

**POLICE REFORM AND SOCIAL  
RESPONSIBILITY ACT 2011 - UPDATE**

**REPORT OF THE CHIEF EXECUTIVE**

**STRATEGIC PRIORITIES: SP3: SAFER CITY**

**CORPORATE PRIORITIES: C101: Delivering Customer Focussed Services, C102: Being 'One Council', C103: Efficient and Effective Council, C104: Improving partnership working to deliver 'One City'**

**1. Purpose of Report**

- 1.1 The purpose of the report is to provide an update on the Police Reform and Social Responsibility Act 2011 and its implications for the Council.

**2 Background**

- 2.1 In setting its work programme for the year, the Committee requested that it receive regular progress reports on the implementation of the Police Reform and Social Responsibility Act 2011.
- 2.2 Stuart Douglass has been invited to the meeting to provide an overview of the current position with regard to the Act and the implications for the Council.
- 2.3 This will include consideration of the new Policing Protocol which sets out how the new policing governance arrangements will operate in practice and clarifies the respective roles and responsibilities of Police and Crime Commissioners (PCC's), Chief Constables and Police and Crime Panels (PCP's).
- 2.4 A copy of Guidance recently produced by the Centre of Public Scrutiny is attached for information, together with a document produced by the Home Office on the role of the Police and Crime Commissioner.

**3 Current Position**

**Police and Crime Commissioners**

- 3.1 The Act includes the provision for the election of a Police and Crime Commissioner (PCC) for each police force area. With the exception of London, which already has its PCC (via the Mayor of London), the

public elections for PCCs in the remaining 42 police forces in England and Wales will take place on 15<sup>th</sup> November 2012

- 3.2 The role of a PCC is intended to increase the accountability of the police and strengthen the link between police and communities.
- 3.3 The PCC will replace the local Police Authority. This means that Northumbria Police Authority will be abolished and replaced by a single individual.
- 3.4 The PCC will:
- be responsible for appointing their Chief Constable and holding them to account
  - determine local policing priorities, produce and publish a five year Police and Crime Plan, set a local precept and force budget
  - have the power to make community safety grants
  - become Responsible Authorities under the Crime and Disorder Act 1998 to work with Criminal Justice System (not Community Safety Partnership as this will only be a reciprocal duty to co-operate)
  - be able to appoint a deputy PCC
  - have to appoint a chief of paid staff (i.e. a chief executive) and a chief finance officer. They can appoint admin and other posts if they wish. The funding for these posts will come from their overall budget. They will have to publish details of the functions and costs of their staff.
- 3.5 In order to minimise bureaucracy and prevent disruption to programmes, Ministers have decided that existing arrangements for community safety and partnership funding will continue during 2012-13, but will be provided to PCCs from 2013-14

#### **Police and Crime Panel (PCP)**

- 3.6 Police and Crime Panels (PCPs) will be made up of a maximum of 20 representatives, consisting of 10 elected members and a minimum of 2 co-opted members. Each local authority in the police force area will have a seat on the panel. Any remaining seats can be filled so as to reflect the political make-up of the area.
- 3.7 The key role of the PCP is to:
- Scrutinise the work of the PCC and hold the PCC to account in the shape of an annual report, the police and crime plan, HMIC reports

and other reports on activity, as and when these are necessary (and shared with councils)

- Play a supporting role to the PCC.
- 3.8 The panel has no decision-making role other than the vetoes. The panel can veto the chief constable selection and removal and can veto the precept. The threshold for exercising the power of the veto over the commissioner's precept is two thirds.
- 3.9 The PCP can appoint an acting PCC from within its own ranks, should there be a vacancy.
- 3.10 The panel can invite the Chief Constable to panel meetings with the PCC.
- 3.11 The panel are to be engaged in the appointment of the deputy PCC, their chief officer and their chief finance officer.
- 3.12 Secondary legislation on police and crime panels, particularly in relation to their powers of veto over the police and crime commissioner's proposed precept, and appointment of a chief constable and the process through which the Home Secretary can establish a panel, will be published in March 2012.
- 3.13 In order to support the process, the Home Office will also run a series of regional road-shows in January 2012.

#### **4 Recommendation**

- 4.1 That the report be noted and the Committee continue to receive periodic updates on the progress of the Act.