

Police Accountability Working Group

Summary

In July 2009 the Safer Communities Board received a paper on police accountability, and looked at the motions which were tabled at the 2009 LGA General Assembly on improving police accountability. As a result of its discussions the Board agreed to set up a members' working group to look further at this area. This report sets out the results of the working group's work and the proposals it has made in a number of areas.

Recommendations

Board members are invited to:

- a. Endorse the LGA's submission to the Home Office about competencies for police authority members as the basis for discussions with the Home Office and APA over the proposal in the Policing White Paper to establish competencies for all police authority members.
- b. Agree the working group's recommendation that existing models of good practice for strengthening the links between local authorities and police authorities are identified and made available to councils and police authorities.
- c. Endorse the working group's proposals for strengthening police accountability.

Action

LGA officers to reflect the Board's view in the LGA's work on strengthening police authorities and improving police accountability.

Police Accountability Working Group

Background

1. At its meeting in July 2009 the Safer Communities Board received a paper on police accountability, and looked at the motions which were tabled at the 2009 LGA General Assembly on improving police accountability. As a result of its discussions the Board agreed to set up a members' working group to look further at this area.
2. The working group was specifically tasked with examining how the relationships between police authorities and local authorities could be improved, and looking at different models and structures of local police accountability in order to inform any discussions with the main political parties about improving police accountability. Three meetings of the working group were held to discuss these issues. This report sets out the conclusions reached by the working group.

Improving relationships between local authorities and police authorities

3. The first issue the working group looked at was how the relationship between councils and police authorities could be strengthened, and two key areas were considered: ensuring that councillor members of police authorities can provide effective and credible challenge to the police; and, improving the links between councils and police authorities.
4. The working group was of the view that many police authorities had exceptionally skilled councillor members who were able to provide strong and effective scrutiny of the police, and who ensure the police were accountable to the communities they serve. However it was accepted that this position was not universal. The working group went on therefore to look at proposals for improving the skills and ability of councillors to hold the police to account.
5. Noting the existing competency framework for independent members of police authorities the working group agreed this should be adapted and made applicable to councillors. In particular the working group felt that strategic management and engagement skills needed to be part of the competency framework for councillors. The working group also thought the framework could be strengthened through the addition of a personal development and review process. Members, however, rejected the need for a protocol on appointments between councils and police authorities and also rejected the idea that only leaders or portfolio holders should be nominated on to police authorities as this was felt to be too restrictive.

6. At the meeting held in September between the Policing Minister, David Hanson MP, and the LGA about the development of the Policing White Paper, the Home Office indicated they were considering proposals to strengthen police authorities by establishing competencies for police authority chairs and members. The LGA therefore agreed to submit its proposals on competencies, developed from the working group's conclusions. A copy of the submission is attached at **Appendix A**. As a result of this the Policing White Paper contains a commitment by the Home Office to work with the APA, LGA and WLGA to set a broad range of competencies for all police authority members. Members are therefore asked to endorse the LGA's submission as the basis for further discussions with Government on this issue.
7. The working group also considered how the links between councils and police authorities could be strengthened. Members noted that there was a considerable amount of existing good practice in places like the Greater Manchester, North Yorkshire and the West Midlands where the police authority had already established close links with its local authorities. Drawing on some of this practice the working group felt more structured links which could be more widely promoted might include:
 - reports to each council meeting by the police authority chair and the councils' own nominee to the police authority;
 - provision of a broad range of information;
 - regular meetings between the local authority and the chair and chief executive of the police authority; and,
 - the provision of information to, and meetings with, district councils.

Members are asked to agree the working group's recommendation that existing models of good practice are identified and widely disseminated to local authorities and police authorities.

Models and structures for improving police accountability

8. The other area of work the working group examined was police accountability. One point made by the Board at its July meeting, which the working group had regard for, was that one model of accountability might not suit all areas, and structures may need to vary from area to area. The working group also decided that it would work within the parameters of the existing police force structure, rather than considering changes to the way forces are organised. Furthermore it decided that due to the unique nature of the Metropolitan Police it would not consider changes to its existing accountability structures.
9. Having looked at a wide range of possible models, including those identified by Sir Ronnie Flanagan in his 2008 Review of Policing, along with those put forward by a range of think tanks such as the Centre for Social Justice, the New Local Government Network and LGiU, the working group held the view that retaining a separate body responsible for holding the police to account was

23 4

vitaly important as it would avoid the resource issues police forces had faced prior to the creation of independent police authorities in the mid-1990s. The working group therefore wished to retain police authorities as the means of holding the police to account, albeit with a number of changes to improve accountability.

10. It was felt there should be greater involvement for councils in the appointment and assessment of local senior police officers. Taking account of chief constables' desire for senior police officers to be accountable to them, and the fact that some senior police officer appointments did not necessarily involve interviews, the working group felt the greater involvement in the appointments process need not be a formal one. One means of involving councillors could involve the opportunity for leaders and chief executives to meet the candidates and to pass comments back to the chief constable. The working group also took the view that the recruitment of independently appointed members of police authorities should be opened up more widely. Rather than just rely on people applying to be independent members through open recruitment, the working group felt that the police authority and force could be more proactive in seeking candidates, with neighbourhood policing teams for example encouraging applications and also explaining how the appointments process works.
11. Where a police force covers only unitary or metropolitan councils (such as the four Welsh police forces, and around eight other forces such as Greater Manchester and the West Midlands) the working group felt these changes and those related to improving the skills of councillors appointed to police authorities would be sufficient to improve police accountability.
12. With the nine or so forces that cover just one county (for example Suffolk and Hertfordshire) and no other types of authority, the working group concluded that in addition to the changes already outlined there needed to be district council representation on the police authority. One or two district council representatives would replace one or two county council nominees, with the districts in an area being left to determine who their representatives were. The overall councillor make up of the police authority would need to retain political balance. This model could also be applied to those forces covering a county and one or two unitary authorities like Staffordshire and North Yorkshire. The county council and unitary authorities would need to have their representation reduced to allow for one or two district council representatives.
13. With forces that cover one or more counties and several unitary authorities such as West Mercia, Avon and Somerset and Thames Valley the working group was of the view that district council representation could only be achieved with an increase in the size of the police authorities concerned from 17 to 19 members (19 to 21 in the case of Thames Valley). This would provide one additional councillor member and an extra independent member, retaining the balance between councillors and independently appointed members. The increase in

23 4

councillors would allow one or two district council representatives on to the police authority. Members' endorsement is sought of these proposals as a formal LGA position and to inform lobbying activity going forward.

Financial Implications

14. There are no financial implications for the LGA arising from this report.

Implications for Wales

15. Given the unitary structure of local government in Wales and the working group recommendations there would be no changes to police accountability structures in Wales.

Contact Officer: Mark Norris
Phone No: 020 7664 3241
Email: mark.norris@lga.gov.uk