

## Policing Green Paper Consultation response form

Completed consultation response forms should be sent no later than Friday 10<sup>th</sup> October 2008 to the following address:

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# Empowering Citizens

## Chapter 1:

### Improving the connection between the public and the police

1. How can we best ensure that neighbourhood policing teams can hear from as many people locally as possible in shaping their plans?

*The Neighbourhood Policing Programme has been rolled out across England and Wales, giving every community access to a dedicated local team. The Neighbourhood Policing Team's role is to engage with their community so that the police can understand the community's priorities and tackle them. (Free response)*

Community engagement at a Neighbourhood level should be linked into existing or developing neighbourhood consultation and engagement mechanisms. Preferably this should be co-ordinating across the public sector organisations and partnerships that consult on similar issues, i.e. CDRPs, LCJBs, PCTs, local authorities, police and police authorities so that there is cohesion across the partnerships within an Area when engaging with the community and shaping plans as a result. It will also benefit Neighbourhood Teams from understanding the local context and be a step towards integrated Neighbourhood Management.

In addition to listening to the concerns and priorities of the community, Neighbourhood Policing teams also need to be able to access meaningful data to ensure that both they and the community are aware of activities and actions led by the police and partners.

The police and partners should also consider more innovative and creative methods of consulting with the public rather than relying on face to face meetings with members of the public. Holding public meetings can often result in a select, small number of people attending, therefore consultation is not always representative of the wider community. There is scope to develop more sophisticated electronic means of communications, i.e. using websites, live web- chats to reach wider sections of the community, or utilising neighbourhood watch co-ordinators (where there are them) to understand local community priorities.

2. What is the most effective means of encouraging customer service in the police?

*The police service's customers are the general law-abiding public. However, people are also more individually customers of the police service – for example as victims, witnesses, or citizens. This experience of the police service shapes perceptions and feelings of safety and confidence. (Free response)*

Customer Service is best encouraged via an Added Value approach and a reminder of what the police are there to do (reinforce Peel's Principles). There should be more training of the police and support staff in 'soft skills' such as Customer Service.

Members of the public, whether victims, witnesses or citizens, should know what level of service they can expect from the police. There should be some commonality of experience for citizens which is reflected across the public sector with common service standards for cross- cutting issues, e.g. anti- social behaviour, hate crime, domestic abuse.

It is encouraging that the Policing Pledge provides service standards for response times, this a key concern of members of the community when they contact the police in relation to crime and anti-social behaviour.

3. Given the core role of PCSOs – which is one of high visibility patrol, community engagement and problem solving - do PCSOs have the right powers to enable them to do their job?

*The current powers available to a PCSO can be found on page 18 of the main document. (Free response)*

Yes, they have the right powers but they need the right support from police colleagues to respond quickly if they need assistance, for example detention of person/s as part of their problem solving approach.

There needs to be a consistent approach to how PCSOs are deployed so that their core role is high visibility patrol, community engagement and problem solving. PCSOs should not be employed for office-based support officer roles.

4. How can we ensure that police authorities and local authorities everywhere cooperate in tackling local people's priorities – including ensuring that the local pledge is delivered everywhere?

*The police are not solely responsible for crime and disorder reduction; it is important that they work alongside their partners such as the police authority, fire and rescue services, the local council and health trusts. It is important that they cooperate in order to make communities safe. (Free response)*

Through the work of the Crime and Disorder Reduction Partnerships and the Local Criminal Justice Boards a clear approach to the development of a unified and consistent approach to tackling crime, anti-social behaviour and promoting public reassurance and public confidence. Joint plans and strategies in relation to communication and engagement would be a positive development.

Also, the implementation of the Hallmarks of Effective Partnership Working, reinforced by CAA, should achieve co-operation in tackling local people's priorities.

5. What is the right balance between local council representation and independent members?

*Under these proposals police authorities will have a majority of directly elected members, complemented by representation from local councils and independent members. (Free response)*

The proposals for the election of Crime and Policing Representations (CPRs) who will sit on (and form a majority of) the police authority, and chair the Crime and Disorder Reduction Partnership is not supported and would potentially undermine the democratically elected representative role in Police Authorities. Democratically elected members of local government should continue to have a major influence in relation to crime and disorder. There is a danger that there will be a lack of consistency and understanding between Local Authority elected members and the Police and that this will impact on the democratic mandate that elected members have to represent their communities and contribute to the work of the police service.

Durham County Council supports the view from the Association of North East Councils which is greatly concerned about the introduction of CPRs, specifically:

- The proposal creates two parallel, and potentially conflicting, electoral mandates. As democratically elected community champions, local councillors will not be able, nor will they wish, simply to withdraw from dealing with crime and disorder issues that concern their communities. At best it will create confusion in the mind of the public as to whom they should approach, and at worst it could create conflict over local priorities;
- Local councillors already represent and advocate for local people over a range of services. The proposal for CPRs risks breaking the link between crime and disorder and related services;
- The proposal risks undermining the successful partnership working in County Durham that has been built up over recent years. Equally, the proposal that the CPR will in effect chair the Crime and Disorder Reduction is not supported and could damage the working relationships that have been established within the Partnership and reduce its effectiveness. The proposal is a departure from the recent guidance published by the Home Office in 'Delivering Safer Communities: a guide to effective partnership working.' Strong strategic leadership is highlighted within the Hallmarks of Effective Practice, clearly identifying that transparent, local governance arrangements for electing chairs should be in place, ensuring that the person with the right level of experience and skills is elected.
- If the turnout for elections of CPRs is low, there is a risk that elections may be hijacked by pressure groups and more extreme candidates may be elected. Further, if turnout is low the successful candidate will only have a weak mandate.

6. To what extent might police authorities be able to allocate part of their budgets by participatory budgeting?

*Participatory budgeting is when ordinary citizens are able to decide how to allocate elements of a budget. (Free response)*

The proposal to allocate police authority budgets for participatory budgets will need to be carefully considered to ensure that existing services are not destabilised as a result of budgets being disaggregated to create participatory budgets. Although the principle of citizens having an ability to influence the targeting of resources is welcome, mechanisms would clearly need to be developed to ensure that decisions were made for the good of the wider community and a checklist developed for the allocation of resources. In addition the disaggregation and targeting of budgets would need in part to be evidence based to ensure that money is spent where it is most needed. Consideration would need to be given to where spend in other areas would be reduced to create budgets of this nature if additional funding were not forthcoming and the unintended consequences of such a change in relation to policing.

Whatever is considered re participatory budgeting, checks and balances need to be put in place to prevent the loss of the operational independence of the Chief Constable.

7. What other community safety budgets do you think might be suitable to be allocated in this way? *(Free response)*

Participatory Budgeting may be better allocated from a proportion of the Area Based Grants to support the priorities, jointly agreed, via the Local Area Agreement and Sustainable Community Strategy.

8. Do you consider the creation of the Communities Safety Fund to be the best way to use the money that currently makes up the BCU fund?

*The BCU Fund is currently used at Basic Command Unit level to help deliver crime and disorder reduction locally and promote partnership working. The Community Safety Fund will be available to Crime and Policing Representatives to allow them to address locally identified priorities. (Free response)*

The BCU fund currently requires agreement of the CDRP. This requirement should continue.

It is critical that an analysis is undertaken prior to roll out to identify which areas of activity may stop being funded from existing BCU budgets and what the risks and unintended consequences may be of this approach.

There also needs to be a review of capital / revenue split in community safety funding, to allow partnerships the freedom to allocate to either revenue or capital projects based upon need.

9. How might the Councillor Calls for Action be best used to complement the broader changes to local accountability arrangements for policing?

*Councillor Calls for Action is a new power enabling local people to raise issues of concern on local Government and Crime and Disorder matters. The Councillor Calls for Action would allow councillors to raise local concerns with the relevant member of the local CDRP. In extreme cases it would allow the local councillor to refer a concern to the relevant overview and scrutiny committee for further action. (Free response)*

The proposal to establish a crime and disorder (scrutiny) committee as outlined in the Police and Justice Act 2006 (as amended by the LGPIH Act 2007), have been "on hold" since last year.

Councils are developing a range of processes to ensure resolution of concerns at the earliest stage and with the lowest level of intervention possible – e.g. resolving problems for residents and communities before they escalate. It is important that a call for action in relation to community safety activity is considered alongside other Councillor Calls for Action.

It seems sensible that the CDRP(s) should be locally accountable (amongst other methods) for their role in tackling crime and disorder and anti-social behaviour issues. Whilst the Police Authority has a key role in holding the Police to account for their performance in relation to crime and disorder and anti-social behaviour, this does not extend to other CDRP partners (although overview and scrutiny will have a role in relation to any relevant LAA targets). The call for action process would enable this and should be supported.

There will need to be clarity, in policing terms, as to who is held to account. The Chief Constable is not personally a member of the CDRP but rather is represented by his / her Superintending ranks.

## **Professionalising and freeing up the police**

### **Chapter 2:**

### **Reducing bureaucracy and developing technology**

1. How can we best involve frontline officers and staff in designing more effective and less bureaucratic processes?

*We ask a lot of the police and so it is critical that they are able to focus on meeting those priorities in the most efficient way possible. We believe that frontline officers are best placed to identify what is effective and what is not. We propose that we create a bureaucracy champion who will convene a frontline practitioners group to test proposals of the police service, Government and CJS for impact on the frontline. (Free response)*

This approach is welcomed in terms of involving and consulting front-line staff on how the burdens of bureaucracy can be lifted. In addition consideration should also be given to working with business process reengineering and lean specialists alongside both officers, managers and performance and finance specialists to ensure that newly designed systems and processes meet the needs of the whole organisation.

A bureaucracy champion is laudable at a national level to ensure the ABC test (Administrative Burden Check) on Government policies. This could be replicated locally within Forces. Furthermore the principles of engaging frontline officers could be part of HMIC inspection regime.

When streamlining bureaucracy within the Police Force, there is a need to be cognisant of other forms of paperwork which impact on officer time, e.g. through the Criminal Justice System.

2. How can we ensure that new forms of bureaucracy do not replace those that we are committed to reducing? *(Free response)*

It is important to recognise that some elements of bureaucracy are inevitable in any large and complex organisation. This is particularly the case for organisations funded by the state / the public who need to ensure that they are accountable in terms of financial governance and probity and also need to demonstrate that they discharge a duty of care to victims, perpetrators and the wider community. This issue is not to pretend bureaucracy does not exist but to ensure that it is minimised, proportionate and meaningful.

3. How best, together, can we tackle the risk aversion that Sir Ronnie Flanagan identified? *In his Report, Sir Ronnie Flanagan identified a number of areas that together had helped to create the bureaucracy that now surrounds the police. Sir Ronnie identified that the majority of these reasons stemmed from risk aversion. (Free response)*

This is in part a cultural issue. The factors which are likely to impact on the sense of risk aversion are the leadership style of top teams, the experience of staff on the ground, relationships with the media and key stakeholders and the paper trail and approach which underpins the way risk is managed. Different organisations will need to consider this within the context of their own organisations and develop cultural changes / system and process reform appropriately. It may be helpful to consider issuing good practice guidance for all forces in relation to this area.

This is difficult to achieve in such a litigious culture supplemented by trial by media. The Police Service and Government should wherever appropriate support a 'blame free' culture with the emphasis on learning from mistakes (as per new discipline regulations).

### **Chapter 3: Defining roles and leadership in the police service**

*The NPIA will consult on how we can ensure that constables gain a wide professional understanding of their force's work through their initial training and deployment, and their subsequent development, balancing this requirement practically with the need to provide constables with the specialist skills to enable them to deliver professionally in the complex environment of 21st Century policing. The NPIA will also consult on how best to ensure that all new Police Constables are trained in providing the best possible quality of service to the public.*

1) How can we best change the operation of Senior Appointments Panel to make it more proactive in succession planning and appointments, with greater strategic input into leadership development?

*Currently the Senior Appointments Panel spends most of its time discussing individual chief officer applications to posts as they arise. We are proposing that in future, the SAP spends relatively more time on the strategy for the management of the overall pool of top police talent. (Free response)*

The wider responsibilities of the Senior Appointment Panel is supported.

2) How should a scrutiny gateway for the renewal of fixed term appointments work? *(Free response)*

The scrutiny gateway for fixed term appointments should require an appropriate mix of checks and balances are not in place. A combination of PDR and skills alignment with the strategic direction of the particular Force / authority seems logical in principle.



- 3) What is needed to recognise that it can be right for chief officers to leave a force before the expiration of their contract because that is best way forward for the individual or for the organisation?

*Sometimes it can be right for an individual to leave before the end of their fixed term appointment not necessarily due to poor performance but because it is best for the individual or organisation. (Free response)*

Agreed, with correct checks and balances in place.

- 4) How can we establish better succession mechanisms, including in poor performing forces?

*Currently candidates apply for chief officer roles as and when they are advertised and there is little/no succession planning. (Free response)*

The proposed increased role for Senior Appointments Panels should cater for this.

- 5) The government would also appreciate views on the proposed approach to Regulation 11's provisions on serving in another force as chief officer before becoming a chief constable.

*Legislation demands that a chief officer must have served at least 2 years at chief officer rank in another force if they wish to become a chief constable. Regulation 11 allows for this to be waived in exceptional circumstances. (Free response)*

This is potentially discriminatory and the service it renders is questionable. A local officer, nurtured in the ways of his / her community and partnerships should be allowed to continue to the top without a 2 year sojourn elsewhere. It is a significant, if not serious flaw in the police culture that officers, including senior officers (except Chief Constables), rarely stay in post beyond a couple of years, to the detriment of the trust and relationship building with partners and the communities.

## **Chapter 4: Focusing on development and deployment**

1. The Government would be grateful for initial views on its outline three-year equality, diversity and human rights strategy for the police service.

*We are proposing to set minimum equality standards for policing, support and work with statutory staff associations and diversity staff support groups and to explore the possibility of widening the interpretation of the Genuine Occupational Requirement to increase representation of under represented groups in the police service and higher ranks of the organisation. (Free response)*

This is welcomed in principle and is in line with expectations across other public sector organisation. However it needs to be proportionate, meaningful and not prevent meaningful consideration of the barriers and issues in this area. Care is needed to ensure that this laudable aim does not have unintended consequences of undermining legitimacy and operational effectiveness.

It is important that localities have the flexibility to set targets that reflect local demographics – a one size fits all approach does not and will not work.

2. The Government would be grateful for views on what impact (positive, negative or none) will the Green Paper proposals have on communities, police officers and staff from

diverse backgrounds. This will inform further development of the Equality Impact Assessment for the Green Paper. *(Free response)*

The Green Paper is very community focussed and will on the whole have a positive impact. The uncertainties lie with Crime and Policing Representatives because of the risk that in low turnout an extreme candidate could be elected.

## Strategic role for Government

### Chapter 5:

#### Co-ordinating change in policing

1. Are our proposals for strengthening the National Policing Board and encouraging collective action on the small number of issues that demand national attention right?

*The National Policing Board is made up of representatives from NPIA, ACPO, APA, SOCA, HMIC and the Home Office. The NPB is the main forum for discussions on policing, allowing structured discussions on key strategic issues, and providing governance to joint work conducted at lower levels. In order for its support to be well-targeted, a new approach to decision-making is needed based on an agreed set of principles. We propose that these principles form the 'rules for engagement' which help determine when it is right for decisions to be taken nationally, encouraged regionally, or devolved locally. (Free response)*

The strengthening of the National Policing Board is broadly supported.

2. Using the principles we have outlined, what issues should be decided at the national, regional and local level, and who should have responsibility for taking those decisions?

*The principles outlined in the Green Paper are the importance of whether **operational benefit** and **cost-effectiveness** are maximised at that level. The decision-making level should be **proportionate** to the scale to the problem, and enable **risk** to be managed effectively. Those responsible for a decision should have the right **skills and resources** to deliver and to innovate, and should be **accountable** for their decisions. There should also have sufficient **resilience and flexibility** to meet changing demands and to ensure a **consistent** and high-quality approach is in place. (Free response)*

Supported in principle as long as it does not negatively impinge on the operational independence of chief constables.

3. In what areas of policing should we give greater freedoms to frontline practitioners to enable them to deliver on local priorities and on seriousness in the most effective and efficient way? *(Free response)*

*Police forces are currently piloting a scheme which allows officers discretion over making arrests rather than focusing on achieving set targets.*

Once National Standards are set (PSA's) there should be flexibility in delivery. With the new emphasis on 'confidence' as THE performance indicator, localism across most areas of policing should be the expected norm. The caveat would be that this was not to the detriment of collectivism at a regional and national level to deal with threats, risks and vulnerabilities.

### Chapter 6:

## Reinforcing collaboration between forces

1. What more can be done to build upon present policing arrangements to improve the security of our borders?

*Currently there three main policing functions at ports, who work alongside the UKBA; Special Branch is responsible for national security and counter terrorism matters, Protective Security provide policing to secure the port infrastructure and General Policing deal with crime and disorder. (Free response)*

Review the relationship between UKBA, BTP and other Home Office Forces with regard to border security.

2. If a border policing agency were created, how far should links with local forces and local accountability be preserved?

*Any border policing agency independent of local forces would require a police authority-like structure to scrutinise its activities. We have proposed that locally elected Crime and Policing Representatives should make up a significant proportion of a police authority. (Free response)*

As at 1 above. See previous comments re the risks associated with Crime and Policing Representatives.

3. What are the operational benefits and risks of creating a national police border force as proposed by ACPO?

*ACPO propose creating a separate national police border force in England and Wales that would focus on all aspects of security and law enforcement at the borders, under its own chief constable. (Free response)*

In broad terms, cohesion, responsibility and accountability.

4. Are there any variations to ACPO's national policing model that could offer greater operational benefits than those currently being delivered under the present arrangements? (Free response)

Why have UKBA and a separate force? Why not combine them?

5. What would be the main costs?

*Proposals for changing present structures would need to be both affordable and cost effective. (Free response)*

Commission a 'Lyons' type enquiry to establish the priorities of citizens re UK borders at a price we are prepared to pay.

6. Will structural reform be required?

*The scope and timing of changes to police structures may be dependant upon new legislation. Some would require constitutional changes to the police service, others just changes to working practices. (Free response)*

Form should follow function.

## Respondent information

How did you find out about the consultation?

- a) from the Home Office
- b) on line
- c) Through our organisation
- d) through friends
- e) through an event
- f) through the media
- g) other (please specify)

How are you replying to us?

- a) by e-mail
- b) by post
- c) at an event
- d) other (please specify)

Please indicate the region of the UK you are from, or the organisation that you represent is based:

- a) England
- b) Scotland
- c) Wales
- d) Northern Ireland

Are you a: (please tick all that apply)

- a) member of the general public
- b) member of the police force
- c) member of a police body (eg police authority / ACPO / APA)
- d) local government
- e) central government
- f) other (please specify) **County Durham Community Safety Board**