

**Greater Manchester Police Authority:
Response to the Public Bill Committee work on the Police Reform
and Social Responsibility Bill.**

1. Executive Summary

1.1. In collating Greater Manchester Police Authority's response to the work of the Public Bill Committee, consideration has been given to the current governance system in place throughout Greater Manchester. The response has taken account of the benefits and drawbacks of proposals within the Police Reform and Social Responsibility Bill and how these could be practically applied.

1.2. However Greater Manchester Police Authority remains opposed to the proposal that the oversight and scrutiny of individual police forces by one Person. The Authority requests that the Public Bill Committee gives further consideration to the following areas.

- a) The amount of power held by a single person with a lack of robust checks and balances, juxtaposed with a perceived need to address the local democratic deficit.
- b) The lack of information about managing the period of transition from the current governance structure to that involving the appointment of a Police and Crime Commissioner in each force area.
- c) A key issue regarding continuity of leadership in extenuating circumstances.

Further details are contained in sections 3-5.

1.3. Where the Authority is of the opinion that Government proposals lack feasibility or present difficulties, the Authority has sought to suggest constructive solutions and proposals to address such difficulties and would welcome the opportunity for further discussion.

2. Introduction

2.1. The Greater Manchester city region has a population of over 2,500,000 and is made up of ten local authority areas - Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan. Between them, the ten areas comprise 215 council wards and 277 separate neighbourhood communities with an estimated 95,000 businesses, over 10,000 voluntary organisations and an estimated 100,000 students*. There are twelve police divisions which are co-terminous with local authority areas with the exception of Manchester which is split into three police divisions, South Manchester, North Manchester and Metropolitan. ** figures provided by AGMA*

2.2. Greater Manchester Police Authority has 19 Members. There are ten Councillor Members appointed, one each from the ten local authorities which make up the city region. GMPA's nine Independent Members are local

people appointed following a recruitment process, based on Nolan principles. One of these Members is also a serving magistrate.

3. An individual with power juxtaposed with perceived local democratic deficit.

3.1. Greater Manchester Police Authority has several misgivings concerning the feasibility of a single person effectively scrutinising the work of a Chief Constable. There are several practical issues that the Public Bill Committee may wish to consider:

- a) Whilst the electoral mandate of the Commissioners gives them legitimacy it doesn't automatically give them the power to meet their statutory duties effectively. This has particular resonance when the reality of operational independence is considered. If the Police and Crime Panels had a more collaborative remit it would enable the Commissioner and strengthen governance structures.
- b) Within metropolitan areas such as Greater Manchester, each geographical area may have different strategic needs or priorities. It will be difficult for one person to be aware of all those needs and priorities. If the role of the Police and Crime Panel were strengthened to include an advisory and participatory role the risk would be mitigated, providing the Commissioner with a greater insight regarding the areas they represent.
- c) The proposals state that both the Commissioner and the Chief Constable will have the power to borrow. If there is only a single police fund, then not only is this unnecessary but potentially dangerous. The current proposals provide little detail as to the scrutiny or oversight that would be in place and relies greatly on a positive and constructive relationship between the Commissioner and the Chief Constable.
- d) The power held by the Commissioner to appoint; suspend and remove a Chief Constable. The proposals as they stand are both protracted and without robust checks and balances. The Police and Crime Panel are only notified after the event and have little or no part in the deliberations. This would have efficacy if the Public Bill Committee outlined a participatory role in proceedings for Police and Crime Panels. This would ensure timely delivery of their responsibilities e.g. agreeing draft plans; amendments; annual reports etc.

3.2. The reduction and detection of crime and anti-social behaviour are clearly concerns for many public sector partners and are not just the responsibility of the police service in isolation. The Association of Greater Manchester (Local) Authorities (AGMA) is well positioned through its existing structures as it is co-terminous with Greater Manchester Police, to facilitate the transition to a new governance structure, similar to that proposed by the Bill.

3.3. Following the revision of the AGMA constitution, a commission was established to ensure the effective delivery of the Greater Manchester multi-area agreement on public protection. Membership of the commission includes both elected representatives (councillors) and local criminal justice representatives. A chief officer group meets regularly to both identify strategic areas of work, which cut across the city region (i.e. 10 local authorities), and ensure that appropriate plans and processes are in place to deliver effective change.

3.4. GMPA is a key player within this “Team Manchester” group and the Chairman of the Police Authority chairs the leadership group which oversees the work of the chief officer group, ensuring that policing and crime reduction is key.

3.5. Representation by an elected member from each local authority ensures that the needs and priorities of the 10 localities are heard. **If the Commissioner is nominated/elected from within this group by AGMA members it would meet the need for a leader with a democratic mandate and reduce expenditure on costly elections.**

4. Proposals for the period of transition

4.1. Greater Manchester Police Authority is concerned about the lack of proposals within the Bill to provide guidance to Police Authorities as to how the transfer of control from the current governance arrangements to those involving the appointment of a Police and Crime Commissioner will be managed (other than the individual taking up post 7 days after the election takes place).

4.2. Even allowing that the Police and Crime Commissioner will be a full time post, it is unrealistic to expect the Commissioner to be up to speed with the full range of policing responsibilities and activities within that time period. Previous experience shows that it takes new members at least 6-12 months to be able to fully embrace the role and understand its purpose.

4.3. The proposals suggest that existing Police Authorities will need to develop and deliver a brand new administration which is ready to come on line on the 7th day. There will need to be extensive preparation work undertaken. Whilst the Bill indicates that the Home Secretary can provide guidance, this will not occur until after the Bill becomes law, placing a great deal of pressure on some of the existing smaller administrations. Greater Manchester Police Authority would urge that more detail is set down in the Bill regarding Government expectations during the transition period to allow for effective planning.

4.4. The Bill outlines the role of the Commissioner yet does not provide details of competencies that will be expected from candidates. To ensure that applicants are aware of the scale of the role, Greater Manchester Police

Authority would suggest that candidates are provided with a 'person specification' and a series of briefings in advance of the election to reduce attrition rates post election. The Public Bill Committee may wish to consider prescribing areas about which candidates could be usefully briefed, in order to encourage a minimum standard of competency from prospective Commissioners. These could include:

- a) Remit and expectations of the role
- b) Legal and financial basis of the Office of the Commissioner
- c) Structure of the Office of the Commissioner including human resources issues
- d) Relationships with Partners, both locally and nationally**
- e) Codes of Conduct
- f) Current policing priorities and strategic direction for the area

4.5. In addition, Greater Manchester Police Authority has concerns regarding the practical implementation of some aspects of the Bill during the first few months of the new administration.

- a) For the first year of the Commissioner's office the budget will have already been set, yet there will be a requirement for the office to develop and consult on the Police and Crime Plan which is to be published as soon as possible after the Commissioner takes office. The nature of the Plan and the feedback from consultation could potentially conflict with availability of budget.
- b) During the same period, consultation must be undertaken regarding the precept in order to comply with the budget setting timetable for the following year. This will impact heavily on resources for some administrations.
- c) It could take some time to develop and establish effective systems; and for processes to be put in place with partners if the Bill goes forward in its current format. This raises the question of how effective the Commissioner's scrutiny of the Chief Constable would be during the first year of the Commissioner's office. Police and Local Authorities could not commence work on developing systems and processes until the Secretary of State publishes guidance. There is currently no indication of when that will happen. Considering that implementation timescales will be stringent, Greater Manchester Police Authority would urge that the guidance is published promptly to allow the requisite systems and processes to be developed in advance of the election.
- d) As proposals stand, post election, an intensive induction process will be needed for Commissioners. To ensure consistency throughout the country the Public Bills Committee may wish to consider some of the following themes within the induction process.
 - Hand over issues such as: Committee position/handover statements; previous organisational policies and procedures
 - Housekeeping issues such as: register of interests; expenses etc.
 - Risk
 - Guidance for engaging with the media
 - Glossary of police terms

- Guidance on engaging with the force
- Demographics
- Exposure to relevant police functions and departments
- Police and crime panel arrangements
- Basic overview of the senior command team of both the force and the Office of the Commissioner

5. Continuity of Leadership

5.1. The present proposals have the potential to leave a 6 month void should the Commissioner leave, become ill etc. The proposal for the Chief Executive to take over in those circumstances contradicts the whole policy of the leadership having a democratic mandate and being accountable to the local residents for decisions made. Greater Manchester Police Authority would recommend that the Public Bill Committee consider including options to elect/appoint a deputy commissioner in order to address this. If the AGMA model outlined above were adapted and adopted it would be able to fill this void with an experience elected member.