

## Briefing Note:

For: Portfolio Holder for Community and Voluntary Sector

### **Police and Crime Commissioners**

The Police Reform and Social Responsibility Act has now received Royal assent. This Act paves the way for the direct election of Police and Crime Commissioners (PCCs) for every Police Force in England and Wales.

The first elections will take place on 15th November 2012. Each PCC will be in post for a period of 4 years before requiring a new election (except the first post-holder who will only be in post for 3<sup>1</sup>/<sub>2</sub> Years).

PCCs will replace the local Police Authorities. The Government considers that a directly elected Commissioner will make the performance and priorities of the police more accountable.

There will be a mutual duty on PCCs and Local Crime Reduction Partnerships (CDRPs), (such as the Safer Wealden Partnership) to co-operate. Both will also have to have regard to each others priorities when drawing up the police and crime plan (in the case of the PCC) and the strategic assessments and community safety plans (in the case of the CDRPs).

However of particular importance is that all funding related to crime and disorder and related issues currently given to local authorities by the Home Office for tackling crime and to support CDRPs, will be re-directed to the PCCs, who will have the freedom to spend the money as they see fit.

In many ways the PCC will have the same role as the Police authority. Their main responsibilities will be to:

- Secure an efficient and effective police force for their area.
- Appoint the Chief Constable, hold them to account for the running of the force and if necessary dismiss them.
- Set the police and crime objectives for their area by producing a five year Police and Crime Plan (in consultation with the Chief Constable).
- Set the annual force budget and police precept, and produce an annual report setting out their progress against the objectives in the Police and Crime Plan.
- Contribute to the national and international policing capabilities set out in the Home Secretary in the Strategic Policing Requirement.
- Co-operate with the criminal justice system in their area.
- Work with partners and fund community safety activity to tackle crime and disorder.

It will be up to the PCC to decide what support they need to fulfil their role, though they have to appoint a chief of paid staff and a chief finance officer and will have the option of appointing a deputy police and crime commissioner. Initially existing police authority staff will be transferred to support PCCs, but the PCC will be able to decide whether to retain them after six months.

Although the PCC sets the local objectives for their force and holds the police to account, operational responsibility for the day-to-day work of the police remains with the Chief Constable.

Funding will come from a variety of sources including the police grant from the Home Office and the precept the PCC sets. In addition other grants from Government which have a community safety 'flavour', including the community safety fund, which currently goes to the County Councils to fund CDRPs, will be re-directed to the PCC to spend as they see fit.

### **Police and Crime Panels**

PCCs will be scrutinised by Police and Crime Panels, it is considered that these will increase the level of transparency around actions and decisions taken by the PCC.

Local authorities from across the force area are responsible for forming the Panels and they should appoint a lead authority for this purpose. In Sussex, East and West Sussex and Brighton and Hove City Council will have a minimum of one seat each and the district and borough councils in the counties will also have a minimum of one seat each (this will represent a change as previously the Sussex Police Authority did not enable districts and boroughs to take an active part). There will be a minimum of 12 Members and a maximum of 20 on the Panel.

The Panel will advertise and recruit a minimum of two co-opted independent members. And Panels can recruit more co-optees (either LA or independent) provided the maximum number does not exceed 20.

The nominated lead authority will be given £30,000 funding p.a. + on costs to administer and support the Panel, and each Panel Member will receive an allowance of £920.

The Home Secretary can appoint a Panel in a force area where local authorities do not.

Police and Crime panels will have a range of powers to provide a check and balance to the PCC, these powers include:

- Require the PCC or a member of their staff to attend a Panel to answer questions

- Request the Chief Constable attends to answer questions where it has already required the PCC to appear before the Panel.
- Appoint an acting PCC from amongst the Commissioner's staff if the Commissioner has resigned, has been disqualified from office, or is incapacitated or suspended.
- Veto the PCC's proposed precept if two thirds of the members of the Panel vote in favour of doing so.
- Veto the PCC's proposed appointment of a Chief Constable if two-thirds of the members of the Panel vote in favour of doing so.

### **Crime and Disorder Reduction Partnerships**

Local Crime and disorder Reduction Partnerships (CDRPs) have a duty to co-operate with PCCs and PCCs have a duty to co-operate with CDRPs.

When CDRPs draw up their Community Safety Plans and set their priorities they must have regard to the contents of the PCCs Policing Plan and the PCCs must have regard to local Community Safety Plans and priorities when they draw up their Policing Plans.

If two or more CDRPs wish to merge they can seek approval from the local PCC rather than obtain Home Office approval (which is the current process). However PCCs cannot require CDRPs to merge.

There are two possible clouds on the horizon for CDRPs:

1. The PCC will be in charge of all crime related funding, including that currently received by CDRPs from County Councils. The PCCs could decide not to allocate the local CDRPs as much money as they currently receive or could starve them of funding.
2. No-one knows who will become the local PCC, that will be up to the local electorate. There could be a chance that a candidate could be elected who does not care for, or realise the benefits of partnership working and have a very narrow focus on how to deal with crime and anti-social behaviour and divert all the money to policing. However it is worth noting that many surveys demonstrate that, when asked about feeling safe in their local communities, people claim that issues such as levels of litter, graffiti and the amount of dogs mess, still feature high on the list of their priorities.

Locally in East Sussex, following the recent review of community safety, there is a clear split between strategic and operational roles. This places the local

CDRPs and the cross county community safety arrangements in a good position to meet the forthcoming challenges and opportunities.

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