

Durham Police and Crime Panel

24th June 2014

Home Affairs Committee Report - Police and Crime Commissioners: progress to date

Report of Lorraine O'Donnell, Assistant Chief Executive

Purpose of the Report

- 1 To provide Panel Members with information on the Home Affairs' Committee report '*Police and Crime Commissioners: progress to date*'.

Background

- 2 In May 2014, the Home Affairs Committee published its report '*Police and Crime Commissioners: progress to date*'. Chaired by the Rt Hon Keith Vaz MP, the Committee gathered a wide range of evidence and produced findings and recommendations to the Government under the following headings:
 - *Introduction, PCCs and the public, training and register of disclosable interests*
 - *The work of commissioners to date*
 - *The relationship between commissioners and chief constables*
 - *Scrutiny of commissioners by police and crime panels*
- 3 Appendix 2 of this report contains the report's conclusions and recommendations and a copy of the full report is available from the following link. <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/757/757.pdf>
- 4 Appendix 3 contains a copy of the report's section on 'Scrutiny of commissioners by police and crime panels' and together with findings within the other headings following bullet points provide a summary of recommendations with regard to potential impact on Panel activity.

Strengthening the role of police and crime panels

- The Committee finds that to date panels have struggled to understand their powers and define their role.
- The role of panels should be strengthened and extended in scrutinising the removal, resignation or retirement of a chief constable, where this has been instigated by the PCC;
- Panels should have the power of veto over the appointment of a deputy commissioner, where they have not stood for election alongside the commissioner;

- To enable more proactive scrutiny, require PCCs to publish a forward list of key decisions, where these are known in advance and to publish background information on each decision when it is made
- LGA & Association of PCCs agree protocol on timely information, with specific reference to precept setting process
- LGA undertake in-depth research into panels experience to date on complaint handling

Panel Resources

- Home Office and LGA undertake research to estimate the actual cost for support to panels to determine a more realistic level of funding
- To provide long-term certainty, in the future, such funding should come from the police precept.

Target setting by commissioners

- The Committee raises concern that almost half of commissioners were using targets to hold their chief constable to account, despite strong evidence that target-setting has resulted in the manipulation of police-recorded crime statistics. The Report recommends that all such commissioners should review urgently the auditing arrangements they have in place to ensure such targets operate as intended.

The removal of chief constables

- The law must be changed to state clearly the grounds on which a chief constable may be suspended or removed;
- Establishing a clear system of safeguards where a chief constable is suspended, similar to those already in place when they face suspension on a conduct matter;
- The development of a third party mediation process for instances where the relationship between a commissioner and chief constable breaks down.

- 5 Within the context of these recommendations from the Home Affairs Committee to the Government, it is to note that the Durham Police and Crime Panel have already taken steps or implemented protocols with regard Section 38 of the Police Reform Social responsibility Act 2011 (removal of chief constable) and a Memorandum of Understanding for working arrangements with the Commissioner. In addition, following discussion with the Police and Crime Commissioner, the Panel will receive information on the precept setting process.
- 6 The Government is required to respond to the report within two months of its publication and further updates will be provided to the Panel.

Recommendation

- 7 That the Police and Crime Panel note information within the report and Appendices 2 and 3.

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Appendix 1: Implications

Finance – The report identifies information of potential changes to the funding of the Police and Crime Panel

Staffing – The report identifies information to potential amendments to powers and role of the panel if the Commissioner was proposing to remove or suspend the Chief Constable.

Risk – None

Equality and Diversity / Public Sector Equality Duty – None

Accommodation – None

Crime and Disorder – None

Human Rights – None

Consultation – None.

Procurement – None

Disability Issues – None

Legal Implications – The report identifies a number of proposals that could make amendments to the Police Reform and Social Responsibility Act 2011.