



**West Midlands**  
Combined Authority

# **Consultation for the Transfer of West Midlands Police & Crime Commissioner Functions**

**Presentation to the WMCA Overview and Scrutiny Committee**

**26 November 2018**

## Background

Following the first devolution deal in 2015, a second deal was agreed in late 2017 between government, the Mayor and WMCA to strengthen the West Midlands' devolution arrangements.

The second devolution deal included a commitment for government, the WMCA and the PCC to work together to look at a detailed governance model and timetable for transferring the role and powers of the PCC to the elected Mayor in 2020.

As a result a Governance Review and Scheme were prepared and consulted upon with Constituent Councils, WMCA Board and Mayor, the PCC and his Office and the Chief Constable of WMP.

In considering the Review and the Scheme the Mayor and the WMCA board agreed the need for this to be underpinned by a robust consultation as part of an ongoing commitment to devolution and local democracy.

## What is being proposed?:

Under the proposals, the role, duties and responsibilities of the PCC will not change, but from 2020 they would be discharged by the Mayor instead of the PCC.

The Police and Crime Panel would also remain in place to scrutinise and support the Mayor in exercising these powers and responsibilities.

A similar arrangement is already in place in Greater Manchester, where the role of the PCC was incorporated into the Greater Manchester Combined Authority Mayor's role in 2017, and to an extent in London.

The Mayor would appoint a Deputy Mayor for Policing and Crime (DMPC), accountable to the Mayor, to work closely with them and exercise certain powers on their behalf. The spirit and intent of the proposals are to build on the work initiated by the current PCC arrangements whilst retaining the operational independence of the Chief Constable and West Midlands Police (WMP).

WMCA believes that the transfer of PCC functions to the elected Mayor would bring the following benefits to the public, business and public services:

- **Clearer accountability for citizens, business and government:**
  - Single accountable figure and point of contact in the West Midlands working across a range of Services
  - One election
- **Stronger collaboration between services to the public:**
  - Stronger links between different public services particularly those that contribute to crime
  - Reduce confusion and fragmentation for citizens and help prevent crime
- **Reduce demands on policing by addressing the causes of crime:**
  - Opportunity to create innovative models of neighbourhood working to target causes of crime
  - Availability of additional resources eg skills housing, economic growth etc
  - Joining up of data and intelligence
- **Ensuring public money is spent as efficiently as possible:**
  - Ring fenced precept and budgets
  - Not about large cost savings
  - Reducing duplication and better integration

## Consulted closely with the WMCA Board. Two key principles:

- Election of a Mayor with PCC powers in 2020
- Robust two-stage public consultation on both the principle and the detail.

*A point to note is that the consent route (section 107(f)) that applies to this transfer process. As a result consent from the Constituent Authorities, the WMCA and the Mayor are the only requirement for the Order to be laid before Parliament, a review and scheme are not a requirement of this process.*

## Process

- A two-stage public consultation – consulting the public on both **principle** and **detail** during **two separate 8-week** periods
- Key role for scrutiny – building in two opportunities for both WMCA Overview and Scrutiny Committee and the Police and Crime Panel to scrutinise and assure the process
- Appropriate legal advice – taking and following Home Office, WMCA and independent legal advice that the process is legally robust and conducted along principles of good practice
- Independent question-setting and analysis – we have engaged an independent agency, BECG, accredited by the Consultation Institute, who are setting the questions objectively and after dialogue with the PCC and Mayor.
- A collaborative consultation process – working with constituent authority governance, legal and communications teams to both assure and plan the best possible consultation.



# The Consultation Process

Now - 9 Nov
<b>Consultation Preparation Process</b>
Engage BECG to help develop consultation methodology
Engage BECG to develop Questions in consultation with WMCA, OPCC and Mayors Office



Agenda Dispatch 1 Nov
<b>9 November 2018</b>
<b>WMCA BOARD</b>
1. Feedback from consultation with CAs & PCC on Review and Scheme
2. <b>Approval of a single two stage consultation process &amp; timeline</b>
3. <b>Approval to Consult</b>



16 November 2018
<b>STAGE 1 CONSULTATION GOES LIVE</b>
STAGE 1 Consultation goes live on proposed governance principle.



8 week consultation process

<b>STAGE 1 CONSULTATION EVENTS &amp; ACTIONS</b>
<b>16 November – 11 January</b>
Police & Crime Panel 26 November
Overview & Scrutiny 26 November



Stage 1 Closed  
11 January



14 January 2019
<b>STAGE 2 CONSULTATION GOES LIVE</b>
STAGE 2 Consultation goes live on proposed governance model.



8 week consultation process

<b>STAGE 2 CONSULTATION EVENTS &amp; ACTIONS</b>
<b>14 January – 11 March</b>
Police & Crime Panel 14 January
Overview & Scrutiny 25 February



Stage 2 Closed  
11 March



11 – 14 March
<b>Consultation Analysis</b>
BECG undertake independent consultation analysis



Agenda Dispatch 14 March
<b>WMCA BOARD</b>
<b>22 March 2019</b>
1. Consider the results of STAGE 1 and STAGE 2 consultation exercise
2. Approve the Scheme for submission to the Home Office
3. Agree to take consultation results and analysis to Constituent Councils
4. Agree to seek delegated Consent to Order being laid in Parliament at June/July Constituent Council Cabinet Meetings



<b>Before 12 April</b>
<b>SUBMISSION OF SCHEME</b>
Developed Scheme submitted to Home Office. (CE sends email with Scheme)

## The Consultation Process

As with previous consultations of this nature, the purpose here is twofold: to provide the Board with Public and Stakeholder views in respect of the proposal; and to provide evidence of local views to the Home Secretary.

We have appointed BECG as the agency responsible for supporting the design and analysis of the consultation who already have experience in the West Midlands as they supported the consultation on fire governance conducted in 2017.

BECG have been tasked with independently and objectively developing the questions and supporting information for the consultation using their knowledge and expertise and through engagement with the PCC and Mayor.

We are proposing to follow advice from BECG on the appropriate analysis of a two-stage consultation, which is that good practice would be to move from Stage 1 to Stage 2 of the consultation without reporting interim results so as not to unduly influence the second stage. BECG have advised that ***“The proposed approach by WMCA to publish the results of both stages of consultation together will provide a comprehensive account of feedback for stakeholders and the WMCA board to consider. The alternative option would be to report on each stage separately. We would advise against this, given the potential for the results of stage one to unduly influence the consultation on stage two.”***

BECG will analyse and report on the results of both stages to the WMCA Board in March to enable the Board to make an informed decision prior to making a decision as to whether or not to submit the proposals to the Home Secretary.

## Consultation Methodology

The Consultation Methodology is set out in the Consultation Plan, it details the various stakeholders being targeted and the various methods in which we are seeking to engage the public. The consultation can be accessed in a number of ways:

- Online Questionnaire Booklet
- Hard Copy Questionnaire Booklet
- Easy Read Format
- Audio
- Public engagement events (one in each Constituent Council)

The Consultation is being publicised in a number of ways:

- Social Media Campaign
- Press Releases
- Direct Email to Stakeholders
- WMCA Email Footer
- Home Page link to consultation at WMCA and the 7 Constituent Councils
- Direct Email to WMCA Cllrs, MPs and MEPs
- Hard to Reach Groups programme including equality and diversity groups
- Public engagement events (one in each Constituent Council)



## Stage 1 Questions (Refer to Consultation Booklet)

**Q1:**

To what extent do you agree or disagree with the proposal to transfer the responsibilities of the Police & Crime Commissioner to the Mayor of the West Midlands?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree      Don't know

Please use the space below to provide any comments you may have about your answer:

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**Q2:**

To what extent do you agree or disagree that a Mayor with Police & Crime Commissioner functions would improve the efficiency and effectiveness of policing?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree      Don't know

Please use the space below to provide any comments you may have about your answer:

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**Q3:**  
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To what extent do you agree or disagree that a Mayor with Police & Crime Commissioner functions would improve the governance of policing and crime?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree     Don't know

Please use the space below to provide any comments you may have about your answer:

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**Q4:**

To what extent do you agree or disagree that a Mayor with Police & Crime Commissioner functions would improve the ability of the public to hold the strategic leadership of policing and the wider social causes of crime to account?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree     Don't know

Please use the space below to provide any comments you may have about your answer:

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**Q5:**

To what extent do you agree or disagree that a Mayor with Police & Crime Commissioner functions would create a stronger strategic focus on joined-up public services across the region?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree     Don't know

Please use the space below to provide any comments you may have about your answer:

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**Q6:**

To what extent do you agree or disagree that greater co-operation and integration is likely to be achieved with the Mayor having responsibility for both fire and police services?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree     Don't know

Please use the space below to provide any comments you may have about your answer:

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**Q7:**

To what extent do you agree or disagree that there should be one directly elected accountable individual for the functions that come under the Mayor and the PCC?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree     Don't know

Please use the space below to provide any comments you may have about your answer:

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## What happens next?

The first stage of the Consultation runs until the 11<sup>th</sup> January 2019 with the second stage open between January 14<sup>th</sup> – March 11<sup>th</sup> 2019.

The second stage will be focused on the detail of the governance, with the questions and supporting information developed independently by BECG with engagement with WMCA and the PCC. Both the Police & Crime Panel and the WMCA Overview & Scrutiny Committee will be engaged in the second stage as they have been in the first stage.

BECCG will provide independent analysis of the consultation results and report to WMCA Board on the 22<sup>nd</sup> March 2019 where Board will consider the consultation results and analysis and be asked to provide approval to submit the Scheme to the Home Office.

In June/July 2019 Constituent Councils will be consider the consultation results and analysis and be asked to provide delegated consent for approval, with the Home Office asking the Mayor and Constituent Council Leaders for approval in late August 2019 in line with the timetable to provide an election for a Mayor with PCC Powers in May 2020.



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Any  
Questions?