

Warwickshire Police Authority – 18 November 2009

Report of the Chief Executive

Summary

This report draws a number of issues to Members' attention.

Recommendation

That Members note the contents of this report and in particular the impending nature of the Police Authority Inspection

1. Inspections of Police Authorities by the Audit Commission (AC) and HM Inspectorate of Constabulary (HMIC)

The Home Office Commissioned the AC and HMIC to carry out joint inspections of 43 Police Authorities in England and Wales. They will be conducted by joint teams comprising staff from both organisations, together with Peer involvement.

The areas of assessment encompass setting strategic direction and priorities; performance scrutiny, partnerships and community engagement and Value for Money.

The Inspection framework published in July 2009 provides details of the methodology and underpinning principles of the Inspections.

A national report capturing the main lessons from early inspections will be produced by February 2010.

On 16th October, WPA received confirmation that it will be in the next tranche of Police Authorities to be inspected between March and July 2010. The actual date of the on-site inspection is as yet unknown and we will be amongst 13 police authorities involved during this period.

2. Inspection Preparation Work

Members will be aware of an initial Workshop Event which took place on 30th September at Police Headquarters. Subsequently, it has been suggested that the Steering Group should effectively act as a Members Reference Group to oversee progress on preparing for Inspection.

There are three key elements of work to develop as soon as possible, as follows:-

2.1 *A diagnostic self-assessment* in relation to the performance characteristics set out by HMIC/AC to:-

- Provide a critical analysis of WPA's current position
- Inform action planning and improvement work

- Facilitate discussion on desirable outcomes and realistic levels of performance
- 2.2 **A Questionnaire and Document Request Form** – Responses to this can be prepared forthwith in order to establish any likely gaps, resulting in an appropriate action plan.
- 2.3 **A Stakeholder Survey** – At the time of first contact, HMIC/AC will send survey forms to external stakeholders. Accordingly, it is suggested that the PA establishes who the major stakeholders may be and carries out an internal assessment of what likely responses to the survey might look like. As above, this is likely to lead to an action plan which can be monitored by the Steering Group.

In due course, consideration will also be given to the scene-setting meeting and ongoing briefing notes to remind people involved of what the Police Authority does and has achieved. The timing of this will depend on the date of the Inspection but preparations are currently being progressed on the basis of an on-site inspection commencing on March 1st 2010.

3. **Collaborative Working**

- 3.1 On 26th October a meeting of the West Midlands Regional Group of Police Authority Chairs was held at West Mercia Police HQ at Hindlip Hall. In attendance on behalf of WPA was Ian Francis, Phil Robson, John Vereker, Steve Nicklin and Sue Howl. The meeting was planned in three sections as follows:-

- Session 1 – Presentation by Chief Constables on potential collaborative working in the West Midlands Region.
- Session 2 – Consideration of NHS Trusts and PCT Trusts procurement models
- Session 3 – Consideration of joint authority positions.

Following the last meeting of Regional ACPO, the Deputy Chief Constables had been asked to identify opportunities for collaboration across the region, and possible next steps.

A presentation was also received from West Midlands PA on Regional Collaboration in relation to issues to date, on behalf of the four Chairs (**See Appendix 1**)

- 3.2 Consequently at the meeting there was broad agreement to develop a five year regional collaboration strategy based on the following principles.
- An acceptance that regional collaboration must be built on an understanding of what constitutes local policing, with this being locally owned and delivered.
 - Work must be done to harmonise the barriers to effective collaboration. These can be described as enablers such as HR, finance, legal, estates and IT issues where differences in practice hinder collaboration.

- With both of the above in place all other activities are more readily delivered
- A collaboration model could have a default position of a “four force” model of delivery but a regional strategy should allow for a two, three option.
- Value for money must be part and parcel of the decision making in respect of collaborative working.
- Collaboration within the region should not exclude the option of considering work between individual forces or a sub-set of forces with forces outside the region.
- Collaboration within the region should not exclude the option of working with other public sector partners with such options being actively explored.
- A five year collaboration strategy has the potential to make significant efficiency savings over the period.
- An acceptance that some “seed-corn” funding may be needed e.g. the money invested in Viper, the regional approach to serious and organised crime.
- Decisions on collaboration should be made on the test of whether such work will improve the outcomes for communities by ensuring greater protection from harm

3.3 Amongst the Performance Characteristics set by HMIC/AC there are a number which specifically relate to collaborative working as follows:-

- **1.2** - The Police Authority Plans effectively for longer term strategic challenges at local, regional and national levels.
- **2.4** - The Police Authority sets clear priorities and ensures the delivery of effective protective services
- **3.6** - The Police Authority properly balances the focus on local issues and improvements in confidence with the wider needs of the public policing regional and national concerns
- **4.4** - The Police Authority promotes and supports collaboration and joint working between forces and local public service partners to secure the best outcomes for the public in cost and risk terms.

3.4 On 9th November 2009 an initial meeting was held at Woodside Conference Centre in Kenilworth to discuss possible future force structures and efficiencies, in the light of discussions referred to above and forthcoming budget and joint planning sessions. In attendance were Steering Group Members, the Force ACPO team and PA support staff.

4. **News from the APA**

4.1 The Annual APA Conference will be taking place in Nottingham on 25th and 26th November. In attendance will be Ian Francis, Phil Robson, Steve Nicklin, Bob Hicks, Sue Howl and Neil Gulliver.

4.2 At a recent Regional APA meeting of Chairs of Networks, Paul Deneen (Regional Representative) reported that a draft regional APA Handbook is in the process of being completed and should be in circulation later this month.

4.3 ***Home Affairs Select Committee Examination of Future Police Officer Numbers*** – 24th November 2009 – The committee has sought views from individual authorities and forces. ACPO are preparing a consolidated response to which Warwickshire Police have contributed. WPA have sent a joint response to the Committee. APA will send a response based on their report “Sustainability in Policing”.

4.4 The following is a summary of the main issues discussed between the APA Board on an informal basis with David Ruffley MP – Shadow Policing Minister, on 4th November.

- The current Shadow Home Secretary, Chris Grayling MP, has been reflecting on the feedback on the proposals for directly elected Commissioners. There is likely to be an announcement by the end of the year which will contain details of potential models. Options being considered are an elected Commissioner who would chair a body akin to a police authority. Such a body would be slimmed down from present authorities both in terms of size and functions. Alternatively a model may comprise a number of elected Commissioners in one force area based on CDRP and/or BCUs with a formal requirement for such structures to be co-terminous. This last option is likely to be reflected in a think tank report to be published in the near future.
- The drive for change is a need for greater accountability. The Shadow Minister quoted statistics from the Louise Casey report on the lack of public awareness of to whom they can complain.
- There is recognition of the need for safeguards. This might include a minimum age requirement, good character tests and experience of crime/justice. Decisions had yet to be made about whether former police officers or members of political parties could stand. The proposal of having an elected Commissioner chairing an Authority/Board could also be argued as a safeguard. An additional safe guard would be the ability to have an election recall. The arrangements might also be subject to local authority Overview and Scrutiny, as with the local NHS trusts.
- On the issue of precept the elected Commissioner would determine but the decision could be overturned by a majority of the Authority Board. This is akin to the model used in respect of the Mayor’s tax raising powers.
- They would wish to see operational independence established in statute.

- There is a view that the current extensive duties for police authorities have grown over time but not necessary in a planned way. This links to the earlier notion that not all current duties in a police authority would be “passported” to an elected Commissioner.
- In response to questions from those attending the Board, the Shadow Minister stated the following:-
 - While Professor Larry Sherman had spoken out against directly elected Commissioners as originally proposed as being an American model that would not be effective in a British culture, he had been part of the Centre for Social Justice Report in April 2009 which had supported a model of direct elections to the Chair of a Board.
 - While Authorities might ask the question of “what needed to be fixed” the fact was that all three main parties had supported change.
 - The changes proposed by the Conservatives were intended to be cost neutral. An elected Commissioner was expected to be a full time paid position at a salary level to be determined.
 - A recall election could be triggered by a range of events that would require a set percentage of the electorate to request.
 - The Conservatives believe that with the size of the electoral base it was unlikely that extremists would be successful.
 - There was an acknowledgement that variation in population and geography of authorities made the establishment of democratic structures more complex.
 - While forces may be moving away from BCU structures there would be some geographical structures on which an electoral base could be established.
 - The decision of the use of PCSOs would be a matter for the chief constable but no decision had yet been made about funding for such officers.

4.5 **APA response to the Home Office’s forthcoming White Paper.** Members wished to submit a detailed response focusing on the need for policing to respond to changing social divisions, new forms of protest, the impact of the recession, mobile populations and the need to move away from a target culture.

The recommendations in the suggested White Paper contribution are :-

- **Collaboration** : Remedying any gaps in the Policing and Crime Bill now before Parliament with regard to establishing the best possible legal framework for collaboration.
- **Policing Protest** : Implementing any possible legislative requirements arising from the HMIC review into the policing of public protest (possible roles for Police Authorities).

- **Schedule 7 Stops** : Police authorities should have a role in scrutinizing the exercise of CT Stop and Search powers, notably as exercised at ports under section 7 of the Terrorism Act.
- **Serious and Organised Crimes** : Measures which may require legislative change arising from the Governments' recently revised strategy for tackling serious and organised crime. These include "incentivising" measures to further the fight in partnership with the financial industry, use of recovered assets as a relatively easy means of financing the pump priming of new regional SOC structures, and incentivising the public co-operation required to tackle SOC by making recovered criminal assets both visible a demonstrable public benefit.
- **SOCA** : Measure to increase SOCA's alignment with policing priorities; better co-ordination between those gathering and acting on intelligence; cultural and even structural change to inculcate a "partnership" way of working; longer term relationships and exit strategies for their work with local forces, and wholesale revision of SOCA's Accountability model. SOCA's present governance is inadequate to demonstrate how it's increasingly global reach is being effected in the interests of the public and value for money.

And the following **additional suggestions** should be considered as possible measures for inclusion in the White Paper:-

1. A review of the Police funding formula and arrangements for mutual aid.
2. Review of the funding formula in relation to the reallocation of confiscated assets / proceeds of serious organised crime (RARTS) – more assets should be returned to the police and slightly less to the Courts and CPS.
3. Moves to increase the financial industry's contribution to paying for investigation into fraud and protection of financial assets (e.g. Securicor paying more for the safe transit of large amount of cash).
4. Measures to pre-empt the possible resource pressures arising from the Olympics, namely; a review of mutual aid agreements and the Hertfordshire and Winchester agreements in particular, and secondly, bearing in mind the demands of 2010, a possible reduction in the demands of onerous inspection in preceding years.
5. Performance Measurement : PA's reaffirmed their desire to shift away from a tight target culture for the police and from the narrow focus of a single confidence target and the strictures of IQUANTA to a more intelligent assessment which considered a more rounded view of social context (and, as above, the likely impact on the Olympics).
6. Population Growth and diversity should be factored into any future planning.

5. **WPA Support Team Staffing Changes**

Members should be aware that a number of changes are taking place aimed at enhancing the resilience of the staffing arrangements in order to provide effective and efficient support to PA Members. Whilst the Team is very small and capacity

therefore constrained, changes to reflect the roles and responsibilities as outlined in the Governance Framework for Members and the priorities of the three Governance Streams as encapsulated in the Governance Plan have been put in place.

To align the staffing structure, working practices and roles in a way that is most helpful and logical to Members, the functions and roles of individual staff have been more closely associated to the three Governance Streams and key Members responsible for ensuring progress on the priorities.

Accordingly, Debbie Mullis will have particular responsibilities relating to those areas of business under the Protective Services, Standards and Planning Governance Stream; John McPhail will be responsible for Local Policing Governance and Partnerships; and a new role is being advertised externally this week for a Policy Officer – Resources and Governance, to support the Resources Governance Stream.

An additional part-time administrative assistant is due to begin employment with the team on 30th November.

Whilst there are specific roles for individuals there are also elements of work which apply to all Officers, such as, but not exclusively, performance governance and scrutiny; sustainability; local accountability and preparing for the forthcoming PA inspection.

6. **Reminder**

Throughout the remainder of November there are a series of important and related meetings associated with budget and priority setting. It is important that Members make all efforts to attend as this is the start of the process leading to the preparation of the 2010/11 budget.

16th November

Resources Assurance Group at 10.45am – PHQ
Budget Seminar at 2.30pm – PHQ

24th November

Force Strategic Planning Workshop at 9am – Venue to be confirmed

**Sue Howl
Chief Executive**



West Midlands Regional Group of Police Authorities' Chairs

Tuesday 29 September 2009

Regional Collaboration

Context

- ❖ **Post merger evaluation by four forces of collaboration – summer 2007**
- ❖ **No formal actions taken at Force/Authority level but ongoing informal collaborations continued and developed**
- ❖ **Collaboration statement of purpose agreed in June 2008**

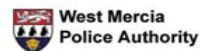


Statement of Purpose

Progress on collaborative working must take place within the context of these shared principles and common understanding

The core aim of collaboration should be the achievement of greater resilience or some additionality (e.g. ready access to specialist resources, facilities and/or equipment) which delivers improved outcomes for the people of the Region

The approach should be pragmatic and driven by the delivery of measurable business benefits held under continuous review.



Context

Arrangements should have agreed governance and management arrangements which avoid the proliferation of bespoke structures and governance arrangements.

Collaborative working should aim to achieve interoperability and, in appropriate cases, common standards.

The search for collaboration should not displace the normal process of sharing good practice.



Context

❖ **Chairs and Vice Chairs have regularly sought progress on collaborative working:**

- ❖ **Protective services**
- ❖ **Non-protective services**
- ❖ **Non-operational policing**

❖ **Some consideration by individual authorities**

- ❖ **Reports to Staffordshire (early 2009) and Warwickshire (recent)**
- ❖ **Report requested for West Midlands (October 2009)**



Context

❖ **Advantage taken of funding (£1m with matched funding) for the Regional Intelligence Unit (regularly reported to the Regional Strategic Policing Policy Group)**

❖ **Report by ACC Simon Chesterman – Protective Services Stocktake (assessing against ACPO standards)**



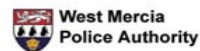
Current drivers

❖ Work of HMIC

- ❖ Planning to Protect – mid 2008
- ❖ Getting Organised – October 2008
- ❖ Getting together- a better deal for the public through joint working – June 2009
- ❖ Working for the public – workforce inspection in 2010

❖ All the reports concluded ‘why are there differences in capacity, capability and efficiency’

❖ Soon to be produced ‘Force and Authority profiles’



Current drivers

- ❖ **Treasury publications – focus on non-operational policing**
- ❖ **Home Office upping the ante on collaborative legislation**
- ❖ **Financial uncertainties – a minimum of 5% cut over 3 years, could it be as much as 15-20% over 5 years?**



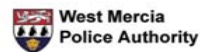
Current drivers

- ❖ In June 2009, Chairs and Chief Constables agreed to a specific piece of work
 - ❖ Interim report in September 2009
 - ❖ Final report to Chairs and Chief Constables in December 2009
- ❖ Regional Deputy Chief Constables' Group re-established
- ❖ West Midlands sought terms of reference but not available



Police Authority Inspection

- ❖ **1.2 Authority plans effectively for longer strategic challenges at local, regional and national levels**
- ❖ **2.4 The Authority sets clear priorities and ensures the delivery of effective protective services**
- ❖ **4.4 The Authority promotes and supports collaboration and joint working between forces and local public service partners to secure the best outcomes for the public in cost and risk terms**



Regional Report

- ❖ **To develop a strategic position for the region on issues of: strategic vision, tactical approach and support arrangements.**
- ❖ **Reference to a continuum of models - ‘merged forces’ to ‘individual isolation’.**
- ❖ **Debate where to position ‘regionalism’ on that scale.**
- ❖ **Acknowledged that honourable differences exist within the Region and a ‘summit’ of the four Chief Constables to narrow these differences is being arranged.**



Regional Report – Covering Letter

The tactical debate uncovered two issues.

- ❖ **Pace of change; focus on few to identify critical lessons or pursue change across a broader front?**
 - ❖ **accepted the proposed scale with expansion to support functions such as legal services and incorporate work at an advance stage, e.g. identification.**
 - ❖ **informal collaborative arrangements, where they already exist, should be drawn into the scope of this work as well.**



Regional Report – Covering Letter

❖ Project Support;

- ❖ support recruitment of a regional CSupt plus further support

- ❖ DCCs continue to lead the work strands with the Regional Meeting being the parent body.

- ❖ The existing ‘light-touch’ governance arrangements supported with assurances that Regional Police Authorities provided with necessary information to discharge their legal functions while providing opportunities to add value to the developing picture.



Regional Report

- ❖ **Model varies the original statement of purpose – cost criteria**
 - ❖ **Additional or enhanced – same cost**
 - ❖ **Same capacity and capability – less cost**
 - ❖ **Diminution of service if less than savings e.g. 10% less service at 25% savings**
 - ❖ **Create a new capacity/capability for service delivery**
- ❖ **Criteria used to determine services to go forward – see list**



Regional Report

❖ Next steps

- ❖ Some progress in some areas already
- ❖ Establishment Regional Programme Board
- ❖ How link to existing Regional Protective Services Group



Regional Report

❖ Issues for the Region

- ❖ What is the shared vision of the four authorities for the delivery of collaboration?
- ❖ Does the work of the four forces meet this vision?
- ❖ Does what is proposed by the four forces meet the challenges faced by all four authorities?

❖ Practicalities

- ❖ Timescales
- ❖ Savings
- ❖ Delivery across all three areas of the policing service
- ❖ Police authority involvement

