



### **Durham Police and Crime Panel**

# 20 October 2015

Committee for Standards in Life Report 'Tone from the top - leadership, ethics and accountability in policing'

# Report of Lorraine O'Donnell, Assistant Chief Executive

# **Purpose of the Report**

1. To provide detail and seek agreement to a response from Members of the Police and Crime Panel (PCP) to a report 'Tone from the top - leadership, ethics and accountability in policing' published by the Committee for Standards in Public Life.

# **Background**

- 2. Published in June 2015, the Committee for Standards in Life report details findings and recommendations from an inquiry considering whether the accountability model for local policing was effective in supporting and promoting high ethical standards. The report includes findings on four key areas of 'Leadership', 'Accountability', 'Integrity' and 'Openness' and identifies 20 recommendations for the Home Office, Police and Crime Commissioner's, Police and Crime Panel and Associations. Appendix 2 contains the report's Executive Summary and full copy is available from <a href="https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/439208/Tone\_from\_the\_top-\_CSPL.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/439208/Tone\_from\_the\_top-\_CSPL.pdf</a>.
- 3. Recommendations 9, 10 and 19 of the report are relevant to the Police and Crime Panel and the Committee for Standards in Public Life have requested a response to the recommendations from the Chair of the Police and Crime Panel be summited by 29 November 2015. The table below lists these recommendations and provides information on activity undertaken by the Police and Crime Panel.

Recommendation	PCP Activity
Recommendation 9	
Police and Crime Panels should	Following presentation by the PCC,
review the PCC's Annual Report in	the Panel has considered and
public session attended by the	commented on the PCC's Annual
PCC as part of their annual scrutiny	Reports at its meetings in June 2013,

Recommendation	PCP Activity
programme and make any recommendations as appropriate.	2014 and 2015.
Recommendation 10 As a matter of good practice:  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.	The PCP undertook review activity to enhance constructive challenge to the PCC as its critical friend to the PCC. An outcome from this review was a recommendation to include 'Decisions by the PCC' as a standard item on its agenda. The rationale for this was linked to the Home Affairs Committee report and was also supported by the PCC's Office.  At its meeting in June 2015, the Panel considered a report containing the forward plan of decisions for the period June – August 2015. The report also informed the Panel of the criteria for a key decision and that information is also available from the PCC's website.  From its outset in shadow form, in August 2012, the Panel has had in place a work programme and this has been reviewed and agreed by the Panel at its June meetings in 2013, 2014 and 2015. It is to be acknowledged that development of the work programme has been considered with the Office of the PCC and provides details of forthcoming topics to be considered throughout the year.
Recommendation 19 The Committee endorses the Home Affairs Committee's recommendations that:  • 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.	In March 2014, the Panel agreed a protocol between the Police and Crime Panel, Police and Crime Commissioner and the Chief Constable to ensure transparency and fairness and to set out a process and procedures which will be followed by the Commissioner in the event that he is contemplating the exercise of his power under section 38 of the Act.
	The protocol was further considered in June 2014 to take account of a national protocol on Section 38 of the Act that was agreed between the

Recommendation	PCP Activity
	Association of Police & Crime Commissioners (APCC) and the Chief Police Officers' Staff Association (CPOSA). The Panel agreed that the national protocol be attached as an addendum to the Durham Protocol.

- 4. The Panel has a positive and constructive working relationship with the PCC and his office that has enabled the Panel to take proactive steps to constantly develop and deliver its activity in accordance with these recommendations and the Police Reform & Social Responsibility Act 2011.
- 5. Members are also asked to note recommendation 14 within Appendix 2 "Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts: be made publicly available and regularly monitored by the Joint Audit Committee." Whilst this has not been specifically identified for the Panel, it is to acknowledge that the Panel considered this risk within the Chief Finance Officer confirmation hearing in December 2013. In addition, following an independent review by Durham County Council's Internal Audit team and consideration by the Joint Audit Committee, the Panel considered a report titled "Role of Joint Chief Finance Officer Safeguards Protocol" at its meeting in December 2014.

### Conclusion

6. The analysis carried out has identified the Panel is complying with identified recommendations within the report by the Committee for Standards in Public Life. It is therefore suggested that information within this report and comments from the Panel's meeting be incorporated within a response from Cllr Allen, Chair of the Police and Crime Panel to the Committee for Standards in Public Life.

### Recommendation

7. That Members of the Police and Crime Panel consider information within this report and Appendix 2 to formulate a response to the Committee for Standards in Public Life.

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# Appendix 1: Implications Finance - None Staffing - None 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 – None**