
Office of the Police and Crime Commissioner West Yorkshire

West Yorkshire Policing and Crime
Governance Transfer – Staff
Presentation



Office of the
**Police & Crime
Commissioner**
West Yorkshire

Background

- As part of the agreement of a “minded to” devolution deal in West Yorkshire, it was proposed by West Yorkshire Combined Authority (WYCA) that policing governance in West Yorkshire transfers to a mayoral model in 2024, both the PCC and Chief Constable were supportive.
- The PCC has always maintained that overall devolution is right for West Yorkshire (although would have preferred a ‘One Yorkshire’ deal), and that the Mayoral system being promoted provides for much overdue additional resources and the mandate needed to do more across a range of services and infrastructure.
- As the May 2020 PCC elections, as with Local Government Elections, were postponed to May 2021 West Yorkshire Combined Authority requested that the transition takes place in May 2021. The PCC agreed to look into the feasibility of this. WYCA has commissioned a Due Diligence review that will also look at the feasibility of this timeframe.



Work to date following the request

Month	Activity
April	Discussions with the Combined Authority and Home Office
May	More detailed work to understand the scale of the task in hand and formal correspondence with the Home Office to raise concerns, including a PCC call to the Policing Minister
June	<p>5th of June a letter received from the Policing Minister requesting that work is undertaken to assess if there are any “insurmountable barriers to transition in May 2021”</p> <p>Work commenced internally to map out ten work streams required for transition and an overall plan for responding to the public consultation on devolution in West Yorkshire</p>
July	Detailed work undertaken with WYCA and WYP to ascertain if there are any insurmountable barriers to transition in May 2021 using our ten work streams. The conclusion was that there are no insurmountable barriers however a significant amount of work would be required, with additional resources and a preference for an alternative governance model. WYCA has commissioned a Due Diligence review that is also due to report on the feasibility of the timeframe



Policing and Fire Governance Models

- In 2012 under the 2011 Police Reform and Social Responsibility Act policing governance transferred from Police Authorities to elected Police and Crime Commissioners. The 2011 Act also created the Mayor's Office for Policing and Crime in London. In 2017 a third model for policing and crime governance was introduced when the Local Policing Body for Greater Manchester transferred from Greater Manchester PCC (latterly Interim Mayor) to the Greater Manchester Combined Authority
- Government policy is to introduce directly elected Mayors and Home Office Officials have advised that the direction of travel for policing and crime governance, where possible is to have policing governance in England and Wales within a Mayoral Model. A review of the PCC role was announced by Government last week.
- The draft plan for West Yorkshire devolution, including the transfer of PCC functions, is based on the Greater Manchester model of police and crime governance, it is important that the governance model is given due consideration to ensure the best outcome for our communities



Policing and Fire Governance Models Cont...

Criteria	Corporation Sole (MOPAC)	Within Mayoral Combined Authority (Greater Manchester Model)
Retaining a single directly accountable individual responsible for the discharge of the PCC's functions, and consistent with the current PCC model and ambition for local people to have a single point direct accountability	Would retain all the PCCs functions and ownership of assets, with no influence from other areas except for formal scrutiny which is currently in place.	A Combined Authority (CA) will take on all risk and liability of any decisions made by the Mayor (or his/her delegates). In order to manage this risk it seems likely that the CA members will want to be involved in any high level decisions or at least have some oversight. However, the Mayor acting in the role of the PCC must protect the operational independence of policing and should not be influenced by CA members.
Support Functions	Existing arrangement could largely be retained under corporation sole, as the PCC model is corporation sole.	OPCCs may have significant shared services with their Police Force for example. HR, payroll, IT systems, legal, internal audit and insurance. Changes to this may be costly and problematic for the CA depending on the size of it.
Ability to take a whole place approach	The Mayor's power would not be hindered by a separate corporation sole for policing.	In theory this should be easier to achieve as part of the combined authority but - arguably this will be no easier to achieve than effective partnership working, particularly given the remit of CAs does not cover wider community safety or criminal justice functions.
Retaining operational independence of policing	Likely to be the same as the PCC model.	There is a risk that the decision making may be slower within a CA construct due to the asset ownership matter and therefore duplicate sign off.
Clarity of Scrutiny Arrangements	It is assumed that under this arrangement the Police and Crime panel would provide the scrutiny functions as is currently the case. The Joint Independent Audit and Ethics Committee could continue as it currently operates.	There is a risk that wider Combined Authority overview and scrutiny arrangements could stray into policing. The Audit Committee arrangements may become unclear.
Messaging to the public	It retains the importance of policing and policing governance	Arguably subsuming policing governance within the Combined Authority could signal a dilution in importance of policing and policing governance.



Work Planned Moving Forward

Month	Activity
July	Continue to undertake transition planning work Continue to update the Unions
August	WYCA Due Diligence work is undertaken Continue to undertake transition planning work
Sept	Decision should be taken on the governance model and timing of the transition Continue to undertake transition planning work Communication with partners, providers and other key stakeholders following the decision
Oct - April	Detailed planning / design takes place covering areas such as: <ul style="list-style-type: none">• Back office service provision (Finance, ICT, HR and procurement)• Governance and decision making framework• Business continuity for all areas
May	Transition implementation



Time line

Month	Milestone
September	The decision on the governance model and the transition date is likely to be in September
December	The Order (that is effectively the document that enables the transfer) is laid before Parliament
December - May	Work is undertaken to ensure a smooth transition including a TUPE like process if the proposed governance model is adopted
May	The election takes place and the transfer takes effect (clearly we do not know what impact COVID-19 may have on these timeframes)



Questions



Office of the
**Police & Crime
Commissioner**
West Yorkshire