

Police Restructuring

Decisions

1. *Members views are sought on the proposed LGA model of BCU-level accountability as outlined in paragraphs 4-21 (**attached** as Appendix 1 is a diagram illustrating the LGA model).*
2. *Members are asked to agree that the LGA take forward the work set out in paragraph 22.*

Action Required

3. *LGA model to be submitted to the Home Office.*

Action by: *Safer Communities Board team*

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16 January 2006

Police Restructuring

Summary

1. *This report informs members of the progress made on responding to the government's proposals for police restructuring since the last Board meeting. The paper outlines the proposed LGA model of BCU-level accountability.*

Background

2. *The White Paper Building Communities, Beating Crime: A better police service for the 21st century published in November 2004 gives a clear commitment to both neighbourhood policing and enabling the local community to help determine local policing priorities. In the LGA response to the White Paper, we supported the closer involvement of local authorities in policing issues and welcomed the recognition of the complexity posed by two-tier working. Subsequently, the HMIC report Closing the Gap concluded that the current 43 force structure is no longer 'fit for purpose' in dealing with serious organised crime and terrorism. At the same time, it states that BCUs and neighbourhood policing provide 'a solid local platform for the future...'*

The government has given the LGA reassurances that they remain committed to the principles of democratic accountability and responsiveness to community needs as set out in the White Paper, and that these principles will not be undermined by any new arrangements.

At the last Safer Communities Board meeting on 14 November, the Board considered a paper outlining the government's proposals for reducing the number of police forces. Members agreed that work on governance models be undertaken based on the principles outlined in the paper considered at the 14 November meeting and the ensuing discussion.

The LGA wants to ensure that under the new arrangements, the police are accountable to the communities they serve. We have therefore set out a proposed model of BCU accountability building on the governments' statements outlined in both the White Paper and Closing the Gap.

Actions since the last Board meeting

- *LGA officers have met with the APA officers*
- *John Giffard, Director, Police Structures Review Unit spoke to a meeting of Strategy and Finance Policy Review Group on 24 November*
- *Officers have continued to attend meetings of the high-level Home Office Police Force Structures Steering Group*
- *The LGA wrote to MPs in advance of the Parliamentary debate on Police Restructuring on 19 December setting out the LGA view, and issued a press release to coincide with the debate*
- *No police authority submitted a full business case on the proposed force mergers in time for the Home Office deadline of 23 December. The APA said that it had demanded assurances from Government on key issues such as funding, local*

accountability and timescales, before it could advise police authorities to consider voluntary mergers. The LGA although not formally invited to submit proposals, wrote to the Home Secretary setting out the principles that we would like to see incorporated in the new arrangements

- *LGA officers have developed a proposed model of BCU-level accountability which has been submitted to office holders*
3. *This BCU accountability model has been developed following consultation with Board Office Holders, extensive discussions with LGA advisors and meetings with senior officials at the Home Office.*

Proposed Model of BCU-level Accountability

Introduction

4. *There is a danger that the new strategic police forces will be too remote from the communities they serve and that the relationship between local areas and the police may be damaged. There is also widespread concern amongst Chief Constables, MPs and others about the loss of local accountability. The key to preventing this is strengthening the relationship between communities and the police at both BCU and Neighbourhood levels. Strengthening the role of BCUs will require greater accountability of the police to members of the communities they serve. Currently BCUs are not formally accountable to the communities they serve. Under the LGA's proposed model, police officers would retain operational line management responsibility, so BCU Commanders would remain operationally responsible to the Chief Constable. BCU Commanders would however be held accountable to the communities they serve through a democratically representative body.*

LGA Vision

5. *The LGA's proposed model of BCU accountability is based on the following vision:*
- *Police services that are accountable and responsive to the communities they serve*
 - *Communities that have the opportunity and capacity to set community safety priorities and determine policing policy at all levels*
 - *Recognition of the crucial role of local government in achieving sustainable reductions in crime and anti-social behaviour and enhancement of the role of councils in recognition of their role in creating safer and stronger communities*

This corresponds with the LGA's overall vision of independent self-governing communities. It expands on the actions set out in the September 2005 publication the next four years for the devolution of power to local people so that they have a greater say in what happens in their area, and of councils providing the democratically-elected leadership to steer all public services to meet local people's priorities.

Why Accountability?

6. *Currently BCUs are not formally accountable to the communities they serve. The proposed model would see more powers delegated to BCU Commanders, making the need for accountability even greater.*

7. *There has been discussion around the issue of ‘answerability’ and ‘accountability’ with the Home Office appearing to lean towards a lesser role of ‘answerability’ for the new BCU-level body. However the LGA believes that BCU accountability is important:*
- *For it’s own sake*
 - *To ensure that new strategic police forces are not remote from communities*
 - *To ensure that communities get the outcomes they deserve*
 - *To ensure that police and other partners are delivering on objectives they set*
 - *To give public greater input into priority setting*
 - *To improve public satisfaction with police*

New BCU-level local accountability body and BCUs

8. *Under the LGA’s proposed model, the role of BCUs would be enhanced, with BCU Commanders gaining greater autonomy over budget setting and priority setting, which they would do in conjunction with the Crime and Disorder Reduction Partnership (CDRP). BCU Commanders would have to work closely with local partners to agree a provisional budget and targets. For this to work effectively, BCUs should be coterminous with CDRPs or groups of CDRPs. The BCU-level accountability body would have responsibility for approving the provisional budget.*
9. *BCUs would be accountable to a new BCU-level accountability body. This new body would be local authority led and comprise elected representatives from the responsible bodies which make up the CDRP including members of the council(s) and the police authority. The Safer Communities Portfolio Holder or leader of the Council could chair the body but this would be at local discretion.*
10. *The Home Office in seeking to address the BCU-level accountability gap are keen to avoid creating new structures and do not consider a partnership to be appropriate for this purpose. Any new body must also avoid being overly complex or bureaucratic. The advantage of the proposed LGA model is that whilst it would not be a Community Safety Partnership Board, it would include elected members from the local authorities covered by the BCU area and the Strategic Police Authority. The new body would be routed in the existing Local Strategic Partnership (LSP) structure.*

Any new BCU-level accountability body must be local authority led because councillors are democratically elected by local people and therefore best placed to address the accountability gap. The elected members sitting on the new BCU-level accountability body would be supported through a programme of skills development and training.

11. *Problems with the model may arise in two tier areas where there may be several CDRPs within a BCU area. In such cases the BCU Commander would have to set priorities and targets in conjunction with two or three CDRPs. To help address this, smaller CDRPs could be encouraged to merge. The BCU accountability body would therefore have to include elected members from all of the councils within the BCU area.*

Targets and Plans

12. *The central imposition of performance indicators and targets diminishes local accountability. Under this proposed model, there would be fewer national targets. BCU Commanders in conjunction with the CDRP would consult the local community to determine local priorities and targets, which the new body would ultimately approve. We envisage this new body having responsibility for signing off the local Policing Plan and the CDRP plan.*

13. *The BCU Commander would remain operationally responsible to his Chief Constable line-manager. However the BCU Commander would be publicly accountable to the community he serves through this new body.*

Funding

14. *The current arrangements for BCU funding are haphazard with a wide divergence of practice across the country. Some BCU Commanders are given significant devolvement of funds and considerable flexibility in their use. Others have budgets that are dictated and controlled at force level with only the most limited devolvement available. All are vulnerable to having resources redirected due to major incidents in the force area which hinders short and medium term planning. Allowing the new body to agree the BCU budget would not only ensure that agreed local priorities were adequately funded but also consistency of funding.*
15. *The current situation is not sustainable and the danger of retaining the precept at Strategic Police Authority level is that the inconsistency of BCU funding continues. As the new Strategic Police Authorities will cover a much wider geographical area, they will be further distanced from local priorities and needs, and may be out of touch with what BCUs require.*
16. *One option is for the new BCU-level accountability body to become the precepting body for BCUs so that BCUs would receive the bulk of their funding from local taxation. Local taxation would therefore pay for local policing and tackling the Level 1 crime at BCU level. In contrast, the Strategic Police Authority could receive funding from government through grants to tackle Level 2 Crime. However, giving a new body precepting powers would require legislation and may be difficult to operate in practice. It may also cause difficulties as the Strategic Police Authorities would no longer precept.*

A mechanism must be established to ensure that BCUs in conjunction with local partners are able to set a budget and that BCUs will be guaranteed consistent funding. The new BCU-level accountability body should be the body approving the BCU budget.

Implications for:

17. CDRPs

Under the proposed model the role of CDRPs would also be enhanced. CDRPs would become the key partnership delivery body for community safety issues at the local level. CDRPs would work very closely with the BCU Commander to ensure consistency of priorities and targets that meet local needs.

18. New Strategic Police Authorities/ Boards (replacing Police Authorities)

There is considerable agreement between the LGA and APA on the envisaged role for Strategic Police Authorities. The LGA would like:

- *Strategic Police Authorities to retain their status as the accountable bodies for the new strategic police forces*
- *Strategic Police Authorities to retain the performance management role*
- *Strategic Police Authorities to retain overall responsibility for meeting the PSA 1 target*
- *A greater proportion of elected members on the Strategic Police Authority (currently 9/17)*

- *No imposition of which members should sit on the police authority. Local authorities should continue to decide who the best members to sit on the Strategic Police Authorities are*
- *The LGA would support the drive to improve the skills/training of members on police authorities through member improvement programmes*

19. Chief Constable/Police Commissioner

- *Would be accountable to the public through the Strategic Police Authority/Board*
- *A definition of what constitutes operational/non operational should be introduced so that Strategic Police Authorities can have a greater say in setting the strategy, priorities and budget of forces and subject their operations to scrutiny*
- *Operational line management arrangements would be retained*

Neighbourhoods

20. *The government have committed to rolling out neighbourhood policing across England and Wales by 2008. Neighbourhood policing must ensure that mechanisms are set up that give all sections of communities influence over policing policy. The key role played by elected local government and individual ward councillors must be recognised in this. Local people must be involved in setting local priorities would be fed up from the neighbourhood level to BCUs.*

Summary

21. *Under the LGA's proposed model, police services would be accountable and responsive to the communities they serve. The new BCU-level accountability body would be responsible for agreeing local policing priorities and monitoring the delivery of those priorities. Although the LGA is proposing the creation of a new body, set up costs would be small and the body would not be overly complex as it would be routed in the existing LSP structure. Communities would have the opportunity and capacity to set community safety priorities and determine policing policy at all levels. This meets the government's commitments as set out in the White Paper and Closing the Gap.*

Future action

22. *It is recommended that:*
- *further discussions take place with the APA;*
 - *the proposed model once agreed is submitted to the Home Office as the LGA view; and*
 - *further lobbying and representational work be conducted on the basis of the principles set out in this report.*

Implications for Wales

23. *The proposals relate to police forces in both England and Wales.*

Financial/Resource Implications

24. *No exceptional implications have been identified at this stage.*

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