



SUSSEX POLICE & CRIME PANEL

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By email:

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Dear Sir/Madam,

Review into the Role of Police and Crime Commissioners

Response from Sussex Police and Crime Panel

The following consultation response is solely based upon the local experience in Sussex.

Sussex's current PCC has held the post since the introduction of the new arrangements in November 2012. The Panel has therefore not had the opportunity to compare between different incumbents. The following views should be considered in this light.

- 1. How to reinforce and sharpen the accountability of PCCs to the Communities they serve, including how to raise the profile of the PCC model and improve the ease with which the public can access information about their PCC.*

The Panel's view is that the Sussex PCC undertakes a significant amount of public engagement, adopting a variety of formats and settings across the County, and via social media. Often this engagement is targeted on a specific area of policing concern, working with the affected demographic to better understand the issues. The Commissioner is very visible on local and national media, and on social media. In totality, this would seem to significantly raise the profile of the role locally.

As locally elected representatives, Panel members are able to inform their strategic scrutiny through the views arising from their local residents.

A potential area for improvement might be if PCCs were required to publish online up-to-date performance data against their Police and Crime Plan objectives.

A further idea might be to ensure that PCC elections and Chief Constable appointments do not coincide, so that the public have the opportunity to observe how effectively the Commissioner operates with different Chief Constables.

Deputy Commissioners and senior appointees within the Commissioner's staff influence policy and their recruitment should be subject to more independent oversight – this could include the PCP being represented on the interviewing panels.

2. *How to ensure that PCCs have sufficient resilience in the event that they cannot undertake their role, by considering existing arrangements for appointing deputies*

Sussex PCC does not currently have a deputy. The Commissioner appointed a deputy PCC in 2013, although the Panel recommended that the candidate not be appointed. Panel members struggled with the appointment being political in nature (and not therefore subject to a typical recruitment process).

The deputy resigned six months after taking up the role. The PCC has not proposed a candidate subsequently. A deputy might help ease the PCC's workload (particularly considering the physical size of Sussex, and the Commissioner's commitment to widescale public engagement) and address the potential for the PCC to otherwise appear remote (again, given the size of the force area).

One way to avoid this would be for deputies to be elected, at the same time as the PCC. Deputies would thereby enjoy greater democratic legitimacy should they ever need to act as Commissioner.

Sussex has not faced a situation where the PCC has been unable to undertake their role. Planning has been undertaken with the Commissioner's officers, and it is expected that the Chief Financial Officer would take on the role for any period of PCC incapacitation or suspension.

3. *How to improve the current scrutiny model for PCPs, including the provision of common quality standards and considering the role of Panel chairs*

The current scrutiny model appears to work well in Sussex, not least because the relationship between the Panel and the Commissioner (and their respective support officers) is good. We understand that in other force areas, where there is not such a strong working relationship, together with a shared sense of purpose, scrutiny appears to be somewhat adversarial in nature. Common quality standards may be an area for consideration, should these apply to both Panels and Commissioners.

A recall process for PCCs would not be helpful, as it could create an unhelpful fear/blame culture.

The Panel has the power to review and veto the appointment of the Chief Constable, but has no power to require the Chief Constable to attend the Panel subsequently. Sussex PCC has so far resisted requests for the Chief Constable to attend formal Panel meetings. For the PCP to scrutinise policing universally they should also review operational policing plans in the context of ensuring that they satisfy the Commissioner's Police and Crime Plan, by taking evidence and questioning the Chief Constable as plans are published and updated. In Sussex the Panel would need the power to require the Chief Constable to attend in order to follow such a course of action.

4. *The effectiveness of the current PCC and Chief Constable oversight dynamic, including consideration of the process for the suspension/dismissal of Chief Constables and reviewing the Policing Protocol. Are PCC powers around the removal and appointment of chief constables correctly calibrated? Is the balance right in the PCC/CC relationship?*

On the two occasions the Sussex Commissioner has sought to appoint a Chief Constable, the Panel has been impressed by the robustness of the process, and subsequent quality of the candidate, once established in the role. There is no feeling that the appointment process needs to change.

The Commissioner's power to suspend/remove a Chief Constable is a significant power, but there are checks and balances in the form of the statutory involvement of the Panel and of Her Majesty's Chief Inspector of Constabulary. It is noted that the Panel's recommendation in respect of a Commissioner's proposal to call upon a Chief Constable to resign is not binding upon the Commissioner.

It is accepted that the PCC should play no role in operational matters. The Panel has not observed any actions or inactions on the part of the Commissioner and Chief Constable to indicate the balance in the PCC/CC relationship is not operating as intended. However, it is not clear how well this works based on the publicly available evidence.

In Sussex the Commissioner has adopted a webcast monthly "Performance and Accountability Meeting" with the Chief Constable, and describes this as "an opportunity for the Commissioner to hold the Chief Constable to account on behalf of the public in an open and transparent way".

Feedback from correspondents to the Panel over the years has indicated that the public often consider these meetings as pre-planned and rehearsed/staged reporting and Q&A sessions. Some more random challenge from the Commissioner would perhaps demonstrate the strength of the relationship, and that the Chief Constable was genuinely being held to account.

5. *Whether any steps are needed to strengthen accountability or clarity of roles within the mayoral PCC model, learning from the transfer of PCC and FRA functions to mayors*

The common model is for mayors to appoint deputies to each of these functions. Whilst this has some structure for cities and metro areas this has little relevance for multi-tier rural counties (even if they ultimately transition to some form of unitary authorities). What is important is that the public are able to understand what leadership is in place and therefore whom to hold to account.

6. *How to set out our long-term ambition on fire governance reform ahead of the May 2021 PCC elections*

If government is considering requiring the transition of FRS's post-May 2021 there is insufficient time to consult FRS's, local authorities and the public on such an option.

Police Fire and Crime Panels have experienced challenges in ensuring that there is sufficient membership, expertise and funding to effectively scrutinise combined services and this has resulted in a public disconnect with accountability. Because of local partnership integration of both estates and support staff, such a change in Sussex will likely result in increased costs for both FRS's and local authorities.

Yours sincerely,



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Chairman
Sussex Police and Crime Panel