



BRIEFING ON THE POLICE AND CRIME COMMISSIONER'S POLICE AND CRIME PLAN

Legislative Context

Under the Police Reform and Social Responsibility Act 2011, the Police and Crime Commissioner must issue a Police and Crime Plan. The key provisions from the Act relating to the Plan are set out below. (In the Act, the police and crime commissioner is sometimes referred to as the elected local policing body.)

Section 5

- (1) The police and crime commissioner for a police area must issue a police and crime plan within the financial year in which each ordinary election is held.
- (2) A police and crime commissioner must comply with the duty under subsection (1) as soon as practicable after the commissioner takes office.
- (3) A police and crime commissioner may, at any time, issue a police and crime plan.
- (4) A police and crime commissioner may vary a police and crime plan.
- (5) In issuing or varying a police and crime plan, a police and crime commissioner must have regard to the strategic policing requirement issued by the Secretary of State under section 37A of the Police Act 1996.

(The strategic policing requirement is issued by the Secretary of State for the Home Office and sets out her view on what the national threats are at the time of writing and the appropriate national policing capabilities that are required to counter those threats. The strategic policing requirement supports chief constables and police and crime commissioners to ensure they fulfil forces' national responsibilities, and helps commissioners, in consultation with their chief constable, to plan effectively for policing challenges that go beyond their force boundaries.)

- (6) Before issuing or varying a police and crime plan, a police and crime commissioner must—
 - (a) prepare a draft of the plan or variation,
 - (b) consult the relevant chief constable in preparing the draft plan or variation,
 - (c) send the draft plan or variation to the relevant police and crime panel,
 - (d) have regard to any report or recommendations made by the panel in relation to the draft plan or variation (see section 28(3)),
 - (e) give the panel a response to any such report or recommendations, and
 - (f) publish any such response.

(7) In complying with subsection (6)(c), the police and crime commissioner must ensure that the relevant police and crime panel has a reasonable amount of time to exercise its functions under section 28(3).

(8) A police and crime commissioner must consult the relevant chief constable before issuing or varying a police and crime plan if, and to the extent that, the plan or variation is different from the draft prepared in accordance with subsection (6).

(9) A police and crime commissioner must—

- (a) keep the police and crime plan under review, and
- (b) in particular, review the police and crime plan in the light of—

- (i) any report or recommendations made to the commissioner by the relevant police and crime panel under section 28(4) [section 28 (4) relates to the police and crime commissioner's annual report], and
 - (ii) any changes in the strategic policing requirement issued by the Secretary of State under section 37A of the Police Act 1996; and
- exercise the powers under subsection (3) or (4) accordingly.

(10) A police and crime commissioner who issues or varies a police and crime plan must—

- (a) send a copy of the issued plan, or the variation, to the relevant chief constable and to each of the other persons and bodies that are, for the purposes of section 5 of the Crime and Disorder Act 1998, responsible authorities in relation to local government areas that are wholly or partly within the relevant police area, and
- (b) publish a copy of the issued plan, or the variation.

(11) The duty under subsection (10) to send or publish a copy of the variation may instead be satisfied by sending or publishing a copy of the plan as varied.

(12) It is for the commissioner to determine the manner in which—

(a) a response to a report or recommendations is to be published in accordance with subsection (6)(f), and

(b) a copy of the plan or variation is to be published in accordance with subsection (10)(b).

Section 7

(1) A police and crime plan is a plan which sets out, in relation to the planning period, the following matters—

- (a) the elected local policing body's police and crime objectives;
- (b) the policing of the police area which the chief officer of police is to provide;

- (c) the financial and other resources which the elected local policing body is to provide to the chief officer of police for the chief officer to exercise the functions of chief officer;
 - (d) the means by which the chief officer of police will report to the elected local policing body on the chief officer's provision of policing;
 - (e) the means by which the chief officer of police's performance in providing policing will be measured;
 - (f) the crime and disorder reduction grants which the elected local policing body is to make, and the conditions (if any) to which such grants are to be made.
- (2) The elected local policing body's police and crime objectives are the body's objectives for—
- (a) the policing of the body's area,
 - (b) crime and disorder reduction in that area, and
 - (c) the discharge by the relevant police force of its national or international functions.
- 4) The Secretary of State may give guidance to elected local policing bodies about the matters to be dealt with in police and crime plans.
- (5) An elected local policing body must have regard to such guidance.

The guidance indicates that the Police and Crime Plan must be a 5 year plan.

Section 8

- (1) A police and crime commissioner must, in exercising the functions of commissioner, have regard to the police and crime plan issued by the commissioner.
- (2) The chief constable of the police force for a police area listed in Schedule 1 to the Police Act 1996 must, in exercising the functions of chief constable, have regard to the police and crime plan issued by the police and crime commissioner for that police area.

Section 28

- (3) A police and crime panel must—
 - (a) review the draft police and crime plan, or draft variation, given to the panel by the relevant police and crime commissioner in accordance with section 5(6)(c), and
 - (b) make a report or recommendations on the draft plan or variation to the commissioner.

Development of the Police and Crime for Lancashire - Planned Activity

- Scoping work has been undertaken on the Police and Crime Plan, with a draft outline being considered by the Commissioner earlier this month.
- Development of the Plan is being undertaken jointly between the Police and Crime Commissioner's Office and the Constabulary.
- Supporting and reference documents are being collated including:
 - i. Community Safety Partnership (CSP) Strategic Assessments
 - ii. CSP Partnership Plans
 - iii. County Strategic Assessment
 - iv. Lancashire Criminal Justice Board Strategic Assessment
 - v. Health & Wellbeing draft Strategic Assessment
- Documents such as Strategic Assessments and Delivery Plans from other Boards such as Children's Safeguarding and Lancashire Drug and Alcohol Action Team Partnership will also be taken into account when developing the Plan.
- The proposed timetable for the development of the first Police and Crime Plan is:

Activity

First Draft Plan developed

Commissioner consults with Chief Constable

Partner Consultation Event (details tbc)

Public Consultation Events

Plan refined following consultation

Commissioner consults with Chief Constable

Plan considered by the Police and Crime Panel

Plan refined, if required, following consideration of the report and recommendations made by the Panel.

Commissioner finalises Plan, undertakes final

consultation with Chief Constable and issues the Plan

Timescale

20 December 2012

Early January 2013

Mid January 2013

11-25 January 2013

Early February 2013

Early February 2013

12 February 2013

Mid February 2013

March 2013