



# HERTFORDSHIRE POLICE AND CRIME PANEL

## ISSUES ARISING FROM THE HOUSE OF COMMONS HOME AFFAIRS SELECT COMMITTEE REPORT ON POLICE AND CRIME COMMISSIONERS

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### RECOMMENDATIONS

That the Panel:-

- 1 Notifies the Police and Crime Commissioner's office that if notified of the suspension of the Chief Constable a report also be provided of the reasons for that decision with a view to the panel considering the matter at a meeting as soon as possible.
- 2 Requests the Police and Crime Commissioner's office to report to the July meeting of the panel its compliance with the publication of information and intentions as to future publication of information

### Purpose of Report

To provide the panel the opportunity to consider the findings of the House of Commons Home Affairs Select Committee's report and to request information from the Police and Crime Commissioner's office to meet some of the issues arising from that report.

## **Background**

The Home Affairs Select Committee considered evidence from Police and Crime Commissioners and Chairs of Police and Crime Panels in April and May 2013. The main areas of evidence taken were with regard to the holding of PCCs to account, their outside interests and public scrutiny. Other useful information was obtained and some of this is appended. The full report can be found at the following link:-

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/news/130523-pcc-rpt-published/>

## **Police and Crime Panel Review of the PCC Key Decisions**

The Select Committee considered that PCPs must meet urgently if the PCC has made key decisions that merit scrutiny. The principal example given in evidence was that a suspension of a Chief Constable with the ensuing operational issues and costs was not reviewed by the PCP. The chairman cited legal advice that it could not meet to consider the issue as the reason for the PCP not meeting (it is understood the chairman later advised the chairman of the Select Committee that this was not correct and in fact the advice was that the meeting may be difficult because sensitive issues may be under investigation). The Select Committee recommends that where a PCC proposes to use his power of suspension of the Chief Constable the PCP should meet as soon as possible to review that decision. In addition, the PCC should provide a written explanation of the reasons for their action. It is suggested that this recommendation should be followed. It must be noted that this will not necessarily meet the objective identified by the Select Committee of allowing public review of the PCC's action. It may be necessary for the meeting, or parts of it, to be held in private. It should be noted that the PCP's statutory role of reviewing a decision to require a chief constable to retire or resign must be carried out at a meeting held in private because of the personal or operational issues that might arise. It may be that this is necessary for a review of a suspension, but the rules as to when the PCP may meet in private or receive private papers are statutory so they can be applied at the time.

## **Comparison of the PCC's Staff, Office Budget and Outside Interests**

The Select Committee recommends to the Home Secretary that there should be a national register of PCC interests. In the absence of one, the Committee includes a comparison table which it has compiled. The table also includes details of staff in the PCCs' offices and there is additional information on precept levels. The table and the additional information is at Appendix 'B'. Naturally, the list is a snapshot at the point in time it was researched and it is already out of date, but the information appears helpful to the Panel in carrying out its role.

## **Publication of Information**

The Select Committee draws attention to the statutory requirement for PCCs to publish certain information to allow public scrutiny and the fact that a number of PCC's had not done so. In particular, it listed PCCs who had not published their budget information. Hertfordshire's PCC was included in the first list of those not having published (in fact only 10 PCCs had done so), but was found to have published by the time of the report (when 12

still had not). The Select Committee urged the Home Office to police this issue. The Select Committee identified in a useful table at Appendix C the information required to be published. Given the information allows public scrutiny and allows the panel to monitor the activities of the PCC it is suggested the PCP requests the PCC to provide to its July meeting a note of actual compliance with the list and proposals to improve compliance with target dates. In addition, PCCs are required to publish a list of key decisions. What is 'key' is not clearly defined and it is apparent that different PCCs are publishing a widely differing number of decisions. The number published by the Hertfordshire PCC is at the bottom end and it therefore appears appropriate to request the PCC to review the extent of decision reporting and to make a report on this as well.

### **Financial Legal and Risk implications**

None.