

Have you got what it takes?

To be transparent

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Important facts

Police and crime commissioners (PCCs) will have to publish information to allow the public to hold them to account. The Police Reform and Social Responsibility (PRSR) Act 2011 says what information PCCs should make available.

For this to be effective, Government has issued the Elected Local Policing Bodies (Specified Information) Order 2011 to make sure that the public have timely access to independent and clear information on the performance of their PCC. This will allow them, when they go to the ballot box to vote, to make their decision based on fact rather than rumour.

The information order has set a minimum evidence base – a specific set of information to be made available – for the public to use when holding PCCs to account. A consistent minimum evidence base will also allow the public to compare different police force areas.

The information order came into effect on 16 January 2012, on the same date the London Mayor's Office for Policing and Crime (MOPC) was introduced. Home Office officials are liaising with MOPC to assess how the information order is being put into practice in London, and will review it if evidence suggests that we can maintain transparency and reduce the burden on PCCs.

Background

The PRSR Act 2011 says that an elected local policing body (a PCC or the MOPC) must prepare and publish a police and crime plan (section 5 to 7) and an annual report (section 12).

Under section 11(1) and (2), they must also publish any information asked for by the Secretary of State. The Secretary of State may also make an order on how and when this should be published. You can find the details of the information we need to be published at: <http://www.legislation.gov.uk/ukxi/2011/3050/contents/made>.

In preparation for the Act, ministers were clear that they “took the view that the public need the information to be able to hold the person they have elected to account and the police and crime panel will need that information too” (Minister of State for Policing and Criminal Justice). Government is committed to promoting transparency, and this order confirms that commitment. This is because it will make sure that the priorities and workings of the PCC and MOPC and their offices are clear to the public. This covers not only their decision-making and financial dealings but also who they are and what they do.

The information order describes what information is needed to give the public the minimum evidence they will need to hold PCCs to account. The order will also make sure that PCCs provide consistent information across all areas of England and Wales, so that the public can compare the commitments and activities of PCCs across different police force areas. This brings them in line with the expectations placed on other public organisations as shown in the Department for Communities and Local Government's ‘Code of Recommended Practice for Local Authorities on Data Transparency’.

Separate guidance will be provided on the information the PCC is expected to make available. This guidance should be read alongside the information order and is there to make clear exactly what is needed in terms of content and also how often it should be made available.

More information

What kind of information is covered by the information order?

The information order will make sure that PCCs make available to the public information on:

- **who they are and what they do;**
- **what they spend and how they spend it;**
- **what their priorities are and how they are doing;**
- **how they make, record and publish their decisions;**
- **what policies and procedures govern the office of PCC; and**
- **public access to a register of interests.**

Why is the order necessary?

It is necessary because the public need independent, consistent and clear information on the performance and activities of their PCC. Transparency is essential to promote confidence in the elected PCC. A consistent minimum amount of evidence will also allow the public to compare the performance of their PCC with PCCs elsewhere. The risk in not stating, in legislation, what PCCs should publish is that some may not make available all the information that they need to be held fully accountable by the public. The information order is there to help PCCs to act in line with the expected behaviour of public-office holders.

How was the order drawn up?

It was developed using definition documents produced by the Information Commissioner's Office for local authorities, police authorities and police forces, taken alongside local-government information exemptions and the (then draft) Code for Recommended Practice for Local Authorities on Data Transparency, which was produced by the Department for Communities and Local Government.

What burden will this order place on PCCs?

The Government is confident that PCCs will be in a position to publish this information, as most of the information that the order says is needed is already a requirement for police authorities. We will work closely with partners in assessing how this order has been put into practice in London, and will alter the order before November if there is evidence to suggest that we can maintain transparency and reduce the burden on the PCC.

How will the information be made available to the public?

The Government fully expects PCCs to be able to meet the requirement in most, if not all, cases by publishing information on their website. Guidance on the order that will be given to PCCs will suggest examples of good practice in making information available. It will help to make sure that the information is made available online and in a way that is consistent with the principles of the Government's commitment to transparency. But the Government will not tie the hands of the PCC or MOPC by saying exactly how the information should be published. It may be a good idea to see information (particularly data) published in a uniform way, but this could prove impractical in some cases. The Government has made a commitment to transparency, and alongside this runs a commitment to reducing unnecessary burdens on partners.