

Policing Green Paper Consultation response form

Completed consultation response forms should be sent no later than Friday 10th October 2008 to the following address:

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By post:

Policing Green Paper Consultation Responses
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Empowering Citizens

Chapter 1:

Improving the connection between the public and the police

1. How can we best ensure that neighbourhood policing teams can hear from as many people locally as possible in shaping their plans?

The Neighbourhood Policing Programme has been rolled out across England and Wales, giving every community access to a dedicated local team. The Neighbourhood Policing Team's role is to engage with their community so that the police can understand the community's priorities and tackle them. (Free response)

Consultation at local level is a skilled and resource-intensive undertaking. In Stockton-on-Tees Neighbourhood Policing is organised at the level of 26 Wards, each with at least one dedicated Constable and one dedicated PCSO, with up to 4 Constables plus 2 PCSOs for the most challenging Wards. The teams use a range of techniques, including attending organised community groups, attending Councillors' Ward Surgeries, holding their own surgeries, and taking account of information gained as they deliver the service. A balance needs to be struck between time spent on consultation and time spent on delivery (including feedback). The Government should avoid any prescriptive measures which would push the balance further towards time spent on consultation

This response is submitted jointly on behalf of Stockton-on-Tees Borough Council and the Safer Stockton Partnership.

2. What is the most effective means of encouraging customer service in the police?

The police service's customers are the general law-abiding public. However, people are also more individually customers of the police service – for example as victims, witnesses, or citizens. This experience of the police service shapes perceptions and feelings of safety and confidence. (Free response)

We should continue to take measures to strengthen the accountability of individual police officers (and their colleagues in partner agencies), by publishing named contact details.

The Government needs to eliminate target conflict and to create the conditions for elimination of any locally - generated target conflict (e.g. for speed of handling of calls in police call centres, which can lead to 'call dumping', poor response and loss of confidence).

The proposal for the single top down target on public confidence, if it is followed through, will help considerably. However, on the basis of experience over the last 20 years there must be significant doubt about whether this commitment will be delivered in an unwavering manner, or whether multiple targets will creep back into the system over a period of time. It would be useful to establish an agreed timescale for an independent review process on this issue, e.g. that it will be reviewed two years after implementation, to make sure that the commitment has been maintained.

We need to do more, both locally and nationally, to promote a range of options for confidential reporting of information and intelligence by the public, including Crimestoppers, and reporting via Councillors, Neighbourhood Watch Co-ordinators and other community activists, assuring members of the public that their identity will be fully protected.

We also need to manage expectations of the results of intelligence, with particular reference to the potential time lapse between receipt of intelligence and operations being implemented.

3. Given the core role of PCSOs – which is one of high visibility patrol, community engagement and problem solving - do PCSOs have the right powers to enable them to do their job?

The current powers available to a PCSO can be found on page 18 of the main document. (Free response)

All PCSOs should be equipped with the power of detention. The option of giving all PCSOs the full powers of a constable, and thereby creating an 'entry level' role of 'beat constable', should also be considered. This approach would create a far more versatile and flexible resource, and would have the added advantage of reducing some of the lack of public understanding of the respective roles of PCSOs and Police Officers.

4. How can we ensure that police authorities and local authorities everywhere cooperate in tackling local people's priorities – including ensuring that the local pledge is delivered everywhere?

The police are not solely responsible for crime and disorder reduction; it is important that they work alongside their partners such as the police authority, fire and rescue services, the local council and health trusts. It is important that they cooperate in order to make communities safe. (Free response)

There has been a long-standing tension in Home Office policy between a 'technical' / 'professionals know best' approach to determining priorities, and a bottom up approach based on deriving priorities from local consultation. In Stockton we have made great efforts to stick to the latter approach. It would be useful if the Government now came out clearly on this side of the argument. This would be consistent with the single target and improving local confidence. In particular, it would be very valuable if the Government would apply to its own Departments the principles of Section 17 of the Crime and Disorder Act 1998. This has been previously recommended by both the Audit Commission and HMIC but not yet taken on board by Government.

In Stockton we have the substantial advantage of co-terminosity between BCU, Local Authority, PCT and Fire Brigade Divisional Command. Moving towards national co-terminosity, although challenging, would deliver substantial benefits. If the bottom-up principle is to be followed consistently, and public priorities taken on board, then BCU Policing Plans should inform Force Policing Plans, rather than vice-versa.

5. What is the right balance between local council representation and independent members?

Under these proposals police authorities will have a majority of directly elected members, complemented by representation from local councils and independent members. (Free response)

There is not yet sufficient detail to fully evaluate this proposal: a further round of consultation on a more detailed proposal will be necessary.

In Cleveland, the Police Authority is currently made up of 9 Councillors nominated by the four Local Authorities, five 'Independents' and three Magistrates.

There are Elected Mayors in Middlesbrough and Hartlepool: neither of these is a member of the Police Authority.

On the Green Paper proposals, assuming a Police Authority of similar size, there could be, for example, nine CPRs (including the two Elected Mayors), four or five nominated Councillors, and the three Magistrates, as follows:-

	<u>CPRs</u>	<u>Nominated Councillors</u>
Hartlepool	2 (inc Mayor)	1
Middlesbrough	2 (inc Mayor)	1
Redcar & Cleveland	2	1
Stockton	3	2

The above numbers would provide for broadly proportional representation of the four authorities, within the Green Paper's proposed parameters, but it may be even more difficult than at present to maintain a party political balance with a reduced number of Councillors (i.e. from 9 to 5). The Government appears to be committed to promoting the option of elected Mayors, despite the lack of any evidence that Councils with elected Mayors perform any better than those without. Stockton does not have an elected Mayor and for the last several years the Council has constantly appeared at or near the top of Audit Commission ratings.

One aspect of the proposals which is thoroughly objectionable is that a CPR should automatically chair the community safety partnership/CDRP. The Safer Stockton Partnership has had a formal Constitution since 2001, and this provides for annual election of the Chair, Vice-Chair and representatives of the Partnership on other bodies, including Stockton Renaissance, our LSP. It also provides for removal from office of any of these office holders. These arrangements ensure that the Partnership is led and represented by individuals who are competent and command the respect of the majority of partnership members. The Green Paper proposals cut across these arrangements, and could lead to a dysfunctional position in which an individual who is neither competent nor respected takes the Chair. The Green Paper is silent on how such a person would be removed from office, but needs to be made consistent with the 'Crime & Disorder Act reform' package, which required all CSPs/CDRPs to have clear arrangements for removal of the Chair. This proposal is also inconsistent with the Green Paper theme about kicking the habit of micro-management from Whitehall.

In Stockton we have an 'independent chair', who is an independent Director of the Council's Arms Length Housing Management Organisation.

6. To what extent might police authorities be able to allocate part of their budgets by participatory budgeting?

Participatory budgeting is when ordinary citizens are able to decide how to allocate elements of a budget. (Free response)

This is an issue primarily for consideration by Police Authorities. If local people are empowered to influence priorities for policing and community safety work, then resources should follow their priorities, thereby 'leaping over' the option of participatory budgeting, which risks ending up as tokenistic and not cost-effective (i.e. the sums available for 'public costs are likely to be small in relation to the costs of staff time to operate this system).

7. What other community safety budgets do you think might be suitable to be allocated in this way? *(Free response)*

Discretionary expenditure (as opposed to resources committed in the form of staff) on community safety is heavily dependent on Home Office allocations to CDRPs, which have been reduced significantly over the last two years and, in the case of Stockton, on access to broader regeneration funding e.g. SRB, NRF and WNF. Further detail on participatory budgeting is needed, but it should be noted that there is a significant cost attached, in terms of staff time from Councils and other partner agencies, to devising and operating transparent and accountable systems for community control or influencing other public funds.

It would be valuable if the Department of Health could be persuaded to make a more significant resource commitment to local delivery of the community safety agenda. To illustrate this point, 0.1% of the Stockton PCT budget is approximately £275k; this compares to the current Safer Stockton Partnership Investment Plan annual value of £350k (i.e. BCU Fund plus Safer & Stronger Communities allocation).

8. Do you consider the creation of the Communities Safety Fund to be the best way to use the money that currently makes up the BCU fund?

The BCU Fund is currently used at Basic Command Unit level to help deliver crime and disorder reduction locally and promote partnership working. The Community Safety Fund will be available to Crime and Policing Representatives to allow them to address locally identified priorities. (Free response)

For the last five years the Safer Stockton Partnership has prepared an annual Partnership Investment Plan, which integrates the funding available via the BCU Fund with the Safer and Stronger Communities allocation to the Partnership via the Council. This approach ensures that the use of the funding available is planned coherently, agreed by all partner agencies and invested in measures deemed likely to deliver the priorities and targets set within the Community Safety Plan for the Borough, which in turn is based on extensive consultation with local people. Our current Community Safety Plan was shaped by over 4,000 responses to consultation, and priorities are in line with those identified by respondents. This is an example of participatory democracy.

The principle of reinvesting POCA proceeds at BCU level is strongly supported. Some topslicing, up to a predetermined level, to support force wide resources may be necessary. An increase in the proportion of funds available for local reinvestment would provide a greater incentive, and may in turn increase Treasury revenues. This approach could be piloted to test the proposition. Stockton would be happy to pilot such an approach. Public funding should not be controlled by individuals in the way proposed. CPRs should be obliged to agree any spending proposals with CSPs/CDRPs.

9. How might the Councillor Calls for Action be best used to complement the broader changes to local accountability arrangements for policing?

Councillor Calls for Action is a new power enabling local people to raise issues of concern on local Government and Crime and Disorder matters. The Councillor Calls for Action would allow councillors to raise local concerns with the relevant member of the local CDRP. In extreme cases it would allow the local councillor to refer a concern to the relevant overview and scrutiny committee for further action. (Free response)

Councillors already can, and do, raise local concerns, and they propose issues for inclusion in the Scrutiny work programme. No value is added by making these arrangements more formal / complex.

Note: The proposals to add probation trusts to the list of 'responsible authorities' and to include reducing re-offending as a statutory duty are supported. The Safer Stockton Partnership has already amended its Constitution to reflect the latter point.

Professionalising and freeing up the police

Chapter 2:

Reducing bureaucracy and developing technology

1. How can we best involve frontline officers and staff in designing more effective and less bureaucratic processes?

We ask a lot of the police and so it is critical that they are able to focus on meeting those priorities in the most efficient way possible. We believe that frontline officers are best placed to identify what is effective and what is not. We propose that we create bureaucracy champion who will convene a frontline practitioners group to test proposals of the police service, Government and CJS for impact on the frontline. (Free response)

The rhetoric of the Green Paper is dangerous at this point. One of the techniques which all public services can use to achieve continued improvement is drawing on the views of frontline workers. However, to say that they are “best placed to identify what is effective and what is not” is an exaggeration, and could lead to unintended consequences (for example: if the Police Federation had been determining the issue, we would have no PCSOs).

2. How can we ensure that new forms of bureaucracy do not replace those that we are committed to reducing? *(Free response)*

By changing the culture of Whitehall away from institutional distrust of local delivery agencies and the addiction to micro-management, and concentrating instead on using national resources to research and evaluate best practice as it emerges from local delivery, and, when identified, to supporting dissemination and training.

3. How best, together, can we tackle the risk aversion that Sir Ronnie Flanagan identified? *In his Report, Sir Ronnie Flanagan identified a number of areas that together had helped to create the bureaucracy that now surrounds the police. Sir Ronnie identified that the majority of these reasons stemmed from risk aversion. (Free response)*

A key area of risk aversion is around sharing of information and intelligence. The Government should clearly endorse the principle that information and intelligence should be shared between partner agencies, in line with Section 115 of the 1998 Act, unless there is a clear case in any specific instance against doing so, thereby shifting the onus in favour of information sharing, and recognising the fact that risk of failure to deliver is far more likely to be the result of in-depth sharing of information and intelligence (as in the Soham murders) than of doing so.

Chapter 3: Defining roles and leadership in the police service

The NPIA will consult on how we can ensure that constables gain a wide professional understanding of their force's work through their initial training and deployment, and their subsequent development, balancing this requirement practically with the need to provide constables with the specialist skills to enable them to deliver professionally in the complex environment of 21st Century policing. The NPIA will also consult on how best to ensure that all new Police Constables are trained in providing the best possible quality of service to the public.

1) How can we best change the operation of Senior Appointments Panel to make it more proactive in succession planning and appointments, with greater strategic input into leadership development?

Currently the Senior Appointments Panel spends most of its time discussing individual chief officer applications to posts as they arise. We are proposing that in future, the SAP spends relatively more time on the strategy for the management of the overall pool of top police talent. (Free response)

No comment.

2) How should a scrutiny gateway for the renewal of fixed term appointments work? *(Free response)*

No comment.

3) What is needed to recognise that it can be right for chief officers to leave a force before the expiration of their contract because that is best way forward for the individual or for the organisation?

Sometimes it can be right for an individual to leave before the end of their fixed term appointment not necessarily due to poor performance but because it is best for the individual or organisation. (Free response)

Individuals can resign at will, so the real issue here is about getting rid of unwanted Chief Officers. The principles in play should be clarity of expectations (for which the Police Authority is the relevant body to exercise accountability), effective performance management, and interventions based on demonstrable 'under performance'. The involvement of an independent person, as in the case of Local Authority Chief Executives, would be an additional safeguard against unwarranted persecution of chief officers.

4) How can we establish better succession mechanisms, including in poor performing forces?

Currently candidates apply for chief officer roles as and when they are advertised and there is little/no succession planning. (Free response)

No comment.

5) The government would also appreciate views on the proposed approach to Regulation 11's provisions on serving in another force as chief officer before becoming a chief constable.

Legislation demands that a chief officer must have served at least 2 years at chief officer rank in another force if they wish to become a chief constable. Regulation 11 allows for this to be waived in exceptional circumstances. (Free response)

There is no good reason for maintaining Regulation 11. Appointments should be on merit.

Chapter 4: Focusing on development and deployment

1. The Government would be grateful for initial views on its outline three-year equality, diversity and human rights strategy for the police service.

We are proposing to set minimum equality standards for policing, support and work with statutory staff associations and diversity staff support groups and to explore the possibility of widening the interpretation of the Genuine Occupational Requirement to increase representation of under represented groups in the police service and higher ranks of the organisation. (Free response)

Appointments should be made on merit, i.e. the best person for the job. This should include testing of commitment to delivering the best possible service to all sections of the community.

2. The Government would be grateful for views on what impact (positive, negative or none) will the Green Paper proposals have on communities, police officers and staff from diverse backgrounds. This will inform further development of the Equality Impact Assessment for the Green Paper. *(Free response)*

No comment.

Strategic role for Government

Chapter 5:

Co-ordinating change in policing

1. Are our proposals for strengthening the National Policing Board and encouraging collective action on the small number of issues that demand national attention right?
The National Policing Board is made up of representatives from NPIA, ACPO, APA, SOCA, HMIC and the Home Office. The NPB is the main forum for discussions on policing, allowing structured discussions on key strategic issues, and providing governance to joint work conducted at lower levels. In order for its support to be well-targeted, a new approach to decision-making is needed based on an agreed set of principles. We propose that these principles form the 'rules for engagement' which help determine when it is right for decisions to be taken nationally, encouraged regionally, or devolved locally. (Free response)

No comment.

2. Using the principles we have outlined, what issues should be decided at the national, regional and local level, and who should have responsibility for taking those decisions?

*The principles outlined in the Green Paper are the importance of whether **operational benefit** and **cost-effectiveness** are maximised at that level. The decision-making level should be **proportionate** to the scale to the problem, and enable **risk** to be managed effectively. Those responsible for a decision should have the right **skills and resources** to deliver and to innovate, and should be **accountable** for their decisions. There should also have sufficient **resilience and flexibility** to meet changing demands and to ensure a **consistent** and high-quality approach is in place. (Free response)*

There are currently mechanisms for accountability for decisions made at national level, via Parliament, and at local level, via Local Authorities and Police Authorities, but little or nothing at regional level. It is unclear whether there are any decisions to be made at regional level, other than decisions on co-operation between Forces, which are ultimately an aggregate of local decisions.

3. In what areas of policing should we give greater freedoms to frontline practitioners to enable them to deliver on local priorities and on seriousness in the most effective and efficient way? (Free response)

Police forces are currently piloting a scheme which allows officers discretion over making arrests rather than focusing on achieving set targets.

Discretion should be maximised, in the pursuit of the right outcomes, and reducing crime and disorder should be at the top of the hierarchy. National and local targets for intermediate processes, e.g. sanction detentions and offences brought to justice, should be abandoned (due not least to some of their perverse consequences) in favour of a focus on primary outcomes.

Chapter 6:

Reinforcing collaboration between forces

1. What more can be done to build upon present policing arrangements to improve the security of our borders?

Currently there three main policing functions at ports, who work alongside the UKBA; Special Branch is responsible for national security and counter terrorism matters, Protective Security provide policing to secure the port infrastructure and General Policing deal with crime and disorder. (Free response)

No comment.

2. If a border policing agency were created, how far should links with local forces and local accountability be preserved?

Any border policing agency independent of local forces would require a police authority-like structure to scrutinise its activities. We have proposed that locally elected Crime and Policing Representatives should make up a significant proportion of a police authority. (Free response)

Any review should also include in its scope Port police, and possibly other organisations such as Nuclear Power Station police, MOD police, etc.

3. What are the operational benefits and risks of creating a national police border force as proposed by ACPO?

ACPO propose creating a separate national police border force in England and Wales that would focus on all aspects of security and law enforcement at the borders, under its own chief constable. (Free response)

The risks would concentrate of the interface between the powers, functions, resourcing and operational activities of the proposed border force with existing forces.

4. Are there any variations to ACPO's national policing model that could offer greater operational benefits than those currently being delivered under the present arrangements? *(Free response)*

No comment.

5. What would be the main costs?

Proposals for changing present structures would need to be both affordable and cost effective. (Free response)

No comment.

6. Will structural reform be required?

The scope and timing of changes to police structures may be dependent upon new legislation. Some would require constitutional changes to the police service, others just changes to working practices. (Free response)

No comment.

Respondent information

How did you find out about the consultation?

- a) from the Home Office
- b) on line
- c) Through our organisation
- d) through friends
- e) through an event
- f) through the media
- g) other (please specify)

✓

How are you replying to us?

- a) by e-mail
- b) by post
- c) at an event
- d) other (please specify)

✓

Please indicate the region of the UK you are from, or the organisation that you represent is based:

- a) England
- b) Scotland
- c) Wales
- d) Northern Ireland

✓

Are you a: (please tick all that apply)

- a) member of the general public

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- b) member of the police force
- c) member of a police body (eg police authority / ACPO / APA)
- d) local government
- e) central government
- f) other (please specify) Community Safety Partnership

✓
✓