



# **The Police and Crime Panel (PCP)**

**A review of the effectiveness of the PCP in its role  
of holding the Police and Crime Commissioner  
(PCC) to account**

**19 March 2014**

**Report of OSC**

## CONTENTS

1.0	Purpose of Report	3
2.0	Recommendations	3
3.0	Background	3
4.0	Conclusions	4
5.0	Members and Witnesses	6
	Appendix 1 Scoping Document	

## **1 Purpose of Report**

- 1.1 This is the report of OSC which looked at the effectiveness of the Police and Crime Panel (PCP) in its role of holding the Police and Crime commissioner (PCC) to account.
- 1.2 The scrutiny addressed the following questions:
- What powers does the PCP have to hold the PCC to account?
  - How does it exercise these powers?
  - How does it measure its effectiveness?
  - What changes would the PCP like to make it more effective e.g. structure, responsibilities, and membership?
- 1.3 The scoping document can be seen at Appendix I. The papers issued to members prior to the meeting and the minutes can be found at:  
[http://www.hertsdirect.org/your-council/civic\\_calendar/overviewscruity/18314065/](http://www.hertsdirect.org/your-council/civic_calendar/overviewscruity/18314065/)

## **2 Recommendations**

*For the Chairman of OSC*

- 2.1 To write to all Hertfordshire Leaders asking them to make the most appropriate Councillor a member of the PCP e.g. one with an interest in the area, time to attend meetings, and play a full part in the work of the PCP. (4.1)

*For the HCC PCP Representative*

- 2.2 To explore ways of increasing ,member and public attendance, interest and understanding in the work of the PCP (4.4)
- 2.3 To establish a work programme to scrutinise aspects of the PCC policing policy that can inform/provide advice and support to the PCC in the development and implementation of his policing policy and put in place resources to achieve this. (4.5)

## **3 Background**

- 3.1 The government brought changes to police governance and other measures by the Police Reform and Social Responsibility Act 2011 (the Act). The changes abolished police authorities and moved the responsibilities, with some changes, to newly created Police and Crime Commissioners (PCC) to

be directly elected by the residents of their police areas. The first election was held 15 November 2012 and the PCC assumed office a week later. All property and staff and budgets held in the name of the police authority transferred to the PCC.

- 3.2 The PCC is accountable to the electorate and the Chief Constable is accountable to the PCC, but this is not a line management role. The PCC, like the police authority before is responsible for holding the Chief Constable to account, ensuring that there is an efficient police service for the area and for setting the precept for the policing budget. The PCC also has a wider responsibility for community safety and victim support. The Chief Constable remains solely responsible for operational policing.
- 3.3 The Act also established for each PCC a Police and Crime Panel (PCP) with specified functions and a general function to review or scrutinise decisions made by the PCC and make reports or recommendations on the discharge of the PCC functions. All PCP functions must be carried out with a view to supporting the effective carrying out of the PCC functions.

## **4 Conclusions**

- 4.1 Members were advised that the PCP is a joint committee of all the major local authorities in the police area. It was established with specified functions and a general function to review or scrutinise decisions made by the PCC and make reports or recommendations on the discharge of the PCC functions. Membership of the PCP (in an area with more than 10 authorities like Hertfordshire) is one member for each authority appointed by respective authorities. In addition each PCP must appoint 2 co-opted independent members to better achieve the balanced appointment objective. Hertfordshire authorities have taken different approaches; some have nominated the Leader, others an executive member or a backbench member. The topic group noted that many of these members had no experience of the Police Service. They also expressed concern that a number of those nominated irregularly attend meetings, often without substitution resulting in a lack of continuity from meeting to meeting. There was also a concern that in certain circumstances portfolio holders could have a conflict of interest. Members felt that all local authorities should nominate members who are interested in this area of work, who will attend meetings and contribute to proceedings. Members noted that the PCP chairman is elected by the other members of the PCC and has to stand for re-election every year. A number of members felt that the term of office should be limited to two years in order to give others the opportunity to steer the PCP. (Recommendation 2.1)
- 4.2 Members heard of the powers the PCP has to hold the PCC to account. They noted that these were limited, primarily to question, recommend and comment i.e. to influence. However they were pleased to hear of areas where the PCP had made suggestions to the PCC which had resulted in changes/improvements such as statutory information the PCP is obliged to publish being collated onto a single site. Members were advised that the quality of the relationship between PCC and the PCP is good. Some

members expressed concern that at PCP public meetings the PCC appeared to dominate, though they recognised that the main purpose of the PCP was to hold the PCC to account so at any meeting he would have a central role. However they felt it to be important that members of the public be reminded that all questions should be put through the Chairman of the PCP who should then decide who should answer it/if the question was admissible as any relating to operational matters fall outside the remit of the PCP and PCC. They also noted that there had been no major crisis in Hertfordshire involving the PCP and PCC unlike the experience in a number of other areas.

- 4.3 Overall members were disappointed that the PCP did not have more powers over the strategic direction taken by the PCC but recognised that the original intention of the changes was to replace police authorities with a PCC held to account at the ballot box
- 4.4 Members welcomed the way in which meetings of the PCP rotated round the county and the opportunity afforded to members of the public to question both the PCP and PCC. They noted that the Home Office indicated it expected PCPs to be 'light touch' scrutiny and indicated that 4 meetings per year should be expected. Members were advised that in practice 4 meetings per year is sufficient to carry out the bare minimum of the specific statutory requirements subject to appointments being at convenient times of the year. They heard that in the first year 7 public meetings were held with limited attendance from members of the public. However the PCC commented that the attendance by the public was higher than attendance at the police authority meetings he chaired. They discussed other ways of increasing attendance/interest such as webcasting panel meetings. (Recommendation 2.2)
- 4.5 Members were advised that to date the committee had not set up any topic groups to scrutinise aspects of the PCC policing policy. They felt this was an important way for the committee to look in depth at policing in Hertfordshire and suggested that a programme of one day scrutinies be developed with follow up monitoring of the implementation or otherwise of recommendations. This would raise the profile of the PCP as well as providing a helpful challenge to support the PCC in the effective carrying out of his functions. Members recognised that this could increase the need for additional resources (support staff and meetings) which would require the support of all the Hertfordshire Leaders. (Recommendation 2.3)

## **5 Members and Witnesses**

### Members of OSC

Malcolm Cowan (Vice Chairman)  
Maxine Crawley

Fiona Hill  
Anne Joynes  
Robin Osterley (Parent Governor)  
Leon Reeve (Vice Chairman)  
Alan Searing (Chairman)  
Sandy Walkington  
Seamus Quilty  
William Wyatt-Lowe

Witnesses

Jessica Crowe	Chief Executive CfPS
Ray Hannam	Borough Councillor and Chair of the Hertfordshire PCP
Tony Hunter	North Herts District Council PCP representative
David Lloyd	PCC for Hertfordshire
Gavin Miles	Head of Legal Services, Broxbourne Borough Council and Clerk of the PCP
Peter Ruffles	County Councillor and HCC representative on the PCP

Officers

Tom Hawkyard	Head of Scrutiny
Nicola Cahill	Democratic Services Officer

**OBJECTIVE:**

To review the effectiveness of the PCP in its role of holding the Police and Crime commissioner (PCC) to account

**QUESTIONS TO BE ADDRESSED:**

1. What powers does the PCP have to hold the PCC to account?
2. How does it exercise these powers?
3. How does it measure its effectiveness?
4. What changes would the PCP like to make it more effective e.g. structure, responsibilities, and membership?

**OUTCOME:**

For members to have a greater understanding of the PCP and its relationship with the PCC

**CONSTRAINTS:**

The legislation created the PCPs to provide a light touch overview of the work of the PCC. As a consequence, its powers are limited and funding levels are insufficient to allow in depth scrutinies to be undertaken.

**EVIDENCE & WITNESSES:**

Gavin Miles	Head of Legal Services and Clerk to the PCP Broxbourne Borough Council
Ray Hannam	Chair Herts PCP
Peter Ruffles	HCC Rep on the PCP
David Lloyd	PCC Hertfordshire
Jessica Crowe	Chief Executive CfPS

**METHOD:** OSC whole Committee scrutiny

**DATE:** 19<sup>th</sup> March 2013

**MEMBERSHIP:** OSC members

**SUPPORT:**

**Scrutiny Officer:** Tom Hawkyard

**Lead Officers:** Tom Hawkyard/Gavin Miles

**Democratic Services Officer:** Nicola Cahill

**HCC Priorities for Action: how this item helps deliver the Priorities**

1. Opportunity to get the best out of life
2. Opportunity to share in Hertfordshire's strong economy
3. Opportunity to be healthy and stay safe
4. Opportunity to take part

**CfPS ACCOUNTABILITY OBJECTIVES:**

1. Transparent – opening up data, information and governance
2. Inclusive – listening, understanding and changing
3. Accountable – demonstrating credibility