

## **Draft Protocol between West Mercia Police and Crime Panel and Crime and Disorder Overview and Scrutiny**

This protocol concerns the relationship between:

- West Mercia Police and Crime Panel (PCP)

and the Local Authority Crime and Disorder Overview and Scrutiny Committees within the West Mercia area, i.e.:

- Bromsgrove District Council
- Herefordshire Council
- Malvern Hills District Council
- Redditch Borough Council
- Shropshire Council
- Telford and Wrekin Council
- Worcester City Council
- Worcestershire County Council
- Wychavon District Council
- Wyre Forest District Council

Its purpose is to ensure that issues of mutual 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 Scrutiny are managed.

The Police and Crime Panel will need time to establish itself and its working arrangements. The protocol will need to be revisited in 12 months' time.

### **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 West Mercia 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 Crime and Disorder Overview and Scrutiny

Section 19 of the Police and Justice Act 2006<sup>1</sup> 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<sup>2</sup> of their Crime and Disorder Functions.

### INSERT BRIEF DESCRIPTION OF C&D SCRUTINY STRUCTURES IN EACH AUTHORITY

## Principles

Scrutiny and the PCP have common aims to scrutinise the delivery and effectiveness of measures aimed at reducing crime and disorder and enhance public safety.

It is therefore 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 Scrutiny 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

### PCP ↔ Scrutiny

Authorities' representatives on the Police and Crime Panel shall, if requested, attend meetings of Scrutiny to:

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<sup>1</sup> The Crime and Disorder (Overview and Scrutiny) Regulations 2009 complement the provisions under Section 19.

<sup>2</sup> **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.*

- provide an update on the work of the PCP 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 scrutiny when it is discharging its Crime and Disorder Function.

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

The PCP is required to comment on the Precept, Annual Report and Police and Crime Plan within specific timescales. It will therefore be important for the PCP and Scrutiny to liaise to ensure that Scrutiny meetings are arranged to enable Scrutiny comments to be fed in to the PCP/direct to the PCC within specified timescales (TBC).

### **PCP → Scrutiny**

#### Police and Crime Plan

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 Scrutiny. (TBC)

Scrutiny may, if it so wishes, submit written comments to the Police and Crime Panel/PCC directly (TBC)

#### Precept

The Police and Crime Panel shall, in discharging its responsibility for commenting on the Police and Crime Commissioner's proposed precept, seek the views of Scrutiny. (TBC)

Scrutiny may, if it so wishes, submit written comments to the Police and Crime Panel.

#### PCC's Annual Report

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 Scrutiny. (TBC)

Scrutiny 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**

Scrutiny 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.