

Accountability Framework 2019-2020

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 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 performance management framework and 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**. This is described as the Accountability Framework.

2. Accountability Framework 2019-2020

The Accountability 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 in with subject leads in the Constabulary to assist the Commissioner in obtaining reassurance on the delivery of an effective and efficient police service across Cumbria, as well as ensuring the objectives within the Police & Crime Plan are being met.

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

Meeting Structure	Overarching Aim
OPCC Arrangements	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
Collaborative Arrangements	<p>A series of joined up meetings allowing the OPCC and Constabulary to:</p> <ul style="list-style-type: none"> ❖ 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	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 reassurance on how the Constabulary is doing business and delivering the objectives within the Police & Crime Plan
Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS)	The Commissioner receives further assurance from HMICFRS which independently assesses the effectiveness and efficiency of the Constabulary

The section below provides further detail about each specific meeting.

3. 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.

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. These meetings are divided into two key areas of business “PAC Performance” and “PAC Finance and are open to the public.

A reporting schedule, aligned with the objectives of the Police & Crime Plan and financial planning cycle, has been agreed for the Public Accountability Conference for 2019-2020. This is presented at **appendix two**. This is designed to be flexible in order to take into consideration any emerging areas of concerns 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.

❖ PAC Performance Quarterly

A twice yearly presentation of the Constabulary’s performance is provided against an agreed set of performance measures and further details are provided when in exception (when outside the expected range of performance). Further details regarding this Performance Framework is available at page six. Thematic reports are also presented quarterly, covering in detail the priority areas in the Commissioner’s election pledge and the 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. A briefing meeting takes place between the OPCC and Constabulary Professional Lead to allow for a discussion on the proposed area requiring reassurance, as well as agreement on how this will be delivered. This also ensures that the clearest possible messages are communicated to the public.

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 Quarterly

There are four financial reports that are considered each quarter: Constabulary Revenue Budget Monitoring; Commissioners Revenue Budget Monitoring; Capital Budget Monitoring and Treasury Management Activities.

In addition, other financial reports are considered, when appropriate, to assist the Commissioner in gaining assurance on how the Constabulary is doing business.

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. 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

Collaborative Board Bi-weekly Meetings & Extended Collaborative Board Quarterly Meetings

In order to 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 the board is to encourage 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 Public Accountability Conference and it also reviews the action plans for the delivery of the Police & Crime Plan by the Constabulary and HMICFRS recommendations, identifying areas which need escalating to the Commissioner. Every quarter, an Extended Collaborative Board meeting is held with the Commissioner and Chief Constable present. The purpose of this meeting is to set and review the strategic direction of policing in Cumbria and oversee performance, risk, financial management, planning and overall governance.

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 and meets 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 the panel meetings.

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 is described below:

Name of Board	Purpose
Workforce (First Tuesday of every month)	Provides assurance the Constabulary's workforce framework is effective, proportionate, legal and supports national frameworks. Prioritises training, and wellbeing. Manages risks and escalates or devolves as appropriate and manages equality & diversity issues arising from the Workforce portfolio
Business Support (First Tuesday of every month)	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 Policing (First Tuesday of every month)	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 Policing portfolio

Name of Board	Purpose
Local Policing & Specialist Capabilities Board (First Tuesday of every month)	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 Local Policing & Specialist Capabilities portfolio
Tasking & Co-ordination (Monthly)	Provides assurance the Constabulary is directing its resources to deal with threat, risk and harm and reinforcing its capability and resources through collaborative working locally, regionally and nationally

Appropriate attendance from the OPCC has been agreed at each of these meetings providing an integral part of the overall accountability process. Such attendance 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 weekly Executive 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 Commissioner receives assurance against identified areas for improvement through the PAC and Collaborative Board meetings.

4. Performance Framework

To complement the Accountability Framework, a Performance Management Framework has been developed, consisting of an agreed set of measures, to support the delivery of the Police & Crime Plan. An overview of performance against these measures is presented twice yearly at the PAC Performance and further details provided when an area is in exception (when outside the expected range of performance).

Appendix ONE ACCOUNTABILITY FRAMEWORK - CUMBRIA OPCC & CONSTABULARY

Under the terms of the Police Reform and Social Responsibility Act 2011, Commissioners must:

1. Secure an efficient and effective police for their area.
2. Appoint the Chief Constable, hold them to account for running the force, and if necessary dismiss them.
3. Set the police and crime objectives for their area through a Police & Crime Plan.
4. Set the force budget and determine the precept.
5. Contribute to the national and international policing capabilities set out by the Home Secretary.
6. Bring together community safety and criminal justice partners, to make sure local priorities are joined up.

ROLE & RESPONSIBILITIES OF POLICE & CRIME COMMISSIONERS

HOW DOES THE COMMISSIONER GAIN ASSURANCE THAT THE CONSTABULARY IS DELIVERING AN EFFECTIVE & EFFICIENT POLICE SERVICE

HOW DOES THE COMMISSIONER GAIN ASSURANCE ON THE POLICE & CRIME PLAN PRIORITIES

EXTERNAL ASSURANCE

OPCC Arrangements

Commissioner & Chief Constable Weekly Meetings

- Weekly meetings to touch base on current/emerging operational business and review areas of improvement, along with remedial actions.

Public Accountability Conference Performance Quarterly

- Provides an overview of Constabulary performance against an agreed set of performance measures and priority areas covered in the Commissioners election pledge and Police & Crime Plan objectives

Public Accountability Conference Finance Quarterly

- Provides assurance on how the Constabulary is doing business

Independent Custody Visitors Scheme

- Provides effective oversight of police custody in order to ensure a safe environment for detainees and deliver public reassurance

Collaborative Arrangements

Collaborative Board (Bi-weekly) & Extended Collaborative Board (Quarterly)

Board of senior managers from both the OPCC & Constabulary working together to identify and find solutions to performance challenges, including how resources can be used. Every quarter, an Extended Collaborative Board meeting is held with the Commissioner and Chief Constable present

Joint Audit Committee (5 x yearly)

Provides assurance to the Commissioner & Chief Constable on their arrangements for governance, including risk management and the integrity of the financial reporting and annual governance process

Ethics & Integrity Panel (Quarterly)

Supports the Commissioner & Chief Constable in monitoring and dealing with integrity and ethical issues such as conduct, compliance, quality of service

Out of Court Scrutiny Panel (3 x yearly)

The panel provides transparency and confidence in how the Constabulary uses out of court disposals

Constabulary Arrangements

WORK FORCE

Provides assurance the Constabulary's workforce framework is effective, proportionate, legal and supports national frameworks. Prioritises training, and wellbeing, manages risks and equality & diversity issues

BUSINESS SUPPORT

Provides assurance the Constabulary has an efficient business service focussed on supporting the delivery of operational policing. Manages business risks and equality & diversity issues. Ensures activities are coordinated delivering value for money

DIGITAL POLICING

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

LOCAL POLICING
SPECIALIST CAPABILITIES

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

TASKING

Provides assurance the Constabulary is directing its resources to deal with threat, risk and harm and reinforcing its capability and resources through collaborative working locally, regionally and nationally

Your Priorities for Cumbria	A Visible & Effective Police Presence	Tackle Crime & Antisocial Behaviour	Ensure Offenders Face a Consequence	Always Put Victims First	Focus on Online & Sexual Crime	Spend Your Money Wisely	Supporting Young People
<ul style="list-style-type: none"> • Performance Public Accountability Conference thematic presentation • Joint OPCC & Constabulary Annual Consultation Survey • Quality of Service & Policing Issues (QSPIs) 	<ul style="list-style-type: none"> • Performance Public Accountability Conference thematic presentation • Finance Public Accountability Conference reports • Ethics & Integrity Panel • Independent Custody Visitors Scheme • HMICFRS PEEL reports 	<ul style="list-style-type: none"> • Performance Public Accountability Conference thematic presentations (covering specific crime types) & twice yearly performance report • Monthly Force Tasking & Coordination 	<ul style="list-style-type: none"> • Performance Public Accountability Conference thematic presentation • Out of Court Scrutiny Panel • Monthly Force Tasking & Coordination 	<ul style="list-style-type: none"> • Performance Public Accountability Conference thematic presentation • Completion of the Quality Assessment Framework across all criminal justice agencies • Ethics & Integrity Panel • HMICFRS PEEL Inspection reports • Quality of Service & Policing Issues (QSPIs) 	<ul style="list-style-type: none"> • Performance Public Accountability Conference thematic presentation • Monthly Force Tasking & Coordination 	<ul style="list-style-type: none"> • Financial Regulations & Framework • Finance Public Accountability Conference reports • Joint Audit Committee • Ethics & Integrity Panel • HMICFRS PEEL Inspection reports • HMICFRS Value for Money Profile • Bluelight Collaboration 	<ul style="list-style-type: none"> • Youth Commission • Independent Custody Visitors Scheme

Her Majesty's Inspectorate of Constabulary & Fire & Rescue Services independently assesses the effectiveness & efficiency of the Constabulary

Appendix Two - Plan for Public Accountability Conferences 2019-2020

Prior to the Public Accountability Conference, the content of each thematic presentation will be agreed at the Collaborative Board.

- Each report will be in presentation form; it is likely that a briefing document will also be required for Chief Officers. Professional Leads may be asked to present at the Public Accountability Conference.
- All reports, with the exception of the thematic presentations, are required 7 working days before the PAC meeting for publication. All thematic presentations are required at least 3 working days beforehand. All presentations are published following the meeting.

PAC Performance

Year	2019				2020
TOR for approval at CB	06/02/2019	15/05/2019	07/08/2019	28/10/2019	TBC
Presentation approval at CB	18/02/2019	18/06/2019	18/09/2019	02/12/2019	TBC
Date of Conference	27th March	28th June	25th September	11th December	4th March
Performance Framework	Performance Presentation (using the most recent 12 month rolling total data available)	End of year Performance Presentation 2018-19		Performance Presentation (using the most recent 12 month rolling total data available)	
Thematic Presentation	Annual Consultation Survey Results Ensuring Offenders Face a Consequence for their Crime (including positive outcomes and offender management; stop and search; restorative justice and community remedy) Crime Thematic - Serious Organised Crime & Drug Supply	Crime Thematic – Serious Violence Strategy Focus our Police on Online Crimes	Crime Thematic – To be agreed Always Put Victims First	Annual Consultation Survey Crime Thematic – To be agreed A Visible and Effective Police Presence	Thematic presentations to be agreed
Ethics	Panel report	Panel report	Panel report	Panel report	
Audit	Report when required				

PAC Finance

Year	2019				2020
Date of Conference	20 th February	9 th May	25 th July	7 th November	19 th February
Financial Reporting	Quarter 3 financial monitoring Precept and budget setting	Outturn financial information	Quarter 1 financial monitoring	Quarter 2 financial monitoring	Quarter 3 financial monitoring Precept and budget setting

The quarterly financial reports will cover: Constabulary Revenue Budget Monitoring; Commissioning Revenue Budget Monitoring; Capital Budget Monitoring & Treasury Management Activities.