

THE TRANSITION FROM POLICE AUTHORITIES TO POLICE & CRIME COMMISSIONERS

Welcome to the first newsletter to keep partners updated about the proposed transition from the current police governance and accountability arrangements of 17 Members (9 elected and 8 independent people) who are charged with the responsibility of holding the Chief Constable to account on behalf of the people of Cheshire to the proposals outlined in the Coalition Government's Police Reform and Social Responsibility Bill where a directly elected individual will represent a population of over 1 million.



The Bill has not yet completed its passage through the Houses of Parliament and the implications for staff, partners and the public are still unfolding but as the Coalition Government is in summer recess, I thought it would be useful to provide you, our partners, with a summary of the current position.

If enacted, the Bill will see the abolition of Cheshire Police Authority in May 2012 and the introduction of a Police and Crime Commissioner (PCC), a directly elected individual who will hold the police to account on behalf of the people of Cheshire.

The Police Authority remains opposed to the Coalition Government's proposals. Our concerns have been well documented in the last 12 months and are available for you to read on our website. Nevertheless, the Authority is committed to ensuring the people of Cheshire continue to receive a high standard of policing and we will work hard to ensure a safe and secure transition to new accountability arrangements if agreed by Parliament.

Margaret Ollerenshaw
Chairman

THE NATIONAL PICTURE

The Police Reform and Social Responsibility Bill will provide that, in May 2012, 42 of the 43 Police Authorities in England and Wales will be abolished and, in 41 force areas, replaced with a PCC.

In London, the Mayor of London will act as the PCC for the Metropolitan police area through the new Mayor's Office for Policing and Crime.

In the City of London the Common Council will remain the Police Authority.

THE PROGRESS OF THE BILL

The House of Commons approved the passage of the Bill to the House of Lords and it received its first reading in the Lords on 1 April 2011. During the first session of the Lords Committee stage held on 11 May 2011, the Lords voted and approved an amendment which substantially altered the police reform proposals in the Bill. This amendment removed the requirement for elections and provided that the Police and Crime Commissioner should be appointed by the Police and Crime Panel, from amongst its own Members. The Coalition Government has stated that it will seek to overturn this amendment as soon as the Bill returns to the House of Commons.



The House of Lords made its final amendments to the Bill during third reading stage on 20 July. This was too late for the Bill to return to the House of Commons before the summer recess. 'Ping pong' between the Commons and Lords (during which attempts are made to reach agreement on any points of contention between the two Houses) will now take place in September when Parliament recommences for a short period before the party conference season begin.



The Coalition Government had hoped the Bill would receive Royal Assent in July, so this is a significant delay to the Government's desired timetable. However, the Bill *could* still get through in time for Police and Crime Commissioners to be introduced in May 2012.

THE POLICE & CRIME COMMISSIONER (PCC)

The PCC will have responsibility for:

- Appointing the Chief Constable (CC) and holding them to account for the running of their force
- Setting out a 5 year Police and Crime Plan (in consultation with the CC) determining local policing priorities.
- Setting the annual police council tax precept and annual force budget
- Making community safety grants to other organisations aside from the CC (including but not limited to Community Safety Partnerships)

The PCC will have a budget which will include the policing grant from the Home Office, various other grants (including community safety funds and non-ring fenced Drug Intervention Programme funding) and funds raised through the council tax precept in the force area.

THE POLICE & CRIME PANEL

As part of the checks and balances in the Bill, the PCC will be scrutinised by a Police and Crime Panel. In Cheshire, the Police and Crime Panel will comprise representatives from each of the four local authorities in the Constabulary area with a minimum of 10 councillors and 2 co-opted members. There will be an opportunity for the Panel to increase their number of co-opted members, both councillors and independents, up to a maximum panel size of 20.



The Panel will have a range of powers and will have the right of veto for the precept and Chief Constable appointment by a 2/3 majority, hold confirmation hearings for the appointment of Chief Constable, Deputy PCC, and the PCC's statutory officers. The Panel will be able to review the PCC's decisions and make reports and will review the Police and Crime Plan and the PCC's annual report.

MAKING THE TRANSITION

The Coalition Government has established a National Transition Board headed by Minister of State for Policing and Criminal Justice, Nick Herbert MP, and including the Association of Police Authorities, Her Majesty's Inspectorate of Constabulary and the Association of Chief Police Officers amongst others.

Engagement with partners is planned through:-

- Deep Dives (early autumn) – Focussed work in 4 areas of the Country including detailed analysis to scope some of the issues locally. This will include mapping out the issues, the changing partnership landscape, how the PCC may operate in practice
- Following Royal Assent, the Coalition Government intends to put on a range of events for local leaders which will set out the national changes and provide a space for partners to consider what they need to do locally to prepare.



CHESHIRE'S TRANSITION

Locally, a Transition Board is in place to provide strategic oversight of the transition process, manage the various workstreams that will be required and provide a regular forum for discussion on the transition. The composition of the Board includes representation from the Police Authority; the Constabulary; and a Chief Executive representative from the four Borough Councils.



The Sub Regional Leadership Board agreed to appoint David Parr, Chief Executive of Halton Borough Council, to represent the four Borough Councils on the Authority's Transition Board and that David has also been proposed as Returning Officer for the Police and Crime Commissioner elections. Diana Terris, Chief Executive of Warrington Borough Council, was proposed as lead officer for the establishment of the Police and Crime Panel.



In accordance with the Bill, both proposals will require the approval of the Home Secretary.

COMMUNITY SAFETY PARTNERSHIPS

PCCs will not become a responsible authority on Community Safety Partnerships (CSPs). There will however be a reciprocal duty for PCCs and responsible authorities to co-operate with each other and have regard to each others priorities for the purposes of reducing crime and disorder (including antisocial behaviour), reducing reoffending and reducing substance misuse.

PCCs will also be able to require a report from a CSP where they are not content that the CSP is carrying out their duties effectively and efficiently. Any such request must be reasonable and proportionate.

Regulations can be used to confer further functions on PCCs. It is intended that they will be used to allow the PCCs to call representatives of CSPs together to discuss strategic priorities.

The Coalition Government has stated that it will:

'ensure that PCCs have the tools to commission community safety services from an informed position of strength and influence; and to ensure a smooth transition of relevant Home Office funding to PCCs.'