

Report to: **Adult Social Care and Community Safety Scrutiny Committee**

Date: **1 March 2012**

By: **Director of Adult Social Care**

Title of report: **Impact of the Introduction of a Sussex Police & Crime Commissioner (PCC) on the East Sussex Safer Communities Partnership**

Purpose of report: **To explore the potential impact of the introduction of a Sussex Police & Crime Commissioner on the East Sussex Safer Communities Partnership**

RECOMMENDATION

The Committee is recommended to:

1. Consider and comment on the potential impact of the introduction of a Sussex Police & Crime Commissioner on the East Sussex Safer Communities Partnership

1. Financial Appraisal

1.1 The Spending Review 2010 committed to removing the ringfencing of some grants and consolidating them into community safety funding for PCCs. The PCC will have total discretion on how to allocate this funding. The transitional arrangements for 2012-13, and the details of grants likely to be consolidated are still being worked through by the Home Office. Excluding the Policing Grant, the Policing Precept part of Council tax, Youth Justice and the Early Intervention Grants this totals £535,000.

1.2 These changes may affect the Council's and Community Safety Partnerships' (CSPs) ability to directly commission or even maintain the current level of provision for a number of key services including; young people's substance misuse, domestic abuse, anti-social behaviour, targeted youth support and youth offending.

2. Background and Supporting Information

2.1 The Police Reform and Social Responsibility Act 2011 seeks to increase the accountability of the Police and strengthen the link between Police and communities by abolishing Police Authorities and replacing them with elected Commissioners at a force level in November 2012.

2.2 Prior to the election of the PCC, a Police & Crime Panel (PCP) drawn from local elected councillors and independent lay members needs to be established to provide a set of checks and balances to PCCs. In Sussex, it has been agreed that West Sussex County Council will lead on the support to the PCP. A shadow PCP is currently being established in readiness for the election of the PCC. Further information on the roles of the PCC and the PCP is attached at appendix 1.

2.3 A national PCC Transition Programme has been established, overseen by the Minister of State for Policing and Criminal Justice. The programme covers the range of issues involved in establishing PCCs from operating principles to establishing the local elections.

2.4 The most obvious impact to the East Sussex Safer Communities Partnership is the change in 2013/14 to a range of funding streams being allocated to the PCC, rather than the upper tier authority. How funding streams that used to be allocated to upper tier authorities are spent and how services are to be commissioned, will largely depend on the approach and the capacity of the PCC. These funding streams do however form a small proportion of the overall funds available to the PCC.

2.5 There are potential risks to funding only being used for commissioning of services on a Sussex-wide basis or the PCC taking a less robust approach to the use of the funding available. Equally, there is a risk that services in East Sussex that have not been fully or properly evaluated fail to attract funding.

2.6 There are also a number of opportunities, such as the funding allocated to the PCC being used to add value to existing services that are already being commissioned from mainstream funding and commissioning new services that meet unmet need.

2.7 There is a clear steer from the Home Office, that PCCs are not being introduced to replace partnerships, rather they should be fully utilising the existing partnership arrangements. The PCC will not be a statutory partner on Community Safety Partnerships. In anticipation of the PCC, Community Safety Partnerships should be ensuring that they have reviewed the partnership landscape to ensure the most effective delivery of services and joint responses. East Sussex is well placed in this regard, following the Partnership Review process that has been undertaken over the last three years. As a result, the majority of staff and many services are now funded from mainstream budgets.

3. Conclusion and Reasons for Recommendation

3.1. The full impact of the introduction of the Sussex PCC on the East Sussex Safer Communities Partnership, depends to a large extent on the approach of the PCC elected and the priorities within their manifesto. Over time, the shift of grant funding to the PCC into a single pot provides some risks for East Sussex but some potential opportunities as well. The East Sussex Safer Communities Partnership will be actively marketing the work of the partnership and the services we commission to PCC candidates, to help them understand the value of the existing infrastructure.

3.2 The Committee is recommended to consider and comment on the potential impact of the introduction of a Sussex Police & Crime Commissioner on the East Sussex Safer Communities Partnership.

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Background papers: None

The role of the Police and Crime Commissioner and Police and Crime Panel

Police and Crime Commissioner for Sussex

The basic principle behind the introduction of the PCC is to increase the accountability of the police and strengthen the link between police and communities. The government will abolish Police Authorities and replace them with elected Commissioners.

The Commissioner will:

- be responsible for appointing their Chief Constable and holding them to account
- determine local policing priorities, publish the Plan, set a local precept and force budget
- have the power to make community safety grants (including but not limited to Community Safety Partnerships)

Commissioners will not be a responsible authority on Community Safety Partnerships but they will have the following powers and duties relating to community safety:

- Power to bring a representative of any of all CSPs in their area together to discuss priority issues
- Power to require reports from CSPs about issues of concern
- Power to approve mergers of CSPs on application of the CSPs concerned
- Power to commission community safety work from a range of local partners including, but not limited to, CSPs

Sussex Police and Crime Panel

The basic principle in introducing the Police and Crime Panels is that it will provide an important set of checks and balances to Police and Crime Commissioners.

Police and Crime Panels will be drawn from local elected councillors and independent lay members.

Panels will be able to:

- scrutinise the activities of Commissioners
- offer advice to them (advice which they are obliged to consider)
- handle any complaints against a Commissioner and require them to resign in certain circumstances

Composition of Panel

- minimum of 10 councillors and 2 independent co-optees
- where there is an elected mayor in force area, they must sit on Panel

Functions

- Require the Commissioner to attend a public hearing to respond to concerns
- Review the draft Police and Crime Plan and make recommendations
- Make reports and recommendations about the Annual Plan
- Review expenditure proposals and make recommendations
- Require information in the possession of the Commissioner
- Deal with complaints about the conduct of a Commissioner
- Appoint an acting Commissioner from the Commissioner's staff if the Commissioner is incapacitated or resigns.

Support

- Panels will be supported by a Scrutiny Officer, employed and paid for by a lead authority

Veto

- Panel will have the right of veto for the Precept/budget and Chief Constable appointment by two thirds majority vote