

## DEVON AND CORNWALL POLICE AND CRIME PANEL

**Subject:** Scrutiny Work Programme  
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**Author:** Sarah Hopkins, Community Safety and Partnerships Manager  
**Host authority:** Host Authority, Plymouth City Council  
**Contact details:** Tel: (01752) 305542  
e-mail: sarah.hopkins@plymouth.gov.uk

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### Executive Summary:

The Police and Crime Panel (PCP), established by the Police Reform and Social Responsibility Act 2011, is responsible for scrutinising and supporting the actions and decisions of the Police and Crime Commissioner (PCC).

It is recommended that the PCP develops a scrutiny work programme and this report makes some suggestions for the PCP to consider.

Without prior consultation and forward planning, there is a risk that the issues the Panel may wish to scrutinise may be duplicated across the peninsula by scrutiny committees and the Community Safety Partnerships (CSPs) within the 13 local authorities in the Devon and Cornwall Police area. To avoid duplication, CSPs, scrutiny committees and the PCP could work together to identify issues of mutual interest and concern and agree the best forum to investigate those issues. Under certain circumstances, it may be advantageous to consider joint PCP/ scrutiny committee investigations. Joint working would mean a better use of resources and an ability to draw on evidence collected by scrutiny committees with responsibility for crime and community safety and vice versa.

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### Recommendations and Reasons for recommended action

Members are asked to consider and prioritise issues in order to develop a work programme.

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### Alternative options considered, and reasons for recommended action

LGA guidance<sup>1</sup> advises that the Panel could limit itself to reactively carrying out just the statutory/special functions and does not have to develop a proactive scrutiny programme, but does not recommend this. Also it is recognised this creates additional work for the Panel and recognises there are limited resources, but the Host Authority will be mindful to continue to keep meetings throughout the year to a minimum. However agreeing to a proactive scrutiny work programme will ensure there is a synergy between the Panel and scrutiny arrangements in all 13 Local Authorities, and enable the Panel to more fully and robustly carry out its scrutiny role.

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**Background Papers:** None

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<sup>1</sup> [http://www.local.gov.uk/c/document\\_library/get\\_file?uuid=8d1c912f-eb6d-47ac-bbfd-6e6ecec7cac6&groupId=10171](http://www.local.gov.uk/c/document_library/get_file?uuid=8d1c912f-eb6d-47ac-bbfd-6e6ecec7cac6&groupId=10171)

## **1. Introduction**

### **1.1 A Police and Crime Panel (PCP) must:**

- Review or scrutinise decisions made, or other action taken, by the police and crime commissioner (PCC) in connection with the discharge of the commissioner's functions; and
- Make reports or recommendations to the PCC with respect to the discharge of the commissioner's functions.

### **1.2 Effective scrutiny of the PCC will provide a strong strategic oversight of the local force area whilst providing openness and transparency not only to the Panel but to partners and members of the public.**

## **2. Scrutiny functions of the Police and Crime Panel**

### **2.1 As set out in the Police Reform and Social Responsibility Act 2011, the PCP has certain statutory functions which are to:**

- Review the police and crime plan
- Review the PCC's annual report
- Review the policing precept
- Carry out confirmation hearings for certain senior appointments
- Carry out confirmation hearings for the chief constable
- Investigate complaints about non-criminal behaviour of the PCC

### **2.2 As well as the statutory functions, and in line with most local authorities' overview and scrutiny committees, the PCP should develop a proactive scrutiny programme which will:**

- ensure that the PCP keeps to strategic issues and links up to the PCC's activities
- provide the PCC with a level of certainty and assurance as he will know which issues the PCP will be likely to investigate, how and when
- allow the PCP to manage its own resources more effectively
- be sensible in the interests of openness and transparency to be able to demonstrate what the PCP is likely to be doing to allow others to engage in that process
- make it easier for the PCP and other scrutiny bodies to work together and minimise duplication.

The Local Government Association (LGA) recommends that the PCC is consulted about the draft work programme, to determine if there are particular areas where he would like assistance from the PCP in developing his policies with the benefit of this being carried out in an independent and constructive critical manner.

### **2.3 The Panel may scrutinise and review decisions made or actions taken by the PCC in the discharge of his duties and make reports or recommendations to the PCC in respect of the discharge of those duties. As well as reviewing documentation, the Panel may require the PCC and/or members of his staff, to attend the Panel to answer questions.**

### **2.4 Once the work programme has been agreed (and it should be recognised that the plan must be flexible in order to be responsive to events) specific plans of action including evidence gathering,**

inviting appropriate witnesses, public consultation, public or private meetings, entire panel or task and finish group and so on can then be developed.

- 2.5 The LGA advises that the Panel should act as a critical friend; a supportive, but independent, voice seeking to investigate the PCC in the interests of recommending – not directing, or seeking to coordinate – changes and improvements.

### **3.0 PROPOSALS FOR SCRUTINY TOPICS**

- 3.1 Possible areas for scrutiny which follow in 4.2 have been compiled from:

- issues highlighted in the peninsula strategic assessment
- concerns raised by PCP members at the Panel meeting on 8 February 2013 when considering the draft Police and Crime Plan
- contact has been made with each local authority to find out about their planned scrutiny work programmes in the field of crime and community safety
- each Panel member has been asked if they have any specific issues they would like the Panel to consider

- 3.2 Having taken account of all the feedback, the potential areas for scrutiny can be grouped into 6 main areas for the Panel to consider. Beneath each question are a sub-set of areas which the Panel may wish to explore resulting from suggestions received as part of the exercise in paragraph 3.1.

#### **TOPIC 1: HOW IS THE PCC IMPROVING COMMUNICATION/CONSULTATION WITH THE PUBLIC?**

- The PCC's "Communications Strategy" – ask for it to come to the Panel?
- How is the PCC engaging with people across the peninsula? What different and innovative methods of communication have been considered?

#### **TOPIC 2: HOW IS THE PCC DELIVERING THE OBJECTIVES IN HIS POLICE AND CRIME PLAN?**

- Police and Crime Plan review of the first 6 months
- How is the Police and Crime Plan helping to deliver the priorities in the Peninsula Strategic Assessment
- Look at the PCC's delivery plan for Police and Crime Plan?
- Performance measurements – what is the progress against the performance framework and how will measurements align to and support the performance of partner agencies?
- What will the impact be on the delivery against all the priorities in the police and crime plan should there be a shift in operational resources towards dealing with other public order demands?
- Does the PCC recognise the impact that Welfare Reform may have on increases in crime - how will this impact on the Plan?
- How will the PCC ensure that the way in which the force works will achieve the strategic objectives in the police and crime plan? How has the PCC supported the Chief Constable in balancing rural/urban/coastal demands/areas of high priority.
- The PCC said he was committed to do more work/put more focus on domestic and sexual violence/ and developing a 'partnership' measure for this – what has he done/what will he be doing?
- The PCC has a plan which has priority areas including domestic abuse, youth crime, drug and alcohol misuse but has made cuts in funding allocated in these areas. How will the delivery of

his plan address these issues with fewer resources?

### **TOPIC 3: HOW IS THE PCC MAKING COMMISSIONING DECISIONS AND WHAT ARE HIS FUTURE COMMISSIONING INTENTIONS?**

- What are the PCC's future commissioning intentions and how is he gathering the information to decide on priorities.
- How has he used the 2% increase in the precept to effectively tackle crime and community safety across the force area?
- Local authorities have, in the main, made significant financial contribution to activities to for example, supporting victims of domestic abuse and sexual assault and tackling drugs and alcohol misuse and Youth Offending Services. How will he measure the impact of cuts to services
- The PCC offered to share with the Panel how he would assess the social value/impact of his commissioning decisions and make it a 'pillar of his commissioning approach')
- Will the PCC provide sufficiently early enough indications of his commissioning intent for 2014/15 in order to minimise disruption/enable continuation of valued services or time to de-commission services with sufficient notice.

### **TOPIC 4: HOW IS THE PCC IMPROVING CONFIDENCE IN THE POLICE ACROSS THE FORCE AREA?**

- To include the '101' number and what measures have been taken to improve this service?

### **TOPIC 5: HOW IS THE PCC STRENGTHENING RELATIONSHIPS AND SHOWING LEADERSHIP IN PARTNERSHIP WORKING?**

- The PCC offered to do some joining up across eg CSPs/Local Criminal Justice Boards/Health & Wellbeing Boards – what has he done? How does he envisage managing attendance at such meetings, across the geographical area as he cannot attend every meeting.
- The relationship between the PCC and the Chief Constable – how is it working?
- Do different authorities scrutinise the PCC, other than the Panel?
- How is his relationship with other partnerships working?

### **TOPIC 6: HOW IS THE PCC ADDRESSING ISSUES OF INEQUALITY AMONGST COMMUNITIES OF GEOGRAPHY AND COMMUNITIES OF INTEREST ACROSS A LARGE DIVERSE GEOGRAPHICAL AREA?**

- Ask to see the PCC's Equality and Diversity Framework
- Could the PCC advise how he has become more proactive in addressing crimes of prejudice as well as race/hate crime (eg those with learning disabilities, mate crime)
- How is the PCC promoting equality and respecting diversity by ensuring the police service responds effectively to the needs of all communities?

3.3 Whilst no specific 'local issues' were identified when carrying out the exercise in 3.1, LGA guidance also recommends that Panels should remain flexible to emerging issues as part of their proactive scrutiny programme. Panel Members will need to put any such requests, through the Chair, in accordance with Sections 18 and 23 of 'Panel Arrangements and Rules of Procedure'.

## **4.0 EXAMPLES OF SCRUTINY IN THE FORCE AREA**

4.1 As mentioned in 3.1, the Host Authority has canvassed all Local Authorities in the Force Area to determine their current and future scrutiny work programmes for crime and community safety

in order to minimise duplication and perhaps consider shared learning or possible joint scrutiny arrangements in the future. As the time of writing this report, these were the responses:

- 4.2 Torrington - Committee recently had a presentation on anti-social behaviour and also met with the Clerk to Justices for Devon and Cornwall regarding the proposed changes to the operation of Barnstaple Court. No long term plan is in place to scrutinise Community Safety at the moment but may look at the issue of street drinkers in more detail in due course.
- 4.3 Cornwall - review the Cornwall Safer Cornwall Partnership Plan annually. In 2011 the Committee also held an Inquiry Day with regard to Domestic Violence and Sexual Abuse issues and in 2012 it reviewed Hate Crime. Due to a heavy workload the Scrutiny Panel has had limited capacity for any further crime and community safety and there is currently no work programme for this area of work. Cornwall is nearing the end of its current Council's administration and Overview and Scrutiny Committees have been reflecting on the work that they have undertaken over the past 4 years. They are of the view that more overview and scrutiny work needs to be done in relation to crime and community safety in the new Council's administration and has recommended to the new Council that this takes place including the relationship with the Police and Crime Panel.
- 4.4 Plymouth – in 2011 and 2012 the Customer & Communities Overview and Scrutiny Panel scrutinised the spike in serious acquisitive crime which has since reduced. They have also been scrutinising the developments and implementation of the Police and Crime Panel (with Plymouth as the Host Authority). They also scrutinise, from time to time, crime levels generally.
- 4.5 South Hams District Council and West Devon Borough Council - are holding scrutiny meetings in June 2013 on the topic of Community Safety Partnership.