

## DEVON AND CORNWALL POLICE AND CRIME PANEL

**Subject** Attendance at CoPaCC conference 16<sup>th</sup> October 2013  
**Date:** 20<sup>th</sup> December 2013  
**Contact** Carolyn Rule (PCP Vice-Chair)  
mobile: 07880 331048  
Email: [carorule@cornwall.gov.uk](mailto:carorule@cornwall.gov.uk)

### Summary;

I attended this first conference organised by CoPaCC along with Jo Tellam an overview and scrutiny officer from Cornwall Council, we both found it extremely interesting and helpful. I detail below some of the points that were raised and offer them up for discussion and debate amongst colleagues on our panel.

This was the first such meeting held by CoPaCC, which aimed to identify and share good practice, insights and ideas around the scrutiny role of PCPs. The results of the deliberations will form part of a report on the outcomes of the first year with PCCs in place that will be submitted to the House of Commons' Homes Affairs Select Committee, as evidence for their Autumn examination of governance arrangements for PCCs. It was felt amongst the over 60 delegates present that this networking and mutual support amongst PCPs was a very useful thing to have and we wished to meet again on a regular basis to share best practice and learn from experiences of other colleagues.

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**Recommendation:** that this report be noted and any actions agreed arising from the debate on its contents be implemented.

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The keynote speakers were

- **Paul Grady:** head of policing @ Grant Thornton UK, our hosts and sponsors, he set the scene for the day
  - **Lady Jenny Jones:** London assembly member and working peer in the House of Lords. Lady Jones highlighted key learning points from scrutinising the mayor's office for policing and crime. They have a massive resource available to them and meet every 2 weeks.
  - **Mark Reckless MP:** he explored the legal position of PCPs, now and in the future. He was involved in drafting the bill and told us we must seize the powers given to us and develop them, our role is 'work in progress'
  - **Helen Kynaston:** independent panel member who provided a very interesting independent perspective on the hard and soft powers of the PCP. Hard powers over the precept and appointment of the Chief Constable. Soft powers are support and challenge, and ensuring the work of the panel is promoted under the schedule 29 requirements.
  - **Jon Collins:** deputy director of the police foundation who examined what the evidence might tell us about how PCC and PCP can best work together. His main message was that transparency is crucial in decision making of the PCC and PCP.
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1. Some points for discussion and noting please: There was a concern expressed where it was felt panels had been poorly advised on their powers by taking legal advice from the local authority monitoring officer whereas they should have perhaps got legal advice from an expert on policing law.

**2.** It was very interesting to understand the powers that the PCPs have, and that they have indemnity for legal costs on related legal actions.

**3.** It was felt that panels might take a greater role in dealing with complaints by dip sampling, even though the main work might have been delegated to the office of the PCC as in our case, we can be robust in our understanding of, and agreement with, the conclusions they have reached.

It was suggested that the process might need to be reviewed over the panel's power of veto on the appointment of a chief constable, currently we can only use this once and it needs to be re-visited.

**4.** Panels should be a strong voice for the local community and should balance their role of critical friend with supporting the PCC to achieve the very best that they can. There are many ways to hold to account but there has to be a partnership worked up of mutual respect and sharing of information. This means that the supportive advocacy role is an important role for the PCP as it will aid in the overall scrutiny role; PCPs could offer to assist the PCC in reviewing areas of concern on his behalf in order to build on this part of the relationship. If there is a perceived difficulty in getting any information required, as a last resort, an FOI request could be lodged BUT that would not be in the true ethos of a genuine working partnership.

**5.** Several delegates and speakers felt that we should use the local media to hold the PCC to account, but again I think this should be used sparingly and only if we could not get the working relationship right by the normal means available to us. Some PCPs use the media as a means of promoting the achievements of the PCC as well as drawing areas of improvement to the public's attention.

**6.** How do we think the powers of the PCP could be enhanced to enable us to do our role more efficiently? It was felt that legislation had tried to ensure the PCC had the necessary powers to function properly BUT that our role was to hold them to account and influence their thinking as we are close to the community that they are representing. What is the PCP's view on lobbying central government for a more robust legislative framework?

**7.** The relationship between the PCC and PCP needs to be dynamic rather than destructive, how can we achieve this? How can the role of the PCP Chairman aid this in relation to successful critical friend challenge? Is this a strength that is key?

**8.** How should the panel engage with the Chief Constable and other senior officers of both the police and connected agencies? Some operational issues are also of a strategic nature and therefore a good relationship between the PCP and the Chief Constable in particular would aid the process.

**9.** What information do we think will help us develop our role better, we need to be clear what information we require and not be afraid to ask for it from the PCC, CC or HMIC. Does the PCP think that a nationally recognised protocol of best practice providing guidelines for PCC's to adhere to regarding the provision of information, would assist?

**10.** It was suggested that PCPs should have an away/enrichment day at the office of the PCC to better understand how they are working and also visit the Police headquarters; do you think this would be valuable in our case? Do you think that an informal "getting to know each other" session prior to a PCP meeting would aid us in our role as we would then have knowledge of each others' backgrounds and areas of expertise?

**11.** Good scrutiny amplifies the voices and concerns of the public, how well are we doing this? Would a local network of PCP Chairmen and Vice-Chairmen meeting regularly help to discuss and address emerging issues?

**12.** It is unlawful for the Chief Constable to draft the Police and Crime Plan as it is the responsibility of the PCC to do this. The PCP has the power of overview of the Plan and the power to make recommendations to the PCC in relation to the Plan. The PCC has a strong legal duty to have regard to these recommendations. The PCP can require the PCC to respond in writing to any recommendations or reports made by the PCP. The provision of performance data is vital for the scrutiny of the delivery of the Police and Crime Plan

**13.** Schedule 29 requires the PCC to promote the work of the PCP – having a website with details on 1 page is not sufficient.

**14.** The involvement of CSPs would be useful in seeing how the PCC's decisions and commissioning is affecting delivery at ground level.

**15.** The Centre for Public Scrutiny (CfPS) is in the process of writing updated guidance which will be useful for PCPs.

**Summary:**

We are already doing a lot of the things that were suggested as good practice, the monthly meetings of the chair and PCC, the identified work plan, where we have decided not to spread ourselves too thinly, but to prioritise what we can achieve with the limited resources available to us. We have a clear work programme. We are trying to work in a firm, but fair way with our dealings with the PCC as we can be a brilliant support to him in the massive task he has ahead of him. We need to hold him to account, but can also do this in a supportive way providing his office is prepared to accept this support.

CoPaCC issue a monthly report which might be useful for us to receive and they are also organising a conference on the 28<sup>th</sup> November where it will be possible to learn more about the powers that are available to us, it would be useful for someone to attend this I would suggest.

**Carolyn Rule CC  
Vice Chair, Devon & Cornwall Police and Crime Panel**