

**Committee Manager:** Amelia Christopher  
**Telephone:** 020 8213 2838  
**Email:** [amelia.christopher@surreycc.gov.uk](mailto:amelia.christopher@surreycc.gov.uk)



## **Surrey Police and Crime Panel**

### **Home Office PCC Review – Views on key issues:**

- **Panel powers**

PCPs do have a substantive remit to hold the elected Police and Crime Commissioner to account and seek to work in a constructive manner with the post-holder with a view to supporting the effective exercise of his/her functions; acting as a critical friend. PCPs have important decision-making powers in that it can veto the precept and the chief constable appointment. The PCC attends every panel meeting in order to provide answers posed by the Panel and the public.

- **Complaints role**

The only issue is in the Panel/Sub-Committee's handling of those minor complaints where Panel Members feel they should be able to ask for clarification on documents submitted by the Complainant or the PCC prior to the Complaint adjudication Meeting i.e. Sub-Committee.

There remains a question of the value provided by a Panel/Sub-Committee in handling complaints with limited powers if it the case that they should be given an investigatory role versus the role to informally resolve complaints with regard to conduct failure via a number of actions i.e. letter of apology. However, in accordance with the 2012 Regulations we concur that the Sub-Committee should not have an investigatory role into complaints as bodies such as the IOPC (Independent Office for Police Conduct) which investigates serious incidents and the Independent Police Complaints Commission (IPCC) investigates criminal complaints or conduct matters can provide professional and independent expertise; whilst the Sub-Committee has the responsibility to informally resolve noncriminal complaints about the conduct of the PCC/criminal complaints referred back from the IPCC.

- **Panel membership and churn**

Often a regular turnover as a result of staggered local elections raises the challenge of consistency and re-running induction sessions. Difficulties with attracting a large pool of applicants to the roles of independent co-opted member when they stand down.

- **Role of panel chair**

Rules of procedure on the chairman's role and support of the committee clerk is provided.

**Committee Manager:** Amelia Christopher  
**Telephone:** 020 8213 2838  
**Email:** [amelia.christopher@surreycc.gov.uk](mailto:amelia.christopher@surreycc.gov.uk)

- **Experience of PCC scrutiny in the fire/mayoral context**

N/A

- **Local Recovery and Devolution White Paper**

How will the change of a county council to a possible unitary authority affect the current panel arrangements i.e. one elected councillor from each borough and district council, the sizing implication of a new PCP in a unitary authority and what are the implications of the change on the upcoming 2021 local elections?

### **PCC Review: Part-one – Response to Local Government Association’s (LGA) Key Research Questions (Annex A)**

- 1. How to reinforce and sharpen the accountability of PCCs to the communities they serve, including how to raise the profile of the PCC model and improve the ease with which the public can access information about their PCC.**

- i) How effectively do PCCs engage the public?**

Our current PCC is quite proficient/has staff in the OPCC who are, in social media (Facebook/Twitter) and holding public events. Regular 'Policing Your Community' Engagement Events are held in public by the PCC and now virtually due to Covid-19.

- ii) How do we ensure the public can more easily hold their PCC to account at the ballot box, for reducing crime and delivering an effective and efficient police force?**

Reduce the political nomination power by giving each candidate sufficient grant to sell themselves at an election or enable each to have a pre-election web page.

Need to raise public understanding of the role of the PCC in order to increase the turnout at elections to ensure legitimacy and effective representation.

- 2. How can we ensure that PCCs have sufficient resilience in the event that they cannot undertake their role, by considering existing arrangements for appointing Deputies?**

- i) Is the current model resilient enough to ensure to hold up when things go wrong?**

We believe that every PCC should have a Deputy. For example, in our case the CEO (expected Deputy) went on maternity leave and was replaced by an Interim CEO which meant that we would have been in trouble if COVID-19 or other issues arose.

**3. How to improve the current scrutiny model for PCCs, including the provision of common quality standards and considering the role of Panel chairs.**

**i) Are the right checks and balances in place to make PCC-led accountability work?**

The Police and Crime Panel (PCP) is elected except for two independent co-opted members. Possibly have funds for part time scrutiny officer to investigate more issues or concerns, to facilitate an in depth focus on scrutiny and panel member training.

**ii) Do police and crime panels have the right skills, tools and powers to hold PCCs to account?**

As above plus could have wished for a larger pool of Independent members to choose from where skills might have been fitted in – difficulty in attracting candidates.

Recognise the invaluable role of the LGA and NAPFCP in aiding scrutiny and providing training to panel members.

**iii) Should a system of recall be introduced for PCCs, and if so, what should be the trigger mechanism?**

Most likely yes but would need various milestones to be met - crime, scandal, misconduct, ill health with right of Appeal to Home Secretary.

**4. The effectiveness of the current PCC and Chief Constable oversight dynamic, including consideration of the process for the suspension/dismissal of Chief Constables and reviewing the Policing Protocol.**

**i) Are PCC powers around the removal and appointment of chief constables correctly calibrated?**

Power to remove is sufficient, need transparency and selective process to prevent appointments where a single in-house applicant is below the mark for position. Also other Force experience at Assistant or Deputy Chief Constable level should be mandatory for a proposed Chief Constable.

**ii) Is the balance right in the PCC/CC relationship? And what changes might be needed to the Policing Protocol?**

Yes, as the Policing Protocol Order 2011 sets out to all Police and Crime Commissioners, Chief Constables, Police and Crime Panels how their functions will be exercised in relation to each other. Point **35** of the Protocol: “The PCC and Chief Constable must work together to safeguard the principle of operational

independence, while ensuring that the PCC is not fettered in fulfilling their statutory role.”

It would be useful to focus on point **43** of the Protocol and any conclusions made by the Home Secretary on the stated periodic review: “The Home Secretary has a duty to issue the policing Protocol, to which all parties must have regard when discharging their functions. **This Protocol will be subject to periodic review, in particular during the first term of office of the first PCCs.**”

<https://www.legislation.gov.uk/ukxi/2011/2744/made>

**5. Whether any steps are needed to strengthen accountability or clarity of roles within the mayoral PCC model, learning from the transfer of PCC and Fire & Rescue Authority (FRA) functions to mayors.** (Local Recovery and Devolution White Paper)

- i) **What do you see as the strategic benefits of having a single, elected and accountable leader, who is responsible for a range of public safety functions?**
- ii) **What are the opportunities and issues with transferring PCC and FRA functions to mayors?**
- iii) **What are the lessons learned to date from transferring PCC and FRA functions to mayoral models?**

A model in which a mayor is elected but then they can use an unelected politician in the PCC/PFCC (FRA) role is suspect; so they should probably not have the final say on appointment, removal or the Annual Crime Plan etc.

One accountable directly elected leader will have to make decisions on the range of public safety functions, as opposed to a system with devolved powers and knowledge of the specific position and its terms of reference.

**6. How we set out our long-term ambition on fire governance reform ahead of the May 2021 PCC elections.**

- i) **What are the benefits and challenges of the current model for transferring fire governance to PCCs?**

Benefits - cost saving, (single employer etc) value for money, public view on Fire Plan ensuring accountability and transparency.

Challenge - strategic not operational; PFCC would need two experts, would reduce the management of Police and affect crime plans.

- ii) **How can we strengthen the accountability and transparency of fire governance?**

Use the HMICFRS/HMIP inspection and reporting system to improve service and value for money.

**iii) How can we strengthen and clarify the distinction between strategic and operational planning in fire?**

Fire experts could provide this, will need to consider the role of County Councils as the fire authority with the transferral of powers to the new PFCC.

**iv) Could governance change help maximise collaboration between policing and fire?**

Would assist with the overlapping services - blue light, control rooms, major incident planning and implementation.

**v) What are the benefits of having a range of services and strategic planning under one elected individual?**

The ability to integrate services, strategies and achieve value for money and savings.

**N.B:**

**The following areas are explicitly out of scope for part-one:**

- Wholesale reform of the existing scrutiny model through Police and Crime Panels
- Consideration of PCCs' role in reoffender management and wider justice devolution
- Substantive electoral reform (Cabinet Office lead)

Neither Part one nor Part two of the review will consider a wholly new governance model for policing (mayoral devolution aside) or examine the 43 police force model.

This page is intentionally left blank