

Police and Crime Commissioners
Transition Programme
Consultation Events (Deep Dives)
October – November 2011
Final Report

Executive summary

1. The Police Reform and Social Responsibility Act will bring about significant changes to the local policing and community safety landscape.
2. To assess the development of transitional programmes across the country the Home Office invited four police force areas with different local conditions to take part in an intensive consultation programme (“Deep Dives”), to identify the challenges, issues, and responses being prepared by local partners.
3. The consultation events took place in October and November 2011 in the West Midlands, West Yorkshire, South Wales and Leicestershire, with invaluable assistance from police, police authority and colleagues in each area. Each event included an intensive series of roundtable discussions and workshops with a broad section of local partners.
4. The sessions included:
 - i. High level round table meeting involving local authority chief executives, chairs and executives from police authorities, chief police officers, and leaders of councils;
 - ii. Round table meeting with chairs of community safety partnerships and other community safety and criminal justice partners;
 - iii. Round table meeting with chairs of local authority scrutiny committees and policy officers responsible for scrutiny;
 - iv. Workshop with community safety managers and other key partners, including the voluntary and community sector.
5. Overall, the challenges identified through the process fall broadly into three categories:
 - Police and Crime Panels (PCPs); their formulation; the level of funding; and the extent to which the panels would be able to scrutinise the work of the PCC.
 - Maintaining and building on the strong, effective relationships and partnerships that already exist: the discussions identified a general nervousness in relation to potential disinvestment given the PCC’s role in commissioning; and the impact on the provision of services for vulnerable individuals.
 - Communication: developing broader awareness and understanding of Police and Crime Commissioners.

6. The consultation events have helped inform the ongoing development of secondary legislation, guidance and information, which will be made available through regular mailings to partners, the Home Office website, and most importantly, a series of 17 events bringing together key representatives from across the community safety and criminal justice arena.

The Consultation Events

Introduction

7. The Government will establish the first locally elected Police and Crime Commissioners (PCCs) in November 2012. Forty two of the 43 police authorities will be abolished and in 41 force areas replaced with a PCC.
8. In establishing PCCs, the Government will transfer power and accountability to the public, and free up the role and function of chief constables and their police forces. The PCC will be directly responsible for the totality of policing within the force area to which they are elected; the PCC will ultimately be held to account by his electorate through the ballot box.
9. Home Office Ministers are clear on the mission for the police and their partners to work together to cut crime and protect the public. PCCs will introduce a radical new dynamic to the crime and justice landscape and will be instrumental in pursuing this mission.
10. Success will hinge on local leadership effort. To support this, the Home Office is providing a flexible framework for local co-operation by removing restrictions, setting duties to co-operate and supporting the locally-led rationalisation of the existing complex network of structures.
11. The Ministerial-led Home Office Transition Board commissioned a piece of work to better understand how partners and partnerships were preparing for the transition to PCCs: a series of consultation events.

The Methodology

12. The *consultation events* provided an opportunity for partner engagement across four police force areas in England and Wales and enabled the Home Office to consider how PCCs will operate and what this will mean for partners across the four regions.
13. The key areas that the Home Office were hoping to explore within the *consultation events* were:
 - The changes to the landscape that the introduction of PCCs will bring;
 - The challenges and opportunities the introduction of PCCs will bring;

- The early experiences of partners and partnerships preparing for the introduction of PCCs;
- The barriers that need to be addressed to enable the smooth introduction of PCCs.

14. The *consultation events* provided an opportunity to engage partners and help to consolidate their understanding of PCCs and Police and Crime Panels (PCPs). These events also helped the Home Office identify potential risks and learning points that could be addressed, and which we will be able to clarify further when disseminating findings from the *consultation events* across other force areas.

15. The West Midlands, West Yorkshire, South Wales and Leicestershire volunteered to host the *consultation events*. Each force area covers a significant number of local authorities; seven in the West Midlands, seven in South Wales and five in West Yorkshire. Leicestershire provided an additional dimension with both a two tier authority and the unitary Leicester City Council with an elected mayor, providing an insight into the potential challenges and opportunities that might arise when 11 cities across England (London aside) are given the opportunity to elect their own mayor in 2012.

16. Each *consultation event* consisted of four sessions and included:

- High level round table meeting involving chief executives and leaders from local authorities, chairs and executives from police authorities, and chief police officers;
- Round table meeting with chairs of community safety partnerships and a range of other criminal justice and health partners;
- Round table meeting with chairs of scrutiny committees and policy officers responsible for scrutiny;
- Workshop with community safety managers and other key partnership representatives, including voluntary and community sector.

(Individual interviews with chief officers from the Responsible Authorities were also offered if they were not able to make scheduled meetings).

17. Following each event, a short feedback session was held with key participants. A summary of the key points was then sent to the participating local authority leaders and chief executives, chief constables, chairs and chief executives of police authorities.

Outcomes from the Consultation Events

18. The following brings together the findings from each of the *consultation event* areas, and covers the major challenges that partners and partnerships will have to address to ensure a successful introduction of a PCC.

Key Challenges

19. The introduction of PCCs present a number of key challenges. In broad terms these are:

- i. Police and Crime Panels (PCPs); the arrangement and the operation of the panels; (paragraphs 22-28) as bodies that will scrutinise PCCs, not replace police authorities or act as force-wide community safety partnerships;
- ii. Maintaining and building on the strong, effective relationships and partnerships that already exist (paragraphs 31-45); and
- iii. Communication: developing broader awareness and understanding of PCCs (paragraphs 55-57).

20. Despite some concerns expressed about the principle of introducing PCCs, there was recognition of the need to focus on preparations now to ensure the new arrangements will work. Partners also perceived opportunities for efficiencies from streamlining existing structures and incentivising more effective joint commissioning.

21. Partners stated that they were having to manage a range of reforms, "*it's happening in 12 months and we have other priorities,*" and that the introduction of PCCs was only one of a number of challenges local partners are facing at present, citing health & wellbeing boards as presenting bigger challenges to local authorities in particular. Funding cuts and the myriad of reforms taking place across the local landscape were also vying for their attention at this time.

Police and Crime Panels

22. Police and Crime Panels (PCPs) were often the primary focus of the discussion *on establishing PCCs. The major concerns related to three distinct areas:*
- a. The formation of panels;
 - b. The role and procedure of the panels; and
 - c. The level of funding available from the Home Office.
23. In the main, the transition work on panels was being led in many places by chief executives and council leaders with some input from community safety teams. However local authority scrutiny officers felt that they had yet to be involved in discussions on the panel in some areas.

Formation of panels

24. Many senior officers and some councillors were relatively well-informed about legislative requirements regarding PCPs. However, there was a persistent call for the Home Office to produce a narrative on panels, setting out in clear terms expectations of the role and responsibilities of PCPs, host authority and panel members. It was noted for Wales that the narrative will need to reflect the devolved context.
25. Achieving a political and geographical balance was considered to be a major challenge, particularly where coalitions exist. In two tier authorities achieving a balanced representation between county districts and unitary authorities was likely to be the cause of some tension as districts significantly outnumbered unitary and county authorities yet had significantly smaller populations. Some modelling work had been undertaken but there were no examples where general agreement about balanced membership had been reached.
26. There was agreement that establishing shadow PCPs was worthwhile, however the proposed timings for establishing panels were felt to be ambitious. Initial suggestions to set up panels in June were viewed as impractical as there are local elections in May. July was proposed as an alternative although still viewed as challenging given the need for each authority to hold their post-election AGM and for each panel to consider top up membership.

Role and procedure of panels

27. Across all four areas it was asserted that local authorities have in place tried and tested approaches to scrutiny, and concerns were expressed about how 'light touch' scrutiny might be implemented. Requests were made for further clarification on several PCP processes, these were:

- Complaints procedures against a PCC;
- Procedures if the PCC and Chief Constable fail to agree a Police and Crime Plan;
- Potential liabilities of lead authorities and individual panel members.

Allocated funding

28. It was argued the current level of funding would not allow for in-depth research or rigorous scrutiny of the PCC. The level of funding being made available was strongly contested. Many suggested that there would need to be more than the 4 meetings a year used to calculate anticipated costs.

Wales-specific points

29. It was proposed that the Home Office in consultation with the Wales Transition Board give further thought to the mechanisms that need to be put in place to resolve any potential issues between the Home Office, Wales Government (WG) and local authorities.

30. Potential confusion was expressed around who would be responsible for holding community safety partnerships to account – PCC, or crime and disorder overview and scrutiny committees.

Partnership issues

31. In each of the four areas, there was a belief that there was a strong delivery system already in place, and existing models should be used to provide a basis for commissioning and future partnership working. Several participants noted the urgent need to develop the 'business case' for continued investment in key programmes.
32. In several cases, the dominance of one or two local partnerships within a force area was highlighted with participants noting that one city/district sometimes attracted high levels of resources and unequal attention. It was argued that the successful establishment of PCCs would require a 'force-wide' identity.
33. The policing and community safety landscape is viewed as complex and potentially confusing to a new entrant or any potential candidates not having a community safety or local public service background. Therefore it was suggested that consideration should be given to developing training for PCCs and PCP members in order to gain a working knowledge and understand policing.
34. In discussions with senior officials and leading councillors it was clear that whatever the local political complexion, there was a realisation that the legislation would have to be made to work and that would mean informal engagement with PCCs alongside the formal work of PCPs. A key risk identified was that if relationships between the PCC and policy leaders are poor, this would be *detrimental to the wider police / partnership relationships*. Several participants indicated that *PCCs will need to enrich rather than dilute positive work between partners*. The election of mayors locally will also need to be managed, and areas indicated they would welcome further communication on the dynamics of the relationship between a mayor and PCC. Across the Strategic Leaders session a strong commitment was expressed that partnerships will make this increased complexity work.

Partnerships and the CJS

35. Some concern was expressed around the meaning and detail of the two collaboration duties; in particular, partners were keen to confirm the specific legal aspect of the community safety partnership and criminal justice system (CJS) duties.

36. Partners noted that with the range of reforms there was significant potential for conflict, as a number of CJS agencies are being regionalised. Many partners were keen for more detail around how the CJS duty works across differing boundaries.
37. Participants cited multiple “localisms” being rolled out simultaneously and without apparent connection in health, policing and justice. Equally, some disinvestment and disengagement from the “local” decision making groups, now means that joining up with CJS and community safety partners will be more challenging.
38. A request was made for the Home Office and Ministry of Justice to consider further work on these challenges to mitigate against multiple localisms becoming a barrier to effective partnership working.

Community safety funding & commissioning

39. The commissioning role of the PCC was considered a significant issue. Two major areas of concern were:
- Transition funding arrangements in 2012/13. The timing of the November election raised issues around continuity of service delivery and contractual issues around staff;
 - The desire for coherence and layering of commissioning. Commissioning should not all be at force level and needs to avoid squeezing out the local dimension and the voluntary, community and social enterprise sector. In several areas participants voiced concerns about localism being as much about the neighbourhood as it is about individual local authority areas, and the sub-regional coverage of some police forces.
40. A strong preference was expressed for the PCC to allocate resources to local government on a formula grant basis – ensuring that each area receives a share of the available resource.

Vulnerable / priority groups

41. Concerns were expressed that resources may be directed to PCC’s ‘hot topics’ but risk overlooking vulnerable / high need groups (such as victims of domestic violence , drug misusers). Similarly successful programmes risk being de-commissioned or under-resourced

by an incoming PCC. Participants recognised however that local needs assessments and partner priorities would be just two considerations alongside PCC manifestos and national policing requirements.

42. At operational level, there are widely held concerns about future funding for Community Safety Partnerships (CSPs) - there was a strong view that the PCC would be focusing solely on crime as opposed to community safety and would therefore disinvest in partnership structures and programmes that are deemed by partners to be effective in tackling issues that are important to communities, as well as those that are less visible, such as those for drug misusing offenders and victims of domestic and sexual abuse.
43. Partners would welcome more detailed information on the principles for the PCCs' crime and commissioning role. They argued that this wider framework around the role would be vital to bring in a wider range of partners and would help raise the significance of community safety priorities.
44. It was viewed as essential for example that the PCC interact with the emerging health landscape, particularly health and wellbeing boards, as these were seen as key to informing commissioning. In Wales, PCCs would need to build relationships with local health, social care and wellbeing boards.
45. It was argued that the general principle of collaboration and shared ownership underlines the development of many programmes, and that the ability of the PCC to award grants directly to organisations may dilute this.

Communications

46. Overall awareness and detail of the role of the PCC and functions of the PCP across the *consultation event* areas was varied. Some partners - particularly those at a more operational level - had limited information on PCCs and the potential impact they may have on their work.

Information for partnerships

47. Partners across all sessions emphasised a number of specific communication needs:
 - Information to be more widely available to all partners on PCCs, and PCPs;
 - More clarity on the principles informing the PCC's crime and commissioning role;

- Further detail on duties to co-operate, lines of accountability;
- Consideration to be given to how locally or nationally the profile of the community safety agenda can be raised to inform the public and the electorate to mitigate against single issue candidates and marginalisation of more vulnerable priorities;
- More needs to be made of existing effective practice already in use that partners can complete in preparation for PCCs (e.g. Drug Interventions Programme Impact Toolkit; Integrated Offender Management Value for Money Toolkit);
- Clarity on what funding streams would be passed to the PCC.

Overall Impressions of “readiness”

48. While there wasn't a uniform response to the introduction of PCCs, the variation across the four areas taking part in the *consultation event* wasn't significant. Police forces and their authorities in each of the four areas had embarked on a transition programme - albeit at a strategic level. The voluntary, community and social enterprise sector consistently appeared to be well-informed about the introduction of PCCs when *compared to other* local partners. It would appear that national voluntary sector umbrella groups had been effective in disseminating relevant information.
49. There was still some “disbelief” expressed that PCC will actually happen (the Police Reform and Social Responsibility Act had only recently been enacted) and therefore PCC preparation was not seen as an immediate priority; which explains the lack of urgency presented by some of the areas. Police reform is only one of a series of changes to the local landscape and as mentioned above, some saw other reforms as having a far greater priority and reach.
50. It should also be noted from the frequency of comments being made, that some partners felt that it was difficult to prepare or it was hard to know what to do until they knew who the PCC or candidate was. There was clearly an underlying belief that until information on candidates and/or their manifestos is published, they found it difficult to work out how to present their briefings or ‘business case’. Some saw the possibilities, but not the actual processes to get there.
51. There is no doubt that disinvestment was a significant factor in partners/partnerships being able to prepare for PCCs. Some partners are already cutting staff due to general budget reductions and feared that PCCs may accelerate cuts to community safety partnerships. This was more pronounced amongst participants from lower tier authorities.

Preparing for the Introduction of PCCs

Transition Boards

52. As indicated above, transition boards are in place in all the *consultation event* areas. It was unclear to what extent all relevant partners were fully involved in considering what briefing might be made available for candidates, what induction material might need to be made

available post-election or what might need to be done locally to help prepare the first PCC Police and Crime Plan which must be published by 31 March 2013. Preparations are at an early stage and currently at a strategic level. Some partners working at more tactical levels in community safety and criminal justice are not yet aware of the scope of this work. Feedback suggested that transition boards were currently focussed on the 'mechanics' of transitioning to the new arrangements. The next stage of preparation will consider the duties to collaborate / co-operate with criminal justice and community safety partners. We understand that one of the current priorities for some of the transition boards is to extend membership to a wider group of partners.

What do local partners need to do?

53. All of the local areas had embarked on programmes which will help in establishing PCCs.

The following are key findings from the work already undertaken by local areas:

- i. Take action now – be proactive. Although we found some isolated pockets that still held the notion that PCCs won't happen, the majority of agencies realised that a number of issues and challenges needed to be worked through and solutions put in place;
- ii. In all areas transition boards were in place and should lead on the dissemination of information to key partners and potential candidates. Transition boards should consider developing their representation to include all partner agencies from the community safety field;
- iii. Information should be disseminated across all levels of partnerships, and tailored to audiences. Thought should be given to preparing local level induction/training packs on PCCs, and Police and Crime Panels;
- iv. Developing force-wide strategic needs assessment and analysis which includes recognition of individual local authority areas was seen to be a sensible move;
- v. Establishing and building relationships with other partnerships across the force area is crucial;
- vi. Review current delivery structures and their effectiveness;
- vii. Map how the duty to co-operate works in an area across all partnership areas of work .e.g. community safety/CJS/health;
- viii. Develop business cases for sustaining activity/new activity and identify risks in current delivery system that clearly identifies effective practice across areas;
- ix. Commission structures to communicate and engage with PCC and communities.

What does the Home Office need to do?

54. Participants highlighted a number of areas which the Home Office will need to give further consideration to, both in terms of communicating specific information around PCCs, and making available support for areas to help provide for the most effective landing of the PCC.

Information and Communication

55. The Home Office needs to further develop its communication strategy for both pre- and post-PCC elections, across a range of partners, given the breadth of questions regarding PCCs from a wide variety of sources. More information needs to be provided particularly in relation to PCPs, and funding, and the direction of future funding. (A Communications Strategy is under development and delivery of key components has commenced including a series of 17 partner events across the country early in 2012. These partner events will provide an opportunity to assist in preparing areas in England and Wales that were not involved in the consultation events for the transition to PCCs. The partner events will be informed by issues arising from the consultation event sessions.)
56. The Home Office should develop a FAQs document to be published on the department's PCC website (material is now being regularly published on the HO website – see <http://www.homeoffice.gov.uk/publications/police/police-crime-comms-bulletin/>). A Wales-specific bulletin is also published that reflects the devolved context. Additional information can be sought through the PCC inbox pccpartnersenquiries@homeoffice.gsi.gov.uk. This will be monitored and responded to on a frequent basis).
57. The Home Office should play a part in trying to mobilise other sector leaders at a national level to advise partners on responses to the introduction of PCCs. (The HO has been working with the Centre for Public Scrutiny, national voluntary sector umbrella organisations, the Association of Police Authorities and the Association of Police Authority Chief Executives. The Local Government Association, the Welsh Local Government and other agencies are involved in relevant PCC transition boards and provide information and assistance to local authorities).