

CoPaCC - comparing PCCs, sharing best practice

CoPaCC Thematic  
“PCC Statutory Transparency”  
November 2013

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# Foreword

“A democracy requires accountability, and accountability requires transparency”

Barack Obama

“A lack of transparency results in distrust and a deep sense of insecurity”

Dalai Lama

Ever since King John was made to sign the Magna Carta in 1215, the general trend over the following 800 years has been to move power away from the individual (and away from one ‘absolute ruler’) and to introduce a series of checks and balances, culminating in the approach to public administration of the 20<sup>th</sup> century.

In terms of local government and the police, councils developed cabinet and committee structures so that decisions were made collectively and approved by committee following detailed examination and scrutiny by committee members. The Police Act 1964 constituted new ‘police authorities’, legal entities with boards comprising a combination of local council and independent members. Police authorities made decisions via a system of committees following detailed deliberation of submitted papers and reports. Proponents of the police authority structure favoured it because of the checks and balances it provided on decisions, with issues often being discussed at length before a consensus was reached. Critics claimed the committee structure resulted in slow decision making and delays in reacting to events. The lack of directly elected members also meant there was a perceived deficit of ‘public accountability’.

The late 20<sup>th</sup> and early 21<sup>st</sup> centuries saw a change in the nature of public accountability. The Greater London Authority Act 1999 created the role of the ‘Mayor of London’ – an executive mayor, with executive authority, held to account by the London Assembly, but otherwise unencumbered with the usual machinations of local government administration. Governance was vested not in a board, or a cabinet, or committees, but in the individual occupying the office of the Mayor of London. This trend continued through the creation of other directly elected local government posts and, most recently, in the Police Reform and Social Responsibility Act 2011, which abolished police authorities and replaced them with directly elected Police and Crime Commissioners (PCCs).

PCCs are not accountable to a board or answerable to any sub-committees, nor do their decisions need prior discussion and analysis by members. All executive authority for the office of the PCC is vested in the individual PCC. Governance rests not with a board, but with the individual PCC. Audit committees still exist, but these are no longer committees of the board (there is no board) and their members are no longer members of the police authority, or the office of the PCC. They are completely independent from the Office of the PCC and the local police force, with their access to organisational arrangements and organisational knowledge no longer automatically provided by being a member of the organisation.

Police and Crime Panels (PCPs) have been established for each PCC area. Their role is to scrutinise the decisions of the PCC and PCP members are independent from the PCC. The Police Reform and Social Responsibility Act 2011 makes clear, however, that "the functions of the PCP for a police area must be exercised with a view to supporting the effective exercise of the functions of the police and crime commissioner for that police area".

One of the aims in creating directly elected PCCs and abolishing police authorities is improved democratic accountability. But to be held accountable by the public, PCCs' performance must be transparent and accessible in a way the public can understand. Transparency is a key requisite of accountability, and accountability is a key requisite of governance.

As a leading provider of audit and assurance to the police sector, and the public sector as a whole, Grant Thornton is committed to the effective governance of our public money, and working with organisations to optimise their governance arrangements. As such we are very pleased to sponsor CoPaCC's review of PCC transparency.

The review CoPaCC has carried out focuses on how well PCCs have performed in making key information requirements transparently and openly available to the public. The findings make interesting reading and, whilst there is clearly a good level of transparency across PCCs, there are some key areas where further improvement is merited to ensure a consistent picture and enable comparison of PCCs as a whole.

In early 2014 Grant Thornton will be presenting our first national report in the Police sector: "A Developing Picture". This will examine the wider governance agenda and discuss how well PCCs and forces have responded to the opportunities and challenges presented by the Police Reform and Social Responsibility Act 2011.

Paul Grady, Head of Police, Grant Thornton UK LLP

## About the Author

CoPaCC is an independent organisation, established in early 2013 to compare the work of Police and Crime Commissioners through objective, evidence-based analysis; to use those comparisons to identify best practice; and to share that best practice with key stakeholders. Principal CoPaCCauthor of this report was CoPaCC's founder and Chief Executive, Bernard Rix. Bernard has worked since 1990 as an independent police and crime advisor. His clients have included: every UK police force; other UK bodies such as Home Office, Scottish Office, Ministry of Justice, Crown Prosecution Service, ACPO, Police Superintendents' Association for England and Wales, Police Federation of England and Wales; plus forces and agencies across Europe, Northern Africa and the Middle East. Several of his over sixty policing, criminal justice and community safety assignments have been of national significance. This work has – amongst other benefits – improved police investigation of burglary, cut court delays, given victims a better service, helped community relations, and enhanced police officer safety.

## Acknowledgements

CoPaCC would like to thank Grant Thornton for sponsoring this “PCC Statutory Transparency” Thematic.

CoPaCC would like also to thank staff within Offices of Police and Crime Commissioners (and, in some cases, staff within police forces and local councils) for their work providing CoPaCCwith information related to this statutory transparency study.

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# 1. Executive Summary

Police and Crime Commissioners (PCCs) have now been in post for a year. A key part of their accountability to the public is their compliance with legal requirements on transparency. This review examines how well PCCs have complied with statutory transparency requirements approaching the end of their first year in office.

Parliament determined that PCCs must be transparent and allow the people who live in their force area to assess their performance and that of their chief constable. The Police Reform and Social Responsibility (PRSR) Act 2011 specifies the information PCCs should make available. A key role of the Chief Executive of each Office of the Police and Crime Commissioner (OPCC), in their capacity as monitoring officer, is to ensure the PCC has complied with all legal duties, including these on statutory transparency. Furthermore, the local Police and Crime Panel is responsible for scrutinising the actions and decisions of the PCC, which includes PCC compliance with statutory duties. Given the significance of this “statutory transparency” information, the Home Office has recently reminded PCCs and their Chief Executives to take steps to ensure they meet the requirements set out in legislation.

The Home Office has produced a summary of the requirements of PCCs to “publish certain information to allow the public to hold them to account”. The summary includes a “simplified list of the information publication requirements and the timings for publication”. During October 2013 CoPaCC carried out a review to assess the extent to which OPCCs were meeting their statutory requirements on transparency. Our review assessed the extent to which PCCs were complying with the 25 primary transparency disclosure requirements as set out in the Elected Local Policing Bodies (Specified Information) Order 2011. Key findings from this review are as follows:

- We could only find one OPCC where all 25 primary statutory disclosures were available on the website. The overall level of disclosure on OPCC websites is good, on average we could find 20 of the 25 primary disclosures on OPCC websites;
- All OPCC websites include a core amount of information which is useful to the general public; name and contact details of the PCC, plus a copy of their Police and Crime Plan and a record of their major decisions;
- 64% of OPCCs had websites where we were able to find 80% or more of the 25 primary disclosures;
- 9% of OPCCs had websites where we could find fewer than 60% of the primary disclosures.
- At the time of carrying out the review we could not find an annual report on 10 OPCC websites. The annual report is a key way for PCCs to show their commitment to making all relevant information publicly available in the most accountable way;
- The majority of PCCs make key governance disclosures which demonstrate their independence and objectivity in performing their role – e.g. senior staff salaries (90% disclose), registers of interests (88% disclose) and registers of gifts, donations and hospitality (88% disclose);

- Areas where OPCCs appear to perform less well tend to be in respect of more detailed aspects of the organisation and the way it is managed – e.g. the identity of premises or land used by the PCC (57% disclose), copies of collaboration agreements (36% disclose) and the use of police force or local authority staff (29% disclose);
- PCCs are also required to publish a register of significant decisions. We found significant variation in the numbers of decisions published around the country. The average PCC discloses 3 or 4 significant decisions per month. However the highest number was an average of 13 per month, whereas three OPCCs disclose an average of only 1 per month.

This CoPaCC Thematic provides more detail on our research and our findings.

## 2. Introduction and background

A PCC's performance is assessed democratically by the public every four years in PCC elections. These next take place in May 2016. To make this democratic accountability effective, it is important that members of the public have access to reliable material which allows them to reach an informed view of their PCC's performance. Between elections, PCC performance is scrutinised by Police and Crime Panels (PCPs), which also require timely, open, transparent and relevant information to allow them to be effective in their role to challenge and support PCCs.

This presents PCCs and their offices with a challenge and an opportunity in making available sufficient and timely information to the public. Responding to this challenge requires a concerted effort on the part of PCCs and their offices at a time when Police budgets and public sector resources are diminishing. However, if done well, the provision of information about the PCC and their activities enables local people to better understand and engage with the PCC to assess how well they are delivering in their role. Transparency of relevant information is a corner stone of effective accountability and good governance.

### Statutory requirements and guidance

The Police Reform and Social Responsibility Act (PRORA) 2011 and the Elected Local Policing Bodies (Specified Information) Order 2011, and subsequent amendment provide the legal framework for PCCs and their statutory duties in respect of transparency. During 2012, the Home Office produced a number of leaflets, summarising expectations of PCCs' duties.

The first of these, "Have you got what it takes? Your role as Police and Crime Commissioner", stated:

"PCCs must be transparent and allow the people who live in the force area to assess their performance and that of the chief constable. Because of this, the Government has set out detailed requirements to allow for this open and transparent assessment".

The reasons for placing requirements on PCCs are summarised in a second Home Office leaflet, "Have you got what it takes? To be transparent":

"Police and crime commissioners (PCCs) will have to publish information to allow the public to hold them to account. The Police Reform and Social Responsibility (PRSR) Act 2011 says what information PCCs should make available. "

"For this to be effective, Government has issued the Elected Local Policing Bodies (Specified Information) Order 2011, and subsequent amendment, to make sure that the public have timely access to independent and clear information on the performance of their PCC. This will allow them, when they go to the ballot box to vote, to make their decision based on fact rather than rumour."



"The information order has set a minimum evidence base – a specific set of information to be made available – for the public to use when holding PCCs to account. A consistent minimum evidence base will also allow the public to compare different police force areas."

The leaflet went further (CoPaCC's emphasis in bold):

"A consistent minimum amount of evidence will also allow the public to compare the performance of their PCC with PCCs elsewhere. The risk in not stating, in legislation, what PCCs should publish is that some may not make available all the information that they need to be held fully accountable by the public. The information order is there to help PCCs to act in line with the expected behaviour of public-office holders."

The reasons for setting a minimum requirement are clear; it allows the public to compare the performance of their PCC against that of others and against their priorities for local policing and crime prevention.

The information order requires that PCCs make specified information available to the public. The detailed requirements are grouped under six themes:

- Theme 1: who they are and what they do;
- Theme 2: what they spend and how they spend it;
- Theme 3: what their priorities are and how they are doing;
- Theme 4: how they make, record and publish their decisions;
- Theme 5: what policies and procedures govern the office of PCC; and
- Theme 6: public access to a register of interests.

## Recent developments

The Home Office has produced a summary of the requirements of PCCs to "publish certain information to allow the public to hold them to account". The summary includes a "simplified list of the information publication requirements and the timings for publication".

The House of Commons Home Affairs Select Committee (HASC) published a report in May 2013 on PCCs' Register of Interests, which included a consideration of PCC transparency. It restated the list of information that PCCs are required to publish. The HASC Report recommended (Paragraph 14) that the Home Office should monitor statutory transparency compliance, to which the Home Office responded (CoPaCC's emphasis in bold):

The Home Office must monitor compliance with legal responsibilities to publish information and publish a list of non-compliant PCCs. (Paragraph 14) The Specified

Information Order clearly specifies the information that PCCs are under a duty to publish. A key role of the Chief Executive, in their capacity as monitoring officer, is to ensure that the PCC has complied with all legal duties. Furthermore, the PCP is responsible for scrutinising the actions and decisions of the PCC which should include their compliance with statutory duties. Given the significance of this information the Home Office has reminded PCCs and their Chief Executives to take steps to ensure they meet the requirements set out in legislation.

## Our approach to comparing PCCs' transparency

Our research has assessed whether the information set out in the Elected Local Policing Bodies (Specified Information Order) 2011, organised by the six statutory transparency themes, is available transparently on PCC websites.

In early October 2013, a review was undertaken of the 42 OPCCs' websites, looking for 'mentions' of the statutory transparency disclosures. Specifically, CoPaCC sought the information set out in the Home Office's "simplified list of the information publication requirements and the timings for publication" (Annex A, repeated in the Home Affairs Select Committee "PCCs Register of Interest" paper). These lists provide:

- 6 statutory transparency themes
- 25 primary statutory transparency disclosures (set out in detail in Appendix B)
- 50 secondary statutory transparency disclosures

Our research for this core review focused on looking for the basic presence of this information (i.e. for each statutory transparency disclosure, at least a mention), rather than the overarching quality of that material. For the avoidance of doubt, we counted statements of "[information] coming soon" as an acknowledgement of the need for that data and (generously) as the basic presence of that information. Only where the information was completely missing (i.e. not mentioned at all) was the data marked as "absent". The findings in this report represent the information the review team was able to locate on each PCC website, at the time the review was carried out (October 2013).

The findings in this report focus principally on the 25 primary statutory transparency disclosures. A more detailed anonymised breakdown of performance across both the primary and secondary factors can be found in Appendix A.

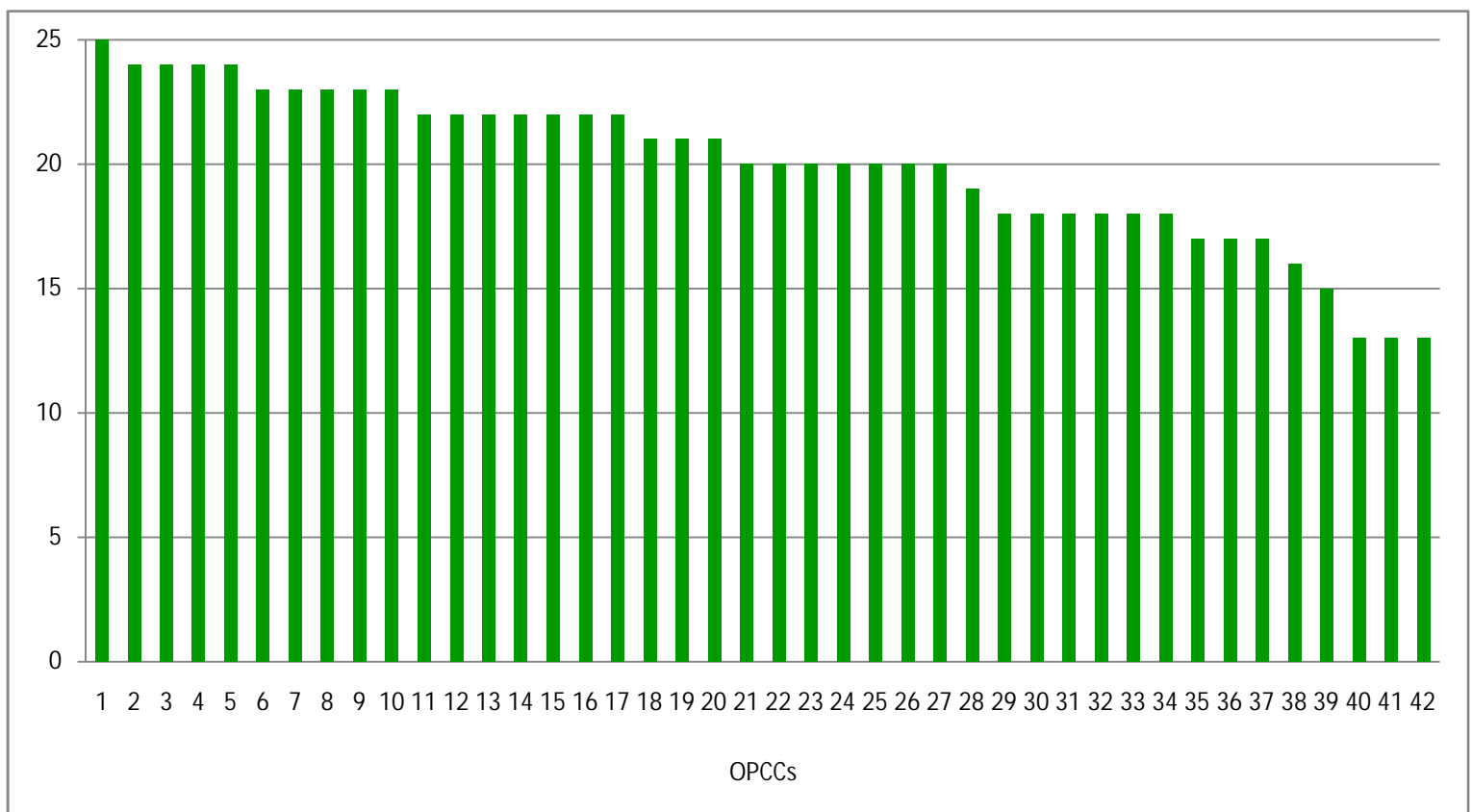
### 3. Overall analysis and key findings

#### Overview

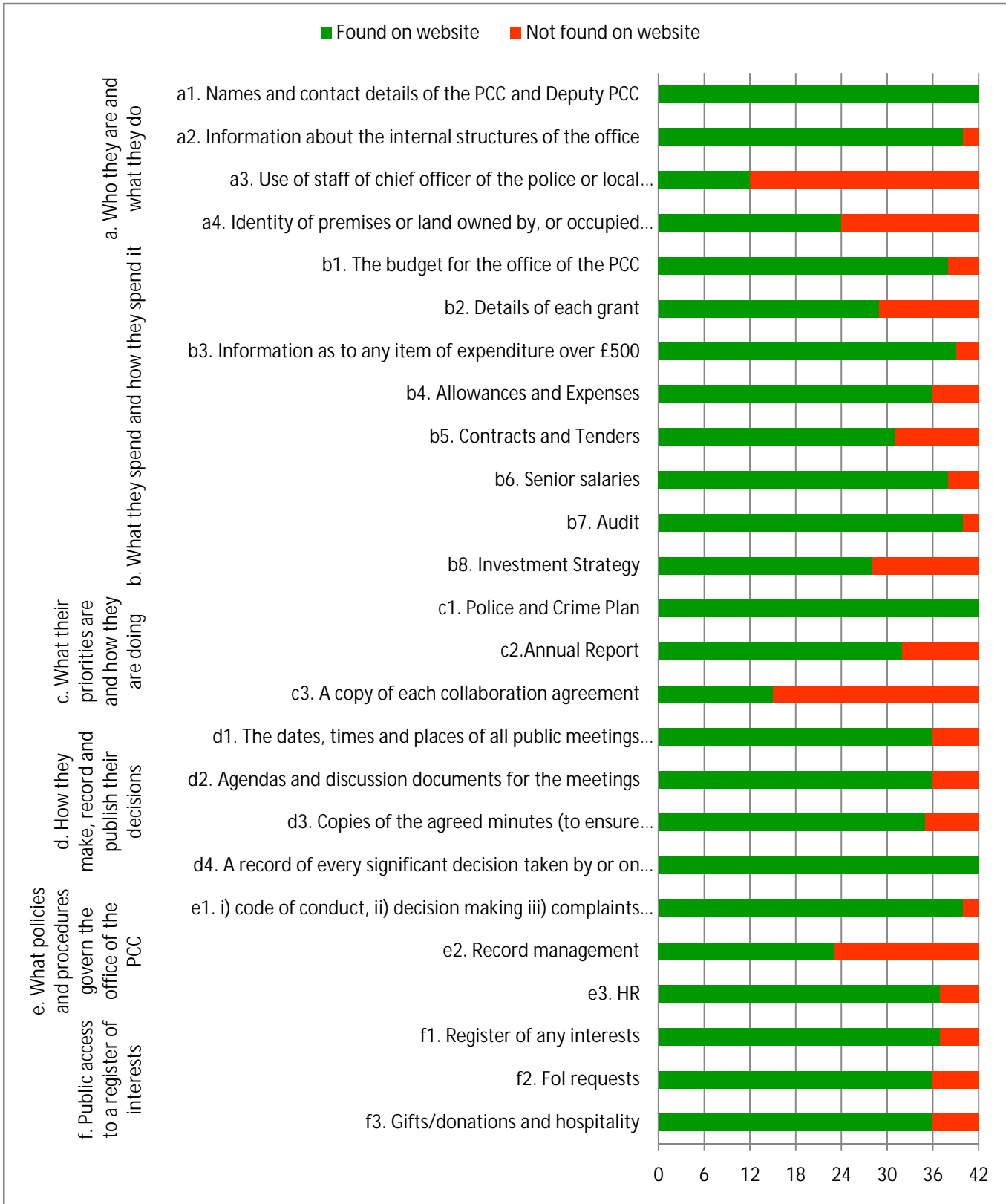
We found mention of every one of the 25 primary statutory transparency disclosures only on one OPCC’s website. However, for that same OPCC, we could not find mention of 9 of the 50 secondary statutory transparency disclosures. This means that as yet none of the OPCCs appear to be meeting in full the transparency disclosures set out in the Elected Local Policing Bodies (Specified Information Order) 2011.

Graph 1 below sets out the number of primary transparency disclosures per OPCC that we were able to find on OPCC websites. Graph 2 overleaf sets out the number of OPCCs where we were able to find a disclosure against each of the specific transparency requirements.

Graph 1: Primary statutory transparency disclosures found by OPCC



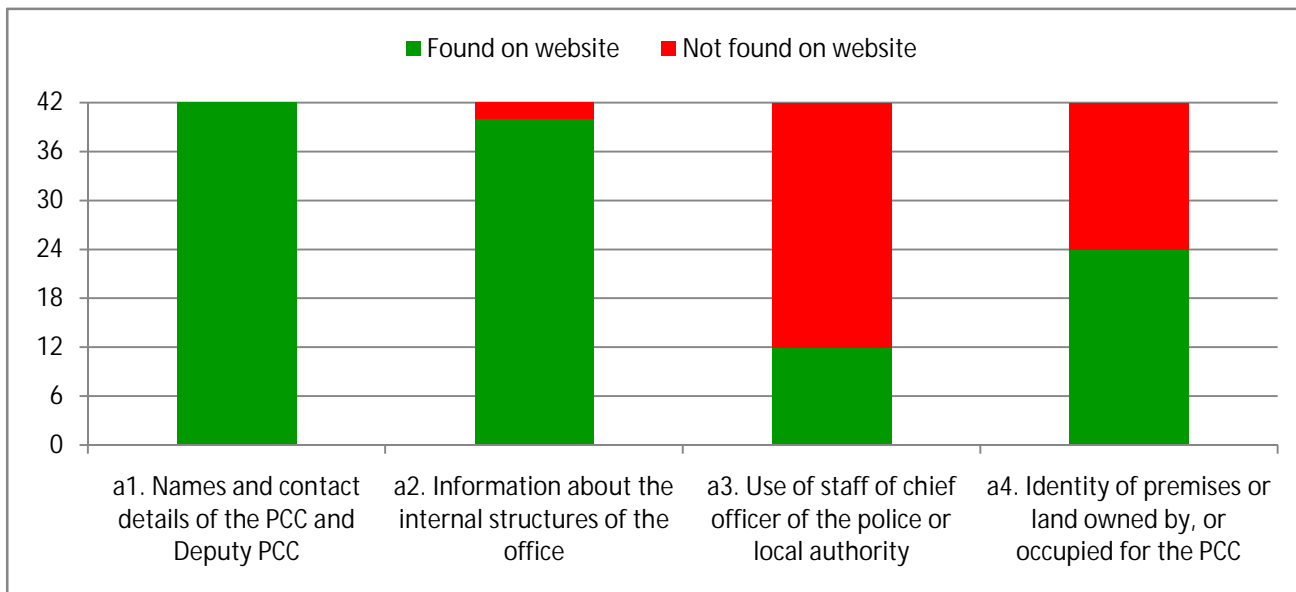
Graph 2: Primary statutory transparency disclosures found or not found by disclosure



As can be seen, the level of disclosure is generally good, although there is scope for improvement. At the lower end of the scale, almost half the required disclosures could not be located on OPCC websites, and the average number of disclosures per OPCC was 20. Only 27 OPCCs (64%) had complied with at least 80% of disclosure requirements or more. However, at the top end, the vast majority of disclosures were transparently located, with the top 5 OPCCs making all disclosures transparently available (1 OPCC) or missing only one statutory disclosure (4 OPCCs). A further 5 OPCCs were missing only 2 disclosures.

As well as considering the sector as a whole, we have also considered whether at least a 'mention' could be found of the transparency requirements within each of the 6 statutory themes.

### Theme 1: “Who they are and what they do” -



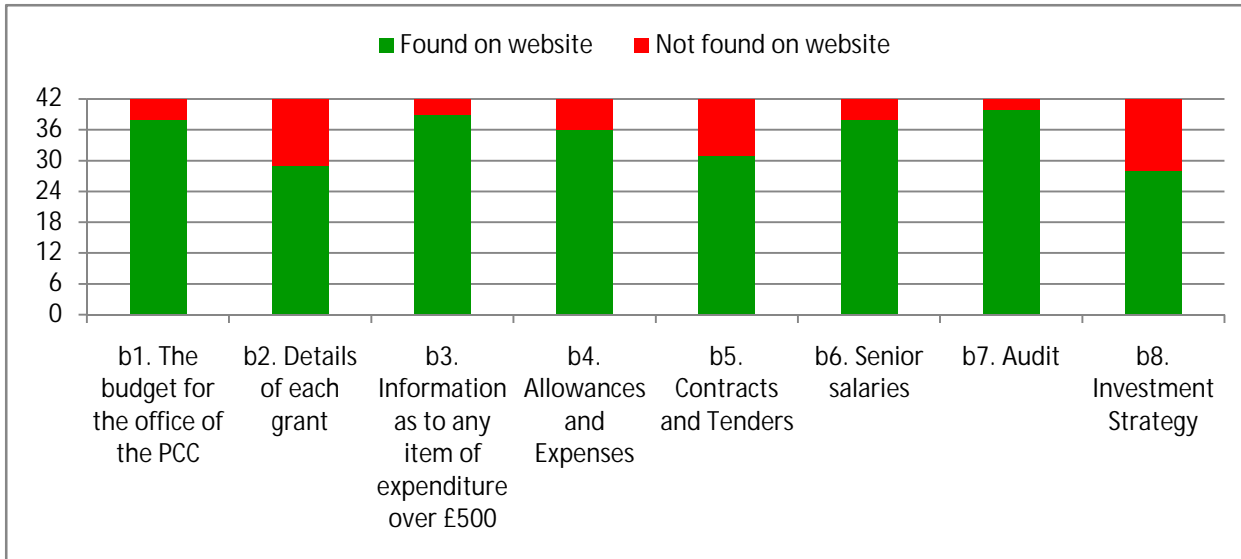
Perhaps unsurprisingly, all PCCs provide details of who they and their deputies are. In the majority of cases most PCCs also provide details about the internal structure of their offices. This would indicate that for all PCCs a member of the public should be able to quickly find out who PCCs are and also identify the key members of their teams.

We found less transparency when we looked at the factors relating to the use of staff from within the Police force or local authority and the premises or land owned or occupied by the PCC.

We could not find details about the “use of staff of chief officer of police or local authority” on the websites of over two thirds of all OPCCs. Transparency in this area is important for a number of reasons beyond the statutory requirement. It allows greater clarity over whether the OPCC is increasing its resources beyond declared budget and staffing levels, for example by using staff under the direction of the Chief Constable but bearing no cost or recharge for the services they receive. The cost of the new PCC arrangements is of interest to a number of stakeholders and transparency on these matters enables greater comparison of relative costs across the sector. It is a key factor in

enabling the public to assess the relative performance of PCCs and enables a more complete understanding of how a PCC is discharging their statutory requirement to hold the Chief Constable to account.

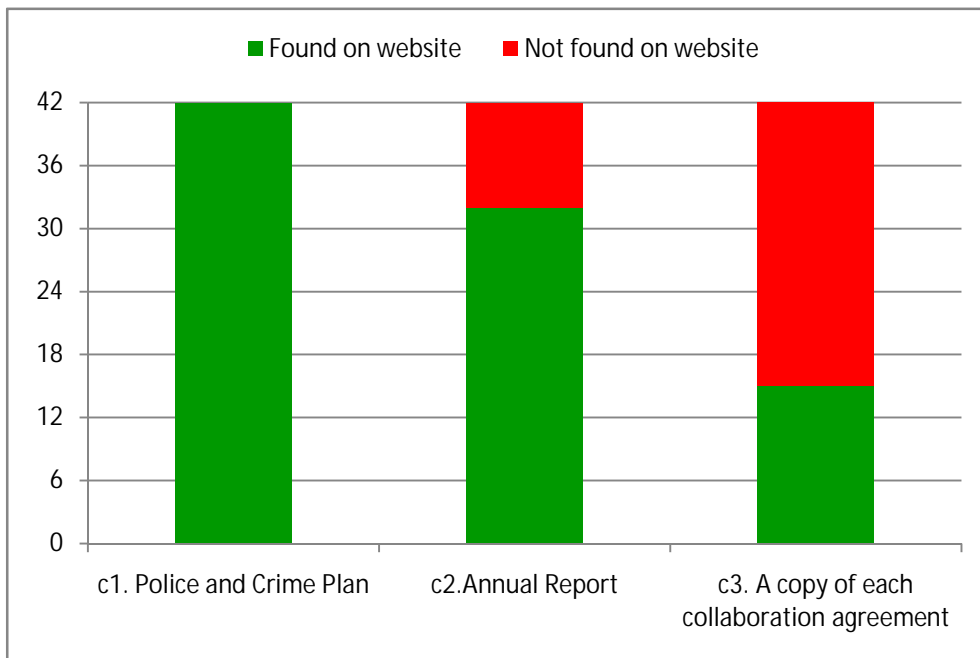
Theme 2: “What they spend and how they spend it” -



For a minority of PCCs we could not find details of their budget, which is a key transparency requirement. We could also not find “details of each grant” for 13 OPCCs, and “contracts and tenders” for 11 OPCCs. These areas will become more important in 2014, as PCCs commissioning powers increase and they take on responsibility for commissioning the majority of victim and witness support services in their areas.

We found that information regarding expenditure over £500 is widely available (we found it as present on 39 OPCC websites) but noticed that the format in which the information was provided differed greatly across PCCs. This makes comparisons between PCCs more difficult and acts as a barrier to one of the principal objectives for transparency.

Theme 3: “What their priorities are and how they are doing” -



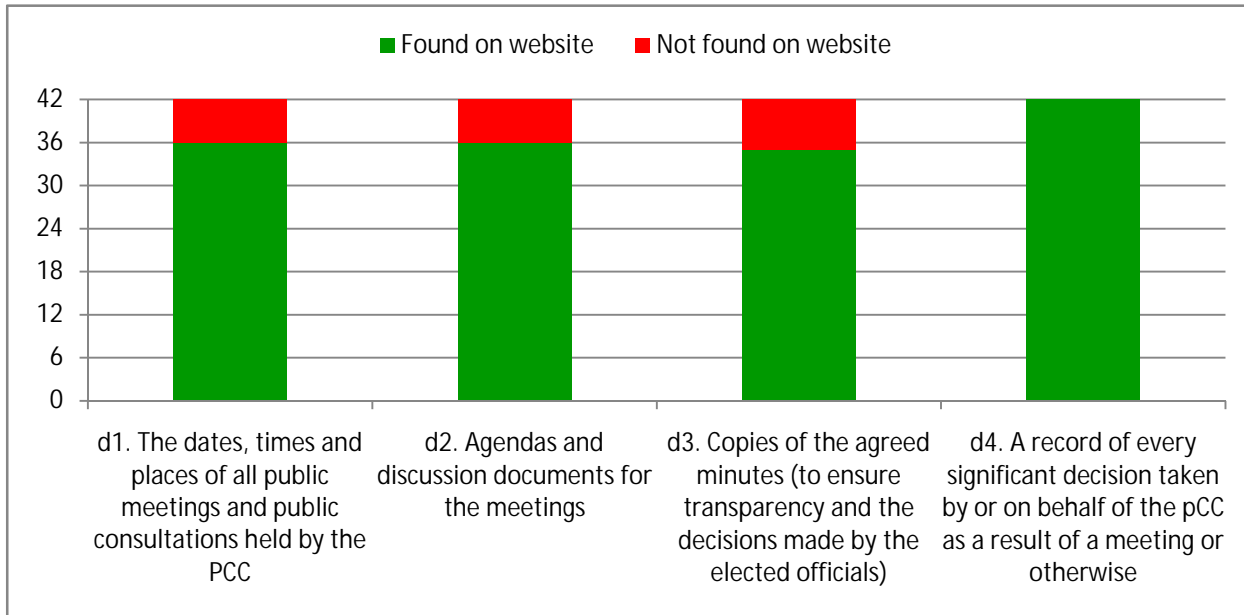
We could find copies of Police and Crime Plans on all OPCCs' websites, meaning PCCs have all set out in a publicly available document what it is they hope to achieve on behalf of local residents. However at the point of carrying out this research there were 10 PCCs where we could not find an annual report on the website. The annual report, if used well, can be a key reporting mechanism to the public on how well PCCs are delivering against their priorities and objectives.

We found information on collaboration agreements for less than half of all OPCCs. Whilst there is no timescale specified in the Order in respect of this data the absence of the information is unhelpful, not least because of the increased profile and role of collaboration within the Police sector. Collaboration is seen by many as a key part of the sector's response to the budget pressures facing the Police. In their July 2013 report “Policing in Austerity: Rising to the Challenge”, HMIC made the following relevant statements:

- “HMIC is deeply disappointed with progress on collaboration”
- “Following their election in November 2012, many PCCs have galvanised the agenda in their area or region, providing fresh impetus to collaboration. Often this has yet to translate into firm plans for savings”
- “Given continued pressure on budgets, the choice not to collaborate is a luxury that simply cannot be afforded”.

With the increased importance of collaboration to the police sector it will be important that PCCs are able to demonstrate how they are enabling and supporting collaboration and partnership working within the local police and criminal justice sectors. On the basis of our research an interested stakeholder would not be able to find out much about collaboration on more than half of PCC websites.

#### Theme 4: “How they make, record and publish their decisions”



In general, disclosure was relatively strong across this theme, although there remains scope for improvement for a minority of PCC disclosures.

We also reviewed OPCCs' websites for disclosure of “significant decisions”. By early October 2013, the highest number of decisions published by a PCC on their website was 141 decisions. This represents an average of 13 per month since the election. Conversely, the lowest number of decisions in the same time period was 11, an average of one per month. There are several possible explanations for this difference. Some OPCCs may not be as prompt in publishing their decisions. Others may differ in the threshold for a “significant decision”. Or, they may simply differ in how many significant decisions they take. Nevertheless, transparency over the volume of significant decisions taken, and what they are, is essential to enable public accountability of PCC performance, and any perceived or actual inconsistency in the definition of a "significant decision" between OPCCs may hamper the ability of the public to assess relative and comparative performance of PCCs.

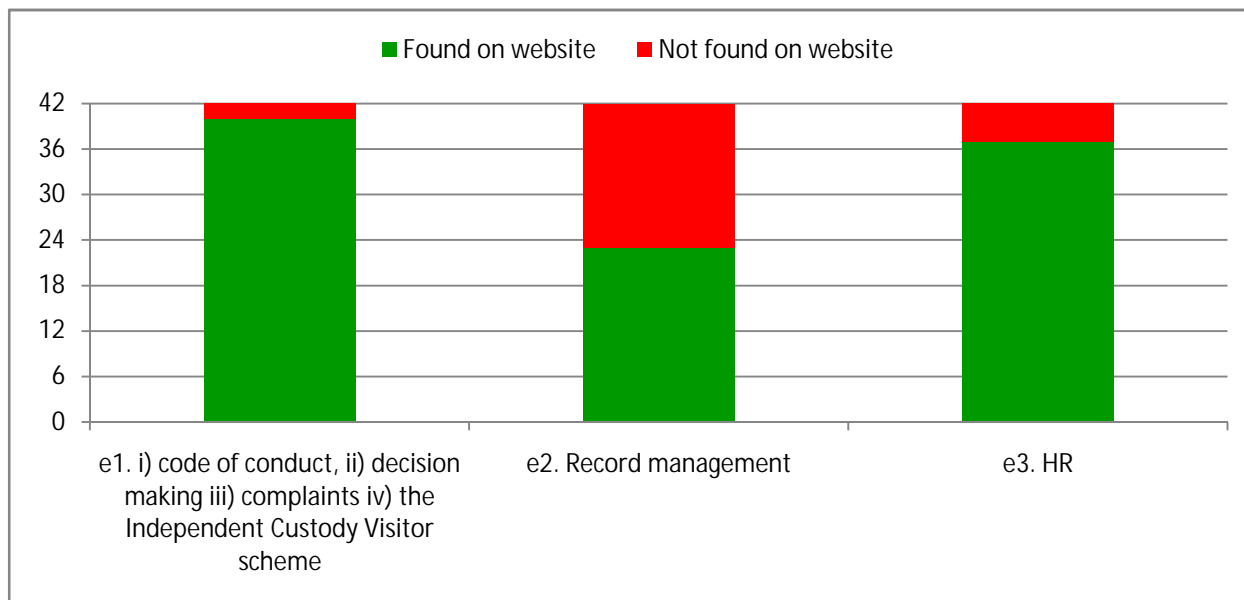


Number of “significant decisions” published by each OPCC

	First 24 weeks	Second 24 weeks	Total	Average per month		First 24 weeks	Second 24 weeks	Total	Average per month
<b>OPCC 1</b>	85	56	<b>141</b>	13	<b>OPCC 22</b>	22	13	<b>35</b>	3
<b>OPCC 2</b>	37	70	<b>107</b>	9	<b>OPCC 23</b>	11	19	<b>30</b>	3
<b>OPCC 3</b>	32	71	<b>103</b>	9	<b>OPCC 24</b>	10	22	<b>32</b>	3
<b>OPCC 4</b>	36	61	<b>97</b>	9	<b>OPCC 25</b>	17	15	<b>32</b>	3
<b>OPCC 5</b>	52	36	<b>88</b>	8	<b>OPCC 26</b>	18	14	<b>32</b>	3
<b>OPCC 6</b>	39	32	<b>71</b>	6	<b>OPCC 27</b>	15	13	<b>28</b>	3
<b>OPCC 7</b>	37	23	<b>60</b>	5	<b>OPCC 28</b>	13	15	<b>28</b>	3
<b>OPCC 8</b>	29	28	<b>57</b>	5	<b>OPCC 29</b>	20	7	<b>27</b>	2
<b>OPCC 9</b>	27	26	<b>53</b>	5	<b>OPCC 30</b>	5	19	<b>24</b>	2
<b>OPCC 10</b>	40	9	<b>49</b>	4	<b>OPCC 31</b>	6	17	<b>23</b>	2
<b>OPCC 11</b>	38	10	<b>48</b>	4	<b>OPCC 32</b>	5	17	<b>22</b>	2
<b>OPCC 12</b>	26	20	<b>46</b>	4	<b>OPCC 33</b>	13	9	<b>22</b>	2
<b>OPCC 13</b>	9	36	<b>45</b>	4	<b>OPCC 34</b>	14	8	<b>22</b>	2
<b>OPCC 14</b>	21	24	<b>45</b>	4	<b>OPCC 35</b>	11	10	<b>21</b>	2
<b>OPCC 15</b>	17	26	<b>43</b>	4	<b>OPCC 36</b>	16	4	<b>20</b>	2
<b>OPCC 16</b>	27	16	<b>43</b>	4	<b>OPCC 37</b>	10	9	<b>19</b>	2
<b>OPCC 17</b>	7	34	<b>41</b>	4	<b>OPCC 38</b>	n/a	n/a	<b>18</b>	2
<b>OPCC 18</b>	14	26	<b>40</b>	4	<b>OPCC 39</b>	8	9	<b>17</b>	2
<b>OPCC 19</b>	10	27	<b>37</b>	3	<b>OPCC 40</b>	n/a	n/a	<b>14</b>	1
<b>OPCC 20</b>	6	30	<b>36</b>	3	<b>OPCC41</b>	6	6	<b>12</b>	1
<b>OPCC 21</b>	17	19	<b>36</b>	3	<b>OPCC42</b>	4	7	<b>11</b>	1

Note: n/a indicates the information was not found on the PCC website in a format to allow this analysis. The table shows the total number of decisions published by each PCC: a) from election to mid April (24 weeks); b) from mid April to the middle of October (24 weeks); c) from his or her election to the middle of October 2013 (48 weeks).

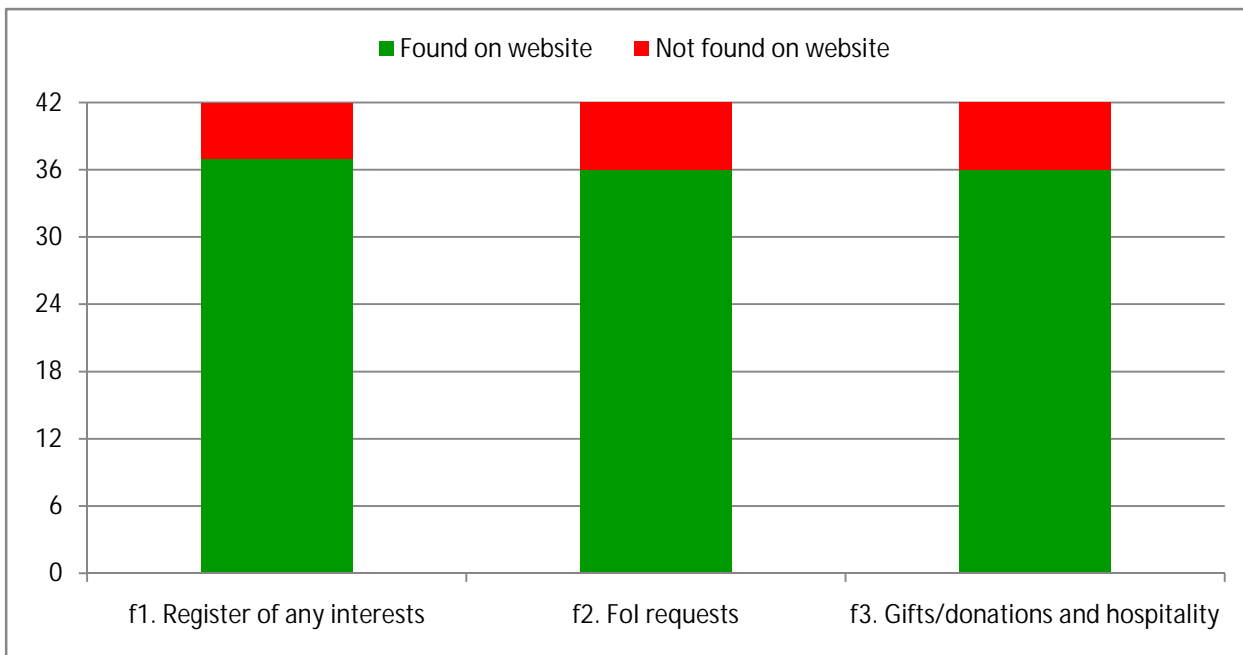
Theme 5: “What policies and procedures govern the office of the PCC” -



We were able to find at least a mention of policies for codes of conduct, decision making, complaints and HR matters on the majority of PCC websites, However, we were unable to find information on “record management” on the websites of 19 OPCCs. The detailed statutory transparency here requires publication of:

- “record management information security policies, relating to records retention and destruction / archive policies”
- “data sharing policies (minimum standards for responding to requests for information)”

Theme 6: “Public access to a register of interests” -



The majority of OPCCs make transparent disclosures which help to demonstrate their independence and objectivity in performing their role. Registers of interests were found on 37 OPCC websites and details about previous Freedom of Information (FoI) requests and gifts, donations and hospitality were found on 36 websites.

We were unable to find any reference to the OPCC’s register of interests on 5 OPCC websites, and similarly, details on (FoI) requests or on gifts/donations and hospitality each appeared absent six times.

We would expect these key disclosures to be easily accessible on each OPCC website, as they are essential evidence of a PCC's independence and transparency. Transparent disclosure of this and other information may also reduce the number of FoI requests an OPCC receives and has to respond to in this sensitive area.

## 4. Further information

This CoPaCC Thematic provides a high level analysis of how easily we were able to find and locate key information on PCC websites which is essential for public accountability. For further details of this and related research, in the first instance please visit the CoPaCC website ([www.CoPaCC.org.uk](http://www.CoPaCC.org.uk)) or contact CoPaCC via [office@copacc.org.uk](mailto:office@copacc.org.uk).

CoPaCC plans to revisit this analysis of PCCs' statutory transparency during 2014, and will use this future review to examine what progress PCCs will by then have made in complying with their statutory responsibilities.

CoPaCC will continue to publish its monthly CoPaCC Report on PCCs' activity. CoPaCC is also planning a number of other Thematic reviews during 2014, each of which will be designed to compare PCCs and share best practice on key aspects of their performance.

# APPENDIX A: Absence of primary and secondary statutory transparency disclosures by OPCC

The number of occasions for each OPCC website where statutory transparency disclosures not found<sup>1</sup>

	<b>Primary</b>	Secondary			<b>Primary</b>	Secondary
OPCC 1	0	9		OPCC 22	5	18
OPCC 2	1	4		OPCC 23	5	18
OPCC 3	1	8		OPCC 24	5	20
OPCC 4	1	10		OPCC 25	5	22
OPCC 5	1	13		OPCC 26	5	22
OPCC 6	2	9		OPCC 27	5	23
OPCC 7	2	9		OPCC 28	6	18
OPCC 8	2	10		OPCC 29	7	17
OPCC 9	2	10		OPCC 30	7	18
OPCC 10	2	12		OPCC 31	7	19
OPCC 11	3	8		OPCC 32	7	21
OPCC 12	3	8		OPCC 33	7	23
OPCC 13	3	14		OPCC 34	7	23
OPCC 14	3	15		OPCC 35	8	14
OPCC 15	3	15		OPCC 36	8	20
OPCC 16	3	16		OPCC 37	8	23
OPCC 17	3	20		OPCC 38	9	18
OPCC 18	4	14		OPCC 39	10	22
OPCC 19	4	15		OPCC 40	12	26
OPCC 20	4	15		OPCC 41	12	27
PCC 21	5	13		OPCC 42	12	30

<sup>1</sup> For further detail by individual OPCC, contact CoPaCC via [office@copacc.org.uk](mailto:office@copacc.org.uk)  
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# APPENDIX B:

## List of statutory transparency disclosures

The primary statutory transparency disclosures are listed below. Note that secondary transparency factors are represented by the i) ii) iii) iv) subdivisions within primary factors.

### a. Who they are and what they do (4 primary statutory transparency disclosures)

- a1. {U} The names and contact details of the PCC and Deputy PCC
- a2. {U} Information about the internal structures of the office of the PCC, including: i) organograms (with names of senior staff, if they agree); ii) salary bands; iii) demographics, including ethnicity, gender and disability (by proportion)
- a3. {U} Information about any arrangements that the PCC has to make use of the staff of the chief officer of police or a local authority
- a4. {U} The identity of any premises or land owned by, or occupied for the purpose of the work of the PCC

### b. What they spend and how they spend it (8 primary statutory transparency disclosures)

- b1. {FY} The budget for the office of the PCC, including: i) all planned expenditure; ii) all anticipated revenue sources; iii) the planned precept levels; iv) the draft precept (which must go before the PCP for comment); v) the response to the PCP's report on the proposed precept
- b2. {M} Details of each grant (including crime and disorder reduction grant) made by the PCC, including: i) the conditions (if any) attached to the grant; ii) the recipient of the grant; iii) the purpose of the grant; iv) the reasons why the body considered that the grant would secure, or contribute to securing, crime and disorder reduction in the body's area, where appropriate
- b3. {M} Information as to any item of expenditure over £500 (other than crime and disorder reduction grants) by the PCC or the Chief Officer, including: i) the recipient; ii) the purpose of the expenditure; iii) the reasons why the PCC or Chief Officer considered that VfM would be achieved (except contracts over £10,000)
- b4. {Q} Allowances and Expenses - details of the allowances and expenses that have been claimed or incurred by the PCC and Deputy PCC. Police and Crime Commissioners and their Deputies should publish a breakdown of their expenses including: i) their name, force area, financial year, month, date, claim reference numbers, expense type (eg travel, accommodation), short description, details amount claimed, amount reimbursed, amount not reimbursed, and the reason why a claim was not reimbursed; ii) for travel and subsistence claims: date, place of origin, place of destination, category of journey, class of travel, mileage, length of hotel stay, category of hotel stay
- b5. {Q}/{U} Contracts and Tenders: i) a list of contracts for £10,000 or less - to include the value of the contract, the identity of all parties to the contract and its purpose; ii) full copies of contracts over £10,000; iii) copies of each invitation to tender which is issued by the PCC or the Chief Officer where the contract is to exceed £10,000
- b6. {U} Senior salaries: the salary amounts above £58,200 including: i) names (with the option to refuse name being published); ii) job description; iii) responsibilities in the office of PCC
- b7. {FY} Audit: i) audited accounts (the specialist examination of the accounts of the office of the PCC); ii) auditors opinions of the audited accounts of the force and PCC, covering any significant issues and any comments; iii) the annual accounting statement showing how the budget has been spent; iv) Audit Reports on the accounts of the office of the PCC (see the Accounts and Audit (England) Regulations 2011 and the Accounts and Audit (Wales) Regulations 2005).
- b8. {FY} Investment Strategy: the investment strategy of the PCC (see Local Government Act 2003 s15)

c. What their priorities are and how they are doing (3 primary statutory transparency disclosures)

c1. {A} Police and Crime Plan (see s5(10) of PRSRA2011<sup>2</sup>)

c2. {A} Annual Report (see s12(6) of PRSA2011)

c3. {no deadline specified} A copy of each collaboration agreement, or the fact that an agreement has been made and such other details about it as the PCC thinks appropriate (see s23E of the Police Act 1996)

d. How they make, record and publish their decisions (4 primary statutory transparency disclosures)

d1. {U} The dates, times and places of all public meetings and public consultations held by the PCC

d2. {U} Agendas and discussion documents for the meetings

d3. {U} Copies of the agreed minutes (to ensure transparency and the decisions made by the elected officials)

d4. {U} A record of every significant decision taken by or on behalf of the PCC as the result of a meeting or otherwise

e. What policies and procedures govern the office of PCC (3 primary statutory transparency disclosures)

e1. {U} The following policies and procedures to which the PCC and Deputy must adhere to [sic] in the course of their role: i) code of conduct (if any); ii) decision making (policy on); iii) the procedure for the handling of complaints and the number of complaints against the PCC recorded by the Police and Crime Panel (as required by regulations); iv) information about the operation of the ICV [Independent Custody Visitor] scheme including the process and policies of the scheme

e2. {U} Record management: i) record management information security policies, relating to records retention and destruction/archive policies; ii) data sharing policies (minimum standards to responding for requests for information).

e3. {U} HR: i) numbers of staff employed by the office of the PCC; ii) diversity data on staff employed by the office of the PCC, including the number of women, ethnic minorities and those who are disabled; iii) whistle blowing - a clear guideline on what to do if concerns over the conduct of PCC and/or staff are raised (see section 43B of Employment Rights Act 1996)

f. Public access to a register of interests (3 primary statutory transparency disclosures)

f1. {U} Register of any interests which might conflict with the role of the PCC and Deputy PCC, including every other pecuniary interest or other paid positions that they hold

f2. {Q} List of FoI requests received, and their responses (disclosure log)

f3. {U} List of all gifts/donations and hospitality offered to staff of the office of the PCC, and whether these were accepted or declined

Note: Home Office timeliness criteria:

- {U} = updated when changes are made (including “as soon as practicable”)
- {FY} = published before the start (or at the end) of each financial year
- {M} = published each month
- {Q} = published quarterly
- {A} = published annually

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<sup>2</sup> Police Reform and Social Responsibility Act 2011  
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In early 2014, Grant Thornton will be producing its first national report for the police sector: "A Developing Picture". This report will discuss the wider governance agenda and share views on how well PCCs and forces have responded to the challenges and opportunities afforded by the PRSRA 2011. For further details of the work Grant Thornton undertakes within the police sector, please contact Paul Grady ([paul.d.grady@uk.gt.com](mailto:paul.d.grady@uk.gt.com)) or Iain Murray ([iain.g.murray@uk.gt.com](mailto:iain.g.murray@uk.gt.com)).