

Title: Police & Crime Panel Topic Selection and Referral Protocol

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Purpose of Report

To provide a choice of processes that will enable the Police & Crime Panel (PCP) to select and refer scrutiny topics.

Context

1. The PCP has a Thames Valley-wide focus. The geographical scale and diversity of the issues facing the region means that the work programme of the PCP could easily expand to the point that it becomes unmanageable; this risk has to be managed.
2. The PCP has an already significant work programme that must be prioritised and planned effectively, as there is also the risk that issues important to the Thames Valley public will be neglected by the PCP if its time is not well allocated.

Issues to consider

3. The PCP's membership and secretariat could be easily overburdened if the work programme is allowed to become excessive. An agreed topic selection and referral protocol can be used to prevent this.
4. In the PCP's work programme there is a balance to be struck between topics the PCP is obliged to cover (statutory topics) and those that can be covered at PCP members' discretion.¹ It is important that discretionary topics are appropriate for the PCP to consider.
5. The work programme must by legal necessity fulfil the PCP's statutory obligations.

These include:

- Contributing to the development of the PCC's police and crime plan
 - Reviewing the PCC's proposed precept
 - Reviewing the PCC's proposed appointments of chief constable, chief executive, chief finance officer and deputy police and crime commissioner and holding public confirmation hearings for these posts
 - An informal role in investigating complaints about non-criminal behaviour of the PCC
 - Making comments on the PCC's annual report at a public meeting
6. The non-statutory, discretionary, component of the PCP's work programme will consist of topics that PCP members decide to scrutinise on behalf of Thames Valley residents. This report outlines criteria that the PCP could use to prioritise and refer such topics.

¹ Subjects such as knife crime, domestic abuse, etc.

Topic Selection

7. A Topic Selection & Referral Protocol would perform two functions:
 - i. It would allow potential scrutiny topics to be filtered to ensure that only appropriate topics make it on to the PCP work programme
 - ii. It would enable those topics that are better dealt with by a different body to be referred on to that body
8. Key to the development of a Topic Selection & Referral Protocol is an agreed definition of what constitutes an appropriate topic for scrutiny by the PCP. Criteria might include, amongst others:
 - i. Is the topic of significance to the region as a whole?
 - ii. Is the topic of relevance to the work of the Police & Crime Commissioner?
 - iii. Does the topic fall within the remit of a scrutiny body other than the PCP?
 - iv. Is work already underway on this subject (i.e. will work by the PCP be duplicative)?
 - v. Is there any political / legislative change underway that may impact this topic?
 - vi. Does the statistical evidence available support the need to scrutinise this topic?
 - vii. Does the qualitative² evidence available support the need to scrutinise this topic?
 - viii. Are there any equality and diversity implications arising from scrutiny of this topic?
 - ix. Can the public be engaged in the PCP's scrutiny of this topic?
 - x. Are PCP resources available to scrutinise this topic effectively?
 - xi. Can the PCP expect to make a difference by scrutinising this topic?
 - xii. Would it be more appropriate to refer the topic to another body?
9. Each individual criterion could be given a weighted score determined by relative importance, creating a filter that sorts topics into categories such as 'Accept' (include in work programme), 'Reserve' (possibility of inclusion pending completion of other work),³ and 'Reject' (reject the topic or refer it on). Deciding upon weightings would involve judgement calls on the relative importance of the individual criterion.
10. Alternatively, simpler, non-weighted scoring could be applied (see Appendix B for examples of both the weighted and non-weighted models). The total score would help determine whether a topic is accepted, rejected or held in reserve. This method would avoid the complexity and potential controversy of deciding upon weightings for each of the different criterion.
11. The Topic Selection & Referral Protocol would not prevent a member proposing a topic under paragraph 4.10 of the PCP's Rules of Procedure,⁴ which states:

Any Member of the Panel shall be entitled to give notice to the Secretariat that he or she wishes an item relevant to the functions of the Panel to be included on the agenda following the existing scheduled items of business. Items will normally be considered at the next ordinary meeting of the Panel, providing that the following conditions apply:

² Focus group findings, community consultation findings, examples from members' casework, etc.

³ A reserve topic would be left until resource became available to address the topic, assuming no higher priority topics were proposed in the meantime

⁴ See: http://www.buckscc.gov.uk/assets/content/bcc/docs/overview_scrutiny/rulesofprocedure.pdf

- a) *At least 15 working days written notice is given to the Secretariat (The PCC is required to be given 10 working days notice therefore this timing allows for discussions prior to this).*
- b) *The item must be relevant to the remit of the Panel, as set out in the Panel Arrangements Document.*
- c) *The item must not have been already considered within the last six months by the Panel.*

Topic Referral

- 12. The PCP does not work in isolation; for example, there are scrutiny arrangements at local authority level that can compliment the work of the PCP, although the effectiveness and level of resourcing of these scrutiny arrangements varies.
- 13. These arrangements include 'Crime and Disorder'⁵ scrutiny committees that exist in each local authority. They are legally obliged to scrutinise community safety matters at least once per year, although some are much more active in their fulfilment of this duty. For example, in North Yorkshire most of the nine councils look at crime data every three months, with task groups using more specific data if required.
- 14. Other bodies have a scrutiny role in the criminal justice domain. It is likely that the PCP will receive suggestions for topics that fall within the remit of another scrutiny body, such as those mentioned above. It is also likely that topics generated by PCP members may fit better within the remit of a different scrutiny body. A Topic Selection & Referral Protocol would enable the PCP to refer topics to the correct scrutiny body.

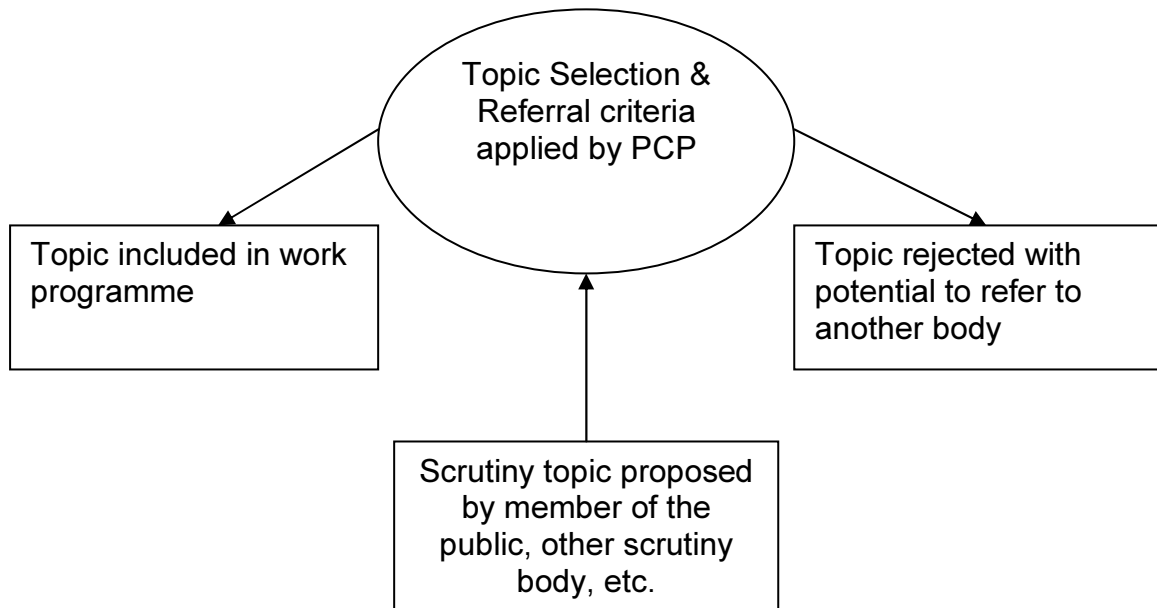
Agreement of referees

- 15. Those bodies receiving referrals from the PCP may or may not agree to consider the topic. It is proposed that the Chairman of the PCP need only write to the Chairman (or equivalent) of the body concerned, on behalf of the PCP, to suggest the topic be addressed.

Referrals to the PCP

- 16. It is likely that other scrutiny bodies and organisations such as Community Safety Partnerships will want to refer items to the PCP for scrutiny. It is proposed that when this happens the agreed topic selection criteria (see para. 8 for an example) should be utilised before a decision on whether or not to adopt the topic is made. This is to ensure a consistent, methodical and fair approach to topic selection is always applied.

⁵ A statutory designation contained in the Police & Justice Act 2006



Management of the Topic Selection & Referral process

17. The topic selection & referral process can be managed in several ways:

- i. By the full PCP in pre-meetings or using a standing agenda item devoted to the subject – topics proposed between meetings for consideration at the next meeting would have to be agreed remotely
- ii. Delegation to the Chairman and vice-Chairman
- iii. Delegation to a sub-committee of the PCP which could conduct its business remotely

Recommendations

1. That the PCP consider and agree the proposed topic selection criteria at paragraph 8
2. That the agreed criteria, for simplicity, should replicate Model B (see Appendix B) and not be weighted
3. That, initially, topic selection and referral be handled by the full PCP in pre-meetings for ratification in public session

PCP Stakeholder Organisations in the Thames Valley

Organisation	Concerned with	Number in Thames Valley
Local Safeguarding Children Boards	Safeguarding children and young people	One in each upper-tier / unitary council area (9 in total)
Safeguarding Vulnerable Adults Boards	Safeguarding vulnerable adults	
Children's Trusts (where still in existence) or equivalent partnership arrangement	Partnership working around children and young people	Previously in existence in each upper-tier / unitary council area (9 in total)
Multi-Agency Public Protection Arrangements (MAPPA)	Management of dangerous offenders in the community	One for each of the 5 Thames Valley Police and Probation Basic Command Units (MK, West Berks, East Berks, Bucks, Oxon)
Crown Prosecution Service Thames & Chiltern, in particular its: <ul style="list-style-type: none"> Local Scrutiny Involvement Panel (Operational); and Local Scrutiny Involvement Panel (Strategic) 	Working with the Police and courts to prosecute offences	One for the region; it also covers Hertfordshire and Bedfordshire
Health & Wellbeing Boards	Partnership working and commissioning in the field of health and wellbeing	
Thames Valley Probation	Management of offenders in the community	Covers the region, but its Local Delivery Units are coterminous with the 5 Thames Valley Police Basic Command Units (MK, West Berks, East Berks, Bucks, Oxon)
Community Safety Partnerships	Coordination and commissioning of community safety activity in their area	Usually one for each local authority area
'Crime and Disorder' scrutiny committees	Holding their local Community Safety Partnership to account	One in each local authority (18 in total)
Councils (inc. Cabinets, scrutiny committees, full councils)	Representing and delivering services to their local communities	18 district, county and unitary councils in the Thames Valley. Also Parishes and Town Councils.
Voluntary and Community Sector bodies	Representing and providing services to particular interest groups	Difficult to determine

APPENDIX B

Model A gives an example of how weighted topic scoring and referral criteria might be applied. Weightings would be determined by PCP members.

Model A: Weighted Topic Scoring

Topic Scoring Criteria	If 'yes'
Is the topic of significance to the region as a whole?	+5
Is the topic of relevance to the work of the Police & Crime Commissioner?	+5
Does the topic fall within the remit of a scrutiny body other than the PCP?	Refer topic
Is work already underway on this subject (i.e. will work by the PCP be duplicative)?	Reject topic
Is there any political / legislative change underway that may impact this topic?	-5
Does the statistical evidence available support the need to scrutinise this topic?	+3
Does the qualitative evidence available support the need to scrutinise this topic?	+3
Are there any equality and diversity implications arising from scrutiny of this topic?	Need to be considered
Can the public be engaged in the PCP's scrutiny of this topic?	+2
Are PCP resources available to scrutinise this topic effectively?	+3
Can the PCP expect to make a difference by scrutinising this topic?	+5
Would it be more appropriate to refer the topic to another body?	Refer topic
SCORE:	

Model B applies non-weighted scoring to arrive at a decision whether to: include the topic; reserve the topic; or reject / refer the topic:

Model B: Non-Weighted Topic Scoring

Topic Scoring Criteria	Yes / No
Is the topic of significance to the region as a whole?	Yes (+1 point)
Is the topic of relevance to the work of the Police & Crime Commissioner?	Yes(+1 point)
Does the topic fall within the remit of a scrutiny body other than the PCP?	No (+1 point)
Is work already underway on this subject (i.e. will work by the PCP be duplicative)?	No(+1 points)
Is there any political / legislative change underway that may impact this topic?	No (+1 points)
Does the statistical evidence available support the need to scrutinise this topic?	Maybe (+0.5 points)
Does the qualitative evidence available support the need to scrutinise this topic?	...
Are there any equality and diversity implications arising from scrutiny of this topic?	Need to be considered
Can the public be engaged in the PCP's scrutiny of this topic?	...
Are PCP resources available to scrutinise this topic effectively?	...
Can the PCP expect to make a difference by scrutinising this topic?	...
Would it be more appropriate to refer the topic to another body?	...
Include in work programme?	