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**Report to:** West Yorkshire Police and Crime Panel

**Report from:** Alan Reiss, Director of Policy, Strategy and Communications (West Yorkshire Combined Authority)

**Date:** April 2021

**Subject:** Transfer of Policing and Crime Functions to West Yorkshire Mayoral Combined Authority

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## **1. PURPOSE**

1.1 To give the Police and Crime Panel a report on progress of the transfer of Police and Crime Commissioner functions to the incoming West Yorkshire Mayor.

## **2. BACKGROUND INFORMATION**

2.1. The West Yorkshire Devolution Deal was agreed by the Government and the Leaders of the five West Yorkshire Councils in March 2020. The deal contained a commitment to transfer the functions of the Police and Crime Commissioner to the Mayor by 2024. The delay in the local and PCC elections in May 2020 led to an opportunity for the functions to be transferred in time for the first Mayoral elections in May 2021.

2.2. The Devolution Order became law on 31 January 2021, paving the way for the functions to be transferred to the Mayor of West Yorkshire on 10 May 2021. This will make West Yorkshire the second place in England outside London (after Greater Manchester) to have a Mayor with these responsibilities, providing an opportunity for even greater join-up and partnership working across key public services. The Mayor has the option of appointing a Deputy Mayor for Policing and Crime, to whom they can delegate a range of functions.

2.3. The Notice of Election has now been made, and arrangements are in place for elections to proceed in May 2021, and for the transfer to take place on 10 May.

2.4. The PCC Transfer Project is a strand of the wider Mayoral Combined Authority (MCA) Programme and is bound by Combined Authority programme management principles including risk management. It is made up of several key work streams that are led in conjunction with key partners, including: Combined Authority, Office of the Police and Crime Commissioner (OPCC) and West Yorkshire Police.

2.5. The purpose of the PCC Transfer Project is to: by 10 May 2021 undertake the successful transfer of those OPCC core and national roles including those of the Violence Reduction Unit (VRU) identified and in scope to the MCA in line with timescales agreed with the Home Office; and to transfer PCC assets and liabilities including those uniquely relating to National Police Air Service (NPAS).

- 2.6. Workstream delivery continues at pace following the establishment of effective project management disciplines, dedicated workstream leads identified, and programme workshops held to consider interdependencies and risks. There are no insurmountable barriers to delivery of the transfer of functions in May 2021 and business as usual will be maintained as far as possible throughout the transfer process.
- 2.7. A full risk register has been developed and is assessed on a regular basis for risk to delivery. This has been developed in conjunction with workstream leads, and is regularly analysed and assessed by the Development Manager, the Senior Responsible Officer for the project, and the Interim Chief of Staff of the OPCC, and is presented at each Project Management Board for review.
- 2.8. The TUPE process and consultation is ongoing, supported by Combined Authority HR officers where appropriate. An away day to welcome all transferring staff is to be held on 21 April, at which time induction arrangements will be shared, ICT equipment will be made available and further details on working within the MCA will be shared.
- 2.9. Significant progress has been made across all workstreams in preparation for the transfer over the current period, and the following are highlighted for the attention of the Panel:
- Creation of a new directorate in order to ensure there is leadership capacity within the Combined Authority to take on responsibility for policing and crime staff and functions alongside the existing staff.
  - ICT provision for transferring staff: Laptops and mobile phones will be available no later than 21 April for transferring staff to allow them to undertake any training required as part of the induction process, and ensure operational capacity on date of transfer.
  - Initial transfer of public facing communications and branding, including the creation of a holding brand for the new Mayor. A 'Police and Crime' page will be created on the Combined Authority website with the detail of transferring responsibilities and will have the ability to host statutory documents as required. The former OPCC website will be retained but with a banner stating that the responsibilities are now those of the West Yorkshire Mayor.
- 2.10. Work is ongoing to tackle practical elements of the transfer which require resolution ahead of 10 May, including:
- Decision making and governance
  - Contractual arrangements to underpin those services in which West Yorkshire Police will continue to support the Police and Crime function.
  - Processes and principles in relation to communications, including the key relationship with West Yorkshire Police.
  - Transition planning, and the appointment process for a Deputy Mayor for Policing and Crime.

- Correspondence and casework, to ensure adequate processes are in place to manage the volume and nature of enquiries which are received by the current OPCC following the transfer.

2.9 There are a number of issues that will need to be addressed post transfer including:

- If a Deputy Mayor for Police and Crime is nominated, agreeing their remuneration and confirmation by the Police and Crime Panel.
- If a Deputy Mayor for Police and Crime is confirmed, agreement on the delegation of statutory duties between the Mayor and DMPC.
- The responsibility, complexity and governance of the National Police Air Service, working with WYP, APCC, NPCC and Home Office
- Assessing the potential impact of the Police, Crime, Sentencing and Courts Bill 2021, PCC Review Part 1, National Crime and Policing Measures and the policing and crime functions that may need to be adapted to meet any changes as a result.

### **3. RECOMMENDATIONS**

3.1 That the Panel notes this update on transfer progress.