

FREQUENTLY ASKED QUESTIONS

POLICE AND CRIME PANELS

Q1. What is the LGA doing to support councils setting up police and crime panels?

The LGA has already established a network of those councils involved in setting up the police and crime panel for their area.

Last autumn we produced a guide with the Centre for Public Scrutiny on setting up a panel, and since then have been producing guides on more specific issues in setting up panels, and helping councils work through the decisions they will have to make.

As shadow police and crime panels have been established we will be working with councils to support them as they provide training for members and develop work programmes for the coming year. As well as providing a comprehensive package of support for councils and partners in setting up police and crime panels, the LGA is also assisting councils and community safety partnerships in their overall transition to police and crime commissioners.

Q2. What does political balance mean for Panels?

Under the Police Reform and Social Responsibility Act 2011 when making appointments to the police and crime panel, councils must as far as is practicable, try to meet the balanced appointment objective. The objective means that panels must:

- represent all parts of the relevant police area
- represent the political make-up of the relevant authority or relevant authorities (when taken together), and
- have the skills, knowledge and experience necessary for the police and crime panel to discharge its functions effectively.

The Home Office have produced a legal clarification to the Act on meeting the balanced appointment objective. This states councils should look to achieve political balance on the panel by adding together all the councillors in political parties in every council in the force area and then allocating seats in proportion.

Q3. Will the LGA be able to facilitate discussions between PCCs and police and crime panels?

The LGA will be ideally placed to facilitate these types of discussions. We already have close relationships with the councils who host the panels and with many councillors who will serve on the panels. The LGA has been at the forefront in supporting the establishment of the police and crime panels.

Q4. Do you think Panels will be effective in holding PCCs to account and driving work forward?

The panels' role is to both scrutinise and support PCCs. Local authorities have over a decade's worth of experience in scrutinising elected politicians and also other public services. This experience puts councils in a good position to hold PCCs to account. However we are concerned that the level of funding available to panels from the Home Office will constrain some of their ability to hold PCCs to account. The Home Office has one view of what level of scrutiny panels will need to conduct, while many councils have a different view based on the experience they have and the responsibility panels have been given.

Q5. Is there a conflict of interest in councils being represented on panels yet bidding for resources that the PCC is commissioning?

Councils are well practised at undertaking effective scrutiny of themselves and of community safety partnerships. We pride ourselves on our openness and transparency and have well-established systems in place around declarations of interest which will ensure that such conflicts do not take place. The fact that Panels are made up of representatives from all councils in a force area – alongside independent members – should provide an adequate safeguard to prevent any undue influence arising.

Q6. Do you agree that the powers of veto a Panel has are very limited?

The powers the panel has to veto the PCC's precept and appointment of chief constable are ones that local authority scrutiny committees and even parliamentary select committees do not have. They were powers we sought before the government introduced the legislation establishing PCCs. During the passage of the Police Reform and Social Responsibility Bill through parliament we also argued that the ability of the panel to use those vetoes should be lowered from the government's threshold of three-quarters of the members to the two-thirds and that is now in the legislation.

We feel that the new arrangements will both provide an effective check and balance while enabling a strong working relationship to be formed between PCC and councils which will hopefully resolve any potential issues long before a power of veto is required.

WORKING IN PARTNERSHIP

Q7. PCCs will have a number of different funding streams that have traditionally been with councils. If councils want to continue with existing activity that the PCC does not prioritise will they have to fund this themselves?

Given the role police and crime commissioners will have in commissioning community safety services in their force area, partnerships will have to rethink how they work in order to provide a compelling business case for the funding the commissioner holds. They will also need to examine their existing structures and decide if they are still fit for purpose in a new community safety landscape.

Ultimately it will be for PCCs to decide how they use their money and in light of this, councils will have to allocate their own funds according to their local priorities, but councils will have a key role in identifying issues and risk to a PCC to ensure that harm is minimised through these changes.

Q8. How can a PCC get involved with Health and Well-being Boards, Drug and Alcohol Action Teams, Community Safety Partnerships etc?

Partners should be making contact with PCCs at the earliest stage possible to let them know about the services they offer and how they can help PCCs achieve their objectives. Councils and councillors have a long track record of working with a wide range of partners in the public, private and voluntary sector and will be able to assist the PCC in making links with partners.

Q9. How should council leaders formalise their relationship with the PCC?

There is no formal statutory relationship between a council leader or directly elected mayor and a PCC. However councils and PCCs will want to ensure there is an open line of communication so that mutual community safety objectives can be met. This may be in the form of a regular meeting with the PCC.

Q10. Should a PCC be involved with the broader strategic leadership of place – and how will this work given the geographic complexity of force areas?

Councils are already at the forefront of the leadership of place in their localities and will want PCCs to be involved as they will play such a crucial role. It will be up to individual PCCs to make arrangements in their own police force areas about how they engage with councils on this agenda. PCCs will be able to appoint a deputy who may be able to assist in this role.

Q11. A PCC is expected to engage with communities. But some force areas have almost 2 million people in them. Can councils help PCCs engage with communities?

Ward councillors and community safety portfolio holders know their communities well, including how to engage with the hard to reach and most vulnerable. PCCs will want to use this experience and knowledge to inform their police and crime plan. It will be difficult for a PCC to engage with, for example 18 councils as is the case in Thames Valley, but they can of course appoint a deputy, perhaps on a geographic basis to assist with this.

Q12. What funding will be transferred from councils to police and crime commissioners?

The Home Office are clear that a variety of funding streams that have been available to councils and community safety partnerships will be coming to an end on 31 March 2013. A definitive list is we understand shortly to be issued from the Home Office. It is expected to confirm that in addition to the

community safety fund (paid to community safety partnerships), and the Drug Intervention Programme funding, which the Home Office has already said will both end this financial year, elements of other programmes such as some of the budgets for youth offending teams will also end.

Police and crime commissioners will then in 2013/14 receive a designated but unringfenced grant for commissioning community safety and other activity. Given the recent consultation on the future of victims' and witnesses services it could also include budgets for these areas. Police and crime commissioners will be able to use this fund to commission services locally and could add to it from the amount raised by the police precept, should they wish to do so – and they might not choose to. From 2014/15 this grant will we understand be rolled up into the police grant.

GENERAL QUESTIONS

Q13. How is this working in London?

The Mayor of London has been the police and crime commissioner for the Metropolitan Police since mid-January. However when you take into account the pre-election period ahead of the mayoral elections the Mayor's Office of Policing and Crime has not been established that long. The Mayor of London has designated responsibility for the Mayor's Office of Policing and Crime to the Deputy Mayor for Policing and Crime, Stephen Greenhalgh.

There is no separate police and crime panel in London. This role is undertaken by the police and crime committee of the Greater London Assembly, which has already met a number of times to question the Deputy Mayor for Policing to account. Given the resources the Assembly has, it is been holding meetings on a monthly cycle.

Q14. What did your survey that you carried out with prospective PCCs in June 2012 say?

69 per cent of PCC candidates said that anti social behaviour will be their top priority

86 per cent of PCC candidates said that the most important body to work with would be local councils

71 per cent think that turnout will be lower that council elections

Majority believe that the political party of the candidate will have the most bearing on which candidate people decide to vote for.

Q15. What does the LGA think about the lack of funding for election literature?

The LGA along with other organisations such as the Electoral Commission has argued that a lack of election literature is likely to alienate voters with no access to the internet while independent candidates who are not supported by a party mechanism may struggle to afford to produce and distribute fliers.

However we recognise the Home Office's concerns for not funding the postal delivery of candidates election material on financial grounds.

Q16. What is the LGA doing to encourage good turnout?

The Electoral Commission will be encouraging people to vote in the elections in November, police area returning officers (PAROs) will also through their work highlight the elections to local voters, and the Home Office has developed a communications plan to raise awareness of the elections. However holding an election in November, rather than in May raises particular issues with encouraging people to turn out and vote, and in the future the intention is the PCC elections will be held at the same time as other local elections.

Q17. What do you think about the qualification of PCCs for election?

The Police Reform and Social Responsibility Act states that a person is disqualified from election or holding office as PCC if the person has been convicted in the UK of any imprisonable offence whether or not sentenced to a term of imprisonment in respect of the offence.