
Have your say

Transfer of powers and responsibilities of the directly elected Police and Crime Commissioner to the directly elected Mayor



West Midlands
Combined Authority

Introduction

West Midlands Combined Authority (WMCA) is seeking your views about proposals to transfer the powers and responsibilities of the directly elected Police and Crime Commissioner to the directly elected Mayor in May 2020.

Background to the proposals

In November 2015, WMCA agreed a deal with government that enabled the significant devolution of powers, funding and responsibilities to the directly elected Mayor of the West Midlands. This deal aimed at increasing productivity through public service reform to enable people to reach their full potential as part of realising the role that the region plays as a key growth centre of the UK.

The first Mayor was elected in May 2017. In November 2017, a second deal was agreed between government, the Mayor and WMCA to strengthen the West Midlands' devolution arrangements.

The Mayor has powers over economic growth, transport, housing, skills and jobs. However, there are a number of other areas of focus for the Mayor and WMCA, including homelessness and rough sleeping, youth unemployment, community cohesion, public service reform, the mental health commission, youth justice devolution and air quality.

Work is also being undertaken to transfer the responsibility of West Midlands Fire Service governance to the Mayor in 2019.

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

As part of this a Governance Review which can be found on the WMCA website was carried out. This identified the current situation and identified the benefits that could be achieved by coming together.

Possible benefits include a more joined up way of working, contributing to a shared vision with public services being delivered in a more co-ordinated, integrated and collaborative way. Further details can be found in 'The proposals' detailed on page 3 and the Governance Review www.wmca.org.uk/policeconsultation.

Following this a 'Scheme' was prepared which details how the responsibilities of the Police and Crime Commissioner would operate within the WMCA, and who would be responsible for making decisions. The Scheme can be found on the WMCA website www.wmca.org.uk/policeconsultation.

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 a commitment to devolution and local democracy.

The role of the Police and Crime Commissioner

The overarching role of the Police and Crime Commissioner is to secure an effective and efficient police force. Under the Police Reform and Social Responsibility Act 2011, the Police and Crime Commissioner is required to:

- Set the priorities for policing by identifying the needs of all who live and work in their area.
- Set the force budget and determine the police council tax precept.
- Appoint the Chief Constable, hold them to account and if necessary, dismiss them.
- Set the police and crime objectives for their area through a Police and Crime Plan.
- Contribute to the national and international policing capabilities set out by the Home Secretary.
- Bring together community safety and criminal justice partners to make sure local priorities are aligned.
- Ensure effective support for victims of crime.

Other supporting areas of focus for the Police and Crime Commissioner include reducing gangs and violence, addressing mental health needs, promoting economic development, reducing the harm caused by substance misuse, greater use of predictive analytics, improved roads policing and network resilience, tackling “hidden crimes” such as domestic abuse and modern slavery, improving the response to unauthorised encampments, addressing crime in prisons, developing a police cadets scheme, reducing reoffending and first time entrants into the criminal justice system, effective oversight of counter-terrorism policing, and making policing more representative of the wider population.

Under the current model the Police and Crime Commissioner is scrutinised and supported by a Police and Crime Panel, required by law and made up of councillors across the West Midlands and two independent appointees.

If the role of the Police and Crime Commissioner were to move under the Mayor, it would not affect the operational independence of the Chief Constable or the West Midlands Police.

The proposals

Under the proposals, the role, duties and responsibilities will not change, but from 2020 they would be discharged by the Mayor instead of the Police and Crime Commissioner. 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 Police and Crime Commissioner 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 Police and Crime Commissioner arrangements whilst retaining the operational independence of the Chief Constable and West Midlands Police (WMP).

More details on the proposals can be found in the governance review

www.wmca.org.uk/policeconsultation

Ensuring public money is spent as efficiently as possible

The proposals do not impact on the money spent within the West Midlands on policing, most of which is set nationally and ring-fenced. The proposed transfer is not about consolidating and making large cost-savings given that the Mayor's Office of Policing and Crime would require a similar level of expertise and resources to the current arrangements. There are, however, areas where public savings could be made including holding one election instead of two, preventing costly duplication of work and improving efficiency with the closer integration of staff and governance.

Consultation

WMCA will be consulting across the seven West Midlands Council areas, ('constituent councils'). The consultation will include local people, businesses, Local Enterprise Partnerships (LEPs), organisations and people who work with the police service.

There are two stages to the consultation. This is stage one, which focuses on the principle of transferring the powers from the Police and Crime Commissioner to the Mayor of the West Midlands, and will run for eight weeks, from 16 November 2018 to 11 January 2019.

Stage two will focus on the proposed detail of how the strategic leadership and direction (governance) of policing would operate within the WMCA and who would be responsible for making decisions. This will take place between 14 January 2019 and 11 March 2019.

Responses to both stages of the consultation will be analysed and fed back for consideration by the WMCA Board in March 2019.

Subject to the outcome of the WMCA Board decision in March 2019 all the responses will be fed back to the Home Office. If the government decides to proceed it will create a Statutory Order based on the Scheme, for approval initially by the constituent councils, WMCA Board and the Mayor and then by Parliament, to enable the changes to take place in May 2020.

If it is decided not to pursue the transfer of powers and responsibilities of the Police and Crime Commissioner to the Mayor, then the current situation with regards to the Police and Crime Commissioner will remain exactly the same. Separate elections will be held in May 2020 for a Police and Crime Commissioner for a further four years who will have the same roles and responsibilities as the current Police and Crime Commissioner.

How to get involved

You can find out more information and give us your views by taking part in the survey through our website: www.wmca.org.uk/policeconsultation

In addition we will be undertaking further consultation events. These will be held on the WMCA's exhibition bus except for the event inside New Street Station*.

Date	Time	Location
Tuesday 27 November 2018	3pm to 8pm	West Bromwich Bus Station, Stand A, West Bromwich Ringway, St Michael Street, B70 7AB
Saturday 1 December 2018	9am to 3pm	Queen Square, Wolverhampton City Centre, WV1 1TH
Wednesday 5 December 2018	9am to 3pm	Ironmonger Row, behind Primark, Coventry City Centre, CV1 1FD
Saturday 8 December 2018	9am to 3pm	Dudley Market Place, near the Duncan Edwards Statue, DY1 1PJ
Monday 7 January 2019	10am to 5pm	Mell Square, near Marks and Spencer, Solihull town centre, Solihull, B91 3AT
Tuesday 8 January 2019	12pm to 6pm	Main concourse*, by the information screens inside New Street Railway Station, Birmingham
Wednesday 9 January 2019	3pm to 7pm	Walsall town centre, Park Street near to Poundland, WS1 1LY

A **glossary** is also available which provides more information and an explanation of key terms.

This survey will follow the Market Research Society Code of Conduct. Data collected from this questionnaire will be grouped together; you will not be identified. All information collected will be treated in confidence and will be used for monitoring purposes only. Personal data will be held by the WMCA and will not be shared with any other organisations. The survey is being conducted in accordance with the Data Protection Act 1998 and General Data Protection Regulations (GDPR).

If you have any further queries about this questionnaire please email consultationviews@wmca.org.uk

Question 1

We want your views on the principle of transferring the responsibilities of the Police and Crime Commissioner to the Mayor of the West Midlands.

The Police and Crime Commissioner has an over-arching duty to secure an effective and efficient police force. The Mayor and the WMCA want to grasp the full potential of the devolution opportunity in this respect. The second devolution agreement is an opportunity to create a step change in the public services agenda, by establishing the building blocks to further public service transformation in the West Midlands.

The transfer presents the ability to join up the leadership of local public services and unlock a range of opportunities for deeper and more meaningful collaboration. The Mayor, the WMCA and the Police and Crime Commissioner have a number of shared policy areas where positive progress is already being made, examples include Thrive, Mental Health and Justice, and criminal justice reform. The benefits presented through the transfer of functions broadens these opportunities further to include gains in joining up public services and systems further, focusing on key areas of prevention, early intervention and crisis management.

Moving to a Mayor with Police and Crime Commissioner powers and responsibilities could provide clearer accountability for citizens, business and government with one person accountable within the region for the range of functions that currently sit across the Mayor and Police and Crime Commissioner.

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

- | | | |
|---|--|--|
| <input type="checkbox"/> Strongly agree | <input type="checkbox"/> Agree | <input type="checkbox"/> Neither agree or disagree |
| <input type="checkbox"/> Disagree | <input type="checkbox"/> Strongly disagree | <input type="checkbox"/> Don't know |

Are there any other points you would like to make?

Question 2

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

- | | | |
|---|--|--|
| <input type="checkbox"/> Strongly agree | <input type="checkbox"/> Agree | <input type="checkbox"/> Neither agree or disagree |
| <input type="checkbox"/> Disagree | <input type="checkbox"/> Strongly disagree | <input type="checkbox"/> Don't know |

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

Question 3

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

- | | | |
|---|--|--|
| <input type="checkbox"/> Strongly agree | <input type="checkbox"/> Agree | <input type="checkbox"/> Neither agree or disagree |
| <input type="checkbox"/> Disagree | <input type="checkbox"/> Strongly disagree | <input type="checkbox"/> Don't know |

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

Question 4

To what extent do you agree or disagree that a Mayor with Police and 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?

- | | | |
|---|--|--|
| <input type="checkbox"/> Strongly agree | <input type="checkbox"/> Agree | <input type="checkbox"/> Neither agree or disagree |
| <input type="checkbox"/> Disagree | <input type="checkbox"/> Strongly disagree | <input type="checkbox"/> Don't know |

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

Question 5

In addition to responsibility for effective governance of policing, the Police and Crime Commissioner has responsibility for issues which include considering the impact of offending and reoffending, reducing social harms and promoting positive, healthy and more prosperous communities. Many of these functions require effective partnership working with local councils, health, housing, probation services, employers and the business community. The Mayor chairs the WMCA Board which already has a set of agreed priorities for improving communities and increasing economic growth across the region. <https://www.wmca.org.uk/what-we-do/strategy/> Aspects of the WMCA's activities include a focus on health and wellbeing and public service reform.

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

- | | | |
|---|--|--|
| <input type="checkbox"/> Strongly agree | <input type="checkbox"/> Agree | <input type="checkbox"/> Neither agree or disagree |
| <input type="checkbox"/> Disagree | <input type="checkbox"/> Strongly disagree | <input type="checkbox"/> Don't know |

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

Question 6

There is currently a proposal, which the WMCA and Home Secretary have agreed on, for the Mayor to be responsible for the West Midlands Fire and Rescue Service. The Policing and Crime Act 2017 requires there to be greater co-operation and integration between the Police and Fire Services.

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?

- | | | |
|---|--|--|
| <input type="checkbox"/> Strongly agree | <input type="checkbox"/> Agree | <input type="checkbox"/> Neither agree or disagree |
| <input type="checkbox"/> Disagree | <input type="checkbox"/> Strongly disagree | <input type="checkbox"/> Don't know |

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

Question 7

To what extent do you agree or disagree that there should be one accountable individual for the functions that come under the Mayor and the Police and Crime Commissioner?

- 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:

Question 8

Could you tell us your age?

- Under 16 16 - 24 25 - 44
 45 - 64 65+ I do not wish to disclose

Question 9

Could you please disclose your sexual orientation?

- Bi Gay Man Gay Woman/Lesbian
 Heterosexual/Straight I do not wish to disclose Prefer to self-describe:
-

Question 10

Ethnicity

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Asian British | <input type="checkbox"/> Indian | <input type="checkbox"/> Pakistani | <input type="checkbox"/> Bangladeshi |
| <input type="checkbox"/> White and black | <input type="checkbox"/> White and Asian | <input type="checkbox"/> Other mixed | <input type="checkbox"/> Black British |
| <input type="checkbox"/> Black Caribbean | <input type="checkbox"/> Black African | <input type="checkbox"/> White British | <input type="checkbox"/> White other |
| <input type="checkbox"/> Gypsy or Irish traveller | <input type="checkbox"/> I do not wish to disclose | <input type="checkbox"/> Other (please specify): | |
-

Question 11

Religion

- | | | |
|---|--------------------------------|--|
| <input type="checkbox"/> Christian (all denominations) | <input type="checkbox"/> Hindu | <input type="checkbox"/> Muslim |
| <input type="checkbox"/> None (includes atheist & Humanist) | <input type="checkbox"/> Sikh | <input type="checkbox"/> I do not wish to disclose |
| <input type="checkbox"/> Other (please specify): | _____ | |

Question 12

Could you please disclose your gender

- | | | |
|---|-------------------------------|--|
| <input type="checkbox"/> Female | <input type="checkbox"/> Male | <input type="checkbox"/> I do not wish to disclose |
| <input type="checkbox"/> Prefer to self-describe: | _____ | |

Question 13

Do you consider yourself to have a disability which has:

- | | |
|---|---|
| <input type="checkbox"/> Severe impact on everyday life | <input type="checkbox"/> Mild impact on everyday life |
| <input type="checkbox"/> No disability | <input type="checkbox"/> Prefer not to state |
| <input type="checkbox"/> Other (please specify): | _____ |

Question 14

Which constituent council area do you live in?

- | | | |
|--|--|--|
| <input type="checkbox"/> Birmingham City Council | <input type="checkbox"/> City of Wolverhampton Council | <input type="checkbox"/> Coventry City Council |
| <input type="checkbox"/> Dudley Metropolitan Borough Council | <input type="checkbox"/> Sandwell Metropolitan Borough Council | <input type="checkbox"/> Solihull Metropolitan Borough Council |
| <input type="checkbox"/> Walsall Council | <input type="checkbox"/> I don't live in the West Midlands | <input type="checkbox"/> I don't know which local authority area I live in |

Other local authority area (please specify): _____

Question 15

Do you work for the public sector?

- Yes No

If yes, could you please tell us which organisation you work for: _____

Question 16

Where did you hear about this consultation?

Many thanks for taking part in stage one of the consultation. Stage two will focus on the proposed detail of how the strategic leadership and direction (governance) of policing would operate within the WMCA and who would be responsible for making decisions. This will take place between 14 January 2019 and 11 March 2019.

If you would like us to send you details of stage two please detail your email address or full postal address:

Glossary

Directly elected Mayor: Directly elected mayors are chairs of their area's combined authority, in this case West Midlands Combined Authority, and are elected by the residents of this area every four years. The next election is in May 2020.

West Midlands Mayor/Mayor: Directly elected Mayor (West Midlands Combined Authority).

WMCA constituent councils: Birmingham City Council; Coventry City Council; Dudley Metropolitan Borough Council; Sandwell Metropolitan Borough Council; Solihull Metropolitan Borough Council; Walsall Metropolitan Borough Council; City of Wolverhampton Council.

Directly elected Police and Crime Commissioner/Police and Crime Commissioner: Directly elected Police and Crime Commissioner who has the overarching role to secure an effective and efficient police force and is elected by the residents of the West Midlands every four years. Next election is in May 2020.

Devolution of powers: Devolution is the handing down of powers and money from central government (Whitehall) to WMCA to spend for the overall benefit of the region.

Governance: The arrangements (including political, economic, social, environmental, administrative, legal and other arrangements) put in place to ensure that the intended outcomes for stakeholders are defined and achieved.

Governance Review: A review of the current arrangements and the benefits that would result from the Police and Crime Commissioner role being part of the WMCA.

Scheme: The proposed arrangements and responsibilities to enable the WMCA to undertake the role of the Police and Crime Commissioner.

Statutory Order: This is prepared by government and agreed in Parliament which applies further legislation to an existing Act. In this case, meaning the WMCA would be responsible for the Police and Crime Commissioner activities. It allows changes to be introduced without having to pass a new Act.

Thrive: Thrive West Midlands was launched by the West Midlands Combined Authority in January 2017, as a result of the WMCA Mental Health Commission's findings - to deliver positive outcomes for people in the West Midlands through improving their health and wellbeing, both mental and physical.

Police and Crime Plan: Details West Midlands Police service's priorities and objectives.

Home Office: The Home Office is the lead government department for immigration and passports, drugs policy, crime, fire, counter-terrorism and police.

Home Secretary: The Home Secretary is the cabinet minister in charge of the Home Office.

Precept: This is part of Council Tax income that provides a specific service e.g. Policing.

Public Service Reform: To create jobs, enhance skills, develop prosperity and drive economic growth through getting more from our public services.

Once completed please place in the freepost envelope provided.

Thank you for helping us make the West Midlands safer, stronger and healthier.