



House of Commons
Home Affairs Committee

**Police and Crime
Commissioners:
here to stay**

Seventh Report of Session 2015–16



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*Report, together with formal minutes
relating to the report*

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Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

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The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/homeaffairscom and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Carol Oxborough (Clerk), Phil Jones (Second Clerk), Duma Langton (Committee Specialist), Kunal Mundul (Committee Specialist), Peter Stam (Committee Specialist), Andy Boyd (Senior Committee Assistant), Iwona Hankin (Committee Assistant) and Jessica Bridges-Palmer (Select Committee Media Officer).

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1 Introduction

Establishment of PCCs

1. Elected Police and Crime Commissioners (PCCs) were established under the Police Reform and Social Responsibility Act 2011. Previously, unelected police authorities had responsibility for holding Chief Constables to account, setting the police precept for their area, and controlling police force budgets. The objectives were that PCCs “would bring [...] real local accountability for how their forces perform”; through being “elected, visible and accountable to their local electorate” and that they would “provide an impetus to reform, innovate and deliver policing more effectively”.¹

2. There is a PCC for 41 of the 43 police forces in England and Wales.² They serve a four-year term; the next elections will be held in May 2016. When PCCs took up their posts in November 2012 they collectively took control of over £8 billion of police force funding.³

Core functions

3. The core functions of PCCs are:

- Appointing the Chief Constable, and holding him or her to account for the running of the force;
- If necessary, suspending the Chief Constable or calling on him or her to retire or resign;
- Setting out a five-year Police and Crime Plan (in consultation with the Chief Constable) determining local policing priorities; and
- Setting the annual local precept and annual force budget.⁴

Background to the inquiry

4. Our predecessor Committee reported on its initial conclusions about PCCs in April 2014, 18 months after they were elected. It believed that it was still too early to determine whether the introduction of PCCs had been a success and that, given the low turn-out for their election, the concept of PCCs was “still on probation”. However, the Committee also concluded that PCCs “have provided greater clarity of leadership for policing” and that they “are increasingly recognised by the public as accountable for the strategic direction of their police force”.⁵

5. Now that the first four-year term is almost over, and in advance of the next round of PCC elections in May 2016, we decided to assess the progress made in addressing our

1 [Government Response to the Sixteenth Report from the Home Affairs Committee](#), Session 2013-14, Police and Crime Commissioners: progress to date, December 2014, Cm 8981, p 1

2 The Metropolitan Police and the City of London Police operate under different arrangements. In addition, from May 2017 Greater Manchester’s elected mayor will take on that PCC’s responsibilities.

3 [Association of Police and Crime Commissioners](#) website, Role of the PCC [accessed 4 March 2016]

4 [Association of Police and Crime Commissioners](#) website, Role of the PCC [accessed 4 March 2016]

5 Sixteenth Report from the Home Affairs Committee, Session 2013-14, [Police and Crime Commissioners: Progress to date](#), HC 757, [paras 9 and 56 \[Hereafter “2014 Report”\]](#)

predecessors' concerns and the lessons learned from the first term in office. This report draws attention to the further improvements which we believe need to be made to the operation of the PCC role.

6. The Home Office is planning to widen the PCC role. This includes provisions in the Policing and Crime Bill (which had its Second Reading in the Commons on 7 March 2016) to give PCCs a greater role in dealing with police complaints.⁶ The Home Secretary has also raised the prospect of expanding their responsibilities within the criminal justice system and has even suggested that they might be involved in setting up free schools.⁷ This report therefore also sets out our preliminary views on these proposed changes to their role.

7. We took oral evidence from Lord Wasserman, who is acknowledged as the “architect” of the PCC system, and from five PCCs. Three are PCCs who are not seeking re-election: Ron Ball of Warwickshire, Alan Charles of Derbyshire, and Sir Clive Loader of Leicestershire; and two are PCCs who will be standing again in May: Katy Bourne of Sussex and Jane Kennedy of Merseyside. We are grateful to all the witnesses for contributing to our work.

6 See Policing and Crime Bill 2015/16: [factsheet](#)

7 Home Secretary's speech at Policy Exchange, [4 February 2016](#), “Putting people in charge: future of Police & Crime Commissioners”

2 Police funding and effectiveness

Reform of the police funding formula

8. One of the key functions of PCCs is to set the annual force budget and the local precept. In December we reported on the Government's plans to reform the police funding formula through which the overall Home Office allocation for policing is divided up between the 43 forces.⁸

9. As we pointed out, PCCs and police forces were faced with considerable uncertainty about their future budgets during our inquiry. This arose from the anticipated combined impact of reductions (for some forces) resulting from the proposed formula changes, as well as cuts for policing as a whole, expected in the outcome of Spending Review 2015. We found that this uncertainty had been compounded by a "rushed" reform process which was then "paused" during our inquiry because serious errors were detected in the Home Office's calculations about the impact of the formula changes.⁹

10. In the event, the Chancellor stated that the Spending Review outcome was "real-terms protection" for the police, and we noted in our December 2015 report that this appeared to mean a standstill in overall police funding.¹⁰ However, in response to a letter of 11 February 2016 from the Shadow Home Secretary, Rt Hon Andy Burnham MP, the UK Statistics Authority (UKSA) agreed with an analysis by the House of Commons Library that "between 2015/16 and 2016/17 there has been a decrease in this [the Police Grant Report] element of police funding in real terms".¹¹ Mr Burnham cited in his letter to the UKSA that the Commons Library analysis was that the decrease amounted to £160 million.¹² UKSA also stated that "more could have been done to provide greater clarity about the data" in the Home Office Written Statement and the Police Grant Report; and that "providing a definition of the precept and implications should the precept amount change would also have been helpful".

11. Moreover, uncertainty remains for PCCs and forces because of the ongoing lack of clarity about the timescale for, and nature of, the reforms to the funding formula. We have not yet received the Government's response to our report. However when it was debated in the House on 1 March 2016, the Minister for Policing, Rt Hon Mike Penning MP, was still unable to provide a timescale for making progress with reform of the funding formula.¹³ He said:

[...] the chief constables are coming forward with their own capabilities review. I cannot today give the House and the Chair of the Home Affairs Committee a timescale and date for the start of the new consultation, because I need that

8 Fourth Report, [Reform of the Police Funding Formula](#), HC 476

9 Fourth Report, [Reform of the Police Funding Formula](#), HC 476, paras 24-29 and 53-61

10 Fourth Report, [Reform of the Police Funding Formula](#), HC 476, paras 4 and 100

11 Letter from Rt Hon Andy Burnham MP to the Chair of the UK Statistics Authority, [11 February 2016](#) and reply from Sir Andrew Dilnot CBE, Chair of the UK Statistics Authority, 9 March 2016. See also; Written Statement, Police Grant Report for England and Wales 2016/17, 4 February 2016, [HCWS510](#)

12 Mr Burnham also referred to the analysis and the £160 million figure in a debate on police funding, see HC Deb, [24 February 2016](#), cols 381-2; see also The Guardian, 10 March 2016, "[George Osborne rebuked for 'no cuts in police budgets' claim](#)".

13 HC Deb, [1 March 2016](#), cols 874-920

review to have reported to me. It would be ludicrous if I announced a new review and people said to me, “We will structure it this way” but then came back with another formula. I am not willing to do that.¹⁴

He also referred to the contribution that PCCs needed to make, along with Chief Constables, by providing “an understanding [...] about where they are asking the capabilities to be delivered from”. Once that had been delivered, “then we can come forward and get it right”.¹⁵

12. As we set out in our report in December 2015, everyone agrees that the police funding formula needs to be updated. However, the ongoing delay in producing a revised formula is causing considerable uncertainty for PCCs and police forces. It is an essential part of a PCC’s responsibilities to set the budget for the force. Yet at present their hands are tied because they simply do not know how much funding will be available to them beyond the 2016–17 financial year. The Minister for Policing told Parliament that he was awaiting the outcome of a review on capabilities which is being undertaken by the National Police Chiefs’ Council (NPCC). The Chair of the NPCC has written to the Committee saying that, when she met the Minister in February, “we discussed the relationship between the work on the funding formula and specialist capabilities. We recognised the need for both pieces of work to be completed to inform the future funding of policing”. This implied that both pieces of work should be undertaken simultaneously, and not sequentially. We call on the Government and the NPCC to finalise their conclusions on police capabilities and restart the funding formula review as a matter of urgency. There is also no reason why the Minister should not establish the independent panel which we recommended in our report on police funding. This panel should immediately begin consulting PCCs and forces, on the basis of clear and properly calculated proposals, so that a new funding formula can be introduced without further damaging delays.

13. As we also noted in our report on the police funding formula, the Home Office calculation errors, which led to the reform process being paused, were only detected due to the commendable work of Andrew White, Chief Executive of the Office of the Police and Crime Commissioner for Devon and Cornwall (Tony Hogg).¹⁶

PCCs’ role in promoting effective policing

Police and Crime Plans

14. In their 2014 report, our predecessors said: “We are mindful [...] that as the next elections approach many PCCs will feel under pressure to demonstrate their effectiveness”. The Committee drew attention to the worrying trend in the past where the setting of targets for police forces had resulted in “incentives for the gaming of crime statistics” and warned against the risk of PCCs being tempted to use targets in this negative way in the future.¹⁷

¹⁴ HC Deb, [1 March 2016](#), cols 916-7. Details of the specialist capabilities review being carried out by the National Police Chiefs’ Council are set out in a letter from the NPCC Chair (Sara Thornton) to the Chair of the Committee, [11 March 2016](#)

¹⁵ HC Deb, [1 March 2016](#), cols 916-7

¹⁶ Fourth Report, [Reform of the Police Funding Formula](#), HC 476, paras 49-52

¹⁷ [2014 Report](#), paras 40-47

15. We asked PCCs about the steps they take to measure and promote effectiveness in their own forces. The Police Reform and Social Responsibility Act 2011 requires PCCs to set the police and crime objectives for their area through a Police and Crime Plan, against which performance can then be measured.¹⁸ Sir Tom Winsor, HM Chief Inspector of Constabulary, said recently that “HMIC will continue to take full account of the priorities that police and crime commissioners set for their chief constables in the way in which we plan and undertake our inspections” and that Police and Crime Plans form a critical part in designing HMIC’s inspections “to ensure that full weight is given to the democratically established priorities to which each chief constable must have regard”.¹⁹

16. Alan Charles, the Derbyshire PCC, told us that the six objectives in his Police and Crime plan provide a “clear performance programme” for his force and the Police and Crime Panel (see Chapter 5).²⁰ Sir Clive Loader of Leicestershire explained that PCCs are legally required to ensure the force is efficient and effective. He pointed out that “‘efficient’ means living within the realities of the budget [...] ‘effective’ is delivering the Police and Crime Plan”. He said that if his Chief Constable (Simon Cole) was asked “to say in one sentence what his job was, he would say, ‘I deliver the Police and Crime Plan’”.²¹

Responding to HMIC reports

17. We asked the PCCs about the usefulness of another key mechanism for measuring effectiveness—the reports published by HM Inspector of Constabulary (HMIC), including its reports on Police Efficiency, Effectiveness and Legitimacy (PEEL).²² Ron Ball of Warwickshire said that the reports were taken seriously; he would immediately discuss any issues highlighted in the report with the Chief Constable and agree an action plan to deal with it. However, he also believed that there was a problem with the public’s perception of HMIC reports in that PEEL reports assess forces against very specific performance measures in different categories of their activities; but if there is negative comment about one aspect of the force’s performance “the message that goes out to the public as a result of that report is that Warwickshire police requires improvement as though that is a general assessment of the whole of Warwickshire police”.²³

18. Alan Charles of Derbyshire said “I always view HMIC inspections as a positive and I see it as free consultation”. Sir Clive Loader of Leicestershire agreed that they provided a “third-party, independent” view and “I can use that as a tool with the chief constables to make them better”. He agreed with Mr Ball, however, that there was an issue with the media “always picking up on the ‘requires improvement’” areas, and then characterising it as a reflection of overall performance, “even when you are ‘excellent’ in many areas”.²⁴

18 Association of Police and Crime Commissioners website, [About PCCs](#) [accessed 8 March 2016]

19 HMIC, [State of Policing](#) – The Annual Assessment of Policing in England and Wales 2015, February 2016, Foreword and p 29

20 Oral evidence taken on [23 February 2016](#), Q19

21 Oral evidence taken on [23 February 2016](#), Q28

22 The most recent HMIC PEEL reports, on police effectiveness, were published on 18 February 2016. See HMIC, PEEL: [Police effectiveness 2015](#) – a national overview, February 2016. (Separate reports on each police force are also published and are available via this link.)

23 Oral evidence taken on [23 February 2016](#), Q21

24 Oral evidence taken on [23 February 2016](#), Qs22, 24

Provisions within the Policing and Crime Bill currently before Parliament would introduce a requirement on PCCs to respond to HMIC reports within 56 days, to address each recommendation in a report, and to copy the Inspectorate into their response.²⁵

19. In his most recent annual report on the *State of Policing*, Sir Tom Winsor said “I have concerns about the extent to which some chief officers allow their forces to disregard what is required of them and adopt systems, processes and practices which are not consistent with national requirements”. He also said: “chief officers need to do more to work together effectively and efficiently across police force boundaries. This includes sharing ideas; working collaboratively; and adopting consistent standards of leadership, behaviour and practice”.²⁶ These appear to us to be areas where PCCs should clearly be intervening.

20. **One of the core functions of PCCs is to “secure an efficient and effective police force for their area”. HM Chief Inspector of Constabulary, in his most recent annual report on the state of policing, expressed concerns that some chief officers “disregard what is required of them” and fail to follow national requirements. He also believed that they were not doing enough to work collaboratively, adopt consistent standards of leadership and behaviour, and share best practice. These are clearly areas where PCCs should have a much greater influence in achieving improvement. In the second four-year term, PCCs should prioritise working together collectively, as well as with their chief officers, to improve policing, to a much greater extent than has so far happened.**

21. **HMIC’s Police Efficiency, Effectiveness and Legitimacy (PEEL) reports already provide PCCs and forces with a free and highly professional consultancy service, to assist them in achieving improvements. These should be used in a much more direct and specific way to inform the Police and Crime Plans which PCCs use to hold Chief Constables to account. Specific weaknesses in a force’s performance which are identified in PEEL reports should also be addressed in action plans agreed between PCCs and Chief Constables, which should include timescales for achieving improvement. We welcome the provisions in the Policing and Crime Bill which will require PCCs to respond to HMIC reports within 56 days, and to address each of the recommendations.**

25 See Policing and Crime Bill 2015/16: [factsheet](#)

26 HMIC, [State of Policing](#) – The Annual Assessment of Policing in England and Wales 2015, February 2016, pp 26-7

3 Public engagement

Public awareness

22. PCC elections were held in November 2012. 36 million people were registered to vote in the elections; 5.49 million votes were cast. This represents a turnout of 15.1%—the lowest recorded level of participation at a peacetime non-local government election in the UK. 191 candidates were nominated and stood for election to the 41 PCC posts. Elections resulted in 16 Conservative, 13 Labour and 12 Independent PCCs, and six elected PCCs were women.²⁷

23. Despite the low turnout, our predecessor Committee drew attention to the fact that, by mid-2014, public awareness of PCCs was at 62%, compared to 7% for the police authorities they replaced.²⁸ Nevertheless, Sir Clive Loader, the Leicestershire PCC, believed that the “dearth of knowledge” amongst the general public about PCCs, even their basic role, “is horrendous, it really is.” However, he believed that, if PCCs took the trouble to meet the public and explain what they do, then “they do understand it, and generally speaking they are very supportive.”²⁹ Alan Charles, the Derbyshire PCC, agreed that awareness of the PCC role had been a problem initially but that this had improved over the last three years. He said: “For me, the recognition had moved up to 35% from 26% the year before. There is that gradual knowledge, and it is going to take time. You cannot bring out something like this and expect people to know straightaway”.³⁰

Communications and engagement

24. All the PCCs who gave evidence were very much aware of the importance of public engagement and making themselves available to meet the public. Katy Bourne, the Sussex PCC, emphasised that “it is not a part-time job”. Jane Kennedy, the Merseyside PCC, estimated that she had had face-to-face meetings with 20,000 people in Merseyside since she was elected. Under the previous police authority system, it was staff who went to places like shopping precincts to meet the public. But Jane Kennedy believed it was important for the PCC to do this in person because “it is me who needs the profile”.³¹ Jane Kennedy also pointed out that the cost of her office was half that of the predecessor police authority—£1.2 million compared to £2.4 million (and even that smaller budget was underspent each year)—which released additional funds for frontline policing.³²

25. Lord Wasserman believed that there was a significant issue with the resources available to support PCCs’ communications with the public. He referred to the criticism in the “popular press” of PCCs’ expenditure when they were first elected: “every time a PCC wanted to hire a communications officer, someone to deal with newsletters or social media, there was always an attack”. He regarded this as “a mistake” because communications were “key to the job, and a strong communications office making use of social media, and newsletters, and webcasts, and all that, essentially, cannot be done in spare time or

27 Electoral Commission, Police and Crime Commissioner elections in England and Wales: [report on the administration of the elections held on 15 November 2012](#), March 2013

28 [2014 Report](#), para 4

29 Oral evidence taken on [23 February 2016](#), Q33

30 Oral evidence taken on [23 February 2016](#), Q35

31 Oral evidence taken on [23 February 2016](#), Qs56-58

32 Oral evidence taken on [23 February 2016](#), Q76

by the commissioners wandering about the streets.” He also stressed that it is not possible to communicate with young people “by sending a newsletter [...] you have to tailor it to the audience. That is very important. That costs money, and I think we should encourage the money to be spent on that aspect of the job”. He emphasised that PCCs were there to make sure that “the needs of individual constituents are met, and that their demands for service and their particular problems are addressed by the force”. This made it “absolutely essential” that they had strong communications departments—to ensure that “they are listening to the issues” raised by constituents.³³

26. We agree with Lord Wasserman that public engagement by PCCs, including with young people, is an extremely important part of their role if they are to be truly representative of, and accountable to, their local areas. Taxpayers’ money should of course be spent carefully but it is wrong for PCCs to be criticised for devoting resources to the widest range of communication media, including websites and social media. Face-to-face meetings are also crucial and the value in PCCs making themselves available to meet the public in person cannot be over-emphasised. Our predecessors stated in 2013 that PCCs were still “on probation” and that a higher turnout in the next elections would be a vindication of their establishment, and give them a clear mandate to continue developing their role. We commend the PCCs who have prioritised public engagement in their first term, which includes those who gave evidence to us. We would like to see all PCCs elected in May putting the highest priority on engaging with their electorates to ensure that the increased public accountability which PCCs represent continues to be strengthened.

27. As part of this essential drive to engage voters, we recommend that a first-past-the-post system be introduced in time for the 2020 elections. We believe that this would bring much needed clarity to the election process. Under the current system of supplementary vote, if more than two strong candidates are running, voters can be left in the position of trying to guess which two would make the final round. Under such circumstances, they may even be able to defeat their preferred candidate. As this Committee has highlighted, the institution of Police and Crime Commissioners would benefit from being more competitive and more transparent. We therefore recommend a simplified voting system that would enable multiple strong candidates to run in the same election.

PCC costs and declaration of interests

28. Our predecessors criticised the absence of a register of PCCs’ interests and published one themselves as an Annex to their 2014 report.³⁴ The Government defended the absence of a national register by pointing to the statutory requirements on individual PCCs to publish a range of information, including a register of interests covering every pecuniary or other paid interest; budgets; contracts and tenders; senior salaries; expenses; and key decisions.³⁵ The Government’s position remains that “it is simply not the role of central government to establish and maintain a national register of these interests”.³⁶

³³ Oral evidence taken on [23 February 2016](#), Qs59, 65-66

³⁴ [2014 Report](#), para 13. See also First Report of Session 2013–14, [Police and Crime Commissioners: Register of Interests](#), HC 69

³⁵ This information is listed in Annex 1 to the Committee’s First Report of Session 2013–14, [Police and Crime Commissioners: Register of Interests](#), HC 69

³⁶ [Government Response to 2014 Report](#), p 4

29. In their May 2013 report on establishing a register of interests for PCCs, our predecessors also published a range of information about PCCs' costs, including the budget for PCCs' offices in that financial year, and the costs of appointed staff.³⁷ At that time, much of the information had to be obtained by the Committee writing to each PCC separately. The situation does not seem to have improved in the three years since then, in terms of the accessibility of comparable information about PCC costs. The table below shows illustrative office costs for a selection of PCCs.³⁸

Police force	PCC office costs 2013/14–2015/16 (£m)		
	2013/14	2014/15	2015/16
West Midlands	1.88	2.31	1.97
Avon and Somerset	1.45	1.41	1.38
Leicestershire	1.04	1.03	1.10
Cambridgeshire	0.87	1.22	1.25
Cumbria	0.89	0.85	0.80

Note: Information is drawn from different sources and may not be comparable. 2015/16 figures are provisional.

30. **Although PCCs are statutorily required to publish a wide range of financial information, it remains difficult to compare the level and nature of their office costs because the details are published on their individual websites in different formats and include different items and categories. This has prevented us from locating and publishing collated and comparable information about the office costs of each PCC. We believe that this lack of comparable data represents a serious transparency deficit. We recommend that the College of Policing and the Association of PCCs publish a table which sets out each PCC's budget and costs on an annual basis, under the same expenditure headings, so that the public can compare their PCC's performance against that of others in this respect.**

31. **Like our predecessors, we regard it as regrettable that information about PCCs' interests is not collated and published in a single register. We believe that this absence weakens the overall accountability and transparency of the elected commissioner system. The register should be established immediately and hosted by the College of Policing so that there can be ongoing dissemination of good practice.**

37 First Report of Session 2013–14, [Police and Crime Commissioners: Register of Interests](#), Chapter 3

38 One PCC has been selected from each of the PCC salary bands (listed in descending order). See the Annex to this report for further details on PCC salary bands.

4 PCCs and Chief Constables

Establishing good working relationships

32. The basis for the relationship between PCCs and Chief Constables is the Policing Protocol.³⁹ This states that the PCC has “a statutory duty and electoral mandate to hold the police to account on behalf of the public”. PCCs are empowered to “scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Police and Crime Plan”, and to “hold the Chief Constable to account for the performance of the force’s officers and staff”. However, the Order also states that PCCs “must not fetter the operational independence of the police force and the Chief Constable who leads it”.

33. The Home Secretary said in a speech in February 2016 that concerns expressed by many commentators about the relationship with Chief Constables before PCCs were established had largely proved unfounded:

[...] while there is no doubt that PCCs and Chiefs have clashed on occasion, both privately and publicly, the relationship between chief constable and elected officials has by and large been one of healthy tension and respect for one another’s positions.⁴⁰

However, Lord Wasserman, was less sanguine. He told us that he had been “a bit disappointed by the relationship sometimes”. He had hoped that PCCs “would work much more closely” with Chief Constables and was concerned about the lack of teamwork and partnership. He would have liked to have seen chiefs left alone to control operations, while the PCCs focused on their role of setting strategic direction, and providing support, political direction and guidance, and “generally leadership.”⁴¹

34. The PCCs from whom we took evidence believed that the dynamics of their relationship with Chief Constables worked well. Sir Clive Loader, the Leicestershire PCC said: “I think if Chief Constable Cole were here he would be the first to admit that the first year was quite interesting, because [...] I do not think the police were properly held to account before. That does not feel nice, probably, when it starts to happen.” However, they were now “friends” but also had an “accountable relationship” He said “we have matured into, I think, a very powerful combination now, and the results are starting to tell”. Alan Charles, the Derbyshire PCC, described his relationship with his Chief Constable as “excellent”. He said “our thinking runs parallel, and so there have never been any major disagreements on any policy area at all”. Ron Ball of Warwickshire felt that he had received a “warm welcome” from his Chief Constable.⁴²

39 Set out in the Schedule to the [Policing Protocol Order 2011](#)

40 Home Secretary’s speech at Policy Exchange, [4 February 2016](#), “Putting people in charge: future of Police & Crime Commissioners”

41 Oral evidence taken on [23 February 2016](#), Q44

42 Oral evidence taken on [23 February 2016](#), Qs25, 28

Power to remove Chief Constables

35. Under the Policing Protocol, PCCs have the power to remove Chief Constables, subject to following the processes set out in legislation.⁴³ Our predecessors had some concerns about the impact this would have. In particular, they were concerned that PCCs would be able to “side-step the statutory scrutiny process” for the removal of a Chief Constable by “simply threatening to use it”. They also saw a risk that the statutory process could be avoided where a Chief Constable was close to the end of their contract, and the PCC simply chose not to agree an extension. The Committee believed that Police and Crime Panels (PCPs) should have a greater role in this area and recommended that the Home Office bring forward proposals to effect this change.⁴⁴

36. In response, the Government argued that the process for removing a Chief Constable is “set out very clearly” in the legislation and that there are appropriate safeguards in place. It believed that PCPs already had “a wide remit to review or scrutinise decisions made, or other actions taken” by PCCs in relation to Chief Constables, including removal. However, it did undertake to “work with Panel chairs and the LGA [Local Government Association] to ensure that PCPs are fully aware of their role”.⁴⁵

37. Ron Ball was very clear that the only circumstances in which he would have considered using his dismissal powers was if the Chief Constable had “strayed from the Police and Crime Plan” which would mean “the force is not doing the job we are expecting it to do”.⁴⁶

Recruitment of Chief Constables

38. An issue which the Warwickshire PCC raised with us, and which has been a serious concern to this Committee for some time, is the very low number of applicants for some vacant Chief Constable posts.⁴⁷ The National Police Chiefs’ Council (NPCC) has analysed some of the possible causes and collated figures for the most recent senior officer recruitment processes. Applicant numbers for chief officer positions were found to be “low” and the NPCC said that this needed to be improved as “part of the reform work in 2016”. The Chief Police Officers’ Staff Association (CPOSA) carried out a survey covering the period April-October 2015 which received information from 25 forces. This found that there were five Chief Constable or equivalent recruitments over the period, which attracted a total of 11 applications; and that there were single applications for two of the recruitments. Similarly, eight deputy chief officer processes attracted a total of 17 applications.⁴⁸

39. There have been a number of recent key Chief Constable recruitment exercises where there have been single or very few applicants and all the appointments were to the incumbent Deputy Chief Constable, including: Cambridgeshire, Greater Manchester, Thames Valley and West Midlands.⁴⁹ The College of Policing Guidance on the appointment of chief

43 [Policing Protocol Order 2011](#), Schedule, para 17(f). The relevant legislation is Part 2 of Schedule 8 to the Police Reform and Social Responsibility Act 2011 and regulations made under section 50 of the Police Act 1996(a).

44 [2014 Report](#), para 77. The Committee previously published a short report on the specific issue of PCCs’ power to remove Chief Constables in April 2014, following some specific incidents - see [Sixth Report](#) from the Home Affairs Committee, Session 2013-14, HC 757

45 [Government Response to the Sixteenth Report from the Home Affairs Committee](#), Session 2013-14, Police and Crime Commissioners: progress to date, December 2014, Cm 8981, pp 11-12

46 Oral evidence taken on [23 February 2016](#), Q28

47 Oral evidence taken on [23 February 2016](#), Q27

48 [NPCC submission to the Senior Salaries Review Board](#), January 2016, paras 4.4.2 and 6.2.2-3

49 The Times, 7 March 2016, “Top police talent is scared off by elected law chiefs”

officers states that it is desirable that successful candidates are “chosen from a sufficiently strong and diverse pool of eligible applicants” and sets out that PCCs should ensure that there is a “sufficient pool of candidates”. It states that, if there is only a single candidate, the PCC should “take steps to increase the pool including, if necessary, reviewing the role profile”.⁵⁰

40. Amongst the possible reasons for the low number of applicants identified by the NPCC were cost of living issues in London and the south east. But it also pointed to: family reasons; cost of housing; perception of openness of competition; role requirements; and geography. Although pay was a possible issue, the NPCC concluded that “there is insufficient information at this time to say, with confidence, that general recruitment into chief officer posts will be addressed through pay”. It pointed out that Deputy and Assistant Chief Constables are paid according to national pay-scales and there is no flexibility for variation, although it also noted that PCCs have the option to offer pay at 10% above or below the “spot pay” for Chief Constables, and that some recently advertised posts had used this flexibility. Additional benefits, such as removal expenses, and car allowances can also be offered by PCCs.⁵¹

41. HM Chief Inspector of Constabulary, Sir Tom Winsor, recently suggested that PCCs may also be contributing to the problem, by having a “chilling effect” on the most talented police officers applying for the most senior posts. He said:

[...] there appears to be an assumption in the highest ranks of the police that in some cases PCCs may already have made up their minds. And, therefore, why put yourself through a selection process and show your existing force that you are looking for another job if the chances are very high that the existing deputy is going to get it anyway [...] and that may be happening rather more often than we would wish.

42. Sir Tom believed that there was “nothing inherently wrong” with a deputy being promoted to Chief Constable in the same force but that “it strikes me as highly desirable there should be a field. You want to have a choice.” He has previously recommended that all applicants for a Chief Constable appointment should be required to have served as a senior officer elsewhere. The benefits would be that “when people go out and go back to the force where they spent most of their career having seen how policing is done somewhere else, they usually come in bursting with new ideas that are of great value to the force.” Rick Muir, director of the Police Foundation, has also been quoted as saying that “PCCs were supposed to pose a stronger challenge to police chiefs. If we get a situation where they are regularly and systemically appointing from within, there is a danger that the relationship is too close”.⁵²

43. Lord Wasserman agreed that recruitment of chief officers was an issue that needed “looking at”. He believed that the fact that pay-scales are fixed in regulations did create problems, even with the flexibility which PCCs have to vary starting salaries for Chief Constables by up to 10%. He pointed out that a smaller police force is not able to pay the Chief Constable more than the salary paid to the Deputy Chief Constable in a bigger force such as the West Midlands. So if you are an Assistant or Deputy Chief Constable

50 College of Policing, [Guidance for the Appointment of Chief Officers](#), November 2012, pp 8-9

51 [NPCC submission to the Senior Salaries Review Board](#), January 2016, paras 4.4.2 and 6.2.2-3

52 The Times, 7 March 2016, “Top police talent is scared off by elected law chiefs”

in a larger force, “you take a big cut in salary to come to Warwickshire or Sussex, and I do not see why that should be the case”. His view was that “if the PCC is prepared to pay the going rate to get the best chief in the country to his or her force, I do not see why that should not happen”.⁵³

44. Katy Bourne, the PCC for Sussex, confirmed that fixed pay-scales were an issue; she also pointed to the difference in the cost of living a newly appointed Chief Constable would encounter in moving from the north of England to the south-east. However, she had overseen a recruitment process for the Sussex Chief Constable 18 months ago which had resulted in three “very good candidates” for the final round of the selection process. In contrast, the Durham PCC, Ron Hogg, told us last November that:

I have difficulty enough trying to attract chief officers to the Durham Constabulary. When I appointed the current chief constable there was only one applicant. Prior to that there was only one applicant, and if we want the best-led police service in the country we have to pay the going rate.

The Bedfordshire PCC, Olly Martins, had been in a similar position when he recruited a Chief Constable in summer 2015, with only two applicants for the post.⁵⁴

45. Salary packages paid to Chief Constables show wide variation. The salary rates for all Chief Constables and Deputies effective from September 2015 are shown in the Annex to this report. The current range for Chiefs is between £134,000 and £187,000; for Deputies, the range is £112,000 to £143,000 (rounded figures). The rate paid by each force is determined by the “force weighting”, ranging from 1.5 to 10, which is the mechanism used to determine chief officer pay. Only two forces (West Midlands and Greater Manchester) have been allocated the top weighting of 10 and pay the highest sums.⁵⁵

46. Jane Kennedy, the Merseyside PCC, was less convinced that pay was the main issue: she argued that chief officers “ought to be able to apply for advancement across British policing, to bigger forces, more challenging jobs, with the support and backing of a PCC”. If a number of posts were not attracting sufficient applicants, this was an issue which PCCs should address.⁵⁶

47. PCCs have a duty to ensure that there is a sufficient pool of candidates for chief officer posts. It is deeply concerning that there have been so few applicants for recent Chief Constable vacancies, including in some of the largest and highest profile forces, such as Greater Manchester and West Midlands. It is also worrying that incumbent deputies often seem to be the only candidates. It has been suggested that this is happening because potential external applicants are deterred from applying by the perception of an existing close working relationship between the PCC and the Deputy Chief Constable. We agree with Sir Tom Winsor, HM Chief Inspector of Constabulary, and Lord Wasserman, that steps need to be taken to ensure that the most talented police officers are attracted to, and can secure, the most senior posts: at present, potential candidates are not even applying. Although deputies may well be excellent candidates, the value that can be gained from a Chief Constable having experience with

53 Oral evidence taken on [23 February 2016](#), Qs45-46

54 Oral evidence taken in the inquiry into Reform of the Police Funding Formula, [3 November 2015](#), Qs126-128

55 The Metropolitan Police Service also falls into the force weighting of 10, but the salary levels are higher than for the other two forces in the category: the Commissioner’s salary is £268,000 and the Deputy’s is £221,229.

56 Oral evidence taken on [23 February 2016](#), Q53

another police force should not be under-estimated. This assists with the acquisition of leadership skills and helps allay any accusations of parochialism and cronyism. It should also be noted that a Determination by the Secretary of State under the Police Regulations 2003 (Regulation 11) specifies that no-one should be appointed as a Chief Constable unless they have served for a period of not less than two years with another police force at the rank of Assistant Chief Constable or equivalent. It is not clear to what extent this Determination is currently being applied. However, PCCs have a duty to ensure that this requirement has been met before Chief Constable appointments are made, and they must fulfil this obligation appropriately. The public debate around policing often includes a misty-eyed view of police chiefs from other parts of the world, such as the USA. However, PCCs should start by looking closer to home to attract talent and diverse skills from other UK forces.

48. There are currently no Black and Minority Ethnic (BAME) Chief Constables, although there has been some progress in recruiting more women to these senior roles. We intend to revisit our predecessors' recommendations on these aspects of police leadership in the near future.

49. At present, PCCs have very little scope for offering higher pay to attract a wider range of candidates—this is limited to 10% above “spot pay” for the Chief Constable post. We recommend that PCCs are given greater discretion to offer higher pay for the Chief Constable post. PCCs should also be required to demonstrate that recruitment exercises have been as open and competitive as possible in order to ensure proper transparency, and to maintain the level of challenge which is supposed to exist in their relationship with Chief Constables. Too many instances of internal promotions risks undermining this. We therefore further recommend that PCCs publish the number of applicants for Chief Constable posts; and where there are fewer than three applicants, PCCs also provide their analysis of why this is the case.

5 Police and crime panels

50. Police and Crime Panels (PCPs) scrutinise PCCs, and can veto (with a two-thirds majority) the appointment of Chief Constables and the level of the precept. Their other statutory functions include approval of the Police and Crime Plan and the force's annual report. Their scrutiny also includes the power to publish reports and make recommendations to the PCC, and they can require the PCC to attend a PCP meeting. They oversee complaints against the PCC, including having the power to refer serious complaints to the Independent Police Complaints Commission (IPCC); they can suspend the PCC if charged with an offence which carries a maximum term of imprisonment exceeding two years; and they can appoint an acting PCC if the incumbent is incapacitated, resigns or is disqualified.

51. Their composition depends on the number of local authorities within the force area. PCPs in force areas with 10 or fewer local authorities have 10 members plus at least two independent co-opted members; those in force areas of more than 10 local authorities will have the same number of members as local authorities in the area, plus at least two independent co-opted members. PCPs may co-opt additional members as long as the total number does not exceed 20 and the Secretary of State approves the co-options.⁵⁷

52. Our predecessors questioned whether PCPs had sufficient powers, citing one former PCP member who described the body as “a crocodile with rubber teeth”. It recommended, amongst other things, that research be undertaken to estimate the actual cost of support for PCPs, so that “a more realistic level of funding” for them could be determined.⁵⁸ The Government rejected this recommendation, asserting that “PCPs receive funding which is commensurate with the non-executive scrutiny role required of them by legislation”.⁵⁹

53. The PCCs from whom we took evidence had mixed views about their PCPs. Their interaction with panels took a similar form: regular, planned meetings at which the PCC was held to account against specific objectives in the Police and Crime Plan, and issues such as the precept were discussed and agreed. However, the quality of relationships varied. Sir Clive Loader, the Leicestershire PCC, told us that, although he was aware that other PCCs had had “extremely supportive relationships” with their panels, this had not been his experience:

In my case there were four or five ex-members of the police authority who frankly did not want to see it go and about the same number of want-to-be PCCs, and that makes for a pretty interesting mixture right at the beginning of your time. I think there is a real issue with what their powers are and they find it frustrating at times but they are not elected to do what we are elected to do.⁶⁰

He also said: “Their job is meant to be to support and challenge. I have said to the chair of my panel I have seen far too much of the latter and far too little of the former”.⁶¹ Ron

57 Sixteenth Report from the Home Affairs Committee, Session 2013-14, [Police and Crime Commissioners: Progress to date](#), HC 757, Chapter 4

58 Sixteenth Report from the Home Affairs Committee, Session 2013-14, [Police and Crime Commissioners: Progress to date](#), HC 757, Chapter 4

59 [Government Response to the Sixteenth Report from the Home Affairs Committee](#), Session 2013-14, Police and Crime Commissioners: progress to date, December 2014, Cm 8981, p 14

60 Oral evidence taken on [23 February 2016](#), Qs2-3

61 Oral evidence taken on [23 February 2016](#), Q20

Ball of Warwickshire set out his views on PCPs in detail in subsequent written evidence. He agreed with Sir Clive Loader that there was a lack of emphasis on the PCP's role in "supporting" the PCC, and said that this had contributed to the relationship being "frustrating".⁶² In contrast, Alan Charles of Derbyshire said that his relationship with the PCP had been "excellent" and that they worked "very closely together". The only area of dispute had been over the setting of the precept where the differences had generally been "on party political lines".⁶³

54. Jane Kennedy of Merseyside had also found the relationship to be "strained at the beginning" and believed that it was something "you have to work really hard at". She and her staff had "invested a lot of effort" in steps such as showing new PCP members how the PCC's office worked; involving the PCP in budget and precept discussions at an early stage; and then taking their feedback into account in the final consultation. She believed that this had "vastly improved their trust and confidence in me, and my ability to work with them in a much more open and frank way".⁶⁴

55. When asked whether the role of PCPs should be extended, Alan Charles said that they could play a greater role in detailed scrutiny of particular areas of policy and was hoping to be able to achieve this development before he stepped down. Sir Clive Loader was against any increase in PCPs' power because that would be "a move back towards the old police authorities where they were unelected to that job, unaccountable, uncontactable and frankly unknown".⁶⁵ Ron Ball agreed that there should be no increase in PCP powers.⁶⁶ Katy Bourne, the Sussex PCC, argued for "professionalising" PCP secretariats, which would require looking at how overall resources were divided amongst them. She also thought it would be helpful to have "a few more independents" on PCPs, including "some with magistrates' experience", and to provide more mandatory training.⁶⁷

56. The introduction of elected commissioners, and the structures to support their operation, represented a major reform. The system is continuing to develop as lessons are learned and the individuals involved adapt to their roles. This is particularly true of Police and Crime Panels (PCPs) where adapting to the change from the old system of police authorities seems to have taken some time to bed down. A number of PCCs described initial problems with their PCPs but reported that effort on both sides had sometimes led to improvement. It is essential that the checks and balances on commissioners which PCPs are intended to provide operate effectively. For this to happen, panel members need to be properly trained, resourced and supported. We are not convinced that this is yet the case in all police force areas. PCPs are the only effective means of holding PCCs to account between elections. Meetings between commissioners and panels should therefore take place more frequently, and at least every two months. It is far from clear that this is currently happening in all cases.

57. We recommend that the Home Office, the Association of Police and Crime Commissioners, and the College of Policing work together to assess what additional support PCPs need to operate more effectively, and that they take more collective action to spread good practice amongst panels.

62 Letter to the Chair of the Committee from Ron Ball Warwickshire PCC, [8 March 2016](#)

63 Oral evidence taken on [23 February 2016](#), Q20

64 Oral evidence taken on [23 February 2016](#), Q62

65 Oral evidence taken on [23 February 2016](#), Q20

66 Letter to the Chair of the Committee from Ron Ball Warwickshire PCC, [8 March 2016](#)

67 Oral evidence taken on [23 February 2016](#), Q62

6 Future role of PCCs

58. The Policing and Crime Bill, which had its Second Reading in the Commons on 7 March 2016, provides for additional responsibilities for Police and Crime Commissioners, including in relation to fire and rescue services; and as part of the planned reform of the police complaints and disciplinary systems.⁶⁸

Fire and rescue services

59. Responsibility for fire and rescue services has recently been transferred to the Home Office from the Department for Communities and Local Government. In announcing the changes, the Home Office said: “It means PCCs could potentially create a single employer for both police and fire personnel if they are able to demonstrate a clear business case for doing so.”⁶⁹ The Home Secretary said in a speech in February that, in addition to the transfer of governance to PCCs, “we will enable them to take an additional step to create a single employer for the two services and bring together back office functions”.⁷⁰

60. The provisions in the Policing and Crime Bill take forward the Government’s manifesto commitment to enable fire and police services to work more closely together and develop the role of PCCs. If enacted, the Bill will:

- Introduce a duty to collaborate on all three emergency services, to improve efficiency or effectiveness.
- Enable PCCs to take on the functions and duties of Fire and Rescue Authorities (FRAs), where a local case is made.
- Where PCCs take on the responsibilities of their FRA, to create a single employer for police and fire staff, where a local case is made.
- In areas where PCCs do not become responsible for fire and rescue, to enable them to have representation on their local fire and rescue authority with voting rights, where the fire and rescue authority agrees.⁷¹

Police complaints

61. The police complaints system is already undergoing reform, including the changes to the structure and resources available to the Independent Police Complaints Commission. Further reforms are proposed in the Policing and Crime Bill, which would increase PCCs’ responsibilities in this area by:

68 Policing and Crime Bill, [Explanatory Notes](#) and [Factsheet](#)

69 Written Statement by the Home Secretary, [26 January 2016](#), HCWS489, on “Enabling closer working between the emergency services”; and Home Office press release, [26 January 2016](#), “Legislation to allow Police and Crime Commissioners to take responsibility for their local fire service”

70 Home Secretary’s speech at Policy Exchange, [4 February 2016](#), “Putting people in charge: future of Police & Crime Commissioners”

71 See Policing and Crime Bill, [Explanatory Notes, Part 1](#)

- Strengthening PCCs' oversight role of the local complaints system, giving them an explicit responsibility for ensuring the effective and efficient delivery of the local system, and making PCCs the appellate body for appeals currently heard by chief constables.
- Enabling PCCs to take on other functions within the complaints system, including the option of taking on responsibility for the front-end of the complaints system and responsibility for all duties regarding contact with the complainant.⁷²

62. The Government believes that the changes proposed in the Bill will increase public confidence in the complaints system. Specifically, they will enable PCCs to take on responsibility for:

- Receiving, recording and assessing complaints, and then allocating them to one of three possible options, on the basis of mandatory referral criteria: local resolution; local investigation; or national investigation by the IPCC.
- Acting as a single point of contact and communication for the complainant throughout the process.
- Resolving complaints that are suitable for local resolution.

PCCs will themselves determine whether to take on these functions or whether to leave them resting with police forces. PCCs will also be able to hear appeals against the handling of complaints in cases where the complaints were deemed suitable for local resolution which was handled by the police. If PCCs do not wish to take on this appellate role, they will have to find another arrangement which is independent of the police.⁷³

63. The Government has responded to the widespread recognition that the police complaints system is not working effectively, and that the public lacks confidence in it, by proposing major reform. We welcome the key role which PCCs will play in the new complaints system. However, the detail of how this will work in practice has yet to be finalised. We plan to begin an inquiry into police complaints very shortly which will include careful scrutiny of PCCs' involvement in the process and their capacity to carry out this new role, including whether they will need additional resources and support to do it effectively.

Possible further development of the PCC role

64. In addition to extension of PCCs' responsibilities into police complaints and fire and rescue services, the Home Secretary has indicated that she is considering giving them even wider powers. She said in February that:

Together with the Justice Secretary [...] I have been exploring what role PCCs could play in the wider criminal justice system [...] Because as a number of PCCs have argued, youth justice, probation and court services can have a significant impact on crime in their areas and there are real efficiencies to be had from better integration and information sharing.

⁷² See Policing and Crime Bill, [Explanatory Notes, Part 2](#)

⁷³ House of Commons Library Briefing Paper No. 7493, February 2016, [Police Complaints Reform in 2016](#), Terry McGuinness

She went even further:

I believe the next set of PCCs should bring together the two great reforms of the last Parliament—police reform and school reform—to work with and possibly set up alternative provision free schools to support troubled children and prevent them from falling into a life of crime.⁷⁴

65. Jane Kennedy, the Merseyside PCC, saw a risk of confusion about PCCs' oversight and governance role if they were seen to be “responsible for running things”. She said “we are not responsible for running the police. We should not be responsible for running some of these really important, independent elements of the justice system.” However, she did see value in PCCs being involved in the wider criminal justice system. She chairs the local Criminal Justice Board, which she regarded as “really effective”, because it brought together the leaders of the Crown Prosecution Service and the court service once a month to scrutinise the work of the courts and issues such as budgetary pressures. Katy Bourne, the Sussex PCC, said that she would be “quite interested” in “looking at further governance around youth offending”, to try to counteract the impact in this area of reductions in the local authority's budget, which in turn was having an impact on policing. She said “having that governance under one person would be really helpful”. She too chaired the local Criminal Justice Board and found it “an incredibly useful area to bring people together”.⁷⁵

66. On the question of expansion of PCCs' role into free schools, Katy Bourne said that although “innovation for me is something that I do not shy away from [...] I am not sure that it is something I would want to embrace immediately in Sussex”; she would however watch with interest if other PCC colleagues decided to take this on. Jane Kennedy said that her first reaction to the Home Secretary's suggestion had been “Oh no, I do not want to be responsible for approved schools”. But she had identified a lack of secure provision for children in the north-west which meant that young people who needed this type of accommodation were getting “a very poor service”. So she would be interested in developing something which addressed that need, but stated “please no borstals”.⁷⁶

67. The introduction of PCCs has worked well to date and has had some beneficial effect on public accountability and clarity of leadership in policing. However, this reform is still relatively new and understanding its impacts is still a work in progress. Any expansion of the PCC role needs to be incremental and carefully judged. It seems to us that the proposals currently before Parliament in the Policing and Crime Bill to extend PCCs' responsibilities into fire and rescue services, and police complaints, provide sufficient additional challenges for PCCs elected in May. Adding further to their responsibilities, as recently suggested by the Home Secretary, in relation to the wider criminal justice system and even schooling, is an interesting idea but one which we believe requires detailed scrutiny and should be left until later. The priority for elected commissioners in their second term should be addressing the concerns raised in this report, including consolidating their profile in their local communities and building the efficiency and effectiveness of their local police force.

74 Home Secretary's speech at Policy Exchange, [4 February 2016](#), “Putting people in charge: future of Police & Crime Commissioners”

75 Oral evidence taken on [23 February 2016](#), Q61

76 Oral evidence taken on [23 February 2016](#), Q67

Conclusions and recommendations

Police funding and effectiveness

1. As we set out in our report in December 2015, everyone agrees that the police funding formula needs to be updated. However, the ongoing delay in producing a revised formula is causing considerable uncertainty for PCCs and police forces. It is an essential part of a PCC's responsibilities to set the budget for the force. Yet at present their hands are tied because they simply do not know how much funding will be available to them beyond the 2016–17 financial year. The Minister for Policing told Parliament that he was awaiting the outcome of a review on capabilities which is being undertaken by the National Police Chiefs' Council (NPCC). The Chair of the NPCC has written to the Committee saying that, when she met the Minister in February, "we discussed the relationship between the work on the funding formula and specialist capabilities. We recognised the need for both pieces of work to be completed to inform the future funding of policing". This implied that both pieces of work should be undertaken simultaneously, and not sequentially. We call on the Government and the NPCC to finalise their conclusions on police capabilities and restart the funding formula review as a matter of urgency. There is also no reason why the Minister should not establish the independent panel which we recommended in our report on police funding. This panel should immediately begin consulting PCCs and forces, on the basis of clear and properly calculated proposals, so that a new funding formula can be introduced without further damaging delays. (Paragraph 12)
2. One of the core functions of PCCs is to "secure an efficient and effective police force for their area". HM Chief Inspector of Constabulary, in his most recent annual report on the state of policing, expressed concerns that some chief officers "disregard what is required of them" and fail to follow national requirements. He also believed that they were not doing enough to work collaboratively, adopt consistent standards of leadership and behaviour, and share best practice. These are clearly areas where PCCs should have a much greater influence in achieving improvement. In the second four-year term, PCCs should prioritise working together collectively, as well as with their chief officers, to improve policing, to a much greater extent than has so far happened. (Paragraph 20)
3. HMIC's Police Efficiency, Effectiveness and Legitimacy (PEEL) reports already provide PCCs and forces with a free and highly professional consultancy service, to assist them in achieving improvements. These should be used in a much more direct and specific way to inform the Police and Crime Plans which PCCs use to hold Chief Constables to account. Specific weaknesses in a force's performance which are identified in PEEL reports should also be addressed in action plans agreed between PCCs and Chief Constables, which should include timescales for achieving improvement. We welcome the provisions in the Policing and Crime Bill which will require PCCs to respond to HMIC reports within 56 days, and to address each of the recommendations. (Paragraph 21)

Public engagement

4. We agree with Lord Wasserman that public engagement by PCCs, including with young people, is an extremely important part of their role if they are to be truly representative of, and accountable to, their local areas. Taxpayers' money should of course be spent carefully but it is wrong for PCCs to be criticised for devoting resources to the widest range of communication media, including websites and social media. Face-to-face meetings are also crucial and the value in PCCs making themselves available to meet the public in person cannot be over-emphasised. Our predecessors stated in 2013 that PCCs were still "on probation" and that a higher turnout in the next elections would be a vindication of their establishment, and give them a clear mandate to continue developing their role. We commend the PCCs who have prioritised public engagement in their first term, which includes those who gave evidence to us. We would like to see all PCCs elected in May putting the highest priority on engaging with their electorates to ensure that the increased public accountability which PCCs represent continues to be strengthened. (Paragraph 26)
5. As part of this essential drive to engage voters, we recommend that a first-past-the-post system be introduced in time for the 2020 elections. We believe that this would bring much needed clarity to the election process. Under the current system of supplementary vote, if more than two strong candidates are running, voters can be left in the position of trying to guess which two would make the final round. Under such circumstances, they may even be able to defeat their preferred candidate. As this Committee has highlighted, the institution of Police and Crime Commissioners would benefit from being more competitive and more transparent. We therefore recommend a simplified voting system that would enable multiple strong candidates to run in the same election. (Paragraph 27)
6. Although PCCs are statutorily required to publish a wide range of financial information, it remains difficult to compare the level and nature of their office costs because the details are published on their individual websites in different formats and include different items and categories. This has prevented us from locating and publishing collated and comparable information about the office costs of each PCC. We believe that this lack of comparable data represents a serious transparency deficit. We recommend that the College of Policing and the Association of PCCs publish a table which sets out each PCC's budget and costs on an annual basis, under the same expenditure headings, so that the public can compare their PCC's performance against that of others in this respect. (Paragraph 30)
7. Like our predecessors, we regard it as regrettable that information about PCCs' interests is not collated and published in a single register. We believe that this absence weakens the overall accountability and transparency of the elected commissioner system. The register should be established immediately and hosted by the College of Policing so that there can be ongoing dissemination of good practice. (Paragraph 31)

PCCs and Chief Constables

8. PCCs have a duty to ensure that there is a sufficient pool of candidates for chief officer posts. It is deeply concerning that there have been so few applicants for recent Chief Constable vacancies, including in some of the largest and highest profile

forces, such as Greater Manchester and West Midlands. It is also worrying that incumbent deputies often seem to be the only candidates. It has been suggested that this is happening because potential external applicants are deterred from applying by the perception of an existing close working relationship between the PCC and the Deputy Chief Constable. We agree with Sir Tom Winsor, HM Chief Inspector of Constabulary, and Lord Wasserman, that steps need to be taken to ensure that the most talented police officers are attracted to, and can secure, the most senior posts: at present, potential candidates are not even applying. Although deputies may well be excellent candidates, the value that can be gained from a Chief Constable having experience with another police force should not be under-estimated. This assists with the acquisition of leadership skills and helps allay any accusations of parochialism and cronyism. It should also be noted that a Determination by the Secretary of State under the Police Regulations 2003 (Regulation 11) specifies that no-one should be appointed as a Chief Constable unless they have served for a period of not less than two years with another police force at the rank of Assistant Chief Constable or equivalent. It is not clear to what extent this Determination is currently being applied. However, PCCs have a duty to ensure that this requirement has been met before Chief Constable appointments are made, and they must fulfil this obligation appropriately. The public debate around policing often includes a misty-eyed view of police chiefs from other parts of the world, such as the USA. However, PCCs should start by looking closer to home to attract talent and diverse skills from other UK forces. (Paragraph 47)

9. There are currently no Black and Minority Ethnic (BAME) Chief Constables, although there has been some progress in recruiting more women to these senior roles. We intend to revisit our predecessors' recommendations on these aspects of police leadership in the near future. (Paragraph 48)
10. At present, PCCs have very little scope for offering higher pay to attract a wider range of candidates—this is limited to 10% above “spot pay” for the Chief Constable post. We recommend that PCCs are given greater discretion to offer higher pay for the Chief Constable post. PCCs should also be required to demonstrate that recruitment exercises have been as open and competitive as possible in order to ensure proper transparency, and to maintain the level of challenge which is supposed to exist in their relationship with Chief Constables. Too many instances of internal promotions risks undermining this. We therefore further recommend that PCCs publish the number of applicants for Chief Constable posts; and where there are fewer than three applicants, PCCs also provide their analysis of why this is the case. (Paragraph 49)

Police and crime panels

11. The introduction of elected commissioners, and the structures to support their operation, represented a major reform. The system is continuing to develop as lessons are learned and the individuals involved adapt to their roles. This is particularly true of Police and Crime Panels (PCPs) where adapting to the change from the old system of police authorities seems to have taken some time to bed down. A number of PCCs described initial problems with their PCPs but reported that effort on both sides had sometimes led to improvement. It is essential that the checks and balances

on commissioners which PCPs are intended to provide operate effectively. For this to happen, panel members need to be properly trained, resourced and supported. We are not convinced that this is yet the case in all police force areas. PCPs are the only effective means of holding PCCs to account between elections. Meetings between commissioners and panels should therefore take place more frequently, and at least every two months. It is far from clear that this is currently happening in all cases. (Paragraph 56)

12. We recommend that the Home Office, the Association of Police and Crime Commissioners, and the College of Policing work together to assess what additional support PCPs need to operate more effectively, and that they take more collective action to spread good practice amongst panels. (Paragraph 57)

Future role of PCCs

13. The Government has responded to the widespread recognition that the police complaints system is not working effectively, and that the public lacks confidence in it, by proposing major reform. We welcome the key role which PCCs will play in the new complaints system. However, the detail of how this will work in practice has yet to be finalised. We plan to begin an inquiry into police complaints very shortly which will include careful scrutiny of PCCs' involvement in the process and their capacity to carry out this new role, including whether they will need additional resources and support to do it effectively. (Paragraph 63)
14. The introduction of PCCs has worked well to date and has had some beneficial effect on public accountability and clarity of leadership in policing. However, this reform is still relatively new and understanding its impacts is still a work in progress. Any expansion of the PCC role needs to be incremental and carefully judged. It seems to us that the proposals currently before Parliament in the Policing and Crime Bill to extend PCCs' responsibilities into fire and rescue services, and police complaints, provide sufficient additional challenges for PCCs elected in May. Adding further to their responsibilities, as recently suggested by the Home Secretary, in relation to the wider criminal justice system and even schooling, is an interesting idea but one which we believe requires detailed scrutiny and should be left until later. The priority for elected commissioners in their second term should be addressing the concerns raised in this report, including consolidating their profile in their local communities and building the efficiency and effectiveness of their local police force. (Paragraph 67)

Annex: Salaries of PCCs, Chief Constables and Deputies

Police Force	Force Weighting	Chief Constable	Salary	Deputy/Assistant Chief Constable	Salary	PCC	Salary	Salary
Avon and Somerset	4.5	Andy Marsh	£152,685	Gareth Morgan	£125,964	Sue Mountstevens	£125,964	£85,000
Bedfordshire	2.0	Jon Boutcher	£137,133	Mark Collins	£113,109	Oilly Martins	£113,109	£70,000
Cambridgeshire	2.0	Alec Wood	£137,133	Alan Baldwin	£113,109	Sir Graham Bright	£113,109	£70,000
Cheshire	3.0	Simon Byrne	£143,334	Janette McCormick	£118,248	John Dwyer	£118,248	£75,000
Cleveland	2.0	Iain Spittal (temp)	£137,133	Simon Nickless (temp)	£113,109	Barry Coppinger	£113,109	£70,000
Cumbria	1.5	Jerry Graham	£133,983	Michelle Skeer	£112,173	Richard Rhodes	£112,173	£65,000
Derbyshire	3.0	Mick Creedon	£143,334	Alan Goodwin	£118,248	Alan Charles	£118,248	£75,000
Devon and Cornwall	5.0	Shaun Sawyer	£155,796	Bill Skelly	£128,529	Tony Hogg	£128,529	£85,000
Dorset	2.0	Debbie Simpson	£137,133	James Vaughan	£113,109	Martyn Underhill	£113,109	£70,000
Durham	2.0	Michael Barton	£137,133	Steve Watson	£113,109	Ron Hogg	£113,109	£70,000
Essex	4.5	Stephen Kavanagh	£152,685	Matthew Horne	£125,964	Nick Alston	£125,964	£85,000
Gloucestershire	1.5	Suzette Davenport	£133,983	Rod Hansen	£112,173	Martin Surl	£112,173	£65,000
Greater Manchester	10.0	Ian Hopkins	£186,954	Ian Pilling	£143,334	Tony Lloyd	£143,334	£100,000
Hampshire	5.5	Graham McNulty (acting)	£158,904	David Pryde (acting)	£131,103	Simon Hayes	£131,103	£85,000
Hertfordshire	3.0	Andy Bliss	£143,334	Michelle Dunn	£131,303	David Lloyd	£131,303	£75,000
Humberside	3.0	Justine Curran	£143,334	Garry Forsyth	£118,248	Matthew Grove	£118,248	£75,000
Kent	5.0	Alan Pughsley	£155,796	Paul Brandon	£128,529	Ann Barnes	£128,529	£85,000
Lancashire	5.0	Steve Finnigan	£155,796	Andy Rhodes	£128,529	Clive Grunshaw	£128,529	£85,000
Leicestershire	3.0	Simon Cole	£143,334	Roger Bannister	£118,248	Sir Clive Loader	£118,248	£75,000
Lincolnshire	1.5	Neil Rhodes	£133,983	Gary Knighton	£112,173	Alan Hardwick	£112,173	£65,000
Merseyside	6.0	Sir Jon Murphy	£162,024	Andy Cooke	£133,674	Jane Kennedy	£133,674	£85,000
Metropolitan Police	10.0	Sir Bernard Hogan-Howe (Commissioner)	£267,969	Craig Mackey (Deputy Commissioner)	£221,229	Mayor of London (Boris Johnson)	£221,229	£47,970*
Norfolk	2.5	Simon Bailey	£140,217	Charlie Hall	£115,680	Stephen Bett	£115,680	£70,000

Police Force	Force Weighting	Chief Constable	Salary	Deputy/Assistant Chief Constable	Salary	PCC	Salary
Northamptonshire	2.0	Simon Edens	£137,133	Andy Frost	£113,109	Adam Simmonds	£70,000
Northumbria	6.0	Steve Ashman	£162,024	Winton Keenen	£133,674	Vera Baird QC	£85,000
North Yorkshire	2.0	Dave Jones	£137,133	Tim Madgwick	£113,109	Julia Mulligan	£70,000
Nottinghamshire	3.5	Chris Eyre	£146,451	Susannah Fish	£120,819	Paddy Tipping	£75,000
South Yorkshire	4.5	David Crompton	£152,685	Dawn Copley	£125,964	Dr Alan Billings	£85,000
Staffordshire	3.0	Jane Sawyers (temp)	£143,334	Nicholas Baker (temp)	£118,248	Matthew Ellis	£75,000
Suffolk	2.0	Gareth Wilson	£137,133	Stephen Jupp (temp)	£113,109	Tim Passmore	£70,000
Surrey	2.5	Nick Ephgrave (temp)	£140,217	Gavin Stephens (temp)	£115,680	Kevin Hurley	£70,000
Sussex	4.5	Giles York	£152,685	Olivia Pinkney	£125,964	Katy Bourne	£85,000
Thames Valley	6.5	Francis Habgood	£165,147	John Campbell	£136,245	Anthony Stansfield	£85,000
Warwickshire	1.5	Martin Jelley	£133,983	Karen Manners	£112,173	Ron Ball	£65,000
West Mercia	3.0	David Shaw	£143,334	Anthony Bangham	£118,248	Bill Longmore	£75,000
West Midlands	10.0	Dave Thompson	£186,954	Louisa Rolfe	£143,334	David Jamieson	£100,000
West Yorkshire	8.0	Dee Collins (temp)	£174,492	John Robins (temp)	£139,596	Mark Burns-Williamson	£100,000
Wiltshire	2.0	Mike Veale	£137,133	Clive Barker	£113,109	Angus Macpherson	£70,000
Dyfed-Powys	1.5	Simon Prince	£133,983	Carl Langley	£112,173	Christopher Salmon	£65,000
Gwent	2.0	Jeff Farrar	£137,133	Craig Guildford	£113,109	Ian Johnston	£70,000
North Wales	2.0	Mark Polin	£137,133	Gareth Pritchard	£113,109	Winston Roddick	£70,000
South Wales	4.5	Peter Vaughan	£152,685	Matt Jukes	£125,964	Alun Michael	£85,000

Source: For Chief Constables and Deputies salaries effective from September 2015 see Home Office Circular 026/2015, [Police pay award 2015 to 2016](#)—amendments to annex F, 4 November 2015; and [Determinations of the Secretary of State under the Police Regulations 2003](#), pp13-14. For details of PCC salaries, see Review Body on Senior Salaries, [Thirty-Seventh Annual Report on Senior Salaries](#) 2015, March 2015, p 49 and 72

Note

* The Mayor of London's salary is £143,911. However Boris Johnson's salary as Mayor was reduced by two-thirds when he was elected as an MP in May 2015 under the multiple mandate rules. See [Mayor of London's website](#); and [GLA Salaries and Pensions Determinations 2009](#).

Formal Minutes

Tuesday 22 March 2016

Members present:

Keith Vaz, in the Chair

Nusrat Ghani

Tim Loughton

Mr Ranil Jayawardena

Mr David Winnick

Draft Report (*Police and Crime Commissioners: here to stay*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 67 read and agreed to.

Annex agreed to.

Resolved, That the Report be the Seventh Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 12 April at 2.00 pm.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 23 February 2016

Question number

Ron Ball, Police and Crime Commissioner for Warwickshire, **Alan Charles**, Police and Crime Commissioner for Derbyshire, and **Sir Clive Loader**, Police and Crime Commissioner for Leicestershire

[Q1–42](#)

Katy Bourne, Police and Crime Commissioner for Sussex, **Jane Kennedy**, Police and Crime Commissioner for Merseyside, and **Lord Wasserman**

[Q43–79](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry page](#) of the Committee's website. PCC numbers are generated by the evidence processing system and so may not be complete.

- 1 Chief Constable Sara Thornton, Chair, National Police Chiefs' Council ([PCC0002](#))
- 2 Ron Ball, Police and Crime Commissioner for Warwickshire ([PCC0001](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2015–16

First Report	Psychoactive substances	HC 361 (HC 755)
Second Report	The work of the Immigration Directorates (Q2 2015)	HC 512 (HC 693)
Third Report	Police investigations and the role of the Crown Prosecution Service	HC 534
Fourth Report	Reform of the Police Funding Formula	HC 476
Fifth Report	Immigration: skill shortages	HC 429 (HC 857)
Sixth Report	The work of the Immigration Directorates (Q3 2015)	HC 772
First Special Report	The work of the Immigration Directorates: Calais: Government Response to the Committee's Eighteenth Report of Session 2014–15	HC 380
Second Special Report	Out-of-court Disposals: Government Response to the Committee's Fourteenth Report of Session 2014–15	HC 379
Third Special Report	The work of the Immigration Directorates (Q2 2015): Government Response to the Committee's Second Report of Session 2015–16	HC 693
Fourth Special Report	Psychoactive substances: Government Response to the Committee's First Report of Session 2015–16	HC 755
Fifth Special Report	Immigration: skill shortages: Government Response to the Committee's Fifth Report of Session 2015–16	HC 857