure themselves of the fair, effective and efficient deployment of police resources and that PCCs are committed to delivering the priorities laid out in their Police and Crime Plans. PCPs must use police performance statistics or qualitative feedback from service users as evidence to challenge, inquire and hold the PCC to account. Questions are put to PCCs at public PCP meetings on their progress and achievements against the priorities of the Police and Crime Plan. Panels can also publicly record any concerns they have and can revisit an issue/concern again.

The North Wales PCC provides the PCP with an update at each meeting, which relates primarily with the Panel's broader function to review or scrutinise decisions made or other actions taken by the PCC and to make reports and recommendations to the PCC in that regard.

It also provides the PCP with the information which the Panel reasonably requires of the Commissioner for carrying out its functions, including information on the Force's performance against the measure of the PCC's 2014/15 plan and current/national issues.

- 4.2.2 **Police and crime panel resources** – building and developing local government capacity to support Panels can be a significant challenge. PCPs have questioned whether their funding allocation is sufficient to carry out their accountability and scrutiny duties effectively. The process of holding PCCs to account will often require supporting expertise from a number of professionals including legal, human resources, financial and community safety. Dedicated and experienced scrutiny officers can measurably enhance the work and outcomes of the PCP. In addition, PCPs should look to their local Community Safety Partnership as a source of information – they will be able to provide an analysis and an assessment of the impact of PCC's policies.

Should the North Wales PCP invite the Community Safety Partnership to a meeting to provide an analysis and an assessment of the impact of PCC's policies?

- 4.2.3 **Confirmation hearings** – the appointments' process benefits from a degree of external oversight. The feedback from PCPs is that having some involvement with the appointment process, such as a Panel Member acting as an observer, reassures the PCP that a fair and transparent process has been conducted. Some PCPs have received reports from the independent members PCCs are required to appoint as part of the process – consideration of these reports has provided PCPs with the assurance the candidate before them has been appointed on merit.

Should consideration be given to the benefits of the North Wales PCP having some involvement in the appointment process for Senior Appointments and receive reports from the independent members PCCs are required to appoint?

- 4.3 **Police and crime panel scrutiny** - There is no one way to do scrutiny and it is one of the most creative areas of work for a PCP. PCPs should work together with their PCC to develop a suitable scrutiny approach. In Durham, to widen the contribution of scrutiny over the PCC's Police and Crime Plan, the PCP reports on progress to local Overview and Scrutiny Committees.

In London, the Deputy Mayor for Policing receives 100 -150 questions a month from PCPs, which are formally answered in writing.

Whilst the North Wales PCP does not report on progress to Overview and Scrutiny, the PCC is invited to attend Scrutiny meetings by Local Authorities to provide an update/consult on the Police and Crime Plan.

The North Wales PCP is in the process of developing a protocol for questions to the PCC, which should be adopted shortly.

- 4.3.1 **Transparent scrutiny** – Increasing numbers of Local Authorities are using webcasting to connect their meetings with the public.

Merseyside PCP publishes all correspondence with the PCC on their website.

The North Wales PCP commenced webcasting of their meetings in March 2015.

The North Wales PCP publishes all minutes, reports and agendas on its website. In addition, the Panel's reports in relation to the Precept, Confirmation Hearings, Police and Crime Plan and the PCC's Annual Report are also published on the website.

Should all correspondence be publicly available?

- 4.3.2 **Adjusting scrutiny approaches for local 'best fit'** – some PCPs have benefited from developing a 'best fit' approach to scrutiny. Clear terms of reference for a PCP can help to make this approach successful and should be drawn up to reflect the full role of the PCC, including their responsibility to victims, their duty to ensure collaboration and their responsibility for securing efficient and effective policing for the force area.

The North Wales PCP has its own Terms of Reference, which have worked effectively to date; however Council Officers are currently reviewing the document to ensure it remains fit for purpose.

- 4.3.3 **Forward Plans** – The most successful and established PCPs have taken time to consider and plan the work of the PCP. A good programme of work, cuts down on surprises, unexpected decisions or issues that a PCP may be required to respond to. In Gwent, the OPCC and Officers from Gwent Council meet on a regular basis to discuss forthcoming work and any unexpected or new work or decisions that have taken place.

The PCP has also invited the PCC and other partners to a PCP development day focused on improving the local scrutiny approach.

Greater Manchester OPCC writes an annual forward plan, which sets out the key decisions due to be made by the PCC and decisions to be made by Chief Officers.

The North Wales PCP has an established Forward Work Programme (FWP). Officers from Conwy County Borough Council have developed a good working relationship with the OPCC and meet regularly to discuss the FWP and any actions arising from meetings of the North Wales PCP.

The OPCC has recently invited members of the North Wales PCP to its offices to further develop working relationships and offer an insight to the work of the OPCC.

4.4 Development of effective scrutiny techniques for PCPs

4.4.1 Police and Crime Plans are the best strategic documents from which a PCP should begin to forward plan their work. The guidance suggests the following six approaches:

- Check that there is at least one measure of success identified for each priority identify in the Police and Crime Plan – *the objectives within the North Wales Police and Crime Plan are underpinned by measures, which enables the PCC to scrutinise the force’s performance in its delivery and to hold the Chief Constable to account.*
- Agree how the PCC will be held to account for delivery of the objectives – PCPs may wish to focus on one or two priorities over a year. *The North Wales PCP is already undertaking this approach and has scheduled scrutiny topics on its FWP, which relate to the objectives within the Plan.*
- Ask questions about the PCC’s approach to holding the Chief Constable to account – how does the PCC ensure that the Chief Constable is following the priorities outlined in the Police and Crime Plan. *The North Wales PCP recently invited the Chief Constable to a meeting, which allowed Members the opportunity to discuss matters in relation to the delivery of the Police and Crime Plan, progress and challenges.*
- PCPs should expect to see evidence for why the PCC has chosen particular areas as priorities – *the North Wales PCC has reviewed his Police and Crime Plan annually since its publication in 2013. This is to ensure that the plan and its objectives continue to reflect the priorities of the people of North Wales.*

As part of this review, the PCC consulted with the chief constable, the public, statutory authorities, the business community and the third sector organisations of North Wales. In addition, the PCC has taken into account the North Wales Police strategic assessment of crime and disorder issues.

- Ensure the Police and Crime Plan notes and commits to considering other local strategic assessments –see *response above*.
- Discuss with the PCC how the Police and Crime Plan contributes to the prevention and early intervention of crime – *In 2013, the PCC introduced four new police and crime objectives, to deliver the 3 outcomes within the Police and Crime Plan. These objectives are as follows: Prevent Crime; Deliver an effective response; Reduce harm and the risk of harm; and Build effective partnerships.*

4.4.2 **Undertaking strategic assurance questions** – it is important that any series of questions put to the PCC are not seen as negative, but rather as essential to the smooth functioning of a resilient scrutiny process. PCPs should also make sure that where there are specific issues such as child sexual exploitation, national action plans are followed, local actions plans are developed and that the PCC has oversight that is shared with the PCP.

The North Wales PCC provides the PCP with an update at each meeting, which relates primarily with the Panel's broader function to review or scrutinise decisions made or other actions taken by the PCC and to make reports and recommendations to the PCC in that regard. It also provides the PCP with the information which the Panel reasonably requires of the Commissioner for carrying out its functions, including information on the Force's performance against the measure of the PCC's 2014/15 plan and current/national issues.

4.4.3 Panel Chairs have asked how they can scrutinise the PCC's performance where no local performance targets are set. Asking a series of focused and seeking questions can enable Panels to better understand the context of local issues. The guidance document provides an example of a community safety issue and a number of approaches that a PCP could employ in the absence of performance targets. One of the suggested approaches is to ask for attendance of relevant officers at the PCP meeting.

The North Wales PCP recently invited the Chief Constable to a meeting, which allowed Members the opportunity to discuss matters in relation to the delivery of the Police and Crime Plan, progress and challenges.

4.5 **The art of negotiation – influencing community safety performance**

4.5.1 **Relationship between the Panel and the PCC** – good working relationships are essential between the PCP, PCC and the OPCC. A good working relationship is one that is strong and embraces a healthy challenge that inevitably comes with positions of scrutiny and accountability.

Where PCPs and PCCs commented particularly on the strength of their working relationship, they noted the commitment and effort that Local Council Officers have put into developing and maintaining these relationships.

The North Wales PCP and Council Officers have a good working relationship with the PCC and the OPCC. Regular discussions and meetings are held between Council Officers and the Chief Executive of the OPCC to negotiate priority areas for scrutiny and agreeing suitable approaches that will meet both their statutory responsibilities and the needs and expectations of the PCP.

4.5.2 Supporting continuous improvement – If there are issues or concerns about a police force's ability to improve or to accept recommendations put forward by a Panel, further questions may need to be directed towards the leadership of the police, including those concerning the role of the PCC.

4.5.3 Media Protocols – Some PCPs are concerned that key information is shared with the press before a PCP has had a chance to consider any implications for the PCP or their own organisations. To manage this concern, a number of PCPs have an agreed process with the OPCC for sharing public information that can include a press protocol. Dyfed Powys Police and Crime Panel has drafted a media protocol that outlines a series of practical steps and principles for communicating with the media.

Council Officers and the Chief Executive of the OPCC have recently met to discuss whether press releases can be circulated to members of the PCP prior to publication – awaiting confirmation from the OPCC.

In addition, the OPCC has been asked to consider the development of a protocol for inviting/informing relevant PCP Members of PCC events in North Wales.

The North Wales PCP already has a protocol for media relations to support the work of the PCP.

4.5.4 Scrutiny of commissioned services – PCPs have a very broad power to review or scrutinise both decisions made by the PCC or any other action taken by the PCC in the discharge of their functions. This puts anything that the PCC does within the scope of the PCP. The PCP should be looking at all of the areas where the PCC may be planning to develop policy and also new areas of delivery. One of the key scrutiny outcomes could be to further develop issues across the community safety, criminal justice and wider public sector arenas.

The North Wales PCP recently received a presentation from the PCC on how he is making commissioning decisions; the presentation included the approach taken to commissioning services and the Commissioning Framework.

- 4.5.5 **Collaboration** – Scrutiny of joint or collaborated projects is an underdeveloped area at present. The North West Joint Committee comprises all regional North West Commissioners, including North Wales. They have a clear terms of reference, a general agreement signed by all PCCs and Chief Constables in the region and agendas and meeting papers, which are available electronically. PCPs could routinely request sight of these papers – the scrutiny here would not be of police performance, but of the PCC’s effectiveness and how well they use resources, including those within the police budget, to achieve the best outcomes possible.

Should the North Wales PCP be regularly presented with the papers of the North West Joint Committee?

- 4.5.6 **Areas of common interest** – One way of developing effective scrutiny is to identify areas where the PCP and the PCC have a common interest or objective to ensure that they can develop a shared agenda. Effective cross-boundary working between the PCC and PCP involves working within their responsible areas to support effective delivery of each other’s priorities.

4.6 **Complaint handling**

- 4.6.1 There is significant variation in the number of complaints PCPs receive against their local PCC. Complaints received by PCPs are often the result of poor handling of that complaint when initially made to the Police. The PCP complaints process often facilitates an opportunity to pursue a resolution when all other avenues are exhausted. This has led some PCPs to introduce vexatious complaints policies.

Complaints against the Police are for the Chief Constable to resolve but a number of PCPs have said that they receive information from the PCC about how complaints against the Police are scrutinised by the PCC. This is a good measure of public satisfaction with police performance and PCPs may want to review how the PCC is tackling numbers of complaints against the Police.

The North Wales PCP has a complaints process which has worked effectively to date. Whilst the North Wales PCP does not have the remit to deal with complaints made against the Police, the PCP does receive a number of complaints against the Police, which are referred to the Professional Standards Department.

The OPCC has recently invited members of the North Wales PCP to its offices to further develop working relationships and offer an insight into the work of the OPCC, which could include an overview of the PCC's complaints process

4.6.2 Working with the Independent Police Complaints Commission (IPCC)
– the relationship between PCPs and the IPCC needs to be clarified. PCPs have indicated that they would find it helpful to have informal discussions with the IPCC to improve the response to complaints, as some have taken over a year to be resolved.

4.6.3 PCCs, Panels and the media – a significant area of difficulty reported by PCPs is the relationship between the PCC and the media. PCP Chairs have commented that in the rush to court media attention, PCCs can seem focused on reputation management. Panel Chairs acknowledge that media protocols, when in place can be very helpful.

4.7 Responding to a change of PCC mid-term

4.7.1 There have been two by-elections since 2012, with no comprehensive guidance on calling a by-election, both unexpected departures created practical issues that were difficult to deal with. It is recommended that together PCPs and OPCCs develop a clearly agreed protocol for what needs to happen in the event of a by-election, including identifying any difficult issues. The guidance document provides details of two case studies and lessons learnt from the situations.

At the request of the North Wales PCP, Council Officers are already in the process of developing guidelines in relation to this matter.

5. CONSULTATION

5.1 Consultation has also been carried out with the OPCC whose comments are attached at Appendix 2.

6. RESOURCE IMPLICATIONS

6.1 The Home Office provides funding to the Host Authority for the Police and Crime Panel.

7. RISK

7.1 It is hoped that the document will provide guidance on how local areas can best develop accountability approaches and procedures on behalf on their local communities and reduce the risk of ineffective Scrutiny.

8. REASON(S) FOR RECOMMENDATION(S)

- 8.1 To provide PCPs with the tools to deliver effective scrutiny, positively influence the performance of PCCs and subsequently their local police forces.

Good practice for police and crime panels

Guidance document

Acknowledgements

The Local Government Association (LGA) is grateful to all those panel members and others from councils, police and crime panels (PCPs), offices of police and crime commissioners (OPCC) and others who participated in interviews, provided information for case studies and made suggestions for issues to be covered in this guide.

Their contribution has helped to ground the discussions in the guide in the practical realities of running an effective police and crime panel.

The guide was written by Miranda Carruthers-Watt from BHL Associates for the LGA.

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Foreword

Police and crime panels are an essential part of new accountability structures for policing and community safety. Over the past two years, panels have developed local approaches to accountability that ensure police and crime commissioners are effectively and proportionately held to account for their responsibilities. Police accountability is not a new role for councils and councillors, having played a leading role in police authorities between 1964 and 2012.

Councils have embraced this change in a period of austerity and limited resources. This document shares information on the good practice police and crime panels have developed in holding police and crime commissioners to account. This new accountability landscape has occasionally presented unexpected challenges; for example, there have been some high-profile implementation and ethical concerns that have put police and crime panels to the test. The lessons learned from these events have demonstrated the resilience of panels and form part of the good practice to be found in this document.

However, police and crime panels now undertake a substantially different accountability role from the police authorities they replaced. As directly elected individuals, police and crime commissioners are ultimately held to account by local residents at the end of their four year term. Panels have an important ongoing scrutiny role to ensure that the electorate can make a fair and balanced judgement on the performance of the police and crime commissioner. This is a new political relationship with many different experiences throughout the country. Some areas have readily embraced the new relationship, learning new ways to continually evaluate and improve the performance of local police forces, identifying opportunities for joined-up working. Others have found the change more challenging, struggling to find the right balance between independent leadership and local accountability. However, finding a way to build a healthy, effective and challenging relationship is essential for local communities who rely on fair accountability for excellent police services.

It is hoped that this document will provide guidance on how local areas can best develop accountability approaches and procedures on behalf of their local communities. Together, police and crime panels and police and crime commissioners can ensure that continuous improvement is the foundation of local accountability, from which all can benefit.



Councillor Ann Lucas OBE

Chair, Safer and Stronger Communities Board

Introduction

Over the past two years, police and crime panels have demonstrated their ability to hold police and crime commissioners (PCCs) to account within their given powers and have maintained a fair and transparent approach to accountability throughout some very high-profile and public issues. Although the police and crime panel accountability model is largely based on parliamentary select committees, they are not entirely similar as they do not have any punitive powers to hold a police and crime commissioner to account. Panels must instead focus on effective public scrutiny of the impact PCCs are having on policing, maintaining safety, resilience and protecting vulnerable communities. The most effective panels will have also developed local public scrutiny models that are accessible and hold the police and crime commissioner to account for their wider community safety and local resilience responsibilities.

As such, this document will share good practice on:

- delivering effective scrutiny
- positively influencing the performance of police and crime commissioners and subsequently, their local police forces
- building good working relationships between PCCs and the office of the police and crime commissioner (OPCCs)
- complaint-handling and responding to high-profile complaints or issues.

This document is not intended to be a definitive guide, rather it will look at a number of issues that have been significant for panels so far and share some best practice examples on how they have been tackled. It will also build on the guidance¹ that has previously been issued to panels by the Centre for Public Scrutiny (CfPS) and the LGA in 2011 and 2012. In looking at what constitutes good practice, emphasis has been placed on what has worked well in some areas and how certain issues can be anticipated and planned for, to cut down on the amount of work needed for panels to respond.

¹ www.cfps.org.uk/domains/cfps.org.uk/local/media/downloads/Police_Report_CfPS_web.pdf
www.local.gov.uk/c/document_library/get_file?uuid=8f16dd65-7fde-4792-8578-fa955263931e&groupId=10180

Roles and responsibilities

The new single leadership model for policing, held by police and crime commissioners, is ultimately accountable to the electorate. However, ongoing scrutiny over performance and PCC conduct is led by police and crime panels. Police and crime panels are bodies made up of locally elected councillors and independent lay members (members of the public). Panels are representative of their local communities with councillors from two-tier authorities sitting as full members of police and crime panels. The intention of Government was that these panels would provide a light-touch scrutiny function in holding the new role of the police and crime commissioner to account. Additional responsibilities were also prescribed as the legislation went through Parliament, including a requirement to “support” the work of the police and crime commissioner.² The Act notes: “The functions of the police and crime panel for a police area must be exercised with a view to supporting the effective exercise of the functions of the police and crime commissioner for that police area”. This additional legislative duty ensures that panels are not required to critically evaluate the decision making of PCCs but must provide challenge and assurance, on behalf of their communities, that local policing and community priorities will be met.

Holding to account – providing challenge and gaining assurance

Panels must assure themselves of the fair, effective and efficient deployment of police resources and that police and crime commissioners are committed to delivering the priorities laid out in their police and crime plans. Panels do not have the power to directly intervene in a planned activity or decision of the PCC, nor is it within their remit to hold the chief constable to account. Panels must use police performance statistics or qualitative feedback from service users as evidence to challenge, inquire and hold the PCC to account. Questions are put to PCCs at public panel meetings on their progress

and achievements against the priorities of the police and crime plan. Panels can also publicly record any concerns they have and can revisit an issue or concern again.

Police and crime panel resources

Building and developing local government capacity to support panels can be a significant challenge. One of the reasons for this is adequate government funding. Panel members raise this as one of their main concerns about their ability to be effective. Panels have questioned whether their funding allocation is sufficient to carry out their accountability and scrutiny duties effectively. The process of holding police and crime commissioners to account must be undertaken in a professional and transparent way and will often require supporting expertise from a number of professionals including legal, human resources, financial and community safety.

“We rely heavily on the work of the County Council officers to support the panel – we have the Monitoring Officer and Head of Legal that we can turn to as well as a brilliant Committee Administrator”

The level of support and resource made available to panels can be particularly problematic when a serious incident or issue arises. One lead officer said: “in a crisis, the panel becomes a full-time organisation”, which needs considerable member time and officer resources. For example, the Lincolnshire Police and Crime Panel agreed to fully examine the events regarding the suspension of the Temporary Chief Constable by the Police and Crime Commissioner. The Panel felt that there was no evidence that the decision to suspend during an ongoing investigation met the criteria laid out in the Police Regulations and therefore required further investigation. The Panel established a working group to further understand the particular course of action taken by the Police and Crime Commissioner. This work required

² s28(2), Police Reform and Social Responsibility Act 2011

significant officer support and involved interviewing 55 people and preparing a detailed report.³

Dedicated and experienced scrutiny officers can measurably enhance the work and outcomes of a panel. According to the CfPS⁴, for effective scrutiny and accountability of elected positions, dedicated scrutiny officers can significantly enhance the smooth running of the scrutiny function, especially when a difficult situation arises. Yet, as a result of ongoing financial pressures driving public sector reform the number of dedicated officers for scrutiny matters within local government has fallen.⁵ This may prove to have a significant impact on policing accountability.

Panels should also look to their local Community Safety Partnership as a source of information. Community safety partnerships (CSPs) are made up of representatives from the 'responsible authorities', which are the: police, local authority, fire and rescue authorities, national probation service and community rehabilitation companies (CRC) and Clinical Commissioning Groups⁶. Every Community Safety Partnership will have evidence of their local community safety needs and a community safety strategy and plan. They will also be able to provide analysis and an assessment of the impact of police and crime commissioner policies.

Confirmation hearings

A principal role for the panels is to conduct confirmation appointment hearings for some senior staff including the chief constable. The pool of potential chief constables is small but the appointments' process benefits from a degree of external oversight. The feedback from panels' experience is that having some involvement with the appointment process, such as a panel member acting as an observer, reassures the panel that a fair and transparent process had been conducted.

Some panels have received reports from the independent members PCCs are required to appoint as part of the process. The independent members' role is to ensure the selection and appointment process for chief constables is conducted openly and fairly. Consideration of their reports as part of the information provided for the confirmation hearing has provided panels with the assurance the candidate before them has been appointed on merit. More detail on the role of panels can be found in the LGA/Centre for Public Scrutiny Guidance on Confirmation Hearings.⁷

3 Lincolnshire Police and Crime Panel, Task Group Scrutiny Report, www.e-lindsey.gov.uk/CHttpHandler.ashx?id=1083&p=0

4 www.cfps.org.uk/publications?item=7190&offset=25

5 LGA and Centre for Public Scrutiny (2012) Police and crime panels: Guidance on confirmation hearings – www.cfps.org.uk/publications?item=7190&offset=25

6 Section 6 of the Crime and Disorder Act 1998 required the relevant responsible authorities (commonly referred to collectively as a Community Safety Partnership (CSP) in a local government area to work together in formulating and implementing strategies to tackle local crime and disorder in the area

7 Ibid

Police and crime panel scrutiny

To make best use of the powers awarded to police and crime panels, members should become experts in local government scrutiny. Many panel members will already have a grounded understanding and experience of scrutiny through processes such as local government overview and scrutiny committees or consumer champion organisations. Most council's will also have written guidance on scrutiny for councillors. Scrutiny can best be described as the critical observation or examination of a function, process or area of knowledge. There is no one way to do scrutiny and it is one of the most creative areas of work for a police and crime panel. Panels should work together and with their police and crime commissioner, to develop a suitable local scrutiny approach. There are many tools and approaches for effective scrutiny.

A couple of examples include:

- in Durham, to widen the contribution of scrutiny over the PCC's Police and Crime Plan, the Police and crime panel reports on progress to local overview and scrutiny committees
- in London, the Deputy Mayor for Policing receives 100-150 questions a month from the Police and Crime Committee, which are formally answered in writing.

Transparent scrutiny

Transparency plays a key role in panels' approach to scrutiny. Panels are public committees and are required to publish their agendas and minutes. It will be through these documents that the public will be able to evaluate the performance of the PCC and provides evidence of ongoing council support and challenge to local policing and community safety. Increasing numbers of local authorities are using webcasting to connect their meetings with the public and South Yorkshire, Cheshire, Sussex, Leicestershire, Surrey, Warwickshire and Staffordshire routinely webcast their meetings.

South Yorkshire webcast a full 'lessons learned' Police and crime panel meeting after the election of the new PCC in November 2014 and the Merseyside Panel publishes all correspondence with the PCC on their website.

Adjusting scrutiny approaches for local 'best fit'

Some panels have benefited from developing a 'best fit' approach to scrutiny. Establishing a police and crime panel that 'best fits' the local area is an effective way to meet the needs of individual panels and PCCs. Clear terms of reference for a police and crime panel can help to make this approach successful. Terms of reference for a police and crime panel should be drawn up to reflect the full role of a PCC – including their responsibility to victims, their duty to ensure collaboration and their responsibility for securing efficient and effective policing for the force area. The terms of reference will therefore clearly set out the scope for what a PCC will be held to account for. For those areas that have a clear local definition of the role of the panel and PCC, there have been notable improvements in the ability of the panel to hold a PCC to account and cooperation from the PCC. Alternatively, panels may wish to review the style of their panel meeting. In one example, a panel which initially had a difficult relationship with their police and crime commissioner, has moved from a very formal committee structure to running the panel as a 'solution focused' conversation.

“This approach helps us to find solutions rather than end in confrontation”

Panel Chair

The most successful and established panels have taken time to consider and plan the work of the panel. A good programme of work, with a forward plan for any public reports, cuts down on 'surprises'; unexpected decisions or issues that a panel may be required to respond to.

To prevent, as far as possible, any unexpected issues or decisions occurring, the relevant officers in Gwent have taken time to build good working relationships. The Office of the Police and Crime Commissioner and officers at Gwent Council meet on a regular basis to discuss the forthcoming work and any unexpected or new work or decisions that have taken place. The panel has also invited the PCC, and other partners, to a Panel development day focused on improving the local scrutiny approaches. This helped both the relationship building and priority setting for the scrutiny agenda. This approach has been particularly effective in establishing and communicating the diverse and important role of police and crime panels.

Forward plans

There is a general view that where the PCC has forward plans in place, they have been very helpful in supporting panels to plan their scrutiny work over a similar period.

The Greater Manchester Office of the Police and Crime Commissioner writes an annual forward plan⁸ which sets out the key decisions due to be made by the Police and Crime Commissioner, and decisions to be made by chief officers. Those chief officers are the Chief Executive, Chief Finance Officer and/or Chief Constable. The forward plan is updated on a regular basis and details information that will be reported to the Police and Crime Commissioner, which may not require a decision, but that the Commissioner or Chief Officer considers important. Greater Manchester defines a key decision as one which will have a significant/ongoing impact on communities in Greater Manchester, and/or is financially significant, in terms of spending or savings for the service or function concerned. A forward plan gives the public, and police and crime panels, the opportunity to know what decisions are to be taken, and what information is to be reported.

8 <https://meetings.gmpcc.org.uk/mgGeneric.aspx?MD=ForwardPlan&bcr=1>

Development of effective scrutiny techniques for police and crime panels

The London Borough of Merton's Overview and Scrutiny Handbook (2011) quotes the role of overview and scrutiny as "potentially, the most exciting and powerful element of the entire local government modernisation process. It places [elected] members at the heart of policy-making and at the heart of the way in which councils respond to the demands of modernisation".

Since 2012, police and crime panels have been developing their own approach to scrutiny based on new relationships with police and crime commissioners. Most panels began developing their approach to scrutiny by reviewing the PCC's police and crime plan. Panels have a statutory duty to review and comment on the police and crime plan and annual reports⁹ and as such should have some idea on how they will approach scrutiny over the following year.

The police and crime plan must include:

- the PCC's police and crime objectives
- the policing the chief constable is to provide
- the financial and other resources the PCC will make available to the chief constable to provide policing
- how the chief constable will report to the PCC about policing
- how the chief constable's performance will be measured
- information about any crime and disorder reduction grants to be made by the PCC, and any conditions made.

A police and crime plan can last for a PCC's whole term in office but most PCCs are refreshing and reviewing plans on an annual basis. Panels may want to ask if this has been done in their areas and understand what the local thinking is if plans are not refreshed.

9 s28(3), Police Reform and Social Responsibility Act 2011

In North Yorkshire, the panel met and considered the Commissioner's refreshed plan in 2014. They supported the plan but asked for and agreed some changes and commented on areas that they liked or felt needed to be reconsidered. They published this report on their website in line with their transparent approach to scrutiny.¹⁰

Panels are also best placed to ensure the police and crime commissioner is making all the relevant links and taking note of other strategic plans across the force area. For example:

- reviewing the police and crime plan and annual report for links to existing local authority plans and priorities
- ensuring that the PCC has clear policies to deal with emergency situations, such as adverse weather problems as well as civil unrest or terrorist incidents, by testing the partnership arrangements.

In Greater Manchester, the Panel comprises the leaders of all the Greater Manchester councils. This is supported by a bi-monthly meeting of all the community safety leads for the councils, the Police and Crime Steering Group and an officer group. The work agenda is set by the steering group and includes not only the PCC's issues but district issues such as licensing, alcohol and others.

Best practice approach to reviewing a police and crime plan

Police and crime plans are the best strategic documents from which a panel should begin to forward plan their work. Below are six suggested approaches:

1. Check that there is at least one measure of success identified for each priority identified in a police and crime plan. Panels may wish to review current performance against each of the success measures and look to other information sources to understand the prevalence of an issue. A good example is the Northumbria Policing Plan where specific

¹⁰ www.nypartnerships.org.uk/CHttpHandler.ashx?id=29668&p=0

measures for success have been attributed to each objective within the plan.

2. Agree how the PCC will be held to account for delivery of the objectives outlined in their Police and Crime Plan. For example, panels may wish to focus on one or two priorities over a year, gathering further information and evidence to inform a series of questions put to the PCC. Where capacity exists, panels may wish to consider commissioning the work to a sub-group of the panel or officers from a nominated authority. Panels will need to conclude whether the PCC is meeting their objectives in the plan or not. In Cleveland, reports from the PCC to the Panel include information on:

- the priorities of the police and crime plan and how they relate to the work of the Police
- the public engagement and scrutiny undertaken by the PCC
- progress to date on the PCC's objectives
- This means that the Panel has an agreed report structure on which to base their scrutiny plans.¹¹

3. Ask questions about the PCC's approach to holding the chief constable to account, for example, how does the PCC ensure that the chief constable is following the priorities outlined in the police and crime plan?
4. Findings from the South Yorkshire 'lessons learned' session determined that panel members should expect to see evidence for why the PCC has chosen particular areas as priorities. Panels can receive information on:
 - how the PCC has engaged with the public on a particular issue

¹¹ www.cleveland.pcc.police.uk

- the leadership role and actions taken by a PCC to drive both the chief constable and broader criminal justice partners to deliver improvements
 - the measures put in place to monitor outcomes against the police and crime plan's priorities.
5. Ensure the police and crime plan notes and commits to considering other local strategic assessments including; strategic assessments of community safety partnerships, joint strategic needs assessments (JSNAs) and children and young people's needs assessments. The panel may wish to review the information set out in these documents as a discussion of how the police and crime plan is contributing to meeting other needs set out within a local area.
 6. Discuss with the PCC how the police and crime plan contributes to the prevention and early intervention of crime. For example, the panel may wish to discuss any opportunities to invest in the prevention of domestic violence or road traffic accidents.

Undertaking strategic assurance questions

It is important that any series of questions put to the police and crime commissioner are not seen as negative, but rather as essential to the smooth functioning of a resilient scrutiny process. The panel can, and must, ask searching questions, and dig deep into information and data supplied by both the PCC and the chief constable. They will have a role in making sure that targets are achieved – and if targets are altered or removed, panels should seek and review the reasons for this. They should also make sure that where there are specific issues such as child sexual exploitation, national action plans are followed, local action plans are developed and that the PCC has oversight that is shared with the police and crime panel.

Example community safety issue:

Panel chairs have asked how they can scrutinise the PCC's performance where no local performance targets are set. Asking a series of focused and seeking questions can

enable panels to better understand the context of a local issue. Below is an example of a local community safety issue and a number of approaches that a panel could employ, in the absence of performance targets, to find out how a problem is being resolved.

Example

A local newspaper has published negative stories about the police no longer attending burglaries or car thefts. This is an operational decision by the chief constable as a result of financial pressures. There are no targets set to monitor police performance against these offences to measure the impact of this decision. As a result of this publicity, people in this district are worried about their safety and it is damaging inward investment and the economic stability of the area. The issue has also been raised at a local community safety meeting. Historically, the constabulary has been criticised by HMIC for their poor performance, but has recently responded saying that the issues are in the past and performance is improving. The PCC has said that it is operational, and is scrutinising the issues and is assured by the police response.

Suggested approaches to scrutiny:

1. Clarify how the commissioner holds the chief constable to account for performance on serious acquisitive crime.
2. Request information and data on this issue; for example, ask what data is held on serious acquisitive crime? How often is this data reviewed? What happens after the data has been reviewed?
3. Ask what resources are allocated to respond to this issue.
4. Commission a survey or focus groups to better understand public opinion, including victims or victims' services on this issue.
5. Ask for attendance of relevant officers at the police and crime panel meeting; this could include the chief constable or policy and performance officers to contribute more information.

6. Compare with how other police forces deal with this problem; consider the similarities and differences between them.
7. Write a scrutiny review on the issue; this review would be available to the public and media.
8. Give a response to the commissioner on the panel's assessment of how well the issue is being addressed – this could include referring to what is working well and which areas need to improve and offer recommendations.
9. Inform the commissioner when the panel is not satisfied with their response and repeat the scrutiny and questioning. This may be scheduled for another meeting in the future.

The art of negotiation – influencing community safety performance

Relationships between the panel and the PCC

Good working relationships are essential between a panel, PCC and their office. A good working relationship is one that is strong and embraces the healthy challenge that inevitably comes with positions of scrutiny and accountability. The ability to negotiate and influence are important skills to further develop and establish these relationships on a firm foundation. It is through discussion, influence and negotiation that transparent accountability will be accomplished. Where panels and PCCs commented particularly on the strength of their working relationship, they noted the commitment and effort that local council officers have put into developing and maintaining these relationships. This includes regular discussions between panels, PCCs and their offices on each organisation's priorities and points of pressure, negotiating priority areas for scrutiny and agreeing suitable local approaches that will meet both their statutory responsibilities and the needs and expectations of local communities.

Supporting continuous improvement

If there are issues or concerns about a police force's ability to improve or to accept and act on improvement recommendations put forward by a panel, further questions may need to be directed towards the leadership of the police, including those concerning the role of the commissioner. These concerns should be raised – they may be about operational performance but this does not necessarily mean that they will fall into the definition of operational independence. Recent reports have been damning of elected members who failed to examine and challenge complacency or misplaced confidence about poor performance.¹²

¹² www.gov.uk/government/publications/report-of-inspection-of-rotherham-metropolitan-borough-council

Media protocols

Some panels are concerned that key information is shared with the press before a police and crime panel has had a chance to consider any implications for the panel, or their own organisations. Poor communication between PCCs, the OPCC and panels can have a negative effect on developing and establishing working relationships. To manage this concern, a number of panels have an agreed process with the OPCC for sharing public information that can include a press protocol. A media protocol can ensure that the chair of a police and crime panel is notified of any press releases, or news, which could have a significant impact on the reputation of the PCC, the force, or the broader criminal justice community.

Dyfed Powys Police and Crime Panel has drafted a media protocol¹³ with the Police and Crime Commissioner that outlines a series of practical steps and principles for communicating with the media. The protocol is set out to allow for differences of opinion to be expressed. It states that “working together through a coordinated approach will help manage the quality, consistency and reliability of information released to the media. This will benefit the public and will protect the reputation of each organisation.” This is a clear and joined-up approach that seeks to maintain positive working relations through open and timely communication.

A media protocol might look to cover:

- who the PCC can contact in an emergency to notify them of issues
- what is agreed in a local area that needs to be fed back to key stakeholders, including local authorities and to the panel
- what the PCC’s media and campaign plan is – this could be a scrutiny item
- notification of any joint press and PR to be undertaken by the PCC and chief constable

- all media and press releases to be copied to the chair of the police and crime panel and supporting officers
- agreed principle of ‘no surprises’.

Scrutiny of commissioned services

Panels have¹⁴ a very broad power to review or scrutinise both decisions made by a commissioner or any other taken by the commissioner in discharge of their functions. This puts anything that the commissioner does within the scope of the panel. The panel should be looking at all of the areas where the commissioner may be planning to develop policy and also new areas of delivery.

An example of new service delivery will arise in respect of services for victims. All commissioners took over responsibility for victims’ services from April 2015. Panels could consider:

- asking for and reviewing data about victim numbers
- identifying whether there are categories of victims who do not report to the police
- identifying issues such as hate crime and calling for information from victims
- taking evidence from victims about their experiences
- preparing and publicising a scrutiny report on victims’ services commissioning arrangements and making it available to the PCC, and other relevant bodies
- asking the PCC to prepare an action plan to tackle any concerns
- setting a timetable for reviewing any issues.

One of the key scrutiny outcomes here would be to further develop issues across the community safety, criminal justice and wider public sector arenas. Reports and recommendations about an issue scrutinised must be sent to all local authorities within the police area.¹⁵ Panels themselves can decide the form of such a report and how they will present it, which gives them

13 www.dyfed-powys.pcc.police.uk/Document-Library/Priorities-and-Policies/Policies/Media-Protocol.pdf

14 s6, Police Reform and Social Responsibility Act 2011

15 s28, Police Reform and Social Responsibility Act 2011

scope for considering a variety of reporting mechanisms, including social media.

Collaboration

Scrutiny of joint or collaborated projects is an underdeveloped area at present. As a rule, panels do not have formal arrangements for scrutinising joint activity. In the first instance, panels can look at the arrangements which commissioners may have for joint scrutiny of shared or collaborated projects. The North West Joint Committee comprises all regional North West commissioners: Cumbria, Cheshire, Greater Manchester, Merseyside, Lancashire and North Wales. They have clear terms of reference, a general agreement signed by all commissioners and chief constables in the region, and agendas and meeting papers which are available electronically. Panels could routinely request sight of these papers. Again, the scrutiny here would not be of police performance, but of the commissioner's effectiveness and how well they use resources, including those within the police budget, to achieve the best outcomes possible.

Panel chairs in Warwickshire and West Mercia plan to meet to discuss how their panels could scrutinise the joint working carried out by the two PCCs. The PCC for Nottinghamshire is looking at how joint working in the East Midlands can be reported back to different panels, including common reports from collaborations to panels, for them to see the level of work being undertaken.

Areas of common interest

One way of developing effective scrutiny is to identify areas where the panel and the PCC have a common interest or common objectives to ensure that they can develop a shared agenda. There are a couple of examples from Greater Manchester which show how this relationship has developed. A working group on commissioning of victims' services has been established by the Commissioner, which is attended by Oldham and Stockport Community Safety Partnerships' representatives, who volunteered as a result of a request made through the Police and Crime Leads meeting.

Effective cross-boundary working between the PCC and panel involves both working within their responsible areas to support effective delivery of each other's priorities. An extract from a recent Panel report says that the Panel is asked to:

“Agree that their organisations will contribute to the development of a partnership implementation plan which will complement existing delivery plans in achieving the six objectives of the police and crime plan. Agree to revisit their crime and disorder delivery plans where appropriate to ensure that they align and feed into the delivery of the overarching police and crime plan.”

In this case the councils concerned not only send representatives to scrutinise the PCC, but the PCC, police and other services also have a role to play in service delivery. The links between the police and crime plan and broader community safety plans enables the parties to identify gaps in planning and provision and to take steps to fill them. This allows everyone to focus on achieving the best outcomes for local people.

Complaint-handling

There is significant variation in the number of complaints panels receive against their local police and crime commissioner. Panels seem to either receive a large number of complaints relating to a significant or high-profile issue, or very few at all. Complaints received by panels are often the result of poor handling of that complaint when initially made to the police. The panel complaints process often facilitates an opportunity for an aggrieved complainant to continue to pursue a resolution when all other avenues are exhausted. This has led some panels to introduce vexatious complaints policies.

Hampshire Police and Crime Panel has a protocol for the informal resolution of complaints, a clear flowchart for complaints and a procedure for dealing with vexatious complaints on their website.¹⁶

PCC complaints operate within a very narrow statutory framework. The regulations are set out in the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Complaints against the PCC are within the remit of the panel. There are requirements to notify the Independent Police Complaints Commission in certain circumstances and for them to carry out investigations. Guidance on this was initially published by the Government in 2012.¹⁷ This guidance was published before the final regulations in respect of complaints were laid and is not fully comprehensive. The regulations permit the panel to delegate complaints-handling to the monitoring officer for the PCC or to one of the monitoring officers within the panel area.

Panels have a range of models to deliver complaints-handling. A number of panels have said that they have a model where the PCC's office acts as a triage for the complaints, identifies what should be recorded and passes these recommendations to the panel. This is carried out by the PCC's

chief executive as monitoring officer and will not involve the PCC. This can work well; it means that complaints which are really about police performance and not the policies or conduct of the PCC can be identified and highlighted.

Complaints against the police are for the chief constable to resolve but a number of panels have said that they receive information from the PCC about how complaints against the police are scrutinised by the PCC. This is a good measure of public satisfaction with police performance and the panel may want to review how the PCC is tackling numbers of complaints against the police. Following the high numbers of complaints upheld by the IPCC, the PCC for Northumbria introduced an internal triage system for complaints made about the police. This has changed the way that complaints are resolved and reduced the numbers of upheld complaints by over 30 per cent. In turn this information, as well as that about complaints about the PCC, is reported to the Northumbria panel for scrutiny.

In some cases all complaints about the PCC are reviewed by the chair of the panel. Chairs who do this have said that in this way they are certain that the panel is sighted on any issues raised. The Sussex Panel's complaints monitoring report sets out clearly the headings under which complaints fall, and which can be considered by the panel and which cannot.¹⁸

Warwickshire, Bedfordshire, Kent and others have reviewed their complaints processes to make them more effective. The South Yorkshire Panel reviewed and amended their complaints process after dealing with high-profile complaints and a number of panels have also carried out reviews after they have used the process. Good practice for panels would be to consider the following:

- clearly setting out responsibility for all types of complaint
- reviewing whether a triage system would be useful

¹⁶ www3.hants.gov.uk/hampshire-pcp/pcc-complaints.htm

¹⁷ www.gov.uk/government/publications/the-new-system-for-handling-complaints-against-police-and-crime-commissioners

¹⁸ www2.westsussex.gov.uk/ds/cttee/pcp/pcp230115i9.pdf

- making sure that complainants understand that recording a complaint is not the same as upholding it
- considering whether it is appropriate for the chair of the panel to see all complaints
- many complaints against police officers to the IPCC are partly upheld through lack of recording although the substance later fails. This produces unsatisfactory outcomes – consider scrutinising the PCC's performance in tackling this
- having clear guidance for recording complaints
- developing clear communication to explain what is happening to members of the public
- rather than referring to the IPCC general casework team; referrals should be to a specialist link with experience of PCC complaints
- having a process to take back and conclude complaints when received back from the IPCC.

High-profile complaints are notoriously difficult to manage. A number of panels have had to respond to high public profile complaints against a PCC. In response to these incidents many panels have developed their complaints procedures. Lincolnshire produced a flowchart to communicate the details of the process more widely and entered into a memorandum of understanding (MOU) between the panel and PCC to reinforce roles and responsibilities.

Working with the Independent Police Complaints Commission (IPCC)

Police and crime panels do not have the power to fully investigate complaints against a PCC. A panel must refer a complaint to the Independent Police Complaints Commission (IPCC) if it is deemed serious (where a complaint regards PCC conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence) or the IPCC requires it to be referred.¹⁹

The IPCC has published statutory guidance on this but it does not address the issue of timeliness.²⁰ There is much concern amongst panel members regarding the length of time it takes to resolve a complaint when it is referred to the IPCC. Some complaints have now taken over a year and remain to be fully resolved. The relationship between panels and the IPCC needs to be clarified. Panels have indicated that they would find it helpful to have informal discussions with the IPCC to improve the response to complainants.

PCCs, panels and the media

A significant area of difficulty reported by panels is the relationship between the PCC and the media. Panel chairs have commented that in the rush to court media attention, PCCs can seem focused on reputation management. A number of panels have commented that over-exposure can damage the relationship between the police and the public and this is clearly a difficult balance to achieve. Many PCCs are active on social media – this is less common for panels who take the general view, supported by the small resources at their disposal, that they do not court an active media presence. This is a new situation and much can be done by agreeing protocols in advance. Panel chairs acknowledge that media protocols, when in place, can be very helpful.

¹⁹ The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012

²⁰ www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2013_statutory_guidance_english.PDF

Responding to a change of PCC mid-term

There have been two by-elections since 2012, one following the sad and sudden death of the incumbent PCC in the West Midlands and a high-profile resignation in South Yorkshire. With no comprehensive guidance on calling a by-election, both unexpected departures created practical issues that were difficult to deal with. In the West Midlands, the Chair of the Panel, Leader of Sandwell Council and supporting officers were faced with a crisis which turned their Police and Crime Panel roles into full-time ones.

Case study – West Midlands

There was significant external pressure from the press and public to prepare for a by-election. Two electors had notified the returning officer of the vacant position and as a result a by-election had to be held within 35 days of the returning officer being notified.²¹ The Panel also had to appoint an acting PCC. An acting PCC is required during the period before a by-election. This is because there are a number of powers held only by the PCC that cannot be delegated. Police and crime panels are responsible for appointing an acting PCC. Given this was the first by-election for a police and crime commissioner little was known about the appropriate process. Questions arose about the eligibility of the Deputy PCC to be appointed as the Acting PCC as their term of office had been linked to that of the PCC when first appointed. If the Deputy had not been eligible, one of the officers in the Office of the PCC would have had to be appointed to the role. Although a newly elected PCC took office within a few months, the intervening period had been a time of heightened emotion and confusion. Substantial work was required by the Panel to plan and prepare for the delivery of both 'business as usual' alongside by-election preparations. It is recommended that together panels and OPCCs develop a clearly agreed protocol for what needs to happen in the event of a by-election, including identifying

any difficult issues. Some lessons learned from this situation include:

- understand the panel's responsibilities, local policies and procedures for an unexpected mid-term election for the role of police and crime commissioner
- understand the panel's responsibilities for appointing an acting police and crime commissioner and who could be appointed to the role including whether any deputy PCC will be eligible
- maintain communication between the PCC's office, panel secretariat, the chief constable to allow for the smooth running of process and procedure
- invite the proposed or acting PCC to attend a police and crime panel to maintain transparency during a period of change, although it is not required
- keep the public informed of progress, changes and by-election timings through regular website updates and press releases.

Case study – South Yorkshire

In September 2014, the South Yorkshire Police and Crime Commissioner resigned from their role mid-term. This was as a result of the findings from the Jay report commissioned to review the issue of child sexual exploitation (CSE) in South Yorkshire. The report revealed significant community safety concerns regarding the prevalence and response to CSE and led to questions about the suitability of the PCC remaining in office. In response to the findings of the report, the Panel met to hold the PCC to account on 11 September. The Panel, led by the Chair, decisively called the Police and Crime Commissioner to a meeting that would focus on the issues highlighted within the Jay report. The panel concentrated on facilitating a discussion between the PCC, the Panel members and members of the public, as many concerns had arisen from the report. Panel members and the public were able to put direct questions to the PCC. The meeting had a very high public profile and was extensively covered by the local and national

²¹ s51, Police Reform and Social Responsibility Act 2011

media. The Chair had a critical role leading and managing an emotionally charged meeting, including managing expectations, ensuring fair and open questioning and maintaining public order. As a result of the public participation at the meeting, the PCC resigned as Police and Crime Commissioner shortly after the meeting. Some lessons learned from this situation include:

- the complaints process was used extensively by the public during this time, and effective processes need to be in place to manage a change in demand
- be clear on which discussions need to be held in public and how such meetings will be chaired and managed
- effective engagement and community leadership are critical at a time of heightened public interest
- check understanding of the powers of the panel, limitations and legal position in advance of a public meeting
- work closely with the police and crime commissioner, their officers and the chief constable to maintain good information-sharing practice.

Be prepared to accommodate other practical issues which may result from high-profile meetings; for example significant media attention, public protests and marches, and provide adequate security for the public and witnesses.



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APPENDIX 2

Local Government Association – Good practice guide for police and crime panels

Introduction

1. The North Wales Police and Crime Panel (the panel) have invited my comments as the North Wales Police and Crime Commissioner (the commissioner) on the Local Government Association’s good practice guide for police and crime panels.

Background

2. The guide issued by the Local Government Association looks at a number of issues and examples that have been significant for panels and provides good practice advice in the areas of:
 - delivering effective scrutiny
 - positively influencing the performance of police and crime commissioners and subsequently, their local police forces
 - building good working relationships between PCCs and the office of the police and crime commissioner (OPCCs)
 - complaint-handling and responding to high-profile complaints or issues

Comments

3. It was pleasing to note that many of the good practice examples given within the report are already in place in North Wales and have been for some time, including my attendance at local authority scrutiny committees and establishing links between my police and crime plan and other strategic plans across the force area, to name only two.
4. The report correctly identifies that “good working relationships are essential between a panel, PCC and their office”. The report goes on to quantify a good working relationship as “one that is strong and embraces the healthy challenge that inevitably comes with positions of scrutiny and accountability”. As commissioner I place great value on the excellent working relationships that we have in North Wales and the manner in which the panel has carried out its scrutiny function. I also fully acknowledge the commitment and effort that the Conwy local authority officers have put into developing and maintaining these relationships.
5. Whilst I endorse many of the report’s findings, there are specific points that I would like to bring to the panel’s attention.



6. The report contains a factual inaccuracy. Paragraph 3 on page 4 (foreword) states that police and crime panels replaced police authorities. Police and crime commissioners replaced police authorities.
7. There is an issue with the terminology used throughout the report relating to the role of police and crime panels. The foreword, and other sections of the report, incorrectly articulates the role of panels as holding police and crime commissioners to account. There is a qualifying remark in the introduction that accountability is through scrutiny. However, on page 6 the section 'Holding to Account' does not make the scrutiny limitations clear and simply suggests that panels cannot hold chief constables to account.
8. The Police Reform & Social Responsibility 2011 Act does not use the phrase "holding to account" in respect of the panel / commissioner relationship but it does in respect of the commissioner / chief constable relationship. Section 28, which establishes police and crime panels, indicates that the Panel exists to "review and scrutinise" decisions made by the PCC (s.28(6)).
9. The difference between "review and scrutinise" and "holding to account" is more than a semantic one. 'Holding to account' has a specific meaning involving scrutiny backed by the possible threat of authoritative action. For example, when I hold the chief constable to account, this is backed by the availability of real sanctions, ultimately the dismissal of the chief constable. However, police and crime panels do not possess any such powers in respect of the commissioner. Page 6 of the report correctly states that commissioners are ultimately accountable to the electorate.
10. The introduction on page 5 states that the "most effective panels will have also developed local public scrutiny models..." The panel will be aware of my regular attendance at local authority scrutiny committees and on occasion full council meetings. The panel will also be aware that I support the protocol for questions to the commissioner by the panel which will provide another method for effective scrutiny.
11. Page 6 also states that "panels must assure themselves of the fair, effective and efficient deployment of police resources". That responsibility rests with the commissioner. The panel should assure themselves that the commissioner is overseeing 'the fair, effective and efficient deployment of police resources'.

12. Since Chief Constable Mark Polin QPM was appointed, the legislation surrounding the recruitment of chief officers has changed significantly. Page 7 of the report refers to the panel's confirmation hearings. My office recently met with the College of Policing to discuss the new requirements. When the time comes to recruit a new chief constable for North Wales, whenever that may be, an independent member will form part of the process. A requirement of the independent member will be to report to the police and crime panel so that the panel may be satisfied that the recruitment process is conducted openly and fairly.
13. Page 8 refers to developing a "local scrutiny approach". I would like to repeat the offer I made to the panel at a previous meeting. Panel members are welcome to spend the day in my office where they will have the opportunity to meet the staff and be shown how the office carries out its daily business.
14. Page 9 refers to forward plans which set out the key decisions I am to make during the year. This matter is currently being progressed by my Chief Executive following initial discussion with the Senior Committee Services Officer.
15. Page 10 highlights the best practice approach to reviewing a police and crime plan. In my view, the regular performance updates I provide to the panel, and the process followed in North Wales in formulating the police and crime plan should also be considered as best practice. The panel will recall that my police and crime plan is informed by the police force strategic assessment (best practice identified within the report) and there are now clear links from my plan to the Regional Community Safety Plan (managed by the Safer Communities Board).
16. I note that in his covering report to the panel, Mr Ken Finch asks whether Community Safety Partnerships should be invited to a panel meeting to provide an analysis and assessment of the impact of my policies. I would encourage the panel to invite me to demonstrate to the panel how I am holding the community safety partnerships to account for the delivery of my police and crime plan.
17. I also note within Mr Finch's covering report a desire for the panel to be presented with the papers of the North West Joint Oversight Committee. Whilst I cannot foresee any issues with this request, the panel will appreciate that on occasion certain papers which relate to operational policing could not be made available.

18. Page 11 of the report states “panel chairs have asked how they can scrutinise PCC’s performance where no local performance targets are set”. This is of relevance to North Wales. My police and crime plan has four objectives, one of which is ‘building effective partnerships’. This is as important an objective as any of the other three but the performance of it is not susceptible to statistical measurement, and I have not stipulated any measures in the plan for measuring the performance of it.
19. However, that does not mean that I do not report to the panel on how I am progressing towards achieving that objective. Indeed my report to the September 2015 panel outlines the progress made in the victim help centre and a presentation will also be given outlining some of the other progress made in this regard.
20. Media protocols (referred to on page 13) have been discussed recently between my Chief Executive and the Senior Committee Services Officer. Whilst I understand the panel’s desire to receive copies of all media and press releases, my office continues to review how this could be implemented without impacting upon the timeliness of the releases.
21. Whilst I firmly believe in transparency, I would urge caution on any proposal that all correspondence between the panel and myself be published. Due to role and responsibilities of a police and crime commissioner, including budgetary responsibility, there may be on occasion a need for correspondence which would not be appropriate for publication. Any publication scheme developed should include this caveat.
22. My office and I are satisfied that the processes currently in place to handle complaints are fit for purpose.
23. Finally, I would like to thank the panel for inviting me to provide these comments and I hope they will be perceived as helpful.

Winston Roddick CB QC
Police and Crime Commissioner



REPORT TO:	North Wales Police and Crime Panel
DATE:	21 September 2015
CONTACT OFFICER:	Ken Finch, Strategic Director (Democracy and Environment) – Conwy County Borough Council
SUBJECT:	Good practice for police and crime panels

1. PURPOSE OF THE REPORT

- 1.1 To present the North Wales Police and Crime Panel (PCP) with the Local Government Association's (LGA) guidance document 'Good Practice for police and crime panels' – attached at Appendix 1.

2. EXECUTIVE SUMMARY

- 2.1 The guidance is built on previous guidance that had been issued to Police and Crime Panels (PCPs) by the Centre for Public Scrutiny and the LGA in 2011 and 2012.
- 2.2 The document is not intended to be a definitive guide, but it looks at a number of issues that have been significant for PCPs so far and shares some good practice examples on how these have been tackled. In looking at what constitutes good practice, emphasis has been placed on what has worked well in some areas and how certain issues can be anticipated and planned for, to cut down on the amount of work needed for PCPs to respond.
- 2.3 Whilst the North Wales PCP has already embedded or is in the process of embedding most of the areas of good practice outlined within the guidance, consideration should be given to some of the approaches taken by other PCPs.

3. RECOMMENDATION(S)/OPTIONS

3.1 That the guidance document 'Good practice for police and crime panels' be noted and consideration is given to the following areas of good practice highlighted within the document:

- Police and Crime Panel Resources - Should the North Wales PCP invite the Community Safety Partnership to a meeting to provide an analysis and an assessment of the impact of the Police and Crime Commissioner's (PCC) policies?
- Confirmation Hearings – should the North Wales PCP have some involvement in the appointment process for Senior Appointments and receive reports from the independent members PCCs are required to appoint.
- Questions to the PCC – that the protocol for Questions to the Police and Crime Commissioner be acknowledged as a tool for effective scrutiny.
- Transparent scrutiny – should all correspondence between the PCC and the PCP be publicly available on the website?
- Collaboration - Should the North Wales PCP be regularly presented with the papers of the North West Joint Committee?

4. BACKGROUND INFORMATION

4.1 The document provides guidance on how local areas can best develop accountability approaches and procedures on behalf of their local communities. Below is a summary of the guidance and suggested approaches.

4.2 Roles and Responsibilities:

4.2.1 **Holding to account – providing challenge and gaining assurance –** PCPs must assure themselves of the fair, effective and efficient deployment of police resources and that PCCs are committed to delivering the priorities laid out in their Police and Crime Plans. PCPs must use police performance statistics or qualitative feedback from service users as evidence to challenge, inquire and hold the PCC to account. Questions are put to PCCs at public PCP meetings on their progress and achievements against the priorities of the Police and Crime Plan. Panels can also publicly record any concerns they have and can revisit an issue/concern again.

The North Wales PCC provides the PCP with an update at each meeting, which relates primarily with the Panel's broader function to review or scrutinise decisions made or other actions taken by the PCC and to make reports and recommendations to the PCC in that regard.

It also provides the PCP with the information which the Panel reasonably requires of the Commissioner for carrying out its functions, including information on the Force's performance against the measure of the PCC's 2014/15 plan and current/national issues.

- 4.2.2 **Police and crime panel resources** – building and developing local government capacity to support Panels can be a significant challenge. PCPs have questioned whether their funding allocation is sufficient to carry out their accountability and scrutiny duties effectively. The process of holding PCCs to account will often require supporting expertise from a number of professionals including legal, human resources, financial and community safety. Dedicated and experienced scrutiny officers can measurably enhance the work and outcomes of the PCP. In addition, PCPs should look to their local Community Safety Partnership as a source of information – they will be able to provide an analysis and an assessment of the impact of PCC's policies.

Should the North Wales PCP invite the Community Safety Partnership to a meeting to provide an analysis and an assessment of the impact of PCC's policies?

- 4.2.3 **Confirmation hearings** – the appointments' process benefits from a degree of external oversight. The feedback from PCPs is that having some involvement with the appointment process, such as a Panel Member acting as an observer, reassures the PCP that a fair and transparent process has been conducted. Some PCPs have received reports from the independent members PCCs are required to appoint as part of the process – consideration of these reports has provided PCPs with the assurance the candidate before them has been appointed on merit.

Should consideration be given to the benefits of the North Wales PCP having some involvement in the appointment process for Senior Appointments and receive reports from the independent members PCCs are required to appoint?

- 4.3 **Police and crime panel scrutiny** - There is no one way to do scrutiny and it is one of the most creative areas of work for a PCP. PCPs should work together with their PCC to develop a suitable scrutiny approach. In Durham, to widen the contribution of scrutiny over the PCC's Police and Crime Plan, the PCP reports on progress to local Overview and Scrutiny Committees.

In London, the Deputy Mayor for Policing receives 100 -150 questions a month from PCPs, which are formally answered in writing.

Whilst the North Wales PCP does not report on progress to Overview and Scrutiny, the PCC is invited to attend Scrutiny meetings by Local Authorities to provide an update/consult on the Police and Crime Plan.

The North Wales PCP is in the process of developing a protocol for questions to the PCC, which should be adopted shortly.

- 4.3.1 **Transparent scrutiny** – Increasing numbers of Local Authorities are using webcasting to connect their meetings with the public.

Merseyside PCP publishes all correspondence with the PCC on their website.

The North Wales PCP commenced webcasting of their meetings in March 2015.

The North Wales PCP publishes all minutes, reports and agendas on its website. In addition, the Panel's reports in relation to the Precept, Confirmation Hearings, Police and Crime Plan and the PCC's Annual Report are also published on the website.

Should all correspondence be publicly available?

- 4.3.2 **Adjusting scrutiny approaches for local 'best fit'** – some PCPs have benefited from developing a 'best fit' approach to scrutiny. Clear terms of reference for a PCP can help to make this approach successful and should be drawn up to reflect the full role of the PCC, including their responsibility to victims, their duty to ensure collaboration and their responsibility for securing efficient and effective policing for the force area.

The North Wales PCP has its own Terms of Reference, which have worked effectively to date; however Council Officers are currently reviewing the document to ensure it remains fit for purpose.

- 4.3.3 **Forward Plans** – The most successful and established PCPs have taken time to consider and plan the work of the PCP. A good programme of work, cuts down on surprises, unexpected decisions or issues that a PCP may be required to respond to. In Gwent, the OPCC and Officers from Gwent Council meet on a regular basis to discuss forthcoming work and any unexpected or new work or decisions that have taken place.

The PCP has also invited the PCC and other partners to a PCP development day focused on improving the local scrutiny approach.

Greater Manchester OPCC writes an annual forward plan, which sets out the key decisions due to be made by the PCC and decisions to be made by Chief Officers.

The North Wales PCP has an established Forward Work Programme (FWP). Officers from Conwy County Borough Council have developed a good working relationship with the OPCC and meet regularly to discuss the FWP and any actions arising from meetings of the North Wales PCP.

The OPCC has recently invited members of the North Wales PCP to its offices to further develop working relationships and offer an insight to the work of the OPCC.

4.4 **Development of effective scrutiny techniques for PCPs**

- 4.4.1 Police and Crime Plans are the best strategic documents from which a PCP should begin to forward plan their work. The guidance suggests the following six approaches:

- Check that there is at least one measure of success identified for each priority identify in the Police and Crime Plan – *the objectives within the North Wales Police and Crime Plan are underpinned by measures, which enables the PCC to scrutinise the force's performance in its delivery and to hold the Chief Constable to account.*
- Agree how the PCC will be held to account for delivery of the objectives – PCPs may wish to focus on one or two priorities over a year. *The North Wales PCP is already undertaking this approach and has scheduled scrutiny topics on its FWP, which relate to the objectives within the Plan.*

- Ask questions about the PCC's approach to holding the Chief Constable to account – how does the PCC ensure that the Chief Constable is following the priorities outlined in the Police and Crime Plan. *The North Wales PCP recently invited the Chief Constable to a meeting, which allowed Members the opportunity to discuss matters in relation to the delivery of the Police and Crime Plan, progress and challenges.*
- PCPs should expect to see evidence for why the PCC has chosen particular areas as priorities – *the North Wales PCC has reviewed his Police and Crime Plan annually since its publication in 2013. This is to ensure that the plan and its objectives continue to reflect the priorities of the people of North Wales.*

As part of this review, the PCC consulted with the chief constable, the public, statutory authorities, the business community and the third sector organisations of North Wales. In addition, the PCC has taken into account the North Wales Police strategic assessment of crime and disorder issues.

- Ensure the Police and Crime Plan notes and commits to considering other local strategic assessments –*see response above.*
- Discuss with the PCC how the Police and Crime Plan contributes to the prevention and early intervention of crime – *In 2013, the PCC introduced four new police and crime objectives, to deliver the 3 outcomes within the Police and Crime Plan. These objectives are as follows: Prevent Crime; Deliver an effective response; Reduce harm and the risk of harm; and Build effective partnerships.*

4.4.2 Undertaking strategic assurance questions – it is important that any series of questions put to the PCC are not seen as negative, but rather as essential to the smooth functioning of a resilient scrutiny process. PCPs should also make sure that where there are specific issues such as child sexual exploitation, national action plans are followed, local actions plans are developed and that the PCC has oversight that is shared with the PCP.

The North Wales PCC provides the PCP with an update at each meeting, which relates primarily with the Panel's broader function to review or scrutinise decisions made or other actions taken by the PCC and to make reports and recommendations to the PCC in that regard. It also provides the PCP with the information which the Panel reasonably requires of the Commissioner for carrying out its functions, including information on the Force's performance against the measure of the PCC's 2014/15 plan and current/national issues.

- 4.4.3 Panel Chairs have asked how they can scrutinise the PCC's performance where no local performance targets are set. Asking a series of focused and seeking questions can enable Panels to better understand the context of local issues. The guidance document provides an example of a community safety issue and a number of approaches that a PCP could employ in the absence of performance targets. One of the suggested approaches is to ask for attendance of relevant officers at the PCP meeting.

The North Wales PCP recently invited the Chief Constable to a meeting, which allowed Members the opportunity to discuss matters in relation to the delivery of the Police and Crime Plan, progress and challenges.

4.5 **The art of negotiation – influencing community safety performance**

- 4.5.1 **Relationship between the Panel and the PCC** – good working relationships are essential between the PCP, PCC and the OPCC. A good working relationship is one that is strong and embraces a healthy challenge that inevitably comes with positions of scrutiny and accountability.

Where PCPs and PCCs commented particularly on the strength of their working relationship, they noted the commitment and effort that Local Council Officers have put into developing and maintaining these relationships.

The North Wales PCP and Council Officers have a good working relationship with the PCC and the OPCC. Regular discussions and meetings are held between Council Officers and the Chief Executive of the OPCC to negotiate priority areas for scrutiny and agreeing suitable approaches that will meet both their statutory responsibilities and the needs and expectations of the PCP.

- 4.5.2 **Supporting continuous improvement** – If there are issues or concerns about a police force's ability to improve or to accept recommendations put forward by a Panel, further questions may need to be directed towards the leadership of the police, including those concerning the role of the PCC.

- 4.5.3 **Media Protocols** – Some PCPs are concerned that key information is shared with the press before a PCP has had a chance to consider any implications for the PCP or their own organisations. To manage this concern, a number of PCPs have an agreed process with the OPCC for sharing public information that can include a press protocol. Dyfed Powys Police and Crime Panel has drafted a media protocol that outlines a series of practical steps and principles for communicating with the media.

Council Officers and the Chief Executive of the OPCC have recently met to discuss whether press releases can be circulated to members of the PCP prior to publication – awaiting confirmation from the OPCC.

In addition, the OPCC has been asked to consider the development of a protocol for inviting/informing relevant PCP Members of PCC events in North Wales.

The North Wales PCP already has a protocol for media relations to support the work of the PCP.

- 4.5.4 **Scrutiny of commissioned services** – PCPs have a very broad power to review or scrutinise both decisions made by the PCC or any other action taken by the PCC in the discharge of their functions. This puts anything that the PCC does within the scope of the PCP. The PCP should be looking at all of the areas where the PCC may be planning to develop policy and also new areas of delivery. One of the key scrutiny outcomes could be to further develop issues across the community safety, criminal justice and wider public sector arenas.

The North Wales PCP recently received a presentation from the PCC on how he is making commissioning decisions; the presentation included the approach taken to commissioning services and the Commissioning Framework.

- 4.5.5 **Collaboration** – Scrutiny of joint or collaborated projects is an underdeveloped area at present. The North West Joint Committee comprises all regional North West Commissioners, including North Wales. They have a clear terms of reference, a general agreement signed by all PCCs and Chief Constables in the region and agendas and meeting papers, which are available electronically. PCPs could routinely request sight of these papers – the scrutiny here would not be of police performance, but of the PCC's effectiveness and how well they use resources, including those within the police budget, to achieve the best outcomes possible.

Should the North Wales PCP be regularly presented with the papers of the North West Joint Committee?

4.5.6 **Areas of common interest** – One way of developing effective scrutiny is to identify areas where the PCP and the PCC have a common interest or objective to ensure that they can develop a shared agenda. Effective cross-boundary working between the PCC and PCP involves working within their responsible areas to support effective delivery of each other's priorities.

4.6 **Complaint handling**

4.6.1 There is significant variation in the number of complaints PCPs receive against their local PCC. Complaints received by PCPs are often the result of poor handling of that complaint when initially made to the Police. The PCP complaints process often facilitates an opportunity to pursue a resolution when all other avenues are exhausted. This has led some PCPs to introduce vexatious complaints policies.

Complaints against the Police are for the Chief Constable to resolve but a number of PCPs have said that they receive information from the PCC about how complaints against the Police are scrutinised by the PCC. This is a good measure of public satisfaction with police performance and PCPs may want to review how the PCC is tackling numbers of complaints against the Police.

The North Wales PCP has a complaints process which has worked effectively to date. Whilst the North Wales PCP does not have the remit to deal with complaints made against the Police, the PCP does receive a number of complaints against the Police, which are referred to the Professional Standards Department.

The OPCC has recently invited members of the North Wales PCP to its offices to further develop working relationships and offer an insight into the work of the OPCC, which could include an overview of the PCC's complaints process

4.6.2 **Working with the Independent Police Complaints Commission (IPCC)** – the relationship between PCPs and the IPCC needs to be clarified. PCPs have indicated that they would find it helpful to have informal discussions with the IPCC to improve the response to complaints, as some have taken over a year to be resolved.

- 4.6.3 **PCCs, Panels and the media** – a significant area of difficulty reported by PCPs is the relationship between the PCC and the media. PCP Chairs have commented that in the rush to court media attention, PCCs can seem focused on reputation management. Panel Chairs acknowledge that media protocols, when in place can be very helpful.

4.7 **Responding to a change of PCC mid-term**

- 4.7.1 There have been two by-elections since 2012, with no comprehensive guidance on calling a by-election, both unexpected departures created practical issues that were difficult to deal with. It is recommended that together PCPs and OPCCs develop a clearly agreed protocol for what needs to happen in the event of a by-election, including identifying any difficult issues. The guidance document provides details of two case studies and lessons learnt from the situations.

At the request of the North Wales PCP, Council Officers are already in the process of developing guidelines in relation to this matter.

5. **CONSULTATION**

- 5.1 Consultation has also been carried out with the OPCC whose comments are attached at Appendix 2.

6. **RESOURCE IMPLICATIONS**

- 6.1 The Home Office provides funding to the Host Authority for the Police and Crime Panel.

7. **RISK**

- 7.1 It is hoped that the document will provide guidance on how local areas can best develop accountability approaches and procedures on behalf on their local communities and reduce the risk of ineffective Scrutiny.

8. REASON(S) FOR RECOMMENDATION(S)

- 8.1 To provide PCPs with the tools to deliver effective scrutiny, positively influence the performance of PCCs and subsequently their local police forces.

Executive summary

Executive summary

1. The public expects high ethical standards from the police that serve them. Trust in the police is vital – from the Chief Constable to the most junior police officer. Police ethics – their honesty, their integrity, their impartiality, their openness – should be beyond reproach. Above all, this requires effective accountability and leadership to create a culture where high standards of behaviour are the norm. High standards – of both conduct and accountability – also need to be demonstrated by those charged with holding the police to account.
2. The Police Reform and Social Responsibility Act 2011 (the Act) created elected Police and Crime Commissioners (PCCs) to “ensure the police respond to local priorities and are directly accountable to the public.”¹ PCCs set the strategic direction and aims of the police force and have responsibility for delivering community safety and reducing crime and delivering value for money. PCCs control over £12bn of police force funding.² They have the statutory responsibility to appoint a Chief Constable as well as for their removal. In addition to the PCCs’ local role, they have a regional and national role to ensure cross border resilience and capability and to meet national threats such as terrorism or organised crime. PCCs can and have entered into collaboration agreements with other PCCs and organisations to improve the efficiency or effectiveness of policing, for example by sharing back office functions. The Act also provided for the establishment of local Police and Crime Panels who have a dual scrutiny and support role in respect of the PCC and have some powers of veto on budgets and on the appointment of a Chief Constable.
3. PCCs represent a deliberate and substantial strengthening of the locally elected element of the tripartite arrangements for policing accountability. The model is one of democratic accountability “replacing bureaucratic accountability with democratic accountability” where “the public will have elected Police and Crime Commissioners and will be holding them to account for how policing is delivered through their force.”³ The model is primarily reliant on the cycle of elections as the main means of holding PCCs to account. The average turnout for the PCC election in 2012 was 15.1%. The Committee’s public research has found that knowledge of the policing accountability arrangements is not very high⁴ and there is a very low level of public interest in policing – 60% of respondents said they were not interested in finding out about policing issues in their local area⁵. Rather, for the public, the key accountability mechanism is the ability to question or challenge “their” local beat team or commander on specific areas of concern.
4. The statutory Policing Protocol,⁶ which sets out to all PCCs, Chief Constables and Police and Crime Panels how their functions will be exercised in relation to each other, makes clear that all parties will abide by the Seven Principles of Public Life – Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

1 Home Office. White Paper Policing in the 21st Century: Reconnecting police and the people. Cm 7925. July 2010

2 National Audit Office. Police accountability: landscape review. HC 963 Session 2013-14. 22 January 2014. p.4

3 Ibid

4 Ipsos MORI. Public Awareness of Police Accountability. December 2014. Analysed in Public Awareness of Police Accountability prepared for the Committee on Standards in Public Life by Chris Prosser and the Committee’s Research Advisory Board, using data collected by Ipsos MORI through the Capibus OmniBus survey, 2015

5 Ibid

6 The Policing Protocol Order. 2011

5. The Committee believes that any accountability and governance framework for policing should similarly reflect the Seven Principles of Public Life, and operate in a way which is capable of ensuring ethical behaviour, reducing ethical risks and providing effective accountability in order to command public confidence.
6. This matters because our policing system relies on policing by consent in a way that meets the differing needs and priorities of communities. It also relies on the operational independence of the police. But operational independence does not mean that there can be exceptionalism for the police – the public is clear on what the ethical standards should be and is consistent in its expectation that those in public life should abide by them. Year on year the public has affirmed that the definition of standards set out in the Seven Principles is still relevant and should continue to apply to public office holders and all those delivering public services.
7. The Committee recognises that the role of police officer is a unique and valuable one. It does not underestimate the challenging and often unexpected situations the police face every day. “Police officers are expected to make quick but finely-calibrated judgements about when, how and how much of their power it is justified to use”⁷ and the vast majority of police officers do so with integrity. They are operating in a fast moving landscape with changing demands of crime where increased accountability, professionalisation and ethical behaviour will be key to ensuring public confidence.
8. The Committee’s surveys tell us that public experience of core policing values is generally positive. They show that the majority of respondents thought senior police officers could be trusted to tell the truth and the large majority of respondents thought they would be treated fairly as a victim of crime reporting it to the police.⁸ This view is reinforced by other surveys which showed that 65% of respondents thought police officers could be trusted to tell the truth,⁹ and 63% of adults gave positive ratings of local police.¹⁰ Research carried out specifically for this inquiry showed that the majority of respondents believed that the police are held to account for their actions and that police deal with crime and anti-social behaviour issues that matter in their local area¹¹.
9. The democratic accountability of the PCC must not negate oversight of those who hold public office. As the government acknowledged:

“the public need to have the right information to judge the Commissioner’s performance and they need to know the Commissioner can be called to account with effective scrutiny and appropriate checks and balances, in particular at a local level.”¹²

10. Accountability should be tested between elections by demonstrable compliance with standards of conduct, propriety and performance. It should be tested and verified by independent scrutiny, with failure addressed with appropriate and timely sanctions.
11. The Committee is conscious that all those involved in the new local accountability arrangements have had to adapt to new relationships and ways of working, with relatively little guidance and support from central Government. PCCs in particular faced a huge task to develop their Police and Crime Plans setting out their priorities and establish their offices in a short space of time after delayed elections. The Committee has borne this in mind throughout the course of the inquiry.

7 London Policing Ethics Panel. Ethical challenges of Policing in London. 2014. <https://www.london.gov.uk/sites/default/files/LPEP%20-%20Ethical%20Challenges%20of%20Policing%20in%20London%20October%202014.pdf>

8 Committee on Standards in Public Life. Survey of public attitudes towards conduct in public life. 2012-2013

9 Ipsos MORI. Trust in Professions. 2013

10 Office for National Statistics. Crime Statistics, Focus on Public Perceptions of Crime and the Police, and the Personal Well-being of Victims. 2013 – 2014. <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-public-perceptions-of-crime-and-the-police--and-the-personal-well-being-of-victims--2013-to-2014/index.html>

11 Ipsos MORI. Public Awareness of Police Accountability. December 2014. Analysed in Public Awareness of Police Accountability prepared for the Committee on Standards in Public Life by Chris Prosser and the Committee’s Research Advisory Board, using data collected by Ipsos MORI through the Capibus OmniBus survey. 2015

12 Home Office. White Paper Policing in the 21st Century: Reconnecting police and the people. Cm 7925. July 2010. para 2.25

- 12.** The Committee has found evidence of:
- a. recognition of the importance of the College of Policing's Code of Ethics and core policing values and diverse good practice in implementing and embedding the Code within police forces;
 - b. increased professionalism that is ethically based and an acknowledgement of the importance of leadership in policing to support high ethical standards;
 - c. increased visibility, greater focus on victim support and local public engagement by PCCs in comparison to the Police Authorities they replaced, but questions around the wider impact of that engagement;
 - d. the existence of various mechanisms, of varying effectiveness, to support high standards of behaviour and propriety such as information transparency, audit committees, ethical frameworks, scrutiny plans, controls to manage conflicts of interests and arrangements to engage, promote and monitor best practice – these arrangements will need to be consistently and actively implemented with regular monitoring of compliance and impact.
- 13.** The Committee has also identified significant standards risks including:
- a. confusion amongst the public and the participants about roles and responsibilities, especially in relation to where operational independence and governance oversight begin and end;
 - b. a significant absence of a clear process to take action against a PCC whose conduct falls below the standards expected of public office holders, resulting in that behaviour going unchallenged and uncensured;
 - c. concerns about the robustness of current selection processes for chief officers;
 - d. PCCs not encountering sufficient constructive challenge or active support in exercising decision making powers;
 - e. barriers to the effective operation of Police and Crime Panels as scrutinisers including support, resources and the consistency and credibility of representative membership;
 - f. a lack of timely and accessible information being provided to Police and Crime Panels by PCCs affecting Police and Crime Panels' ability to scrutinise and support the PCC;
 - g. potential for high risk conflict of interests in roles jointly appointed by PCCs and Chief Constables (which although relatively rare, may increase in number) and risks inherent in the combined role of Chief Executive and Monitoring Officer to the PCC;
 - h. confusion between, and inherent tensions in the current police complaints system and the complaints system attaching to PCCs, and a gap in the expectations of the public in how complaints against PCCs would be resolved, especially when this involved unethical but not criminal behaviour.
- 14.** Combined, these factors impact on the ability of Police and Crime Panels to ensure, "that decisions of PCCs are tested on behalf of the public on a regular basis."¹³ There are benefits for PCCs in active engagement with Police and Crime Panels as a source of local knowledge, political support and leverage. PCCs need to play their part in sustaining open and trusting relationships. There is also scope for Police and Crime Panels to develop a more strategic future focus with better forward planning.

¹³ Stuart Lister. Scrutinising the role of the Police and Crime Panel in the new era of police governance in England and Wales. SAFER COMMUNITIES. 2014. 13 (1), p. 22-31

15. The operational and strategic roles of the Chief Constable and PCC respectively are not clearly defined and this has created confusion in the minds of the public which has fed into the complaints system. The evidence has also shown that success or failure in the current framework depends not only on the skills and experience but also on the personalities of and the relationship between the Chief Constable and the PCC. Whilst this is not a substantially new issue – constructive relationships were an important factor when Chief Constables were accountable to Police Authorities – it becomes critical when it is a one-on-one relationship.
16. The risk that the balance of power will become asymmetric or dysfunctional argues for transparency in working relationships and appropriate checks and balances. The Committee is not convinced that the existing safeguards in the framework are sufficient, given that the PCC as a single individual directly controls local policing, crime strategy and a significant budget. This matters because policing in times of austerity may mean that Chief Constables will increasingly be making difficult operational decisions which may not be supported by the public or the PCC.
17. The Committee considers a minimum code of conduct for PCCs an essential component in ensuring there is clarity as to the standards of conduct and behaviour expected from the individuals concerned and in providing the public with certainty as to what is and is not acceptable conduct. This will in turn increase transparency in the complaints system and produce a common standard of conduct which could be relied upon in any future power of recall.
18. The Committee noted the establishment of Ethics Committees in some areas, but considers they are an adjunct to, not an answer to, embedding a standards culture. Nor are they part of the formal accountability for holding Chief Constables to account. The Committee believes the remit of Ethics Committees needs to be sharply focussed and clearly differentiated from other groups such as Independent Advisory Groups. As new bodies in an already crowded landscape, their effectiveness should be regularly reviewed.
19. The Committee has concluded that to provide assurance that high ethical standards of behaviour are capable of being upheld and to sustain core policing values¹⁴ there needs to be a strong and continuing focus on:
 - **clarity of responsibility and accountability;**
 - **developing a sustainable culture of embedding high ethical standards; and**
 - **robust effective ethical leadership.**
20. The Committee's key recommendations in summary are:

For the Home Office:

- **The Home Secretary should conduct an urgent review of whether there are sufficient powers available to take action against a PCC whose conduct falls below the standards expected of public office holders.**

For Police and Crime Commissioners:

- **PCCs' responsibility for holding Chief Constables to account on behalf of the public should explicitly include holding the Chief Constable to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics. Each PCC's Police and Crime Plan should set out how they intend to do this, and their Annual Report should show delivery against the objectives set out in the plan.**

¹⁴ See recommendation to Committee on Standards in Public Life from Public Administration Select Committee – Caught red-handed: Why we can't count on Police Recorded Crime statistics. Thirteenth Report of Session 2013-14. HC 760. 9 April 2014. Para 91

- PCCs and their Deputies should be subject to a mandatory national minimum code of conduct.
- PCCs' appointment procedures should comply with open and transparent appointment processes including:
 - a requirement for there to be an independent member on the appointment panel set up to oversee the appointments process for Chief Constables and senior Office of PCC staff;
 - a requirement that a criterion for selection be that the panel are satisfied that the candidates can meet the standards of the Seven Principles of Public Life; and
 - details of the independent panel member should be published.

For the Police and Crime Panel:

- Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out their work.

For the Associations:

- The Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives, the National Police Chiefs' Council and Local Government Association should work collaboratively to produce a model Memorandum of Understanding between the PCC and Chief Constable to include working arrangements, recognition of the role of statutory officers and a supporting statutory officer protocol.
- Drawing on existing good practice and experience, the Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives and the Local Government Association should work together to develop national guidance on the meaning of a decision of 'significant public interest', so that it is better understood when PCCs should publish records of such decisions.

21. In particular, the Committee has considered how best to harness democratic accountability as a means of encouraging all current and future PCCs to adopt and take seriously the best practice that lies at the heart of all the recommendations in this report. The Committee has produced an Ethical Checklist, set out overleaf, to be used at PCC elections starting with the forthcoming elections in April 2016. This checklist will inform the public about the ethical approach of all candidates seeking election to the post of PCC. If the tone and culture of policing is set by those at the top, then the public is entitled to know that the person they vote for will promote, support and sustain high standards.

Ethical Checklist

1. Will your Police and Crime Plan for 2016-7 include a commitment to hold the Chief Constable explicitly to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics?
2. Will you publicly commit to abide by a code of conduct once that has been adopted by the Association of Police and Crime Commissioners?
3. Will you require the same of any Deputy you appoint?
4. When making appointments of Chief Constable, Deputy PCC or senior staff to your office will you ensure open and transparent appointment processes and include an independent external member on the appointing panel?
5. Will you publish, in an easily accessible format, details of your pay and rewards, gifts and hospitality received, your business interests and notifiable memberships?

Our recommendations in full:

Number	Recommendation
1	The Association of Police and Crime Commissioners, working with the Association of Policing and Crime Chief Executives should develop a nationally agreed minimum code of conduct by the end of 2015, which all current PCCs should publicly sign up to by then, and all future PCCs on taking up office.
2	PCCs and their Deputies should receive an ethical component as an essential part of their induction. While this should be locally tailored and delivered it should cover the Seven Principles of Public Life, the Association of Police and Crime Commissioners Ethical Framework and the College of Policing's Code of Ethics. This is to provide an understanding of ethics in practice and the role of PCCs as ethical leaders, promoting and modelling the high standards of conduct for which they hold others to account.
3	A Deputy PCC should be subject to the same mandatory national minimum code of conduct as PCCs and publicly available protocols should be in place for their relationships with other employees of the PCC.
4	The Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives, the National Police Chiefs' Council and Local Government Association should work collaboratively to produce a model Memorandum of Understanding between the PCC and Chief Constable to include working arrangements, recognition of the role of statutory officers and a supporting statutory officer protocol.
5	Joint Audit Committees should publish an Annual Report in a form that is easily accessible to the public.
6	PCCs' responsibility for holding Chief Constables to account on behalf of the public should explicitly include holding the Chief Constable to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics. Each PCC's Police and Crime Plan should set out how they intend to do this, and their Annual Report should show delivery against the objectives set out in the plan.

Number	Recommendation
7	The Police and Crime Commissioner Elections Order should be amended so that all candidates for the post of PCC should be required to publish their responses to the Committee's Ethical Checklist. For the May 2016 elections all candidates should be asked to consider and answer the Checklist and the Committee will be encouraging relevant media outlets to play their part in seeking out and publicising their responses.
8	Drawing on existing good practice and experience, the Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives and the Local Government Association should work together to develop national guidance on the meaning of a decision of 'significant public interest', so that it is better understood when PCCs should publish records of such decisions.
9	Police and Crime Panels should review the PCC's Annual Report in public session attended by the PCC as part of their annual scrutiny programme and make any recommendations as appropriate.
10	<p>As a matter of good practice:</p> <ul style="list-style-type: none"> ■ PCCs should publish a forward plan of decisions identifying the subject matter of the decision, why it is key, the meeting at which the decision is due to be taken, who will be consulted before the decision is taken and what reports/papers will be available for inspection; and ■ Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out that work.
11	The Home Secretary should conduct an urgent review of whether there are sufficient powers available to take action against a PCC whose conduct falls below the standards expected of public office holders.
12	To demonstrate an equivalent level of transparency and accountability to the Chief Constables that they oversee, the Association of Police and Crime Commissioners and Association of Policing and Crime Chief Executives should work together to host and make publicly available a list of PCCs' pay and rewards, gifts and hospitality and outside business interests, including notifiable memberships, in an easily accessible format.
13	Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.
14	Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.
15	Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.
16	The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.

Number	Recommendation
17	<p>PCCs and their Deputies should publish a register of meetings with external stakeholders and routinely publish information about all significant meetings involving external attempts to influence a public policy decision. The published information should include dates of meetings, details of attendances and meaningful descriptors of subject matter. It should normally be published within one month on their website in an easily accessible format.</p>
18	<p>All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end.</p> <p>The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC.</p> <p>Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.</p> <p>The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.</p>
19	<p>The Committee endorses the Home Affairs Committee's recommendations that:</p> <ul style="list-style-type: none"> ■ the Home Office bring forward proposals to amend the powers of commissioners to suspend or remove chief constables under Section 38(2) and 38(3) of the Police Reform and Social Responsibility Act 2011 by stipulating the grounds on which they may do so. ■ the Home Office should also provide guidance to commissioners on the use of their powers in both respects. In the case of a suspension there should also be a clear system of safeguards similar to those which guide suspension in respect of conduct. ■ Police and Crime Panels inquire and report into the circumstances whenever a chief constable's service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged. ■ the Home Office bring forward proposals to extend the Schedule 8 process to include scrutiny by the police and crime panel where a commissioner chooses not to agree to an extension of the chief constables' contract to bring it in line with the process for the removal of a chief constable.

Number	Recommendation
20	<p>PCCs' appointment procedures should comply with open and transparent appointment processes including:</p> <ul style="list-style-type: none">■ a requirement for there to be an independent member on the appointment panel set up to oversee the appointments process for Chief Constables and senior Office of PCC staff; and■ a requirement that a criterion for selection be that the panel is satisfied that the candidates can meet the standards of the Seven Principles of Public Life.■ details of the independent panel member should be published. <p>Where a PCC intends to appoint a deputy PCC the PCC should disclose that fact and the intended Deputy (if known) at the time of the election.</p> <p>A decision to suspend or accept a resignation of a Chief Constable or to appoint a Deputy PCC should be regarded as a decision of 'significant public interest'.</p>



REPORT TO:	North Wales Police and Crime Panel
DATE:	21 September 2015
CONTACT OFFICER:	Ken Finch, Strategic Director (Democracy, Regulation and Support) – Conwy County Borough Council
SUBJECT:	Procedure for Questions to the North Wales Police and Crime Commissioner

1. PURPOSE OF THE REPORT

- 1.1 To present the North Wales Police and Crime Panel (PCP) with the proposed procedure for Questions to the North Wales Police and Crime Commissioner (PCC).

2. EXECUTIVE SUMMARY

- 2.1 At the request of Members, the Host Authority has devised a procedure so the PCP can accept questions from members of the public or Panel Members, which can be put to the PCC at its public meetings.
- 2.2 The procedure allows for questions to be submitted to the PCP 10 days or more prior to a meeting of the PCP.
- 2.3 Questions submitted 10 working days (or more) prior to a PCP meeting will be taken at that PCP meeting, subject to the procedure attached at Appendix 1. Any questions which are received less than 10 working days prior to a PCP meeting will not be submitted to the meeting, unless in the opinion of the Host Authority (Conwy County Borough Council) the question relates to an item on the agenda of the PCP meeting following the submission of the question or is otherwise of such urgency that it should be taken at the meeting.

3. RECOMMENDATION(S)/OPTIONS

- 3.1 That the North Wales Police and Crime Panel approves the procedure for Questions to the North Wales Police and Crime Commissioner for adoption.

4. BACKGROUND INFORMATION

- 4.1 The procedure allows for questions to be put to the PCC, however in order for a question to be accepted, it **must**:

- Relate to the strategic functions of the PCC (including the Police and Crime Plan) and **not** relate to any 'live' cases or the operational management of the North Wales Police.

*(Any questions relating to the operational management of North Wales Police will automatically be directed to the Office for the Chief Constable, who will endeavour to respond in accordance with normal practice – the questioner/Panel Member will be notified that it has been forwarded. These questions will therefore **not** be taken in public at PCP meetings.)*

- **Not** be substantially similar to a question put at a meeting within the preceding six months unless circumstances have changed such as to justify the question being put.
 - **Not** require the disclosure of exempt or confidential information.
 - **Not** be vexatious or defamatory.
- 4.2 If the Host Authority, in consultation with the Chair of the PCP, considers that a question does not comply with the procedure, it shall advise the questioner accordingly and, if appropriate, direct the question to the appropriate public body. If the Host Authority considers that the question does comply with the procedure, the question will be referred to the PCC and will be treated as having been adopted by the PCP and be subject to the procedure set out in Appendix 1.

5. CONSULTATION

- 5.1 Consultation has been carried out with all Panel Members, who are supportive of the procedure being submitted to the PCP for formal approval.

- 5.2 Consultation has been carried out with the PCC and the OPCC, who welcome the adoption of the procedure.

6. RESOURCE IMPLICATIONS

- 6.1 Whilst there were no resource implications in devising the procedure, dependent on the number of questions received, the Host Authority and the OPCC may need to monitor the time spent on answering the questions.

7. RISK

- 7.1. By adopting the procedure, the PCP is further developing accountability approaches and procedures on behalf on their local communities and reducing the risk of ineffective scrutiny.

8. PUBLICATION

- 8.1 The procedure will be published on the PCP's website.

9. REASON(S) FOR RECOMMENDATION(S)

- 9.1 Adoption of the procedure will make best use of the powers awarded to PCPs, as transparency plays a key role in the PCP's approach to Scrutiny.
- 9.2 The Local Government Association (LGA) has recently published guidance on how local areas can best develop accountability approaches and procedure on behalf of their local communities. One of the examples of good practice/approaches taken by other PCPs included questions to the PCC. In London, the Deputy Mayor for Policing receives 100-150 questions a month from the PCP, which are formally answered in writing.

QUESTIONS TO THE NORTH WALES POLICE AND CRIME COMMISSIONER

From September 2015, the North Wales Police and Crime Panel (PCP) accepts questions from members of the public or Panel Members, which can be put to the Police and Crime Commissioner (PCC) at its public Police and Crime Panel meetings.

Please see the Procedure below for further information about how to put a question at these meetings.

1. Questions must be submitted to the North Wales Police and Crime Panel 10 days or more prior to a meeting of the PCP. Email your question to policepanel@conwy.gov.uk or send to the North Wales Police and Crime Panel, Conwy County Borough Council, Bodlondeb, Conwy, LL32 8DU.
2. Questions submitted 10 working days (or more) prior to a PCP meeting will be taken at that PCP meeting, subject to the procedure set out below. Any questions which are received less than 10 working days prior to a PCP meeting will not be submitted to the meeting, unless in the opinion of the Host Authority (Conwy County Borough Council) the question relates to an item on the agenda of the PCP meeting following the submission of the question or is otherwise of such urgency that it should be taken at the meeting.

3. In order for a question to be accepted, it **must**:

- Relate to the strategic functions of the PCC (including the Police and Crime Plan) and **not** relate to any 'live' cases or the operational management of the North Wales Police.

*(Any questions relating to the operational management of North Wales Police will automatically be directed to the Office for the Chief Constable, who will endeavour to respond in accordance with normal practice – the questioner/Panel Member will be notified that it has been forwarded. These questions will therefore **not** be taken in public at PCP meetings.)*

- **Not** be substantially similar to a question put at a meeting within the preceding six months unless circumstance have changed such as to justify the question being put.
 - **Not** require the disclosure of exempt or confidential information.
 - **Not** be vexatious or defamatory.
4. If the Host Authority, in consultation with the Chair of the PCP, considers that a question does not comply with paragraph 2, it shall advise the questioner accordingly and, if appropriate, direct the question to the appropriate public body. If the Host Authority considers that the question does comply with paragraph 2, the question will be referred to the PCC and will be treated as having been adopted by the PCP and be subject to the procedure below.

5. Questions adopted by the PCP in accordance with paragraph 3 above become questions to be put by the PCP to the PCC and responsibility for asking the question will be allocated to a Panel Member, at the discretion of the Chair, having regard to the relevance of the question to particular area(s) within the jurisdiction of the PCP.
6. The PCC will issue a response to the question submitted to it under paragraph 3, which will be made available to the person who raised the question (“the questioner”) and PCP members by noon on the day prior to the PCP meeting at which the question is to be submitted.
7. The question and answer will be “taken as read” at the beginning of the meeting.
8. The Panel Member asking the question may ask a supplementary question, which must relate to the initial question and be for the purpose of clarification and not raise new issues. Only one supplementary question will be permitted for each initial question. Supplementary questions and responses will be included in the formal minute of the meeting.
9. There will be instances where the PCC (of his/her officers) are unable to respond to a supplementary question put at the meeting. In instances such as these, a written response will be issued to the questioner by the PCC within five working days of the meeting and a copy of the response provided to the Host Authority.
10. A question and answer will not be the subject of further discussion or resolution at the meeting. The subject matter of the question may be the subject of a further report and debate at a later meeting of the PCP.
11. It will be accepted that the PCP will allow up to 10 minutes for public questions, though it may wish to lengthen this in the appropriate circumstances.

**POLICE AND CRIME PANEL
PANEL HEDDLU A THROSEDD**



**NORTH WALES POLICE AND CRIME PANEL
FORWARD WORK PROGRAMME**

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Date	Subject	Responsible Officer (including e-mail address)
21 Sept 2015	How is the PCC improving confidence in the Police across Wales To consider a scrutiny report on how the PCC is improving confidence in the Police across Wales	Winston Roddick, Police and Crime Commissioner
21 Sept 2015 14 Dec 2015 14 March 2016	Update on Budget for 2015/16	Kate Jackson, Chief Finance Officer (OPCC)
21 Sept 2015	Good practice for police and crime panels	Ken Finch, Strategic Director - Democracy and Environment
21 Sept 2015	Report of the Committee on Standards in Public Life - Leadership, ethics and accountability in policing	Ken Finch, Strategic Director - Democracy and Environment
21 Sept 2015	Procedure for questions to the North Wales Police and Crime Commissioner	Ken Finch, Strategic Director - Democracy and Environment
09 November 2015	Complaints Received To receive a summary of the number of complaints received and the action	Ken Finch, Strategic Director - Democracy and Environment
09 November 2015	To consider the term of office for Co-opted Independent Members	Ken Finch, Strategic Director – Democracy and Environment
25 Jan 2016	Proposed Precept 2016/17 To consider the proposed precept for 2016/17	Winston Roddick, Police and Crime Commissioner

Date	Subject	Responsible Officer (including e-mail address)
14 March 2016	Police and Crime Plan North Wales Police and Crime Plan	Winston Roddick, Police and Crime Commissioner
Future Items		
TBC	Update on changes to Funding Formula To receive an update on the review of the police formula funding.	Winston Roddick, Police and Crime Commissioner