

REPORT TO: Safer Policy and Performance Board

DATE: 26 June 2012

REPORTING OFFICER: Strategic Director – Communities

PORTFOLIO: Community Safety

SUBJECT: Police and Crime Commissioner (PCC)
Update

WARDS: Borough Wide

1.0 PURPOSE OF THE REPORT

- 1.1 To update the Safer Halton Policy and performance Board on the progress on the introduction of Police and Crime Commissioners

2.0 RECOMMENDATION: That the report be received and noted.

3.0 SUPPORTING INFORMATION

PCCs will be elected for four years and will be required to publish a police and crime plan. This will set out the police and crime objectives of the force area. Chief constables will remain responsible for operational matters, however PCCs will have the authority to hire and, if necessary, dismiss the chief constable.

3.1 The role of Police & Crime Commissioners

[The Policing & Social Responsibility Act 2011](#) contained legislation which shifts the decision-making on the strategic management of policing away from the traditional controls of Police Authorities and central and local government; handing over strategic management control of policing to elected Police and Crime Commissioners in England (excluding from this process the other three countries of the United Kingdom). The first election of Police and Crime Commissioners are scheduled to occur on 15 November 2012. However, the powers to regionally strategically commission and manage services from the police has already been delegated to the elected Mayor of London. In January 2012, the Mayor established a new administrative structure to exercise his powers.

- 3.2 PCCs will appoint (and will be able to dismiss) chief constables, although the chief constable will appoint all other officers within the force. Shortly after their election (probably in March 2013), PCCs are expected to set out a five-year police and crime plan (the plan), although it may be refreshed each year and may be fully reopened at the PCC's discretion.

They will be required to determine local policing priorities, publish the plan, set a local precept and set the annual force budget (including contingency reserves) in consultation with chief constables. The plan will need to take account of national policing challenges, set out in a new 'Strategic Policing Requirement'.

They will receive the policing grant from the Home Office, various grants from Department for Communities and Local Government and the local precept (as well as other funding streams yet to be determined). The PCC will then commission policing services from the chief constable (**or other providers** - in consultation with the chief constable). These services will be set out in the plan where their objectives and funding will be publicly disclosed. The plan must be published and remain a public document including any updates or amendments made during the five-year period

At the end of the financial year the PCC will publish an annual report which will set out progress made by the PCC against the objectives set out in the plan. Alongside the annual report the PCC will publish annual financial accounts, including showing how resources were consumed in respect of priorities and how value for money was secured.

PCCs will have a general duty to regularly consult and involve the public and have regard to the local authority priorities.

PCCs will be able to require a report from chief constables at any time about the execution of their functions

- The PCC will be able to delegate the exercise of functions, but not the responsibility for their execution
- The local precept will be subject to the same referendum requirements as local government (triggered on rises which exceed thresholds set by government)
- PCCs will have a duty to hold their chief constables to account for having regard to codes of practice

3.3 What will PCCs actually do?

PCCs will aim to cut crime and deliver an effective and efficient police service within the force area. They will do this by:

- holding the chief constable to account for the delivery of the force
- setting and updating a police and crime plan
- setting the force budget and precept
- regularly engaging with the public and communities
- appointing, and where necessary dismissing, the chief constable

They will also exercise regional power and influence over the development and work of local Community Safety Partnerships (CSPs) via powers and duties. These are:

- the reciprocal duty for PCCs and CSP responsible authorities to co-operate with each other for the purposes of reducing crime and disorder
- the power to bring a representative of any or all CSPs in the PCC's area together to discuss priority issues
- the power to require reports from CSPs about issues of concern
- the power to approve mergers of CSPs (on application of the CSPs concerned)
- the power to commission community safety work from a range of local partners including (such commissioning of crime and disorder reduction work is not limited to CSPs but can include community, voluntary sector or commercial providers)

3.4 **Scrutiny**

PCCs will be scrutinised by police and crime panels, which will be formed of a minimum of 10 representatives from the local authorities in the force area. The duties of the panel include:

- requiring the PCC to respond to any concerns they have
- making recommendations on the crime plan and annual reports
- confirming or vetoing the PCC's appointment of chief constable and the level of local tax (the precept level)
- Who can stand for election?
- Candidates must:
 - be a British, Commonwealth or EU citizen
 - be 18 years of age or over
 - be resident in the police force area

Restrictions on candidacy include a conviction for an imprisonable offence, and being a serving civil servant, judge, police officer, member of police staff or member of a police authority or member of the regular armed forces.

4.0 **National Statement on Funding**

4.1 We are currently awaiting a communication that will provide details of arrangements in 2012-13, those funding streams that will cease from the end of March 2013, and the new Home Office Community Safety Fund that the PCCs will receive in 2013/14. The aim is for this communication to be issued this in May 2012.

5.0 **The timetable for Police and Crime Plans**

5.1 The PCCs' first police and crime plans must be issued by the end of March 2013. The plan is a public document that will articulate the PCCs' priorities and set out their objectives for:

- The policing of the force area;

- Crime and disorder reduction in the force area;
- Discharging the police force's national and international functions.

The plan will set out the commitments to which the PCC will be held to account by the public and the PCP.

The PCC will be required to publish a copy of the issued plan and send a copy to the chief constable and all other community safety responsible authorities (Fire & Rescue Authorities, Local Authorities, PCTs and Probation Trusts) within the force area.

Police authorities are beginning work on draft police and crime plans before PCCs take office, it is vital that the full range of partners feed into the process to ensure that the resulting plan truly reflects the issues that are of greatest concern locally.

6.0 Candidates briefing

- 6.1 The PCC pages of the Home Office website will be re-vamped in the coming weeks, with distinct areas for the public, partners and candidates. The partners section will include core briefs, timescales, and key publications. The candidates section will include national level candidate briefings on a number of areas – the PCC model, the national landscape, national strategies, and partnerships and commissioning.

7.0 Partnership working - Health and Criminal Justice sectors

- 7.1 In February a workshop was held for frontline partners to encourage local partnership working between PCCs and health agencies. This has now formed part of the criminal justice workstrand in the National Learning Network (NLN) for shadow health and wellbeing boards and will allow criminal justice agencies to share their knowledge and expertise of working with some of the most complex, disadvantaged groups in their local community who suffer from significant health inequalities. These will highlight the links between health and crime and community safety, and the benefits of collaborative working on joint outcomes.

8.0 PCC transition programme update

- 8.1 There has been media coverage recently around how we will communicate to the electorate about candidates in their area. The Home Office recently completed a statutory consultation on the secondary legislation for PCC elections with the Electoral Commission and others, which included consideration of how the public can receive information about PCC candidates. We are looking at options for this, and an important consideration will be to enable members of the public

to access information by a range of means. We expect to lay the secondary legislation on the elections in May.

A one day event was held for Police Authority Chief Executives on preparing for and working with PCCs, including talks by the Minister for Policing and Criminal Justice, Nick Herbert and London's Deputy Mayor for Policing and Crime, Kit Malthouse.

Finally, the Association of Police Authorities held a successful PCC transition conference in March at which the Minister for Policing and Criminal Justice, Nick Herbert spoke. The conference was attended by police authority members and included practical workshops led by police authority practitioners and partners (including the Home Office, IPCC, HMIC, and LGA). The workshops focused on priority issues affecting police authority transition planning.

9.0 PREPARATIONS FOR THE PCC AND PANEL IN HALTON

9.1 The Safer Halton Partnership (SHP) is starting to prepare for the introduction of the PCC and the Panel.

The SHP is developing a "Welcome Pack" for the PCC. This will provide

- useful background for the PCC and will identify:
- The current operating arrangement in Halton.
- The community safety architecture in Halton.

The key players and partners involved directly and indirectly in crime and community safety in Halton.

The current crime and community safety priorities for Halton based on the JSNA, research and data.

It is hoped this document will provide the new PCC with a quick and comprehensive guide to Halton. This will enable the PCC to quickly understand Halton's needs and aspirations in respect of crime and community safety. In so doing this should encourage the PCC to invest in Halton, thereby maintaining and building on the progress made by the Police and SHP to prevent crime, tackle crime, punish offenders and rehabilitate.

The CST is also developing separate and distinct Business Plans for each of Halton's priority community safety activities. Once again this is designed to provide the PCC with clear evidence of the community safety benefits of investing in what we are doing in Halton.

10.0 POLICY IMPLICATIONS

- 10.1 The policy implications of the review relate primarily to the Safer Halton priority as set out below, however this is a cross cutting work area which has wider implications on other areas of council business.

11.0 RISK ANALYSIS

- 11.1 The future funding implications for non mainstreamed services may seriously impact on the Local Authorities delivery of community safety services and safeguarding issues. Further Briefings will be provided as we receive notification of the final changes to legislation.

12.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

12.1 Children and Young People in Halton

The work of the Community Safety Team links very closely with that of the council's Children's' and Enterprise Directorate and the Youth Offending Team. They provide a valuable role in addressing anti social behaviour and promoting positive behaviour by young people.

12.2 Employment, Learning and Skills in Halton

The Community Safety Team work closely with the Probation service and YOT, supporting offenders to change their behaviour and to access training and employment opportunities.

12.3 A Healthy Halton

Addressing anti-social behaviour and crime is the key function of the Community Safety Team and without this work it is likely that both will increase having a significant impact on resident's health.

12.4 A Safer Halton

Should funding for community safety no longer be available, there will be an impact on crime and anti-social behaviour with both likely to rise, having a negative impact on residents quality of life.

12.5 Environment and Regeneration

If anti-social behaviour and crime are not fully addressed in Halton this is likely to lead to a deterioration in the quality of the environment and a corresponding reduction in confidence of the public and business in the borough.

13.0 EQUALITY AND DIVERSITY ISSUES

None.

14.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE

LOCAL GOVERNMENT ACT 1972

14.1 There are no background papers under the meaning of the Act.