



Durham Police and Crime Panel

19th July 2016

Review of Police, Crime and Victims Commissioner and Police and Crime Panel - Memorandum of Understanding/Partnership Working Agreement

Report of Lorraine O'Donnell, Assistant Chief Executive, Durham County Council

Purpose of the Report

- 1 To seek agreement on a Memorandum of Understanding/Partnership Working agreement between the Durham Police, Crime and Victims Commissioner (PCVC) and the Police and Crime Panel (PCP).

Detail

2. Following the election of the Police and Crime Commissioner (PCC) in November 2012 a Memorandum of Understanding/Partnership Agreement was published as a statement of the PCC's and PCP's commitment to build and nurture an effective partnership based on the principles set out in the agreement. The panel reviewed this agreement at its meetings in February 2014 and 2015.
3. The Police and Crime Commissioner, Mr Hogg following re-election in May 2016 amended his title to Police, Crime and Victims Commissioner. The outcome of the election also provided an opportunity to review the Memorandum of Understanding/Partnership Agreement.
4. The Agreement attached in Appendix 2 builds upon the previous agreement and sets out expectations to support a positive and constructive relationship between the PCVC and PCP. It also provides a framework for attendance at meetings, work programme and the development and agreement of additional protocols/procedures to deal with specific issues including procedures for dealing with complaints against the PCVC or Deputy PCC, Confirmation Hearings for Chief Constable and Statutory Officer posts and Information Sharing.
5. The Agreement is to be used as a means of promoting and encouraging appropriate values and behaviours in partnership working, constructive mutual challenge and reviewing progress.

6. The Office of the PCVC are supportive of the Agreement and PCP Members are asked to consider the Agreement and subject to approval for this to be signed by the Chair of the Panel and to be reviewed on an annual basis.

Recommendations

- 1) That the Police and Crime Panel agree to the Memorandum of Understanding/Partnership Working Agreement between the PCVC and the PCP.
- 2) That the Memorandum of Understanding/Partnership Working Agreement be signed by the Chair of the Police and Crime Panel
- 3) That the Memorandum of Understanding/Partnership Agreement be reviewed on annual basis.

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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

This is a key focus of the work of the Police and Crime Commissioner and Police and Crime Panel.

Human Rights

None

Consultation

None

Procurement

None

Disability Issues

None

Legal Implications

The Agreement includes responsibilities of the Police and Crime Commissioner and Police and Crime Panel within the Police Reform and Social Responsibility Act 2011

Memorandum of Understanding/Partnership Agreement

Durham
Police, Crime and
Victims' Commissioner
and
Police and Crime Panel

July 2016



Introduction

The Police Reform and Social Responsibility Act 2011 introduced new governance arrangements for policing and policing accountability. The Act led to the establishment of a Police and Crime Panel and following an election in November 2012 an Elected Police and Crime Commissioner for the Durham Constabulary force area. A second election occurred in May 2016.

In summary, the Police and Crime Panel have a duty to scrutinise the decisions and activities of the Police and Crime Commissioner. Part of the Police and Crime Commissioner's role is to hold the Chief Constable to account for the delivery of policing services and the achievement of the Commissioner's objectives.

Following the election and acknowledging the challenges of delivering responsibilities of the Police Reform and Social Responsibility Act, a Memorandum of Understanding (MoU)/partnership working document was developed between the Office of the Police and Crime Commissioner and the Police and Crime Panel.

Since November 2012, the MoU has been fit for purpose and contributed to effective partnership arrangements, delivery of responsibilities of the Act and a positive and mature relationship between by the PCC and the PCP.

The overriding aims are to keep people safe and to provide the very best service that we can to the diverse communities of County Durham and Darlington.

The Police and Crime Commissioner, following re-election in May 2016 amended his title to the Police, Crime and Victims' Commissioner. The election also provided an opportunity to review this document. The revised Memorandum of Understanding/Partnership Agreement builds upon this positive relationship and is a statement of the Police, Crime and Victims' Commissioner and Police and Crime Panel's (our) commitment to continue to build and nurture an effective partnership based on the principles set out in this agreement.

Purpose

The Agreement sets out the broad principles and processes which will guide our work together. It sets out our expectations to support a positive and constructive relationship. It also provides a framework for the development and agreement of additional protocols/procedures to deal with specific issues. These could include procedures for dealing with complaints against the PCVC or Deputy PCC, Confirmation Hearings for Chief Constable and Statutory Officer posts and Information Sharing.

We will use the Agreement as a means of:

- promoting and encouraging appropriate values and behaviours in partnership working
- constructive mutual challenge and
- reviewing progress

Our key statutory roles and responsibilities

The PCVC is responsible for:

- Securing an efficient and effective police force for the Durham Police Area
- Issuing a police and crime plan, which sets the police and crime objectives for the area.
- Holding to account the chief constable including the power to appoint and dismiss
- Publishing information/data including an annual report
- Setting the annual force budget and police precept
- Requiring the chief constable to prepare reports on police matters
- Commissioning services for victims
- Making grants and commissioning services to improve community safety
- Making arrangements with other agencies to ensure an effective and efficient Criminal Justice System

The PCP is responsible for:

- Scrutinising the PCVC, to promote openness in the transaction of police business and also to support the PCVC in the effective exercise of their functions
- Contributing to the development of the PCVC's police and crime plan
- Reviewing the PCVC's proposed precept
- Reviewing the PCVC's Annual Report
- Reviewing the proposed appointments of chief constable, chief executive, chief finance officer and deputy police and crime commissioner (if proposed) and holding public confirmation hearings for these posts
- Making reports and recommendations on matters relating to the PCVC
- Investigating complaints about non criminal behaviour of the PCVC

Our principles for successful partnership working

Shared objectives

Our shared objective is to tackle local crime and disorder, creating safer communities throughout all of County Durham and Darlington and increasing public confidence.

Community safety is the protection of everyone's right to live without fear for their own or other people's safety. It is about reducing crime, fear of crime and victimisation. It means the empowerment and involvement of all in the community to tackle inequalities, address the underlying causes of crime and create environments in which all people feel safe. It is about quality of life.

We will co-operate with each other, and the other responsible authorities, to reduce crime and anti social behaviour and support an efficient and effective criminal justice system.

Shared values and behaviours

At the heart of successful partnership working is **trust**. Building trust takes time, but it only takes an instance to damage it. Agreeing shared values and behaviours, which are interrelated and impact on each other, are critical to successful partnership working and developing trust. We have set out below our shared values and how we will behave to demonstrate them. We will hold each other to account and measure ourselves against these principles.

Taking an evidence led approach

Priorities are evidence based and decision making transparent. Effective action is reality based and solution focussed.

We will:

- Ensure that decision making is informed, consistent and transparent
- Be committed to continuous improvement
- Ensure that claims about performance are evidence based
- Actively encourage ideas and innovation
- Manage risk
- Monitor, evaluate and review our work to ensure we respond to changing needs and can demonstrate we are making a difference

Valuing and respecting each other

Respect and value everyone's contribution.

We will:

- Respect each other's mandates, obligations and independence
- Recognise each other's constraints and commitments
- Build effective working relationships with each other
- Recognise the value of everyone's contribution
- Make accountability real in a constructive way

Public interest

Act in the interest of the public and demonstrate value.

We will:

- Take a balanced and multi-faceted approach to issues
- Focus on long term as well as short term problems, responses and solutions
- Act in the interests of the public good over individual interests
- Demonstrate to the community how we are achieving publicly valued outcomes
- Carry out our work responsibly, with integrity and in a relevant and appropriate way

Building capacity

Build capacity in our partnership.

We will:

- Develop skills, knowledge and experience in order to carry out our roles and responsibilities effectively
- Ensure meaningful dialogue through early consultation and early information sharing of data and analysis
- Tackle difficult and controversial issues

Acting ethically

Act ethically with integrity and build trust. Be honest, open and objective and encourage constructive challenge.

We will:

- Ensure that our dialogue is open and transparent
- Agree how we will achieve democratic accountability
- Declare conflicts of interest and address them
- Use appropriate and simple language
- Be honest and objective
- Encourage questions and constructive challenges

Aligning objectives

Harness our collective efforts.

We will:

- Allow sufficient time and capacity to be given to understand an issue and to reflect on its impact
- Establish accountability and give each other constructive feedback
- Make sure that actions are clear, time limited and task oriented
- Ensure that agreed actions are carried out
- Build on our comparative advantages and complement each other's contributions
- Share a collective understanding of our partnership and promote the values of our partnership

Specific protocols and procedures

As detailed earlier in the Agreement it may be necessary, over time, to develop and agree additional protocols and procedures to deal with specific issues. This partnership agreement provides the framework for doing this. These protocols may include procedures for dealing with complaints against the PCVC or Deputy PCC, Confirmation Hearings for Chief Constable and Statutory Officer posts and Information Sharing

The following procedure is proposed in relation to meetings of the Panel:

Meeting Schedule and Work Programme

The Police and Crime Panel will meet at least four times per year with extraordinary meetings called as and when necessary. In making arrangements for Panel meetings, the Panel Secretariat (comprising of officers from Durham County Council Legal and Democratic Services and Overview and Scrutiny) will continue to work with the Office of the Police, Crime and Victims' Commissioner (OPCC) to determine suitable dates bearing in mind the statutory dates laid down for the Police and Crime Plan, precept and budget, annual report etc. The work

programme will also take into account the Panel's duty to review/ scrutinise PCVC decisions and actions.

Whilst respecting the independence of the Panel, we recognise that effective partnership working is best carried out and debated in an open and transparent fashion. Therefore the PCVC will, except in unusual circumstances and at the discretion of the Chair, be invited to attend meetings of the Police and Crime Panel.

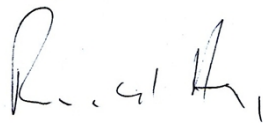
The Panel may also (at reasonable notice) request the Chief Constable to attend Panel meetings to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions.

Resolving Differences

There will inevitably be differences of opinion on issues. We will take a positive and constructive approach to resolving any issues in accordance with the arrangements set out in the relevant Protocol or Procedure. In general officers will attempt to resolve an issue in consultation with the Chair of the PCP and the PCVC before referring the matter to the full PCP.

Summary

This Memorandum of Understanding/Partnership Agreement is work in progress. We recognise that these are new and different arrangements and there will be issues to work through and resolve. The quality of our relationship will be more important than any written agreements. If we invest time and energy in maintaining a good partnership working relationship, together we can make a huge difference. We are committed to doing that in a constructive and positive way, remembering always that our shared priority and the reason why we exist is to serve the people of County Durham and Darlington by creating safer communities. It is acknowledged that the relationship between the PCVC and the PCP will develop over time. It is agreed that this Agreement be reviewed on an annual basis.



Mr Ron Hogg

**Durham
Police, Crime and
Victims'
Commissioner**

**Chair
Durham Police
and Crime
Panel**