

## **DEVON AND CORNWALL POLICE AND CRIME PANEL**

**Subject:** Scrutiny of the Police and Crime Commissioner's Commissioning Decisions and his Future Commissioning Intentions

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### **Executive Summary:**

The Police and Crime Panel (PCP), is responsible for scrutinising and supporting the actions and decisions of the Police and Crime Commissioner (PCC).

The PCP meeting of 11 July 2013 agreed its first 'pro-active' scrutiny topic would be the how the PCC is making his commissioning decisions and his future commissioning intentions.

The Panel is invited to review the PCC's commissioning decisions and proposals as outlined in his report, "External Partnership Services Commissioning Intentions Plan 2014/15-2016/17", attached as Appendix 5.

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### **Recommendations and Reasons for recommended action**

It is recommended that the PCP takes the opportunity:

- To comment on, and make recommendations to the PCC in respect of his proposed future commissioning framework and rationale and ensure this aligns with the priorities identified in local and Peninsula Strategic Assessments as well as the Police and Crime Plan.

The above recommendation will provide the PCP with the opportunity to effectively and robustly scrutinise the PCC's commissioning decisions and future intentions in an open and transparent manner.

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

An alternative would be not to undertake a proactive scrutiny role which would limit the PCP's influence on the PCC's commissioning decisions and future commissioning intentions.

The above recommendation will ensure that mechanisms are put in place for exchanges of information so that issues of mutual concern or interest are recognised at an early stage and shared in a constructive and mutually supportive manner.

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**Background Papers:** None

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## **1.0 INTRODUCTION**

- 1.1 The PCP agreed on 11 July 2013 its first 'pro-active' scrutiny topic would be "how the PCC is making his commissioning decisions and his future commissioning intentions". The PCP agreed this met the scrutiny criteria, specifically "public interest", "ability to change" and "focus".
- 1.2 Whilst considerable efforts were made to set up a 'Task Group' in August 2013, this proved impossible due to diary commitments, and the Chair took the decision to include this as part of this meeting.
- 1.3 It is important that the PCP is satisfied that the PCC's commissioning decisions and intentions accurately reflect the needs of local people, are based on a clear baseline of detailed information together with a balanced view on how funding decisions are made, and accurately reflect the Police and Crime Plan and the priorities in the Peninsula Strategic Assessment.
- 1.4 When scrutinising the PCC's commissioning intentions, the PCP may wish to satisfy itself that due regard has also been given to local authorities' and partners' budget setting processes and timelines, and the impact of any succession planning or possible decommissioning of services.
- 1.5 Local Government Association (LGA) guidance advises that the PCP should be aware that when making recommendations that may affect other partners, or that will require those partners to take action, "the panel should still direct those recommendations to the PCC in the context of his or her s10 powers and responsibilities".
- 1.6 The PCP is aware of the valuable contribution witnesses make to the scrutiny process. Their role is to provide information and consider and share different experiences concerning a particular issue. An important part of the scrutiny process is deciding which witnesses should be called to share their expertise and provide support or challenge to the PCC on his commissioning decisions and intentions. With this in mind, witnesses have been invited from:
  - Community Safety and Resilience Lead - Devon County council
  - Head of Joint Strategic Commissioning for Plymouth City Council
  - CEO South West Forum (supporting voluntary groups)
  - CEO Cornwall Voluntary Sector Forum
- 1.7 Following agreement, the Host authority has developed guidance covering the involvement and role of witnesses by developing a 'Devon and Cornwall Police and Crime Panel Scrutiny Witness Charter' (Appendix 1) and has finalised details of the scrutiny processes with the PCP Chair and Vice Chair.

## **2.0 WHAT IS GOOD COMMISSIONING PRACTICE?**

- 2.1 There is considerable guidance on what 'good commissioning' actually looks like. The Centre for Public Scrutiny (CfPS) views that it should be centred on what works well, that there is a clear baseline of detailed information about what the needs of local people are;

that good commissioning operates as a cyclical framework, where lessons are constantly learned and fed back into the way that the service is delivered.

- 2.2 An example framework for commissioning and procurement good practice, which has a common theme to many others, is that of the ACEVO (Third Sector Leaders) Commissioning Support Service, and is attached Appendix 2.

### **3.0 THE PCC'S COMMISSIONING APPROACH**

- 3.1 On 2 August 2013 the PCC wrote to all Local Authorities in the Force Area Appendix 3 outlining his future commissioning approach and inviting responses.
- 3.2 To assist the PCP with this scrutiny exercise, it was agreed with all Local Authorities that their responses to the PCCs letter would also be provided to the Host Authority so that a summary could be provided to the PCP, and is attached Appendix 4.
- 3.3 On 18 September 2013, the PCC attended a meeting of Community Safety Partnership (CSP) Chairs and CSP Officers where he presented his report 'External Partnership Services Commissioning Intentions Plan 2014/15 – 2016/17' Appendix 5. The PCP may wish to probe elements of the Plan, in particular:
- The PCCs formula for the allocation of funds across Devon, Cornwall and the Isle of Scilly
  - The 'self-assessment' led process being undertaken by an externally contracted body, requiring CSPs to submit evidence against a series of questions, and which may require 'improvement plans'.
  - The spending plan timeline for CSPs
  - The PCC's Commissioning Board
- 3.4 The PCP may be aware of the recent HMIC Report "Policing in Austerity – Rising to the Challenge"<sup>1</sup>. Devon and Cornwall Police made a response<sup>2</sup> to this report, and the PCC published his comments<sup>3</sup>, which the PCP may find useful as further context.
- 3.5 The PCP is therefore invited to comment and make recommendations concerning the PCC's commissioning decisions and future commissioning intentions.

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<sup>1</sup> <http://www.devonandcornwall-pcc.gov.uk/Document-Library/policing-in-austerity-rising-to-the-challenge.pdf>

<sup>2</sup> <http://www.devonandcornwall-pcc.gov.uk/Document-Library/devon-and-cornwall-response-to-the-funding-challenge.pdf>

<sup>3</sup> <http://www.devonandcornwall-pcc.gov.uk/Key-Documents/Responses-to-HMIC-reports/Policing-in-Austerity---Rising-to-the-challenge-.aspx>