

Draft Protocol between the Police and Crime Panel and the Leicestershire County Council Scrutiny Commission

This protocol concerns the relationship between the Police and Crime Panel and the County Council's Scrutiny Commission. Its purpose is to ensure that:-

- (i) Mechanisms are put in place for exchanging information and work programmes so that issues of mutual concern/interest are recognised at an early stage and are dealt with in a spirit of co-operation and in a way that ensures the complementary responsibilities of the PCP and the Scrutiny Commission are managed;
- (ii) There is a shared understanding of the process of referrals and arrangements for dealing with such referrals.
- (iii) Share information on work programmes.

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**Chairman of the
Police and Crime Panel**

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**Chairman of the
Scrutiny Commission**

Date

Role of the Police and Crime Panel

Elected Police and Crime Commissioners (PCCs) and Police and Crime Panels (PCPs) were introduced by the 2011 Police Reform and Social Responsibility Act. Under the Act, the PCC is responsible for holding the Chief Constable to account, securing an efficient and effective local police force and carrying out functions in relation to community safety and crime prevention.

The Leicester City, Leicestershire and Rutland Police and Crime Panel will be responsible for publicly scrutinising the actions and decisions of the PCC and in doing so will, inter alia:

1. Review and make a report or recommendation on the draft police and crime plan.
2. Hold public meetings to consider the annual report from the Police and Crime Commissioner.
3. Review and scrutinise decisions, or other action taken, by the Police and Crime Commissioner in connection with the discharge of his functions.
4. Publish all reports and recommendations the Panel makes and send copies to the constituent local authorities.

Role of the Scrutiny Commission (as the designated Crime and Disorder Committee)

Section 19 of the Police and Justice Act 2006 requires every local authority to have a crime and disorder committee with the power to review or scrutinise decisions taken in connection with the discharge by the Responsible Authorities* of their Crime and Disorder Functions. The Crime and Disorder (Overview and Scrutiny) Regulations 2009 complement the provisions under Section 19.

The County Council has designated the Scrutiny Commission as the Crime and Disorder Committee.

The Scrutiny Commission has determined that it will meet at least once a year to consider Crime and Disorder related issues. It will do so primarily by reviewing and scrutinising the Annual Report of the Community Safety Partnership. The role of the Commission is to act as a 'critical friend' by constructive challenge at a strategic level. The Commission has also agreed that it will consider crime and disorder matters at other meetings should the need arise.

*** Responsible Authorities on Community Safety Partnerships include:-**

Local Authorities (County Councils and District Councils)

The Police Force

The Fire and Rescue Service

The Primary Care Trust (or successor bodies)

Note – the Police Authority was previously identified as a Responsible Authority. The Police and Crime Commissioner has NOT been designated as a responsible authority for these purposes. However the Police and Social Responsibility Act places a mutual responsibility on PCCs and responsible authorities on the CSP to co-operate to reduce crime, disorder and re-offending.

Working Principles

Given the common aims of both the Scrutiny Commission and the PCP to scrutinise the delivery and effectiveness of measures aimed at reducing crime and disorder and enhance public safety, it is vital that they:

- (i) work in a climate of mutual respect and courtesy;
- (ii) have a shared understanding of their respective roles, responsibilities and priorities;
- (iii) promote and foster an open relationship where issues of common interest and concern are shared in a constructive and mutually supportive way;
- (iv) share work programmes, information or data they have obtained to avoid the unnecessary duplication of effort.

Whilst recognising the common aims and the need for closer working, it is important to remember that the Scrutiny Commission and the PCP are independent bodies and have autonomy over their work programmes, methods of working and any views or conclusions they may reach. This protocol will not preclude either body from working with any other local, regional or national organisation to deliver their aims.

What Will This Mean In Practice

The Police and Crime Panel is a creature of statute only recently established. Clearly it will need time to establish itself and its modus operandi. The proposals now outlined below will need to be revisited in 12 months' time to assess how these are working and to consider whether the scope now identified is appropriate.

PCP → Scrutiny

The Police and Crime Panel shall, in discharging its responsibility for commenting on the Police and Crime Plan or any variation thereto, seek the views of the Scrutiny Commission. The Scrutiny Commission may, if it so wishes, submit written comments to the Police and Crime Panel.

The Police and Crime Panel shall, in discharging its responsibility for commenting on the Police and Crime Commissioner's Annual Report, seek the views of the Scrutiny Commission. The Scrutiny Commission may, if it so wishes, submit written comments or questions it considers merit raising with the PCC to the Police and Crime Panel.

Scrutiny → PCP

The Scrutiny Commission may, in discharging its responsibility for reviewing and scrutinising the Annual Report of the Community Safety Partnership, draw to the attention of the PCP any issues which would merit a discussion with the PCC.

PCP ↔ Scrutiny

Where either the Police and Crime Panel or the Scrutiny Commission considers that a particular issue (related to crime and disorder) would merit in depth investigation either by the Commission/Panel or by a task and finish group this should be discussed by the Chairmen and Secretariat of both bodies to determine the scope of such a review and agree to which body would take lead responsibility. The aim is to avoid duplication of effort and resources.

Scrutiny ↔ County Council PCP Representative

The County Council's representative on the Police and Crime Panel shall, if requested, attend meetings of the Scrutiny Commission to:

- provide an update on the work of the Police and Crime Panel and the key issues it has addressed and is proposing to address and to take back any concerns raised by the Committee;
- listen to and, if appropriate, participate in the deliberations of the Commission when it is discharging its Crime and Disorder Function.

Note – the Protocol between the PCC and the PCP specifies time limits within which the PCP is required to comment on the Precept, Annual Report and Police and Crime Plan. It will therefore be important for the Secretariat of the PCP and Scrutiny to liaise to ensure that meetings of Scrutiny are arranged so as to enable Scrutiny to meet to comment on the documents within the specified timescales.