

## DEVON AND CORNWALL POLICE AND CRIME PANEL

**Subject:** Scrutiny Work Programme  
**Date:** 20 June 2014  
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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).

At the PCP meetings held on 9 April 2013 and 11 July 2013 the PCP agreed the criteria and considerations for carrying out scrutiny (Appendices 1 and 2) and a work programme of proactive scrutiny topics. The PCP also agreed to limiting itself to one 'proactive' and one 'reactive' topic per year and having the Police and Crime Plan as a standing item on future PCP agendas to assist with identifying reactive scrutiny topics.

In 2013, the PCP scrutinised its first two topics; the 'proactive' one being "How is the Police and Crime Commissioner making his commissioning decisions and what are his future commissioning intentions?" and the first 'reactive' topic being "The Police and Crime Commissioner's staff and consultancy appointments".

This report makes recommendations for the next scrutiny topics, taking account of the previously agreed list of proactive topics, recent suggestions received from Panel members for reactive topics, and the limited resources available.

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### Recommendations and Reasons for recommended action

It is recommended that the PCP:

1. Selects the next topic for 'reactive' scrutiny from the following options;
  - a) The recent media coverage of under-reporting/recording of crime<sup>1</sup>; or
  - b) The Police and Crime Commissioner's joint announcement with the Chief Constable in respect of Devon and Cornwall Police Public Contact Strategy – Station Enquiry Offices Rationalisation (Appendix 3).
2. Agrees the reactive item selected is scrutinised as part of the Panel meeting scheduled for 17 October 2014.
3. Agrees the next topic for proactive Scrutiny is: "How is the PCC strengthening relationships and showing leadership in partnership working?" and that this item is scrutinised as part of the Panel meeting scheduled for 19 December 2014.

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<sup>1</sup> <http://www.bbc.co.uk/news/uk-27226110>

The aim is to ensure scrutiny is undertaken in a planned way against priorities and within the limited resources available.

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

The alternatives would be to:

1. undertake scrutiny only on a reactive basis;
2. not undertake scrutiny at all; or
3. undertake a much more comprehensive programme of scrutiny.

Options 1 and 2 would severely restrict the scope and influence of the PCP's work. Option 3 could not be delivered within existing resources. LGA guidance<sup>2</sup> advises that the PCP could limit itself to reactively carrying out just the statutory/special functions, and does not have to develop a scrutiny programme, it does not recommend this.

Previous scrutiny by the PCP has demonstrated that this can be achieved successfully as part of scheduled PCP meetings rather than setting up Task Groups. As there are limited resources and there is no additional funding, it is recommended the PCP continue with this approach.

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**Background Papers:** None

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<sup>2</sup> [http://www.local.gov.uk/c/document\\_library/get\\_file?uuid=8d1c912f-eb6d-47ac-bbfd-6e6eeec7cac6&groupId=10171](http://www.local.gov.uk/c/document_library/get_file?uuid=8d1c912f-eb6d-47ac-bbfd-6e6eeec7cac6&groupId=10171)

## I. Introduction

I.1 At its meeting on the 9 April 2013, the Police and Crime Panel (PCP) was provided with a report outlining its statutory role and functions concerning scrutinising the work of the Police and Crime Commissioner (PCC). The PCP agreed the following scrutiny topics:

- How is the PCC improving communication/consultation with the Public?
- How is the PCC delivering the objectives in his Police and Crime Plan?
- How is the PCC making commissioning decisions and what are his future commissioning intentions?
- How is the PCC improving confidence in the Police/Neighbourhood Policing across the Force area?
- How is the PCC strengthening relationships and showing leadership in partnership working?
- How is the PCC addressing issues of inequality amongst communities of geography and communities of interest across a large diverse geographical area?
- How is the PCC encouraging reporting and improving monitoring in the areas of domestic violence/abuse and sexual violence and support for victims.

I.2 The first proactive scrutiny topic carried out by the PCP from the list in paragraph I.1 was “How is the PCC making commissioning decision and what are his future commissioning intentions” at its meeting on 11 October 2013. The first reactive scrutiny topic carried out by the PCP was “The PCC’s staff and consultancy appointments” at its meeting on 20 December 2013.

I.3 There have been two suggestions made recently by PCP Members for ‘reactive’ scrutiny topics ie:

- The recent media coverage of under-reporting/recording of crime; and
- The PCC’s joint announcement with the Chief Constable in respect of Devon and Cornwall Police Public Contact Strategy – Station Enquiry Offices’ Rationalisation (Appendix 3).

Both the above topics meet the criteria, in particular of “public interest”, “ability to change” and “performance” and so are suitable for scrutiny. It is therefore proposed that the PCP decides which topic it would prefer to prioritise and that this scrutiny takes place as part of the next PCP meeting on 17 October 2014.

I.4 The Chair and Vice Chair of the PCP have revisited the list of proactive topics in I.1 and recommend that the next proactive scrutiny topic is “How is the PCC strengthening relationships and showing leadership in partnership working”. If PCP members are in agreement, it is suggested that this scrutiny item takes place as part of the PCP meeting scheduled for 19 December 2014.

I.5 The PCP has the option to consider whether to carry out scrutiny as part of regular Panel meetings as suggested in paragraphs I.3 and I.4 above, or to set up Task Groups. If the PCP commissions a Task Group, refer to Appendix I “Considerations for Carrying Out Scrutiny”. However, previous scrutiny by the PCP has demonstrated that this can be achieved successfully as part of scheduled PCP meetings rather than setting up Task Groups. As there are limited resources and there is no additional funding, it is recommended the PCP continue with this approach.

### AGREED CRITERIA FOR SCRUTINY TOPICS

Scrutiny, both reactive and proactive, is integral to the PCP's role in scrutinising the work of the PCC, and offering support and challenge.

The Home Office describes the role of the PCP as acting 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.

The Centre for Public Scrutiny (CfPS) document “A Cunning Plan? – Devising a Scrutiny Work Programme”<sup>3</sup> considers the pros and cons of ‘feasibility’ criteria for scrutiny topics. It has considered this, taking account of the fact that expending resources on investigating an issue needs to be clearly justified, and the importance of demonstrating that the scrutiny exercise actually adds value. If such criteria are to be adopted, the CfPS recommends that this should not be over-bureaucratic and should be as simple as possible.

The CfPS document refers to South Cambridgeshire's criteria for Council scrutiny which have been adapted here as a suggestion for the PCP to adopt as a set of principles upon which it will scrutinise the work of the PCC:

- **Public interest:** the concerns of local people should influence the issues chosen for scrutiny;
- **Ability to change:** priority should be given to issues that the PCP can realistically influence;
- **Performance:** priority should be given to the areas in which the Police and Crime Commissioner is not performing well;
- **Focus:** priority should be given to issues which have a significant impact on community safety priorities and issues identified in the Peninsula Partnership Strategic Assessment of Crime and Disorder;
- **Replication:** work programmes must take account of what else is happening in the areas being considered to avoid duplication or wasted effort.

### CONSIDERATIONS FOR CARRYING OUT SCRUTINY

When considering whether or not to undertake any scrutiny, the PCP need to take account of the limited resources available, ie no additional funding has been allocated for separate Task Groups (eg for travel expenses). The PCP is therefore encouraged to undertake scrutiny as part of its normal meetings and/or to hold Task Group's on the same day as Panel meetings.

Given the limited resources, the PCP has agreed to limit itself to one 'proactive' and one 'reactive' scrutiny topic per year

Paragraph 19 of the 'Panel Arrangements and Rules of Procedure' (PA&RoP) makes provision for setting up time-limited Task Groups from its membership to undertake specified functions of the PCP, which may include scrutiny work. Task Groups can make recommendations to the PCP with regard to the PCP's functions, but cannot take decisions on behalf of the PCP. Paragraph 23 of the PA&RoP sets out the process for requiring the PCC, or any member/s of his staff, to attend and answer any questions in this regard.

If it is agreed that the PCP will undertake a specific piece of scrutiny, the PCP will be invited to agree either which regular Panel meeting the topic will be scrutinised at, or to set up a Task Group.

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<sup>3</sup> <http://www.cfps.org.uk/domains/cfps.org.uk/local/media/uploads/20110311workprogrammingfinal.pdf>

If the PCP commission a Task Group, the PCP will be invited to nominate a Chair, other membership from the Panel and any co-opted representatives from outside the Panel, plus a deadline for reporting back to the PCP. It is suggested that this is scheduled on the same day as a regular PCP meeting to minimise the call on resources.

The Host Authority will agree the details of the process in consultation with the PCP Chair or the Chair of the Task Group (as relevant) using the document attached as Appendix 2.

To assist with identifying reactive scrutiny topics, the PCP will have the Police and Crime Plan as a 'standing item' on the agenda for each PCP meeting, and invite the PCC to attend regularly to provide an update on progress.

Task Groups do not have to be politically or otherwise proportionate, but consideration should be given to representation across the Force area. To help the effectiveness of the group, individuals' skills and expertise should be taken into account. It is recommended that the size of a Task Group should be between three and six members.

In order to ensure that any Task Group runs effectively, the Host Authority has developed guidance setting out the role of the Task Group Chair, witnesses and any co-opted representatives and the arrangements for their involvement in scrutiny reviews.

Task Groups are not required to be undertaken in public.

## SCOPING DOCUMENT FOR SCRUTINY ITEMS

<b>(1) SCRUTINY TOPIC:</b>	
<b>(2) REQUIRED OUTCOME/OBJECTIVE OF THE SCRUTINY EXERCISE:</b>	
<b>(3) TYPE OF ENQUIRY:</b>	
<p><b>Options for the enquiry:</b></p> <ul style="list-style-type: none"> <li>• Direct engagement with the PCC and/or a member/s of his staff</li> <li>• Direct engagement with communities of geography/interest (through phone/email contact, canvassing them for views, or inviting them to a scrutiny task and finish meeting/event)</li> <li>• Issues that seem to be disproportionately represented through non-criminal complaints about the Police and Crime Commissioner</li> <li>• Other scrutiny reviews</li> <li>• Issuing questionnaires/surveys (or piggy-backing on existing surveys, eg The Place Survey)</li> <li>• Site visits</li> <li>• Document analysis</li> <li>• Comparisons with other Force areas/PCPS/PCCs</li> <li>• Any other types of enquiry</li> </ul>	
<p><b>Witnesses required, for example:</b>  Communities of geography/ communities of interest  Partner Agencies/Experts  Business representatives  Voluntary/Community Groups  Service users  Professional experts</p>	
<b>(4) IF CARRIED OUT BY THE PCP - AT WHICH MEETING?</b>	
<b>(5) IF A TASK GROUP IS REQUIRED:</b>	
Start Date	
Completion date	
Chair	
PCP Members involved	
Co-opted members	
PCC and/or Officers of PCC required	
Frequency/number of meetings	
Date to report back to the PCP	
Estimated amount of PCP members' time	
Estimated amount of Support Officer time	
Estimated additional expenses eg travel costs, research commissioning and how will this be funded?	