

06 August 2020

Dear Colleagues,

Review of the role of Police and Crime Commissioners – APCC Call for evidence

As you know, the Government announced its Review of the role of PCCs on 22nd July ([Written Ministerial Statement 22/07](#)). This is part of the Government's manifesto commitment to strengthen the accountability of PCCs and expand their role. The Terms of Reference for Part 1 of the Review are attached again for information at Annex B.

The Government has set up an advisory group to support the Review, with 4 PCCs (Paddy Tipping, Roger Hirst, Martin Surl and Katy Bourne) amongst its members. The Home Office team leading on the review will shortly be undertaking a number of stakeholder interviews with individuals and groups, and as a part of this will be running regional engagement events with PCCs and OPCCs. Dates for this will be announced shortly.

The timescales for the review of very tight, with the Home Office review team seeking to complete their work by late September, ready for consideration by ministers and announcements later on in October.

Whilst PCCs can make individual responses to the Review, we would want to encourage all PCCs and OPCCs to contribute to an APCC submission. This will give us an important opportunity to provide a comprehensive submission to the Government, setting out the case for the impact PCCs have made and continue to make locally and nationally, including examples of the positive work you are all engaged in and an opportunity for us to present the case for where we think changes and improvements can be made including developing the role.

Attached to this letter at Annex A are details on our APCC 'Call for Evidence'. This links directly to the Terms of Reference for stage one of the Review and includes 7 themes with specific questions attached to them where we are seeking PCC / OPCC input, ideas and responses. We would be grateful if you could come back to us with responses to the questions posed (as well as any other evidence or input that you may want to make) by **Friday 11th September**. We realise timescales are tight and know how busy everyone is at the moment, but we would ask that you and your teams give this your urgent priority as it is critical that we have a strong body of evidence to inform our submission.

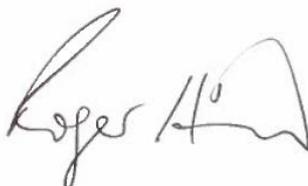
Thank you in advance for all your help and support with this.

If you have any questions, please do contact us.

Yours,



Paddy Tipping
Chair of the APCC and
PCC for Nottinghamshire



Roger Hirst
Vice Chair of the APCC and
PFCC for Essex



Martin Surl
Vice Chair of the APCC and
PCC for Gloucestershire

ANNEX A: APCC submission to the PCC Review: 'Call for Evidence' to PCCs and OPCCs

Below we set out the questions asked by the Home Office PCC Review team, followed by the types of examples, evidence, case studies and responses we are seeking from PCCs / OPCCs to inform our APCC submission.

We would be grateful if PCC / OPCCs could provide responses on the below to the APCC by Friday 11th September. We will then collate them to inform the APCC submission to the PCC Review. Many thanks.

Please send responses plus any questions you may have to chloe.butcher@apccs.police.uk.

Review of PCC Role: APCC Call for Evidence

Transparency and accountability:

1) *The PCC Review asks: **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? 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?*

APCC response: In responding, we are seeking the following:

- **Public engagement: Examples of how PCCs proactively engage with their local communities:** Evidence to include how PCCs undertake public and community engagement – both in person, virtually and through social media etc; quantitative and qualitative data to evidence levels and types of engagement; case study examples to bring this to light; examples of how PCC engages with diverse communities; public engagement in development of Police and Crime Plan priorities; use of public surveys to inform priorities around policing and community safety etc
- **Transparency and accountability: Examples of how the public hold their PCCs to account:** Evidence to include examples / case studies of the wide range of channels that PCCs use to deliver transparency and enable the public to ask questions of them and hold them to account for delivery. To include: PCC websites as proactive, accessible platforms to inform and engage public and partners; accessibility of information; publishing performance information and data on how PCC holds CC to account; live webcam events where public can ask questions of PCC; publishing of data to evidence progress against Police and Crime Plans etc; Delivery against requirements of statutory information order etc.
- **Profile of PCCs:**
 - **Current: Examples of how the profile of the PCC has grown and developed:** To include quantitative and qualitative data (media etc); evidence of engagement with public and partners (see also Q above);
 - **Moving forward:** What else do PCCs / OPCCs think would help to raise the profile of the role of PCCs nationally as well as locally ready for the May 2021 elections.

Additional information request for the Home Office:

- 1) Statistics on average PCC mailbag (inc electronic) monthly (or similar)
- 2) Website hits/visits
- 3) Anything you have on transparency comparisons with Police Authorities (i.e. level of public engagement etc).
- 4) Own public awareness surveys (comres etc)
- 5) Info on your OPCC office size and costs

Resilience and role of Deputy PCCs:

2) The PCC Review asks: **How to 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 hold up when things go wrong?

APCC Response: In responding, we are seeking the following:

- **Role of Deputy PCCs:** To what extent do you think the role of Deputy PCCs helped to provide resilience to PCCs over the past 8 years? Can you provide examples / case studies of where this is the case.
- Do you think that the role of DPCC should be mandatory and that every PCC should have one?
- **Wider resilience:** Are there other ways of providing PCC resilience that could also be considered and if yes, can you provide examples.

Additional information for the Home Office: Please clearly state whether your PCC has a deputy.

PCC Scrutiny and Accountability

3) The PCC Review asks: **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?

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

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

APCC response: In responding, we are seeking the following:

- **Effective working between PCCs and PC panels:** Can PCCs / OPCCs provide examples of really effective working between PCCs and PC Panels including where Panels have delivered effective support and challenge to PCCs (case studies etc).
- **Panels not functioning as effectively as they need to:** can PCCs/OPCCs provide examples of what is not working well, and how they suggest this could be improved
- **PC Panels - Looking forward:** How do PCCs / OPCCs think the work of PC Panels could be improved, including work around guidance, training, skills development etc.
- **Power of recall:** Do you think that a system of recall should be introduced for PCCs? If so, what should be the trigger mechanism and how should it work? If not, what would be your reasons against it / suggestions for what other mechanisms could work.

PCCs and Chief Constables

4) The PCC Review asks: **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?

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

APCC response: In responding, we are seeking the following:

- **Recruitment of CCs:** Can PCCs / OPCCs provide examples of how the role of PCCs has increased the visibility, openness, transparency and effectiveness of the CC recruitment process. Could PCCs who have recently recruited CC give examples of how they went about this process.
- **Dismissal of CCs:** Do PCCs feel that the current arrangements around dismissal of CCs including section 38 work effectively. Can PCCs / OPCCs provide example of where current processes have worked effectively. Are there any risks associated with changing it?

- **PCC / CC relationship:** Do you think the balance is right in the PCC / CC relationship? Is there anything that needs to be changed to improve it? Can you provide examples of where relationships between individual PCCs and CCs are working well, including how 'holding to account' is delivered by PCCs using both challenge and support;
- **Policing Protocol:** Do you think the Policing Protocol ([link](#)) effectively captures the key elements of the relationship between PCC and CC. Is there anything that should be added or changed to improve it.

Mayoral PCC Model

5) *The PCC Review asks: **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.** This will lay the foundations for our longer-term ambition to increase the number of mayors with responsibility for public safety, which will be outlined in the forthcoming Local Recovery and Devolution White Paper.*

- 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?*
- What are the opportunities and issues with transferring PCC and FRA functions to mayors?*
- What are the lessons learned to date from transferring PCC and FRA functions to mayoral models?*

APCC response: In responding, we are seeking the following:

- What do you see as being the key **opportunities, issues and risks** with transferring PCC and FRA functions to Mayors?
- Are there specific **elements or principles** you feel must be included in any transfer of PCC functions to a Mayor?
- What are the **lessons learnt** to date from MOPAC and Greater Manchester?

Fire Governance

6) *The PCC Review asks: **How we set out our long-term ambition on fire governance reform ahead of the May 2021 PCC elections:***

- What are the benefits and challenges of the current model for transferring fire governance to PCCs?*
- How can we strengthen the accountability and transparency of fire governance?*
- How can we strengthen and clarify the distinction between strategic and operational planning in fire?*
- Could governance change help maximise collaboration between policing and fire?*
- What are the benefits of having a range of services and strategic planning under one elected individual?*

APCC response: In responding, we are seeking the following:

- PCC / OPCCs views on the **benefits and challenges of the current approach** for transferring fire governance to PCCs (i.e. local business case) – including examples of where there have been significant challenges and risks with this approach, as well as where it has worked well.
- PCCs / OPCCs views how to **strengthen accountability and transparency** of fire governance? To include examples from PFCCs of where the single PFCC governance model has worked effectively and the benefits it has delivered; as well as views more widely.
- PCCs views on how we can strengthen and clarify the **distinction between strategic and operational planning** in fire and rescue?
- PCCs views on how governance change can help **maximise collaboration** between policing and fire.
- PCCs views on benefits of having a range of services and strategic planning under **one elected individual**.

Preparing for Part 2 of the Review:

7) *The PCC Review also asks: **In helping us prepare for Part Two, we are also interested in understanding if the levers currently available to PCCs are sufficient to allow them to cut crime effectively in their force areas.***

APCC response: In responding, we are seeking the following:

- Looking ahead to part 2 of the Review, what **other levers** would PCCs want to have to help improve their ability to cut crime in their area. This could include things such as: General Power of Competence; statutory role on LRFs; expanding role in CJS etc. Please give examples and why.

Please note: 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)

To note:

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.

ANNEX B: Review into the role of Police and Crime Commissioners: Terms of Reference for part-one

Purpose

The purpose of the two-part review, as set out by the Minister for Crime and Policing, is to consider how the role of Police and Crime Commissioners (PCCs) can be sharpened and expanded in line with our overarching ambitions in respect of Mayoral devolution.

Objectives

The totality of the review will consider how the PCC role has developed over the past eight years and provide recommendations as to how the existing model may be improved through a future reform programme, which also ensures consistency with the Government's mayoral devolution agenda.

Part-one of the Review will be an internal review considering the following:

- 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.
- How to ensure that PCCs have sufficient resilience in the event that they cannot undertake their role, by considering existing arrangements for appointing Deputies.
- How to improve the current scrutiny model for PCCs, including the provision of common quality standards and considering the role of Panel chairs.
- How to share and embed best practice among PCCs.
- 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.
- Whether any steps are needed to strengthen accountability or clarity of roles within the Mayoral PCC model; reflecting the direction of travel for mayoral devolution.
- How we set out our long-term ambition on fire governance reform ahead of the May 2021 PCC elections.

Outputs

The review team will report on part-one by October 2020 which will inform the Government's priorities for pre-May 2021 PCC model reform. The report should provide recommendations on improvements which could be made to the PCC model, including any legislation which may be required to achieve them. Any recommendations should be evidence-based and proportionate, with consideration given to their possible implementation and impact on the model.

Scope

The review should consider the role of PCCs as set out in the Policing and Social Responsibility Act 2011 and will not consider a wholly new governance model for policing (mayoral PCC transfers aside) or territorial structures. The review may consider interdependencies of the model with wider reforms to law enforcement or public services where relevant, although any reforms which cut across ambitions for the transfer of PCC functions to mayors will be out of scope.

Governance

The review team will be accountable to the Head of Unit for Police Strategy and Reform, who will report to the SRO (Policing Director) and provide strategic oversight to the work programme. There will be strong working level links to the Fire Strategy and Reform Team to ensure work complements the fire reform programme. This element of the programme will be led by the Head of Fire Strategy and Reform Unit and report to the Fire and Resilience Director. The Review programme will be ultimately accountable to the Home Secretary.

Timing

The final part-one report, including recommendations, must be submitted to the Secretary of State by October 2020. This will allow Ministers to consider the report's recommendations ahead of the agreed package of reform being brought to the National Policing Board, with a view to final cross-Government agreement being in place so recommendations can be taken forward prior to the pre-election period for PCC elections (end March 2021).

Methodology

A time-limited internal review with rapid evidence gathering (including public polling/focus groups, consultation with key sector stakeholders and other departments (plus a review of existing secondary sources) and development of potential legislative options. The Review Team will also engage with the Advisory Group throughout the review as recommendations are being developed.

Stakeholder Engagement

We will engage a sample of citizens and local/national victims' groups through polling/focus groups, as appropriate, and stakeholders within the sector, during part-one of the Review.