

# POLICE AND CRIME COMMISSIONERS

## WALES PCC BULLETIN

### No 4 – 21 DECEMBER 2011

This Bulletin is one in a series of regular updates keeping you informed about developments for the introduction of Police and Crime Commissioners in 2012.

In this edition:

- **Wales Transition Board – key themes arising;**
- **Funding – Providing information and answering some frequently asked questions raised by local areas;**
- **Deep Dive methodology - Material to aid local areas to explore their preparedness and implications around the introduction of Police and Crime Commissioners;**
- **Partner Engagement events – Further information on the events happening across England and Wales from January;**
- **Llandudno and Cardiff Engagement Events;**
- **Secondary legislation – update on the relevant regulations relating to Police and Crime Commissioners due to go through the Houses of Parliament;**
- **Victims Fund.**

#### Wales Transition Board

The national PCC transition arrangements include a strategic board where Welsh public service leaders meet with the Home Office to consider the Welsh dimension of work of the transition programme. The Wales Transition Board last met on 8 December 2011. Set out below are some themes that emerged from the meeting.

#### Opportunities for collective leadership

PCCs will introduce a radical new dynamic to the crime and justice landscape. They will need to maximise their collective leadership with community safety, justice and other partners in order to work most effectively. PCCs may provide an opportunity for a range of partners to take a fresh look at current working arrangements. Equally, where partners have an interest in being commissioned by the PCC, they may also wish to marshal evidence of the effectiveness of current or proposed work in order to develop strong business cases for investment.

#### Panels

The establishment of police and crime panels has been a key issue for the Board. Home Office has provided legal clarity on the position of Welsh panels (summarised below) and aims to write to local authorities in the New Year on this.

- Panels in Wales are not local authority committees but free-standing public bodies set up and maintained by the Secretary of State in accordance with the Police Reform and Social Responsibility Act.
- Being a councillor is what makes the person eligible for appointment to a panel. But the

person does not act in their capacity as councillor when serving on the panel. Serving on the panel is not part of their local authority duties, any more than if they were appointed to any other public office in tandem with being a councillor.

A Q & A on the legal position of police and crime panels in Wales has been uploaded to the PCC webpage of the Home Office website. If you have any further enquiries then please send them to [PCCPartnersEnquiries@homeoffice.gsi.gov.uk](mailto:PCCPartnersEnquiries@homeoffice.gsi.gov.uk). We will provide a response either individually or through further communication outputs such as this bulletin.

### Communications

The Board was clear that there is a need for more targeted information and that a range of channels of communication should be used to ensure information about Police and Crime Commissioners reaches local partners. Board members agreed to work with the Home Office in identifying suitable participants for the Partner Road Shows planned for Llandudno and Cardiff in March 2012.

## **PCC Transition Programme – Funding**

**PCCs will have a commissioning role wider than their policing responsibilities. The Police Reform and Social Responsibility Act provides powers for the PCC to award grants to any organisation or body they consider will support their community safety priorities.**

This means that PCCs will be able to prioritise resources for use on wider community safety objectives. They will receive some consolidated grants, made up of funding currently provided to a range of organisations that they can decide to use, if they choose to, on projects that support community safety objectives.

### **2012-13**

In order to minimise bureaucracy and prevent disruption to programmes, Ministers have decided that existing arrangements for community safety and partnership funding will continue during 2012-13, but will be provided to PCCs from 2013-14.

### **London 2012-13**

The Mayor's Office for Policing and Crime (MOPC) will come into being in January 2012, earlier than other areas. Individual programmes, which are centrally-funded, will communicate their own arrangements for 2012-13 in London, including whether they intend to continue with existing recipients in London, or provide resources to MOPC/GLA. Partnership funding in London will continue to be provided to the GLA/MOPC.

### **2013-14**

In 2013-14, in addition to the main police grant and precept, Police and Crime Commissioners will also receive funding from the Community Safety Fund (CSF). The Community Safety Fund can be used to tackle drugs and crime, reduce re-offending, and improve community safety. Allocations for the Community Safety Fund have not yet been set.

PCCs will be able to pool resources and funding with local partners wherever they choose to do so, according to local needs and priorities, including through community budgets. Community budgets allow local areas greater flexibility and discretion around expenditure – as long as outcomes are achieved, areas can spend on different activities quite freely.

PCCs will have flexibility to decide their local priorities set out in the Police and Crime Plan and to use their resources to deliver their priorities.

The PCC website <http://www.homeoffice.gov.uk/police/police-crime-commissioners/> contains a dedicated section on Funding with Frequently Asked Questions on the key issues relating to this important part of the reform programme.

### Deep Dive Methodology

A series of four-day events were carried out across England and Wales in Leicestershire, West Yorkshire, South Wales and the West Midlands police force areas. These aimed to review the preparations that each force area was taking in relation to the introduction of PCCs. Each event included sessions with local partners to explore partnership working with PCCs, how the PCC will fit into local strategic leadership of areas, and Police and Crime Panels. These sessions highlighted the key issues, opportunities and challenges that these areas were managing in relation to the introduction of PCCs.

The method that the Home Office used to run the deep dive events has been developed and is now available to provide local areas with a steer in carrying out their own force-wide reviews. The methodology can be adapted to suit individual local environments and issues.

The full methodology will be published on the PCC website by 24<sup>th</sup> December 2011.

### PCC Engagement Events

From January 2012, the Home Office is arranging a series of seventeen events across England and Wales. The events will bring together partners working across a maximum of three police force areas, with the intention of aiding local discussions and preparations for the arrival of PCCs next November. The events will include dedicated sessions on police and crime panels and partnership working.

#### Locations

##### January

##### **Lancaster 24<sup>th</sup> January**

Police Forces: Cumbria, Lancashire

##### **Crewe 25<sup>th</sup> January**

Police Forces: Merseyside, Cheshire, Staffordshire

##### **Birmingham 31<sup>st</sup> January**

Police Forces: West Mercia, West Midlands

##### February

##### **Leicester 1<sup>st</sup> February**

Police Forces: Warwickshire, Leicestershire, Northamptonshire

##### **Derby 2<sup>nd</sup> February**

Police Forces: Derbyshire, Nottinghamshire, Lincolnshire

##### **Portsmouth 7<sup>th</sup> February**

Police Forces: Hampshire, Surrey

**Reading 8<sup>th</sup> February**

Police Forces: Thames Valley

**London 9<sup>th</sup> February**

Police Forces: Kent, Sussex

**Ipswich 21<sup>st</sup> February**

Police Forces: Essex, Suffolk, Norfolk

**Cambridge 22<sup>nd</sup> February**

Police Forces: Bedfordshire, Cambridgeshire, Hertfordshire

**Leeds 23<sup>rd</sup> February**

Police Forces: North Yorkshire, South Yorkshire, West Yorkshire, Humberside

**Exeter 28<sup>th</sup> February**

Police Forces: Devon & Cornwall, Avon & Somerset

**Swindon 29<sup>th</sup> February**

Police Forces: Dorset, Gloucestershire, Wiltshire

March**Cardiff 1<sup>st</sup> March**

Police Forces: South Wales, Gwent, Dyfed-Powys

**Newcastle 6<sup>th</sup> March**

Police Forces: Northumbria, Cleveland, Durham

**Manchester 7<sup>th</sup> March**

Police Forces: Greater Manchester

**Llandudno 8<sup>th</sup> March**

Police Forces: North Wales

**Focus of Events**

Details of the events are being finalised, but they will include the three sessions set out below. Representatives from a range of organisations will be invited to each session.

**Scrutiny workshop**

This workshop will consider the role of Local Authorities in establishing Police and Crime Panels (PCPs); the requirements for establishing PCPs and their membership; and an examination of the powers and role of the panels. The scrutiny workshop will include these invitees:

- Scrutiny Officers
- Scrutiny Committee Chairs
- Police Authority
- Chairs of Community Safety Partnerships
- Heads of Legal Services in local authorities

**Partnership Working workshop**

This session will provide the opportunity to consider how local partners may work together to prepare

for the incoming PCC; understand the role of the PCC and the legal powers he/she will have; the links and relationships between PCCs and partners; the powers PCCs will have in relation to community safety partnerships and what the reciprocal duty to cooperate means; and to learn about the PCC's commissioning role and what this could mean at a local level, including the implications for CSPs, YOTs, drug & alcohol teams, health services and offender management. The partnership working session will include invitees who are:

- Local Authority lead for Community Safety
- Police – Senior Officer/Partnership lead
- Probation Trust Chief Executives
- Chief Fire Officers
- Primary Care Trust Chief Executives
- CSP Chairs
- CSP Managers
- LCJB Chairs
- YOT Managers
- Directors of Public Health
- DAATs/SMATs Managers
- Voluntary, Community and Social Enterprise Sector
- Crown Prosecution Service
- HMCTS

### **Police and Local Authority leaders session**

The session will examine the critical role between the PCC, Police and Local Authority strategic leaders, and will include these invitees:

- Chief Constables
- Police Authority Chief Executives
- Police Authority Chairs
- Local Authority Chief Executives
- Council Leaders
- Elected Mayors

There will be an opportunity for a chief officer of the force (s) and a senior partner from police authority to contribute to these events as part of a Q & A panel held at the Police and Local Authority strategic leaders session.

### **Llandudno and Cardiff Engagement Events**

Engagement events are planned for Cardiff on the 1 March 2012, and Llandudno on the 8<sup>th</sup> of March. The event in Cardiff will cover the following police force areas (South Wales, Gwent, Dyfed-Powys), and the event in Llandudno will cover the North Wales force area.

The events in Wales are in the final stages of preparation, and invitations to them will be sent out to relevant partners early in the New Year.

### **Secondary Legislation**

#### **London**

In order for the London Mayor's Office for Policing and Crime to be in place from January 2012 some secondary legislation is required to be passed by Parliament.

## **Publication of Information**

The legislation includes regulations setting out the publication of information by elected policing bodies (Police and Crime Commissioners and the Mayor's Office for Policing and Crime). The information provisions in the Act will help ensure transparency, enabling local communities to hold the elected representative to account.

There is a requirement for PCCs to provide information to the public. They must provide some of this information by virtue of their position as public office holders, and other information will be required under these regulations, for example about salaries and spend above particular thresholds.

The Code of Recommended Practice for Local Authorities on Data Transparency has been used to guide the secondary legislation, and the provision of this information by the PCC goes to the heart of the Government's commitment to transparency and local accountability. The secondary legislation will provide further details about the information.

## **PCC Complaints**

Other secondary legislation scheduled includes regulations on complaints, including complaints against the PCC. The debates in Parliament on the complaints regulations took place in December in the House of Commons, and in the House of Lords. It is expected that PCCs, the MOPC (Mayor's Office for Policing and Crime) and their deputies will uphold the highest standards of public office. However, in the event that there is a complaint or an allegation against one of them, it is important that this is handled effectively to ensure public confidence in policing is maintained.

Schedule 7 of the Police Reform and Social Responsibility Act requires the regulations to provide for allegations of criminal behaviour against these office holders to be referred to the Independent Police Complaints Commission (IPCC). The main reason for requiring such an allegation to be referred to the IPCC is that, otherwise, the office holder may be (or may be perceived to be) at an advantage in relation to the police investigation because of his or her responsibilities for holding their police force to account. There would also be a potential conflict of interest between the office holder and their local force. The IPCC has extensive experience of handling sensitive, complex and high profile cases and will provide independent scrutiny to the handling and investigation of allegations of criminal behaviour in this context. Where a complaint is not serious enough to require investigation by or under the management of the IPCC, Schedule 7 requires the regulations to provide for it to be resolved informally by the PCP.

## **Police and Crime Panels**

Secondary legislation on police and crime panels, particularly in relation to their powers of veto over the police and crime commissioner's proposed precept, and appointment of a chief constable and the process through which the Home Secretary can establish a panel, will be published in March 2012.

## **Other legislation**

It is intended to complete secondary legislation on elections by February 2012, with the legislation laid before parliament early next year, well ahead of the Electoral Commission's recommendation of 6 months before the election.

## **Victims Fund**

How victims are treated is essential to maintaining public trust and being able to police effectively. This is why the Police Reform and Social Responsibility Act requires PCCs to consult with victims in setting policing priorities in their local area.

For the first time, victims of crime will have a statutory role in determining what the police should

focus on, and how they do it. The Government intends to publish shortly a consultation setting out our vision for improved support for victims and witnesses and our proposal that victim support services should be locally funded and locally determined. We intend to propose that PCCs act as commissioners for victim support services, ensuring that through local, democratic accountability, services meet local need, represent value for money, and deliver real outcomes for victims.

### **Information and communications**

We recognise that establishing a co-ordinated and coherent communication programme provides important support for partners preparing for the introduction of PCCs. To that end we have launched a dedicated section on the Home Office website for members of the public and those interested in finding out more about the role of PCCs. The new pages on Police and Crime Commissioners on the Home Office website include the links to all the key documents and further information on key themes, including frequently asked questions - <http://www.homeoffice.gov.uk/police/police-crime-commissioners>

We have also launched a new information booklet for potential candidates: <http://www.homeoffice.gov.uk/publications/police/pcc/got-what-it-takes>. Candidates could have experience in the private, voluntary or public sector. We want people from all backgrounds, who can bring new perspectives to a service that hasn't always represented the communities it polices. Women, people from ethnic minorities and disabled people are under-represented in elected office.

### **Using this Wales-specific PCC Bulletin**

We are working closely with a range of key partners to deliver the policing reforms in Wales. This work has included establishing a dedicated Wales programme board, which manages Wales-specific issues that emerge as we transition to the new arrangements. This Wales-specific PCC bulletin is a regular communication which includes material that fully reflects the Welsh context. Though much of the reform programme applies equally to England there are some key points of difference (such as the arrangements for establishing Police and Crime Panels). We would like to hear from you where there are Wales-specific issues that you wish to see addressed.

We're sending out regular bulletins throughout the roll-out of Police and Crime Commissioners to keep you informed. We will also field any enquiries or questions you have. Contact us at [PCCPartnersEnquiries@homeoffice.gsi.gov.uk](mailto:PCCPartnersEnquiries@homeoffice.gsi.gov.uk)

We welcome your comments and questions throughout the development and implementation process.