

Agenda item

Police and Crime Panel

Meeting to be held on 12th October 2015

STONE FROM THE TOP – LEADERSHIP, ETHICS AND ACCOUNTABILITY IN POLICING

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Executive Summary

This report sets out key recommendations from the Committee on Standards in Public Life Report – Tone from the Top – leadership, ethics and accountability in policing’.

Recommendation

The Lancashire Police and Crime Panel is asked

1. To receive the Report and consider its response to the recommendations subject to which:
 - a. To confirm the practice of reviewing the PCC’s Annual Report in Public Session as part of their scrutiny programme making recommendations as appropriate.
 - b. To scrutinise the PCC in terms of the production of their forward plan of decisions as set out in this report.
 - c. To agree the PCP produce a forward plan of work specifying, the information required from PCC’s in order for them to carry out that work as set out elsewhere on this Agenda.
 - d. That the Panel agrees that they will inquire and report into the circumstances wherever a chief constables service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged and will seek further clarification on the communication and respond.
2. To authorise the chair to write to the Chair of the Committee on Standards in Public Life confirming the agreed recommendations of the Panel and any further comments and views expressed at the meeting.

Background and Advice

On 29th June 2015 the Chair of the Committee on Standards in Public Life advised that the Committee had concluded its inquiry into local policing accountability; and enclosed a copy of their final report *Tone from the top – leadership, ethics and accountability in policing*. (Appendix ‘ ‘ refers).

The Chair indicated that over the course of our inquiry, the Committee found widespread recognition of the importance of the College of Policing’s Code of Ethics and greater innovation, increased visibility and community engagement on the part of Police and Crime Commissioners (PCCs).

The Chair further reports there was also evidence of significant standards risks including continuing confusion over roles and responsibilities, insufficient challenge and scrutiny of PCC decisions and insufficient redress where a PCC falls below the standards of behaviour expected of a holder of public office.

Along with the Committee’s own findings gathered from an online consultation and a number of meetings with key stakeholders, the report draws on research conducted by both Ipsos MORI and independent researchers.

The report was published in June on the Committee’s website, where other relevant documentation including research and infographics summarising the findings and recommendations can be reviewed.

Within the report the Committee made a number of recommendations. Recommendations 9 and 10 are for Police and Crime Panels:

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.

The Committee also endorsed within their report recommendations made by the Home Affairs Committee and would like to bring this to the attention of Police and Crime Panels:

Recommendation 19

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

- 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 committee have asked for a full and considered response to be provided to these recommendations by 29 November 2015 at the latest.

Given existing practice of the Panel it is expected the Panel will agree with Recommendation 9. It is important however that the Panel ensure that the information received from the PCC facilitates full preparation, debate and scrutiny by the Panel.

As regards Recommendation 10 the Panel may also agree that the re-affirmation of a Forward Plan process is positive and supports good practice in Accountability terms for the Panel.

A suggested forward plan for the year is set out as a separate item on this Agenda.

Recommendation 10 also refers to the PCC publishing a forward plan of decisions – the Panel may consider it supports this principle and as part of its scrutiny of the work of the PCC could monitor this throughout the year.

Recommendation 19 would clarify that the Panel has a role in scrutinising whenever a chief constable's services is brought to an end irrespective of circumstances. Although the scope would be widened it is not clear from the recommendation where any view from the Panel would be considered. The Panel may choose to request this clarification in any comments back to the Committee.

Consultations

The Report of the Committee on Standards in Public Life has been published widely and views of a range of stakeholders have been sought.

Implications:

The Report of the Committee of Standards in Public Life is making recommendations to the Home Office, Police and Crime Commissioners, Police and Crime Panels and relevant Associations and calls for greater energy and consistency to be applied to promoting high ethical standards and for a more robust set of checks and balances in the accountability structures of local policing.

Legal Implications

The Police Reform and Social Responsibility Act 2011 created elected Police and Crime Commissioners to “ensure the police respond to local priorities and are directly accountable to the public. The police and crime panel was set up by Police Reform and Social Responsibility Act 2011 with a view to supporting the effective exercise of the functions of the police and crime commissioner for that police area. This document makes recommendations to police and crime panels as regards scrutinising police and crime commissioners

Financial Implications

None.

Risk management

The requirement for a Police and Crime Panel for Lancashire is in accordance with the Provisions of the Police Reform and Social Responsibility Act 2011. The report of the Committee on Standards in Public Life – ‘Tone from the top – Leadership, ethics and accountability in policing’, is intended to support both current and future arrangements for local policing and for a more robust set of checks and balances in the accountability of these structures to enable the public to make a fair and balanced assessment of their PCC. It is important therefore for the Committee to review and respond to the recommendations contained in the report.

Local Government (Access to Information) Act 1985 List of Background Papers

<u>Paper</u>	<u>Date</u>	<u>Contact/ Directorate/Tel</u>
Letter to Chair Lancashire Police and Crime Panel – Committee on Standards in Public Life.	27 July 2015	David Fairclough 01254 585642
Letter to Chair Lancashire Police and Crime Panel – Committee on Standards in Public Life.	29 June 2015	David Fairclough 01254 585642
Report ‘Tone from the Top’ – Leadership, ethics and accessibility in policing.	June 2015	David Fairclough 01254 585642