

Accountability Framework 2021-2024

1. Background

The Commissioner is the locally elected official to be the voice of the public, relating to matters of crime and policing. This role has a variety of functions and responsibilities. Key amongst these is the responsibility to hold the Chief Constable for their respective policing area to account.

The Police Reform and Social Responsibility Act 2011 outlines this responsibility by stating “A Police & Crime Commissioner must -

- secure the maintenance of the police force for that area, and
- secure that the police force is efficient and effective.”

A Commissioner for the police area must hold the Chief Constable to account for the exercise of –

- the functions of the Chief Constable, and
- the functions of persons under the direction and control of the Chief Constable.

The Act continues to describe a number of areas that the Commissioner must hold the Chief Constable to account for. These being:

- a) The exercise of the duty under section 8(2) (duty to have regard to Police & Crime Plan).
- b) The exercise of the duty under section 37A (2) of the Police Act 1996 (duty to have regard to strategic policing requirement).
- c) The exercise of the duty under section 39(A) of the Police Act 1996 (duty to have regard to codes practice issued by Secretary of State).
- d) The effectiveness and efficiency of the Chief Constable’s arrangements for co-operating with other persons in the exercise of the Chief Constable’s functions (whether under section 22A of the Police Act 1996 or otherwise).
- e) The effectiveness and efficiency of the Chief Constable’s arrangements under section 34 (engagement with local people).
- f) The extent to which the Chief Constable has complied with section 35 (value for money).
- g) The exercise of duties relating to equality and diversity that are imposed on the Chief Constable by any enactment.
- h) The exercise of duties in relation to the safeguarding of children and the promotion of child welfare that are imposed on the Chief Constable by sections 10 and 11 of the Children Act 2004.

Both the Commissioner and Chief Constable believe in order to support a productive and transparent working relationship between the Office of the Police & Crime Commissioner (OPCC) and the Constabulary an environment of open discussion is important.

There is also an equal need to have a formal accountability process that effectively allows the Commissioner to exercise his responsibilities and provide the public with an assurance that he is undertaking his duties fully and in accordance with the law.

To help facilitate this, a structure of assurance and accountability has been agreed to hold the Constabulary to account. This is underpinned by a reporting schedule which enables effective management of performance from the top to bottom of the organisation and across both operational and business support departments. Arrangements include both informal and formal meetings within open and closed settings.

An overview of these arrangements is presented at **appendix one** and is described as the Accountability Framework. Further details are provided below.

Accountability Framework 2021-2024

This framework demonstrates how the OPCC and Constabulary work jointly to provide a structure that is robust, open and transparent and is much more than a formalised meeting relating to matters of accountability. It is part of a wider process of accountability that requires staff from the OPCC to link with professional leads in the Constabulary to assist the Commissioner in obtaining assurance on the delivery of an effective and efficient police service across Cumbria, as well as the objectives within the Police & Crime Plan.

In summary, the arrangements that enable the Commissioner to monitor the performance of the Constabulary and scrutinises actions and decisions made are broken down into the following sub-headings.

Meeting Structure	Overarching Aim
OPCC Arrangements	<p>A series of planned meetings, both informal and formal within open and closed settings that facilitates an open exchange of information between the Commissioner and Chief Constable</p> <p>In addition, the Commissioner joins front-line officers to see first-hand how the Constabulary is tackling crime, dealing with criminals and supporting victims</p>
Collaborative Arrangements	<p>A series of joined up meetings allowing the OPCC and Constabulary to:</p> <ul style="list-style-type: none"> ❖ Consider the strategic direction of policing. ❖ Engage in ongoing dialogue across all areas of business, working together to identify and find solutions to performance challenges, including looking at how resources can be used. ❖ Provide an opinion on the level of assurance that can be placed upon the adequacy and effectiveness of the financial, operational and other internal management control arrangements across both organisations. <p>Senior members of staff from the OPCC and Constabulary attend these formal meetings</p>
Constabulary Arrangements	<p>The Constabulary's Governance Board structure provides an opportunity for members of staff from the OPCC to attend a series of planned meetings to gain assurance on how the Constabulary is doing business and delivering the objectives within the Police & Crime Plan</p>
Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS)	<p>The Commissioner receives further assurance from HMICFRS which independently assesses the effectiveness and efficiency of the Constabulary. The OPCC and Constabulary have agreed a meeting structure to support oversight and scrutiny of HMICFRS activity.</p>

The Covid-19 pandemic has changed how we conduct much of our business. When Covid-19 was announced as a threat to public health in the UK, the Commissioner continued to maintain a proportionate and effective holding to account function of the Constabulary by maximising the use of technology to enable meetings to be held virtually. As Covid-19 restrictions ease, the Commissioner will continue to include virtual meetings, as well as face-to-face, as part of this framework.

The section below provides further detail about each specific meeting.

2. Meeting Structure

OPCC Arrangements

Commissioner and Chief Constable Weekly Meetings

The purpose of these meetings is to allow more detailed scrutiny by the Commissioner of issues and areas for improvement, along with agreement of remedial actions with the Chief Constable. It also ensures that the Commissioner receives regular updates on current issues and demands on the force.

The Police & Crime Commissioner on the Front-line (Monthly)

The Commissioner joins front-line officers to see first-hand how the Constabulary is tackling crime, dealing with criminals, and supporting victims. The area of police business varies each month and depends on where the Commissioner seeks further assurance against the delivery of the Police & Crime Plan.

Public Accountability Conference (PAC)

The Public Accountability Conferences are chaired by the Commissioner and made up of senior officers from the OPCC and Constabulary. The purpose of these meetings is to provide public visibility of the Commissioner holding the Chief Constable to account and a clear message to the Constabulary about what issues are priorities for the Commissioner.

Annually, the Commissioner holds three PAC meetings which are divided as follows:

- ❖ PAC Performance (Two meetings per year)

Thematic presentations are provided at each meeting, covering in detail a priority area(s) in the Commissioner's election pledge / objectives in Police & Crime Plan. To assist with the context of each thematic presentation a Terms of Reference is developed by the OPCC in consultation with the Constabulary's Professional Lead. A briefing meeting takes place to discuss and draft the Terms of Reference, which is then finalised by Collaborative Board.

The Constabulary also presents a detailed assessment of performance. A Terms of Reference has been agreed, setting out the Commissioner and Constabulary's approach to monitoring performance, focusing on demand, productivity and outcomes. It is an agile framework that includes a more qualitative understanding of performance and takes into consideration the evolving nature of policing. This will continue to be developed over the coming months to ensure it underpins the new Police & Crime Plan.

In addition, reports from the Ethics Panel and the Joint Audit and Standards Committee, who both assist the Commissioner in gaining assurance on how the Constabulary does business, are considered at this conference. Key decisions and budget updates are also provided.

❖ PAC Finance (Once per year)

In line with the financial planning cycle, this meeting specifically reviews and agrees the policing budget for the next financial year.

A reporting schedule for 2021-2024 will be agreed and published on the Commissioner's website. This schedule will be flexible to take into consideration any emerging areas of concern that the Commissioner may require reassurance on.

The agenda for each meeting is published on the Commissioner's website a week before. All reports and the minutes arising from the meeting are published subsequently to enable transparency.

The Independent Custody Visitors Scheme (ICV)

All Police & Crime Commissioners in England and Wales have a duty to implement and co-ordinate an ICV scheme. It is a system whereby volunteers attend police stations to check on the treatment of detainees, the conditions in which they are held and that their rights and entitlements are being observed. Due to Covid-19 restrictions, ICVs are currently unable to physically attend custody suite but have continued to carry out their assessments via telephone and will continue to do so until it is safe to return to face to face visits. This independent scrutiny of detainees in custody provides the Commissioner with assurance that anyone arrested by the Constabulary and held in custody is treated fairly and has access to appropriate facilities in accordance with Code C of the Police & Criminal Evidence Act 1984. It also provides reassurance to the wider community.

The work of the ICV scheme is captured in an annual report.

Collaborative Arrangements

Strategy Days (Four times per year)

The strategy days provide an opportunity for all senior managers across the OPCC and Constabulary to come together and engage (including the Commissioner and Chief Constable). This enables them to collectively review and evaluate performance and assess emerging risks and issues to establish the strategic direction of policing across Cumbria.

Collaborative Board Meetings (Bi-weekly)

To help understand Constabulary performance challenges and support appropriate reporting to the Commissioner at the Public Accountability Conference, a board of senior managers from both the Constabulary and OPCC is required. The purpose of Collaborative Board is to support both organisations to work together to identify and find solutions to performance challenges, including looking at how resources can be used. It provides the forum that enables discussion on the reports and areas of business that will be covered at the Public Accountability Conferences and it also reviews the delivery of the Police & Crime Plan and HMICFRS recommendations, identifying areas which need escalating to the Commissioner. The board meets bi-weekly of which four of these meetings are assigned as the Strategy Days throughout the year.

Action notes are produced to ensure there is a record of all discussions and expected action from both the OPCC and Constabulary. These are for internal purposes only.

Joint Audit Committee (5 x Yearly Meetings)

The Committee is composed of four members that meet five times throughout the year in line with the recommendations of the Chartered Institute of Public Finance and Accountability (CIPFA). The

Committee provides an independent assurance function in respect of the arrangements for governance. This includes assurance on financial and non-financial performance where there is an implication for exposure to risk or where there may be a weakening of the internal control environment. This provides a significant contribution to public assurance regarding the integrity, internal controls and standards that are adhered to within both the OPCC and Constabulary.

The meetings of the Committee are open to the public and all papers are published on the OPCC website prior to the meeting taking place.

Ethics & Integrity Panel (Quarterly Meetings)

This panel has four members of the public appointed to it whom meet on a quarterly basis. The purpose of this panel is to provide a forum that challenges, encourages and supports the Commissioner and the Chief Constable in monitoring and dealing with integrity and ethical issues within the OPCC and Constabulary. In order to ensure and maintain high standards of integrity and ethics there is a need for a robust, independent and transparent system of oversight of the way complaints and misconduct allegations made against police officers and staff are handled and investigated by the police. The decisions taken, actions and behaviour of police officers and staff need to ensure public trust and confidence in policing.

In order to ensure openness and transparency the agenda and reports are published following each panel meeting. The panel provides a quarterly report to the Commissioner at the Public Accountability Conference meetings to provide assurance on the work they have carried out and scrutinised.

Out of Court Scrutiny Panel (3 x Yearly Meetings)

The Out of Court Scrutiny Panel is chaired by the OPCC and is made up of representatives from across the criminal justice system and victim support services who meet three times a year. It provides transparency and accountability in how the Constabulary uses Out of Court Disposals, with particular focus on the delivery of appropriate and proportionate justice.

An annual report of findings is published on the OPCC website.

Constabulary Arrangements

The Constabulary has a governance framework that is supported by a structure of scheduled meetings covering all areas of business. The framework is aligned with the Constabulary’s vision for 2025, providing the main principles for development, which in turn drive a series of key deliverables in each business area. This provides transparency and reassurance across the organisation. Each board, where appropriate attendance from the OPCC has been agreed, is described overleaf:

Name of Board	Purpose
Operations Board (Monthly)	Provides assurance the Constabulary is protecting the public by enhancing its response to threat and risk, reinforcing its capability by developing its network of policing locally, regionally and nationally. Prioritises operational training requirements & manages diversity & equality issues arising from the Operations portfolio
Workforce Board (Monthly)	Provides assurance the Constabulary’s workforce framework is effective, proportionate, legal and supports national frameworks. Prioritises training, and wellbeing. Manages risks and escalates or

Name of Board	Purpose
	develoves as appropriate, and manages equality & diversity issues arising from the Workforce portfolio
Business Board (Monthly)	Provides assurance the Constabulary has an efficient business service that is focussed on supporting the delivery of operational policing and communities across Cumbria. Manages business risks and equality & diversity issues and ensures business activities are coordinated, delivering value for money
Digital Transformation Policing Board (Monthly)	Provides assurance the Constabulary is maximising the visibility and capabilities of the workforce delivering an efficient ICT infrastructure, including making it easier for the public to access services and engage with the police. Manages risks and equality & diversity issues arising from the Digital Transformation Policing portfolio
Tasking & Co-ordination (Monthly)	Provides assurance the Constabulary is directing it resources to deal with threat, risk and harm and reinforcing its capability and resources through collaborative working locally, regionally and nationally

Attendance from the OPCC at each of these meetings provides an integral part of the overall accountability process. It provides reassurance on emerging areas of concerns and helps to prompt initial discussions of what the Commissioner may require further reassurance on. These matters are fed into Collaborative Board and the Commissioner is informed through his Executive Gold Team meetings.

HMICFRS

HMICFRS independently assess and report on the efficiency and effectiveness of police forces and policing, and the fire and rescue service, in the public interest. They provide authoritative information to allow the public to compare the performance of their police force and fire and rescue service against others.

The Commissioner meets with HMICFRS following their inspections of the Constabulary to understand what is working well and where the Police need to improve. Their evidence is used to drive improvements in the service.

The OPCC meets with the Constabulary's HMICFRS Professional Lead on a bi-monthly basis to review and discuss requirements arising from HMICFRS inspections and published reports. This provides an understanding of HMICFRS activity and provides direct assurance against the progress made to address statutory requirements both locally and nationally. If the OPCC requires further reassurance, areas for concerns are raised and discussed at Collaborative Board. To keep the public informed and updated, the Commissioner also maintains oversight and scrutinises the Constabulary's performance against HMICFRS recommendations through his Public Accountability Conferences.