

**Agenda Item 5**

**JOINT AUDIT COMMITTEE  
4<sup>th</sup> September 2024**

**West Midlands Police and Crime Commissioner ("PCC"):  
Accountability and Governance Framework**

**1. Purpose and Background**

Following the election on Thursday 2 May 2024, the PCC undertook a review of his accountability and governance arrangements for the exercise of his strategic direction, holding to account and public engagement functions.

The PCC set the following overarching objectives:

1. A Police and Crime Plan that is focused, with overarching priorities
2. Ensure clarity, the holding to account function is exercised by the PCC
3. A holding to account that remains public facing where possible, and fully utilises available processes and structures
4. A renewed commitment, to supporting the rights and welfare of victims and witnesses
5. Diverse and representative views, engaged in the support of the exercise of the PCC's functions
6. A fully independent and expert approach to Joint Audit Committee
7. Fully embedding a joint approach to advice, on the ethical use of data and new technology in policing
8. A continuing approach, to deeper and wider engagement with young people
9. Effective and proportionate oversight of the use of police powers

**Police and Crime Plan**

It is a statutory duty, to issue a new Police and Crime Plan before 31 March 2025, covering the period to 31 March 2029.

The new Police and Crime Plan will be shorter, with clearer priorities and reference to existing plans, that support delivery of the PCC's objectives. A consultation is underway.

The Police and Crime Plan, represents the exercise of the PCC's strategic direction function, to which the Chief Constable must "have regard".

## **Accountability and Governance Board ("AGB")**

The AGB will comprise the following members: the PCC (who chairs the meetings), the Deputy PCC and the Victims Advocate (see below). They will be supported by members of staff from the Office of the Police and Crime Commissioner ("OPCC") and attended by the Chief Constable and Deputy Chief Constable. It will meet 10-11 times per year, in public and be livestreamed, running from 10.00 to 13.00. The agenda will comprise:

- Updates from the PCC and Chief Constable, to include questions on urgent matters
- Minutes and actions from previous meetings
- A core agenda of three reports on aspects of the Police and Crime Plan
- Additional items as required

There will be two "performance seminars" per year, with the majority of the agenda, given over to consideration of performance data.

The operation of the AGB will be informed by the activities of the Commissioner's Advisory Panel, Joint Audit Committee, the advisory panel for police use of data and emerging technology and other oversight and assurance mechanisms.

AGB is the primary mechanism, via which the PCC publicly holds the Chief Constable and West Midlands Police to account.

## **Weekly Meetings**

The PCC meets the Chief Constable weekly, with the Deputy Chief Constable, Chief Executive, Deputy Chief Executive, Chief Finance Officer and Director of Commercial Services also in attendance as required. These private meetings have a flexible agenda, but are minuted. They cover a variety of operational, organisational, policy, performance, inspection, finance and casework matters. A review is underway, to ensure best use is made of these meetings.

The weekly meetings support the exercise of the PCC's strategic direction, holding to account and other decision-making functions.

## **Appointment of a Deputy Police and Crime Commissioner**

Section 18 of the Police Reform and Social Responsibility Act 2011, permits the appointment of a Deputy Police and Crime Commissioner, to support the Police and Crime Commissioner in the exercise of their functions.

The Deputy PCC is a member of OPCC staff, albeit exempt from the requirements for political restriction and recruitment on merit. The Deputy PCC works to the day-to-day direction of the PCC.

The Deputy PCC, subject to the PCC's consideration of any recommendations from the Police and Crime Panel, will assist the PCC in the exercise of their strategic direction, holding to account, public engagement and other statutory and non-statutory functions.

## **Appointment of a Victims Advocate**

The PCC is statutorily required, by Section 96 of the Police Act 1996, to obtain the views of victims of crime. Recruitment for a Victims Advocate is currently underway. This part-time role will be a

member of OPCC staff, subject to the requirements for recruitment on merit and political restriction. While therefore responsible to the Head of Paid Service, day-to-day management, setting of objectives and performance review will be with the PCC. The Victims Advocate will be a member of the AGB.

### **Joint Audit Committee**

The Joint Audit Committee ("JAC"), supports both the PCC and the Chief Constable. It seeks assurance regarding business and financial process compliance and reviews recommendations arising from inspections by His Majesty's Inspectorate of Constabulary, Fire and Rescue Services ("HMICFRS") and the Joint Internal Audit team located in the OPCC.

JAC will have up to seven members. Recruitment is currently underway for new, independent members. JAC members are paid an allowance.

### **Commissioner's Advisory Panel**

Section 96 of the Police Act 1996, also requires the Commissioner to obtain the views of people in their area, about matters concerning the policing of the area. Recruitment to a Commissioner's Advisory Panel ("CAP") is currently in the process of being concluded, and an induction event is planned for September.

The CAP will have approximately 20-25 members, who are broadly representative of the diversity of the West Midlands and have relevant knowledge, expertise, experience and legitimacy. The CAP will hold half day seminars approximately 4-6 times a year. Each seminar will consider a single thematic area relevant to the Police and Crime Plan and the PCC's wider statutory responsibilities. CAP members will be paid a daily allowance for their attendance at the seminars.

CAP seminars will be expected to generate findings and recommendations, that will inform the exercise of the PCC's strategic direction, holding to account, public engagement and other statutory functions.

### **Refreshed approaches to public engagement**

The PCC has an active programme of public engagement and has participated in literally hundreds of public events over the last three years. Building on this activity, the OPCC will be supporting the PCC, the DPCC and OPCC staff, to undertake targeted engagement with communities, groups and organisations relevant to the Police and Crime Plan and the PCC's wider functions. Statutory public engagement, such as that required for the Police and Crime Plan and the setting of the West Midlands Police budget, will of course continue.

### **Quantitative analysis of public sentiment and satisfaction with service**

The Crime Survey for England and Wales ("CSEW"), provides statistically significant evidence of public attitudes towards and experiences of policing, via a quarterly face-to-face survey. However, the CSEW is only statistically significant at the West Midlands wide level and therefore cannot be relied upon for analysis at local authority levels, or for smaller demographic groups, such as for particular ethnicities. It also asks respondents for the views on policing in general, rather than West Midlands Police specifically.

Development is underway for a joint West Midlands Police/OPCC survey, that would provide statistically significant data at more local levels and for sub-populations and a broader question set, tailored to the West Midlands.

### **Advice relating to police use of data and other emerging technologies**

There is currently a committee, that considers operational use cases, for police data science proposals. It is made up of an independent membership consisting of individuals with expertise in law, ethics, data science, technology, public policy, economics, sociology, criminology, and philosophy.

The committee is unique in UK policing and has received national recognition. Members are unpaid and the committee meets quarterly. While private, its minutes and reports are published. It is a scalable approach to local and national adoption of new technology and the use of data by policing.

The Terms of Reference are under review and it is likely that the committee will become a joint advisory panel, concerned with the wider aspects of police use of data and emerging technologies, considering operational use cases and making recommendations to the Chief Constable and the PCC.

### **Engagement with young people**

The PCC must hold the Chief Constable to account, for 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.

The Youth Commission will continue, consisting of a membership from across the West Midlands, elected by young people.

The OPCC also supports a Youth Assembly, established via the West Midlands Violence Reduction Partnership, which brings together young people with relevant lived experience.

### **Scrutiny and oversight of use of police powers**

The OPCC and West Midlands Police, will continue to develop the work of the Stop and Search and Use of Force Advisory Panels, as well as continuing to develop additional scrutiny and oversight, for example, via the Custody Centres and Young People's Panels.

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