
Have your say

How the strategic leadership and direction (governance) of policing would operate within the West Midlands Combined Authority, with a Mayor with Police and Crime powers, and who would be responsible for making decisions.



West Midlands
Combined Authority

Stage two consultation

West Midlands Combined Authority (WMCA) is consulting across the seven West Midlands Council areas (constituent councils) on the transfer of powers and responsibilities of the Police and Crime Commissioner to the Mayor of the West Midlands.

The consultation is seeking the views of 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 two, which focuses 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. It will run for eight weeks, from 14 January 2019 to 11 March 2019.

Stage one focused on whether or not people supported the principle of transferring the powers from the Police and Crime Commissioner to the Mayor of the West Midlands. This ran from 16 November 2018 to 11 January 2019.

Responses to both stages of the consultation will be analysed and fed back for consideration by the WMCA Board in March 2019. WMCA wants people's views on both stages of the consultation in order to ensure that the WMCA Board is as informed as it can be when it considers the consultation response in March 2019. This will help the Board in making the decision whether or not to progress the proposed transfer of powers for further consideration by the Home Secretary.

If the Board decides not to pursue the transfer of powers, then the current arrangements 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 in addition to the election for a Mayor of the West Midlands.

Background

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

The second deal included a commitment for government, the WMCA and the West Midlands 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 was carried out, which looked at the current accountability and decision making arrangements and identified the benefits that could be achieved by coming together. These 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.

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 and accountable for making decisions.

The proposals

Under the proposals, the role, duties and responsibilities currently held by the Police and Crime Commissioner will not change, but from 2020 they would be discharged by the Mayor instead. The Police and Crime Panel (PCP) would also remain in place to scrutinise and support the Mayor in exercising these powers and responsibilities.

WMCA's Governance Review proposed that the Mayor could appoint a Deputy Mayor for Policing and Crime (DMPC), accountable to the Mayor, to work with them and exercise certain powers on their behalf. The mechanism for appointing a DMPC would be the same as it is now for appointing a Deputy Police and Crime Commissioner.

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).

Stage two of the consultation focuses on how accountability and decision making could work if the proposal was to go ahead. It is asking for your views on the role of the DMPC and eligibility for the position; the most effective ways to scrutinise the work of the Police to ensure accountability; and how to ensure a seamless transition of responsibilities if the decision is taken to transfer the powers to the Mayor.

How to get involved

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

In addition, we will be undertaking further consultation events to provide an opportunity for people to come and ask questions about the consultation and what will happen next. These will be held on the WMCA's exhibition bus except for the event inside New Street Station*

Date	Time	Location
Saturday 2 February	9am to 3pm	Queen Square, Wolverhampton City Centre, WV1 1TH
Wednesday 6 February	3pm to 7pm	West Bromwich Bus Station, Stand D, West Bromwich Ringway, St Michael Street, B70 7AB
Saturday 9 February	9am to 3pm	Dudley Market Place, near the Duncan Edwards Statue, DY1 1PJ
Monday 11 February	12pm to 6pm	Main concourse*, by the information screens inside New Street Railway Station, Birmingham
Tuesday 12 February	12pm to 6pm	Walsall town centre, Park Street near to Poundland, WS1 1LY
Thursday 28 February	2pm to 6pm	Mell Square, near Marks and Spencer, Solihull town centre, Solihull, B91 3AT
Saturday 2 March	9am to 3pm	Ironmonger Row, behind Primark, Coventry City Centre, CV1 1FD

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

In its Governance Review, WMCA proposes that the Mayor appoints a Deputy Mayor for Policing and Crime (DMPC) and delegates certain functions to them. The DMPC would provide a strong role in supporting the Mayor to discharge the Police and Crime Commissioner functions.

Alongside the Mayor, the DMPC position would be both visible and credible, playing a prominent national role befitting the second largest force in the country and as such having an ability to understand and promote best practice not only internally but nationally as well.

Whilst not a legal requirement to appoint a DMPC the WMCA would strongly advocate such an appointment by a Mayor with Police and Crime Commissioner Powers. The Mayor would remain accountable for the discharge of the Police and Crime Commissioner functions, setting objectives for West Midlands policing but would be supported by a DMPC in carrying out the role. The DMPC would be accountable to the Mayor and would exercise certain powers on the Mayor's behalf. This arrangement is already in place in other areas where the powers of the Police and Crime Commissioner are exercised by an elected Mayor.

Under this model a Mayor supported by a DMPC would work to deliver the Mayor's priorities whilst under the current arrangement a Mayor and a separate Police and Crime Commissioner work to differing priorities.

To what extent do you agree or disagree that having a Mayor and Deputy Mayor for Policing and Crime is more appropriate for the West Midlands than having two separate representatives (a Mayor and Police and Crime Commissioner)?

- | | | |
|---|--|--|
| <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 for any further comments that you would like to make:

Question 2

In addition to the existing restrictions on a Deputy Police and Crime Commissioner, it is proposed that the DMPC will also be restricted to an individual on the electoral register in the WMCA area, as it is for the Police and Crime Commissioner role.

To what extent do you agree or disagree that the Deputy Mayor for Policing and Crime position should be restricted to individuals on the electoral register in the West Midlands Combined Authority area, as is currently the case for the Police and Crime Commissioner?

- | | | |
|---|--|--|
| <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 for any further comments that you would like to make:

Question 3

It is proposed that the position of Deputy Mayor for Policing and Crime (DMPC) excludes councillors from the Constituent Councils who have a position on the WMCA Board. This would also exclude the named substitute councillors who attend on their behalf when they are unavailable to attend in person.

To what extent do you agree or disagree that the DMPC position should exclude WMCA Board Councillors and their substitutes?

- | | | |
|---|--|--|
| <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 for any further comments that you would like to make:

Question 4

The Police and Crime Commissioner is currently supported in holding the Police to account by a Strategic Policing and Crime Board (SPCB). The Police and Crime Commissioner appoints the members of the SPCB. The SPCB meets in public on a monthly basis and focuses on a strategic review of police performance and regional issues.

The SPCB's role is to assist the Police and Crime Commissioner in holding the Chief Constable and West Midlands Police to account in delivering the Police and Crime Plan and to both challenge and support the overall performance of West Midlands Police.

To what extent do you agree or disagree that SPCB is important to facilitate public engagement and involvement in identifying and resolving policing and crime matters and helping inform decision makers?

- | | | |
|---|--|--|
| <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 for any further comments that you would like to make:

Question 5

A Police and Crime Panel (PCP), required by law, supports and scrutinises the Police and Crime Commissioner and their decisions. The panel is made up of councillors across the West Midlands and two independent appointees. The Panel will remain and continue with its role if the responsibilities are transferred to the Mayor.

Currently membership of the PCP, for local authority councillors, is not restricted and involves appointed local councillors and their named substitutes. WMCA is proposing that Councillors of the WMCA Board and their named substitutes would not be allowed to be members of both the PCP and the WMCA Board.

To what extent do you agree or disagree that Councillors who sit on the WMCA Board and their named substitutes should be restricted from sitting on the PCP as well?

- | | | |
|---|--|--|
| <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 for any further comments that you would like to make:

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

- Asian British Indian Pakistani Bangladeshi
 White and black White and Asian Other mixed Black British
 Black Caribbean Black African White British White other
 Gypsy or Irish traveller I do not wish to disclose Other (please specify):

Question 11

Religion

- Christian (all denominations) Hindu Muslim
 None (includes atheist & Humanist) Sikh Jewish
 I do not wish to disclose
 Other (please specify): _____

Question 12

Could you please disclose your gender

Female Male I do not wish to disclose

Prefer to self-describe: _____

Question 13

Do you consider yourself to have a disability which has:

Severe impact on everyday life Mild impact on everyday life

No disability Prefer not to state

Other (please specify): _____

Question 14

Which constituent council area do you live in?

Birmingham City Council City of Wolverhampton Council Coventry City Council

Dudley Metropolitan Borough Council Sandwell Metropolitan Borough Council Solihull Metropolitan Borough Council

Walsall Council I don't live in the West Midlands 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?

Glossary

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.

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.

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.

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.

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.

Police and Crime Panel: The Police and Crime Panel is a statutory body that exists to both scrutinise and support the role of the Police and Crime Commissioner. The Police Reform and Social Responsibility Act 2011 sets out the key statutory tasks the Panel must undertake:

- Review the draft Police and Crime Plan
- Consider the PCC's annual report
- Scrutinising the decisions and actions of the Commissioner
- Consider the draft policing budget and policing precept
- Hold hearings when the PCC proposes to appoint a new Chief Constable, a Deputy PCC and other senior staff
- Handle non-criminal complaints against the PCC or the Deputy PCC,

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

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.

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.

Strategic Policing and Crime Board: The Strategic Policing and Crime Board was created by the Police and Crime Commissioner to assist him in his role of ensuring effective engagement, strategic direction and holding to account of West Midlands Police. The Board is made up of appointments by the Police and Crime Commissioner made through an open process, it meets in public monthly and is supported by the Office of the Police and Crime Commissioner.

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.

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.

Once completed please place in the freepost envelope provided.

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



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