

Committee on Standards in Public Life inquiry on police accountability

Recommendations relating to police and crime panels

Recommendation 4

The Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives, the National Police Chiefs' Council and Local Government Association should work collaboratively to produce a model Memorandum of Understanding between the PCC and Chief Constable to include working arrangements, recognition of the role of statutory officers and a supporting statutory officer protocol.

Recommendation 8

Drawing on existing good practice and experience, the Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives and the Local Government Association should work together to develop national guidance on the meaning of a decision of 'significant public interest', so that it is better understood when PCCs should publish records of such decisions.

Recommendation 9

Police and Crime Panels should review the PCC's Annual Report in public session attended by the PCC as part of their annual scrutiny programme and make any recommendations as appropriate.

Recommendation 10

As a matter of good practice:

- PCCs should publish a forward plan of decisions identifying the subject matter of the decision, why it is key, the meeting at which the decision is due to be taken, who will be consulted before the decision is taken and what reports/papers will be available for inspection; and
- Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out that work.

Recommendation 11

The Home Secretary should conduct an urgent review of whether there are sufficient powers available to take action against a PCC whose conduct falls below the standards expected of public office holders.

Recommendation 19

The Committee endorses the Home Affairs Committee's recommendations that:

- the Home Office bring forward proposals to amend the powers of commissioners to suspend or remove chief constables under Section 38(2) and 38(3) of the Police Reform and Social Responsibility Act 2011 by stipulating the grounds on which they may do so.
- the Home Office should also provide guidance to commissioners on the use of their powers in both respects. In the case of a suspension there should also be a clear system of safeguards similar to those which guide suspension in respect of conduct.
- Police and Crime Panels inquire and report into the circumstances whenever a chief constable's service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged.

- the Home Office bring forward proposals to extend the Schedule 8 process to include scrutiny by the police and crime panel where a commissioner chooses not to agree to an extension of the chief constables' contract to bring it in line with the process for the removal of a chief constable.

Other relevant suggestions from the Committee

Paragraph 3.92

It is therefore timely for the LGA, Centre for Public Scrutiny and individual authorities to develop practical ways to enhance support and training of Police and Crime Panels and their members.

Paragraph 5.63

It is therefore timely for the LGA, Centre for Public Scrutiny and individual authorities to develop practical ways to enhance support and training of Police and Crime Panels and their members (around handling complaints against PCCs).

Appendix F - Training

The Committee believes that the LGA should consider extending its provision of support for Panels by providing e-training for Panels as it is cheap (once the training is drafted) and can be done in members' own time. The LGA could provide a coordinating role with the Home Office providing input. The Committee has heard that it is difficult to get Panel members together outside a meeting and funding for Panels is clearly limited in areas where local authorities do not contribute. E-training allows members to pick and choose which modules to complete as some members will already feel confident of their skills in particular areas.

Appendix F - Diversity

Evidence from Professor Gains argues that Panels do not reflect the diversity of the public they represent, with only 28% of Panel members being female in the first year of their creation. Professor Gains said "what is lost from the arrangements governing composition of police committees, to the criteria for composition of the Police and Crime Panels, is ensuring diversity in the make-up of the panel. We are concerned that panels may become unrepresentative in other ways of the populations they serve." Professor Gains told the Committee that the issue of wider diversity and the public's acceptance of this needs addressing. This is an important matter of legitimacy to which the Home Office and LGA should give further consideration. To achieve it would require either or both statutory changes in the constitution of panels and in the demographic make-up of the pool of eligible councillors.