



Sussex
Police
Authority



Policing Green Paper Response of Sussex Police Authority and Sussex Police



Local Policing
Keeping Sussex Safe



**FROM THE NEIGHBOURHOOD TO THE NATIONAL:-
POLICING OUR COMMUNITIES TOGETHER
RESPONSE OF SUSSEX POLICE AUTHORITY AND SUSSEX POLICE**

Introduction

- 1.1** This is an important document, which makes a number of proposals for changing the way in which policing in England and Wales is currently governed and managed. We recognise that it captures some critical proposals from the Flanagan and Casey reports and brings together a relevant action plan.
- 1.2** The objective of ensuring that policing is both effective and responsive to the needs of the people it serves is self-evidently worthwhile. However, the Green Paper fails to identify how this objective is not currently being met. Accordingly, elements of the proposals within the Green Paper create risks that could undermine some of the critical features of the present system which are tried and tested and which have enabled the police service to deliver unprecedented reductions in crime over the last ten years. This response to the Green Paper should be seen in this context. The response follows the structure of the Green Paper and deals with the following:
- The consultation questions identified in the Green Paper.
 - Other issues raised in this paper but not specifically identified as consultation questions.
 - Other important issues not discussed in the paper but deemed relevant.

Chapter 1 - Empowering citizens: Improving the connection between the public and the police.

- Q. How can we best ensure that neighbourhood policing teams can hear from as many people locally as possible in shaping their plans?**
- 2.1** The implementation of neighbourhood policing has enabled local people to have much greater influence over the provision of policing in their communities. Neighbourhood policing is firmly embedded in Sussex, with neighbourhood policing teams working throughout the 245 neighbourhood areas across the Force area. Neighbourhood panels analyse data concerning crime and perceptions, set priorities for their local neighbourhood policing team and hold them answerable for delivery against these priorities. We continually review our accessibility, particularly police stations – ensuring the right ones are available at the right times.
- 2.2** Sussex led the field nationally in the employment of Police Community Support Officers (PCSOs) and their presence on the streets of our towns and villages is welcomed by local people. Numbers have now stabilised

at 369 which is close to 10 % of the police officer workforce and their funding now needs to be mainstreamed.

- 2.3** Local police officers and staff are well-known locally and are easily contacted by local people. Local meetings and street briefings are routine and Sussex has used the Local Action Team (LAT) concept effectively to support local communities in dealing with particular issues. Particularly strong links have been forged with minority communities, as evidenced by the growing confidence in Sussex Police of the Lesbian, Gay, Bi-sexual and Transgender (LGBT) community, especially in Brighton. Additionally there has been successful joint work to manage the community impact of counter-terrorism operations, such as Operation Crevice, which affected the Muslim community in Crawley. The work of the police is complemented by that of the Authority, whose members have strong links with local communities and lead its extensive programme of community engagement.
- 2.4** Special Constables, volunteers and volunteer cadets not only work to support policing activity but, through their presence within police stations and alongside police colleagues, they bring communities into close contact with police officers and staff and reduce the risk of policing being conducted in isolation from the communities they serve.

The Policing Pledge

- 2.5** The general principles in the Policing Pledge are sound and in line with what the public want, and what we already do in Sussex.
- 2.6** Emergency call handling performance has improved year on year. During 2007/8, our achievement of 97.5% of calls answered within 10 seconds was the best performance of any police force in England and Wales.
- 2.7** Our latest figures show that, between 1 Apr 2008 to 26 Aug 2008, 84.5% of grade 1 serials had a response within 15 minutes.
- 2.8** Sussex Police have introduced a verbal 'Victim Contract' procedure, to agree with the victim their preferred frequency of being updated (at least every 28 days) and their preferred means of contact. This is recorded on the computerised crime recording system and is monitored by supervisors. Compliance is improving, with one division for example improving performance on updating victims from 34% to 77% in the last six months. Alongside this, in 2007/8 Sussex achieved a year-on-year improvement in victims' satisfaction with the Force keeping them informed of the progress of their investigation. Computer upgrades are also being made to introduce a red/amber/green status report for every officer to self-monitor their performance concerning victim updates.
- 2.9** Within the Pledge there is concern that some of the detail is too prescriptive, is overly burdensome and runs against the evidence of how the public actually want to be dealt with by the police. For example, neighbourhood policing teams' meetings with their local public are important occasions, the information provided at them needs to be prepared and analysed. This is a time-consuming process taking officers

away from patrol. In addition many of the problems raised require partnership activity and a more medium term approach, meaning that a monthly timeframe is too short to produce any real effect. Meetings of such a frequency would in many cases not carry the support of the public. More flexibility needs to be brought into the timescales with an outer limit of say 3 months. Operation QUEST in Sussex has successfully demonstrated that by rethinking the manner in which we respond to the public we can dramatically improve customer satisfaction and the use of resources. Some of these practices have the effect of taking us outside the timescales envisaged in the pledge.

Q. What is the most effective means of encouraging customer service in the police?

- 3.1** Through the mechanisms discussed above, we are well-placed to understand the concerns of local people in Sussex about policing and to know what they expect. Within the financial constraints imposed on the Authority by council tax capping and the distribution of central government grants for policing, which disadvantages authorities in the South East of England, the Authority seeks to meet these needs, where and when it can.
- 3.2** Independent opinion polling conducted on a regular basis for the Authority confirms a high degree of satisfaction with the policing service currently provided in Sussex. The most recent satisfaction results, for the surveys conducted in the 12 months ending June 08, indicate 82% of people (victims of domestic burglary, violent crime, vehicle crime, racist incidents and RTC) surveyed were satisfied with the service they received from Sussex Police.
- 3.3** As Sir Ronnie Flanagan pointed out in the report on his Independent Review of Policing, what matters to people is the quality of their individual encounters with the police: how quickly did they come, how seriously did they take the matter, what did they do and how carefully did they maintain contact with the people concerned to let them know what was happening. Our public opinion surveying highlighted the key importance to overall satisfaction rates of keeping people informed. Management action focused on this issue, resulting in pleasing increases in satisfaction levels.
- 3.4** A critical area of customer service for police forces is call handling. Public concerns about the quality of the service provided in Sussex led the Authority to invest **£2.4 million** in central crime recording three years ago. The Police Contact Centre now handles all non-emergency contact from the public and creates all crime reports. Non-emergency call handling performance has improved significantly. During 2007/8, 82.5% of calls were answered within 60 seconds.
- 3.5** Emergency call handling performance has improved year on year. During 2007/8, 97.5% of 999 calls were answered within 10 seconds, which was the best performance of any police force in England and Wales.

3.6 Customer satisfaction surveys show that 92% of people said they were fairly satisfied, and 73% of people were very or completely satisfied, with the service they received from call handling staff.

3.7 Key here is a move from numerous targets to fewer nationally driven targets focussing on quality. The National Pledge introduces the risk of maintaining tactical numerical targets. An alternative may be a national framework with local pledges. A local pledge would complement the Comprehensive Area Assessment. We have used Operation QUEST to rethink our business processes, enabling us to reduce bureaucracy and increase public contact, concentrating on quality performance measures balanced against quantity indicators.

Q. Given the core role of PCSOs – which is one of high visibility patrol, community engagement and problem solving – do PCSOs have the right powers to enable them to do their job?

4.1 Yes. PCSOs are not police officers: they have different powers and perform different roles. They are an excellent complement to police officers and their presence enables chief constables to ensure that policing tasks are handled in the right way, using the right people. In Sussex, we are concerned that any extension of the powers of PCSOs – for example, to include the power of detention – could unhelpfully blur this distinction. We also attach less importance than the Green Paper to the need for PCSO powers to be standardised across the country. We share the Government’s declared commitment to localism, the consequence of which is that things will not always be done in the same way in every community in England and Wales. It is important that chief constables retain the discretion to give their PCSOs the powers, within the defined range, which they feel are appropriate in local circumstances. Of more importance to Sussex is the need to put the funding of PCSOs on a sustainable basis: PCSOs are now part of how we do policing in this country and their financing should be mainstreamed, while retaining the possibility of local authorities and others paying for additional services, if they wish to do so. This is the key issue, not standardising PCSOs’ powers.

Q. How can we ensure that police authorities and local authorities everywhere co-operate in tackling local people’s priorities – including ensuring that the local pledge is delivered everywhere?

5.1 Three key features of the present arrangements for the governance of policing and the management of crime and disorder are designed to ensure the required degree of co-operation between policing and local government.

- The majority of members of police authorities are appointed by local authorities, ensuring that there is policy co-ordination and co-operation at the highest level. In Sussex, the local authorities appoint their most senior members to the Police Authority: chairmen, leaders, cabinet members with relevant portfolios and leading opposition members. At officer level, key functions of the Authority and Sussex Police (finance, estates, law) are partly

provided by the local authorities under Service Level Agreements (SLAs). These vital links ensure that policing remains connected with local government, but not owned by it, ensuring co-operation but preserving independence.

- The territorial basis of operational policing in Sussex – and in many other police force areas – is aligned with the local government structure. Outside London and other major cities, local government is organised on the basis of counties and districts, a feature of provincial life which sometimes seems to elude central decision-makers. In Sussex, the structure of policing follows that of our local government partners, with policing divisions largely corresponding with county and city boundaries, and policing districts coterminous with local government districts. This structure, to which we moved five years ago, has been of immense help in ensuring close co-operation between county, city and district police commanders and their local government equivalents and is a key factor in the success which we have achieved together in reducing crime and disorder in Sussex over the years.
- The policing structure in place here enables us to play our full role in partnership working, at both the strategic Local Area Agreements (LAA) and Public Service Board (PSB) level, also at the more tactical Crime and Disorder Reduction Partnership (CDRP) level. The performance of the latter (of which we have 13 in Sussex) is inconsistent. Where they are firmly led and supported they can provide a useful forum for co-ordinating the efforts of those agencies which can contribute to the resolution of local crime and disorder issues, but their significance should not be overplayed. They are “partnerships”, and there is a danger of their status, resources and capacity for action being over-estimated by those who are more remote than we are from local communities and issues.
- Partnership funding arrangements can work against effective delivery. The funding streams are generally time limited which frustrates long term planning. More local money should be set aside to support partnership activity, it should be controlled by the partnership and there should be incentives for partner agencies to mainstream employment within agencies that form the partnership so that funds can be concentrated on effective initiatives.

Q. Under these proposals, police authorities will have a majority of elected representatives, complemented by representation from local councils and independent members. What is the right balance between local council representation and independent members?

6.1 No convincing case is made in the Green Paper for changing the existing arrangements for appointing members of police authorities. A majority of members on each police authority are already elected: they are elected to their local authorities, and appointed by their local authorities to the police authority. Their democratic legitimacy is recognised in the

special arrangements in place for approving the council tax to be levied each year and their presence on the police authority ensures the co-operation and integration between policing and local government which was discussed in the previous paragraph. Their removal or restriction to one or two members on each authority as proposed in the Green Paper could significantly damage the present productive relationships already in place between policing and local government.

6.2 The introduction of directly elected members, either instead of or as well as local government members, would obscure, not clarify local accountability for the following reasons:-

- It would create a separate cadre of elected representatives, unconnected with local government and potentially unconnected with local communities, who would find themselves in competition with local councillors for the policing and crime and disorder agendas.
- The proposal would lead to the greater politicisation of policing, remove the present arrangements to ensure balanced political proportionality among the elected membership and lead to the inevitable dominance of the major political parties in the selection of successful candidates.
- It would result in a less strategic view being taken by members of the needs of the force area as a whole.
- There is no evidence that an additional round of elections would be supported by the public: indeed, all the evidence suggests that the country is already suffering from election fatigue. Such elections, if they are introduced, are more likely to attract candidates seeking to pursue personal agendas which, if they were elected, would swiftly bring them into conflict with chief constables.
- Elections are expensive: to hold elections across Sussex for police authority members would cost up to £750,000, money which would have to be found from frontline policing.
- Partnership working is absolutely key to successful public confidence and is often challenged by trying to define the common priorities between the main public authorities (police and local authorities to date, with increasing contribution from health). Successful engagement has often been accelerated by common agendas generated through members' representation on police authorities. This proposal may undermine that level of engagement in joint agendas by bringing in the unaffiliated third party.

6.3 Therefore, the proposal to replace councillors on authorities by directly elected members is potentially expensive and confusing to the governance of policing, not to mention partnership working, and the full consequences of such a proposal need to be thoroughly thought through as there could be fundamental implications.

- 6.4** The Green Paper seeks to make a connection between the work of police authorities and the local crime and disorder agenda. It proposes the direct election of crime and policing representatives who would chair their local CDRPs and sit on the police authorities. Given the fact that CDRPs are not separate legal entities (which police authorities of course are), what the Green Paper is effectively suggesting is that members of police authorities should be directly elected and that they would then, by virtue of their office, chair their local CDRPs. The membership of CDRPs is already provided for in existing legislation. While there is merit in police authority members taking their turn to chair CDRPs if they have the confidence of others, as already happens in Sussex, it is not appropriate to require them to be so appointed. In Sussex, some of the most effective CDRPs are chaired by district police commanders or district council chief executives and this should not be prevented in the future. It should be for each CDRP to decide who is the best person to chair their meetings and it should be expected that the people so chosen and the organisations from which they come will vary over time and between CDRPs. CDRPs are partnerships, not organisations in their own right, and the arrangements for the selection of members for leadership roles should be democratic and inclusive.
- 6.5** If implemented, the proposals in the Green Paper would result either in the effective exclusion of local government and independent members from membership of police authorities, or the creation of police authorities comprising an unwieldy and unnecessarily large number of members. If the building block is the local CDRP area, we could be looking in Sussex at about 15 directly elected members. Our CDRP areas vary significantly in size (from approximately 80,000 to 250,000) and it is unclear how equity of representation would be provided under these proposals. Members appointed by the local authorities and independent members, including at least one magistrate, would be added.
- 6.6** For the reasons explained above, we would want to see the retention of the strong links with local government provided currently by the appointment of councillor members. With two county councils, one city council and 12 borough and district councils in Sussex, it is hard to see how anything like effective local government representation could be preserved with fewer than six members, which would provide for three members from West Sussex, two from East Sussex and one from Brighton & Hove. If the principle is then to be maintained of the elected members (both directly elected and councillor members) having a majority of one on the authority, there would need to be in addition 20 independent members, including at least one magistrate, giving a total authority membership of 41, considerably more than twice the present membership of 17.
- 6.7** A membership of this size would be disproportionate to the tasks facing the police authority and it would be difficult to provide satisfying roles for all members. It would also be extremely expensive to run. Assuming that similar levels of allowances and support had to be provided to 41 members, rather than 17, and taking into account the cost of regular elections referred to above, it is likely that the changes outlined in the

Green Paper could double the costs of democracy borne by Sussex council taxpayers from the current figure of £1.2m pa to about £2.5m pa, all at the expense of frontline policing and services to the public. This would equate to 34 police officers or 51 PCSOs.

6.8 We object to the proposal in the Green Paper that police authorities should be required to appoint as their chairmen only elected members. We are unclear whether this is intended to include councillor members, but our strongly held view is that it should be for each police authority to decide whom it wishes to elect as chairmen and that authorities should continue to have an unfettered discretion to choose the member, be they directly elected, councillor or independent, whom they consider to be the best person for the job. This would be in line with the Government's avowed commitment to localism and to the benefits to be obtained from the empowerment of local representatives.

6.9 We strongly support the proposal to retain independent members of the Police Authority as it is widely considered that the insight and valued perspective of independent members adds a great deal to the work of police authorities that is appreciated within the Police and communities alike. Similarly, the principle that at least one of the independent members is to be a magistrate is welcomed.

Q. To what extent might police authorities be able to allocate part of their budgets by participatory budgeting? What other community safety budgets do you think might be suitable to be allocated in this way? Do you consider the creation of the Communities Safety Fund to be the best way to use the money that currently makes up the BCU fund?

7.1 Our view is that the way in which central government currently funds policing and community safety is unnecessarily detailed and prescriptive, and it is authorities like Sussex who suffer disproportionate costs as a consequence of where they are located in the country. Recent government thinking appears to marginalise the role of local representative bodies and seeks to engage directly with local communities (however defined), embarking on a succession of eye-catching initiatives to create the illusion of effectiveness. We dislike this approach and would argue strongly for the allocation of central government funds to local authorities and police authorities on the basis of general, not specific, grants in accordance with a formula which fairly reflects differences in the need to spend between different police areas.

7.2 We are surprised that the Green Paper raises the application of participatory budgeting alongside the reduction (and possible ending) of the BCU Fund. The Paper seems to be in two minds about its approach to budget flexibility. The BCU Fund was originally set up to provide BCU commanders with some resourcing to meet local priorities, and align proposed spending plans with that of local partners. Yet the prospect is to transfer the BCU Fund to a Community Safety Fund that will be available to Crime and Policing Representatives to address local needs and priorities. It will still be administered by police authorities. We are

not convinced that this will lead to improved outcomes compared to the current arrangements. In reality, much will depend on continuity of Safer Communities Funding but this has experienced reduced resources in recent years. We comment on this further below.

7.3 We are invited to comment on the issues set out in this question, but not on much more fundamental issues relating to the funding of policing. On these bigger issues, we welcome the commitment in the Green Paper that **no attempt will be made to remove or modify the right of police authorities to raise the local contribution to the costs of policing though the council tax.** If police authorities are to continue to perform their vital role in the national effort to reduce crime and disorder, they must continue to have the ability to raise money independently of central government. They should also, in our view, reach their decisions on the level of council tax to be levied in their areas untrammelled by advice, guidance or instruction from the Government. Council tax capping should either be removed for police authorities or, at the very least, decisions about its application should be made by the Secretary of State responsible for policing.

7.4 At the same time, the formula used for the allocation of central government grant for policing must be revised and put on a basis which is fairer to authorities which face disproportionate costs because of their location in the South East of England, or the present arrangements to protect such authorities from the consequences of the implementation of the current formula should be maintained indefinitely. We made this argument in response to Sir Ronnie Flanagan's report on the Independent Review of Policing and make it again now: the implementation of the formula would cost Sussex £8m pa and the Authority remains viable only as the result of the continuation of the present protection.

7.5 So far as the funding of CDRPs is concerned, they currently draw their funding from a range of sources including central government (through the Safer Communities fund and the BCU fund) and local partners, particularly local government. Any changes to the funding arrangements need to ensure that local partners are not as a result discouraged from contributing to the work of CDRPs.

Q. How might the Councillor Calls for Action be best used to implement the broader changes to local accountability arrangements for policing?

8.1 The effective implementation of neighbourhood policing across Sussex should make 'calls for action' irrelevant, as local policing responds to locally set priorities as a matter of course. The Government has agreed to align the previously separate versions of Call for Action policies (the Home Office and the Communities and Local Government versions) so that Section 19 of the Police and Justice Act 2006 which set up the "Community Call for Action", will be amended leaving us with the more simple "Councillor Call for Action" (CCfA) in the Local Government and Public Involvement in Health Act (see also section 126 of the Act) after pressure from local authorities. This is clearly something that has been

felt strongly, potentially from a frustration, by local councillors but does not necessarily carry across into the community safety and policing realm. Hence 'Calls for Action' would need to address a collective failure to act rather than to the police alone. There are already a myriad of pathways for concerns to be raised at the most local levels, including street briefings and neighbourhood meetings. This further pathway may lead to unchecked skewing of priorities.

Chapter 2 - Professionalising and freeing up the police: Reducing bureaucracy and developing technologies.

Q. How can we best involve frontline officers and staff in designing more effective and less bureaucratic processes?

9.1 We welcome the declared ambition of the Government "to step away from centralised performance management, and set only one top down national target for police forces – to deliver improved levels of public confidence" (Foreword by the Home Secretary, page 3 of the Green Paper) and we contrast this with the proposal in the Green Paper to create a "Policing Pledge", which seeks to impose the sort of top-down targets which are supposed to be reduced. This paradox starkly symbolises the dilemma in which governments find themselves: a theoretical attachment to notions of subsidiarity and localism, seemingly inevitably defeated by a desire to micro-manage and to accept responsibility for everything that happens, anywhere in England and Wales. Consequently there remains a high level of professional scepticism within the police service that promises to reduce centralised targets will always be rhetoric.

9.2 As we said in our evidence to Sir Ronnie Flanagan, what is needed is a fundamental reassessment of the roles of all the partners in the policing service and the ways in which they relate to each other. **What we seek is evidence of the determination of governments to move away from targetry to a relationship of confidence and trust between partners.** We see little evidence in this Green Paper of a genuine determination to make progress on these lines, or of a clearly defined path to enable us to get there. Only when this has been clarified can we begin to engage in a genuine discussion about how local empowerment at force, division, district and neighbourhood level can be delivered. It is for the Home Secretary to take the initiative with partners nationally to agree a revised constitutional framework.

Q. How can we ensure that new forms of bureaucracy do not replace those that we are committed to reducing?

10.1 It is a truism that hard cases make bad laws. The police service has consistently responded to the most extreme and unusual cases (Soham, Lawrence) and sought to introduce rules and guidance to prevent these unique cases occurring again. This has resulted in a culture which is too risk averse, with the apparent need to record every single action and associated justifications in order to respond at a future inquiry. The recommendations of Sir Michael Bichard's report on the management of

police information were universally accepted because of concern that such an event “must never happen again”. However, many of the recommendations were creators of bureaucracy and, in the current financial climate, unaffordable as the recent CRISP experience demonstrated.

10.2 Significant areas where bureaucracy in policing might be reduced include:

- National Crime Recording Standards (NCRS): In an effort to ensure that there is totally consistent crime and incident recording nationwide, a system has been created which leads to the substantial recording of minor matters and affects officers’ ability to use discretion.
- Regulation of Investigatory Powers Act 2000 (RIPA): The bureaucracy involved in RIPA applications could undoubtedly be reduced.
- The National Intelligence Model (NIM): The model works effectively at a tactical level. The benefits at a strategic level are less obvious in terms of outcomes. There has been a huge increase in the number of analysts and researchers employed in all police forces. A considerable amount of their time is spent drafting submissions to regional and national bodies. The value of the product then received back seems limited in comparison with the resource spent in completing it. Many national problem profiles and strategic NIM documents are little more than a compilation of what individual forces have reported.
- The whole performance regime produces a bureaucracy of its own. A change of emphasis from sanction detections and offences brought to justice (with their associated perverse incentives) to measuring overall community satisfaction will bring some opportunities to reduce this bureaucracy.
- Operation QUEST in Sussex has provided many benefits to the service and offers a structured methodology that can be used to enhance business processes and reduce bureaucracy. It would be beneficial if this approach could be mainstreamed across partner agencies to provide focus and avoid duplication.

10.3 We are supportive of the more effective use of IT and fully recognise the benefits for increased public contact that can come from successful mobile working solutions. However, the paper implies a move to the standardisation of all police IT services, as opposed to compatibility, and the record of government procurement of major national computer systems is not good. Being forced into a single supplier situation is not good for anyone other than the supplier, with the risk over time of becoming complacent and expensive since the monopoly situation they enjoy stifles innovation by other suppliers. If, on the other hand, what is implied is common standards or common specifications for police systems, that would have welcome benefits.

10.4 The reality may simply be additional IT costs for little benefit. For example, we have been surprised by the advice that users of the national case and custody IT systems now face significant rises in their running costs in 2009-10 and 2010-11. The projected increase in costs in 2010-11 is equivalent to a near 1% increase in the police precept in Sussex. Any improved operational benefit is negligible. This represents a very poor precedent for improving the effectiveness of police IT.

Q: How best, together, can we tackle the risk aversion that Sir Ronnie Flanagan identified?

11.1 The President of ACPO has highlighted how much bureaucracy is generated by the culture of risk aversion. Recording everything because of the perceived need to justify actions at a later date has probably gone too far. The burden of disclosure on the police service and prosecution in criminal cases remains huge and is getting bigger as the result of influences beyond the control of the police (for example, the proliferation of CCTV, cyber crime). We welcome the decision to cease the use of Stop and Account forms and to replace them with apparently more efficient means to measure proportionality.

11.2 Some IT solutions have added to the bureaucratic burden placed on frontline officers rather than assisting them. Mobile IT solutions have the potential, when linked to business re-engineering, to change this and to bring real value to policing. However, such programmes are expensive, time consuming and require expertise to implement them effectively. Recent initiatives by the NPIA in this area have been encouraging but have been initiative driven rather than building towards a long term vision.

11.3 The need to reduce bureaucracy is intrinsically linked to the workforce modernisation programme: not only must we establish how to eliminate the processes that generate bureaucracy for officers and staff but also a closer examination is needed of the costs and benefits of using back office staff to complete bureaucratic but often necessary tasks on behalf of frontline staff. Finally, there needs to be more openness with the public about the amount of time frontline staff are currently spending completing bureaucratic tasks. Open discussion about priorities with local communities will inevitably lead to a refocusing of resources away from bureaucracy.

Chapter 3 : Defining roles and leadership in the police service

Q. The NPIA will consult on how we can ensure that constables gain a wide professional understanding of their force's work through their initial training and deployment, and their subsequent development, balancing this requirement practically with the need to provide Constables with the specialist skills to enable them to deliver professionally in the complex environment of 21st Century policing.

12.1 Sussex currently seeks to give student officers a broad understanding of the service as a whole and the specialisms within it. Sussex is already

engaged in consultation with the NPIA on the development of the IPLDP, and will be happy to contribute to this further.

Q. The NPIA will consult on how best to ensure that all new Police Constables are trained in providing the best quality service to the public.

13.1 We are encouraged by the success of the officer training arrangements which have been established in Sussex and which enable student officers to be attached to police stations in their local communities, while pursuing academic studies at local universities. This has helped to emphasise the commitment of Sussex Police to neighbourhood policing and attracts into the police service candidates for whom the previous requirement to attend lengthy residential courses would have been a disincentive. Student officers are also given the opportunity to have a two week community placement (e.g. local elderly services, charities and businesses) to learn about and interact with the wider community. Another positive feature of our training arrangements here is the involvement of magistrate members of the Police Authority in courtroom training sessions with student officers.

**Q. Regarding Chief Officer appointments, the Government would be grateful for view on:
How can we best change the operation of the Senior Appointments Panel (SAP) to make it more proactive in succession planning, with greater strategic input into leadership development?**

14.1 The responsibility of police authorities for the appointment, discipline and, where necessary, dismissal of Chief Officers is a core responsibility and is crucial to the successful performance of their role. While we support the need for SAP to be more proactive in succession planning and appointments, with greater strategic input into leadership development, this must not be at the expense of the freedom of police authorities to make the appointments they consider right for their circumstances. We would welcome the opportunity to consider even more good candidates for appointment as chief officers in Sussex, but the role of SAP should be to widen our choice, and not to narrow it by purporting to suggest a more limited range of candidates for consideration by the Authority. Sussex has repeatedly demonstrated how a talented and ambitious chief officer can be attracted by the prospect of working with an energetic and determined Authority to enhance Force performance, morale and public confidence.

Q. How should a scrutiny gateway for the renewal of fixed term appointments work?

15.1 In Sussex our experience has shown that a far greater problem is retaining chief officers following promotion. Any revised arrangements relating to the renewal of contracts ought to ensure that the power of decision remains with the police authority, presumably advised by HMIC

and, where appropriate, the chief constable, although this may be a matter for national negotiation.

15.2 The service has often battled with the challenge of bringing talented leadership to the highest levels in realistic time scales. This has often generated discussion around 'direct entry'. The decision to apply for DCC and above at an early stage in service is clouded by concerns around job security and pension.

Q. What is needed to recognise that it can be right for chief officers to leave a force before the expiration of their contract because that is the best way forward for the individual or the organisation?

16.1 This is a matter for national negotiation.

Q. How can we establish better succession planning mechanisms, including in poor performing forces?

17.1 Better succession planning mechanisms should be prescribed by national guidance, which is informed by discussions with all the agencies involved as supported by the relevant staff associations.

Q. The proposed approach to Regulations 11's provisions on serving in another force before becoming a chief constable?

18.1 The present arrangement, whereby the requirement that an officer must have served in another force can be waived in exceptional circumstances, is fair and reasonable, and should be maintained.

Chapter 4: Focusing on development and deployment

Q. The Government would be grateful for initial views on its outline three-year equality, diversity and human rights strategy for the police service?

19.1 The Authority and Sussex Police share the Home Office's vision of a police service that has the trust and confidence of all communities and a service that reflects the communities it serves. The equality, diversity and human rights strategy should provide a singular opportunity to knit the Citizen Focus, Confidence, Customer Service, Community Engagement, Leadership and Talent Management agendas into a cohesive approach to improve *what* we do and *how* we do it in a meaningful and transparent way.

19.2 The prospect of an Equality Standard that officers and staff can understand – and that reassures the public and different communities that the police service is fair, effective and responsive – is welcomed. It also offers opportunities to incorporate work to promote the Government's strategic vision for the Criminal Justice System (CJS) being developed through the Delivery Boards for PSA 23 and 24. However, it is important that any Equality Standard that is introduced does not of itself

impose yet another bureaucratic burden on the police. The opportunity should be taken to revisit the whole area of equality and to reassess how the desired outcomes can be achieved without complicated paperwork. Sussex Police has only recently merged and enhanced its equality schemes into a Single Equality Scheme. This was a valuable exercise but it did consume much time and energy.

19.3 The review of the national Diversity Staff Support Associations (DSSAs) has been long anticipated and must serve to clarify their role within the workplace. Its successful conclusion is important if the service is to inspire public confidence as a modern, inclusive employer. The forthcoming Single Equality Bill, and the current Equality and Human Rights Commission (EHRC) inquiry into how human rights work in Britain, must be seen as signals for the new strategy to look ahead to the future, rather than revisit the past.

Q. The Government would be grateful for views on what impact (positive, negative or none) will the Green Paper have on communities, police officers and staff from diverse backgrounds?

20.1 The Green Paper articulates a vision of partnership that connects the police with the public. This must be positive, but we must recognise that not all communities are starting at the same point in their relationship with the police. Trust and confidence remains low in some quarters: for example, the perception held by disability groups of the police approach to hate crime. We recognise that we still have work to do in the area of the Equality Impact Assessment, we have already provided training for some key staff and further training is planned. Deploying this tool far more widely would engender greater engagement, grow the partnership culture and deliver services that meet local needs more effectively.

20.2 The prospect of local workforce representation targets is supported, albeit any recruitment targets must use local census data as a minimum level of attainment to avoid weakening our aim of workforce that reflects the community it serves. Other targets should drive workplace innovation, reassuring the existing workforce, potential recruits and the wider community that everyone has opportunities to develop, the chance to progress and access to the support they need.

20.3 We are concerned that any reduction in the number of independent members on police authorities, or any change in the present balance between independent and elected members, is likely to impact adversely on the ability of the membership of authorities to reflect the communities they serve, the proportion of female and BME members being significantly higher amongst independent members than it is amongst elected members.

20.4 Although we are not invited to comment on other issues discussed in this chapter, we would like to record our support for workforce modernisation, which has recently been formally endorsed by the Authority, on the advice of the Chief Constable. We have committed ourselves to the importance of the number of people engaged in frontline

policing as the key performance indicator for the future, rather than simple police officer numbers, and wish to ensure that tasks are dealt with by the people best placed to tackle them, regardless of whether they are officers, PCSOs or staff: what matters is what is done and how it is done, not who does it. We welcome the encouragement given to this approach in the Green Paper and wish to play our part in this important national development.

Chapter 5 – Strategic role for government: Co-ordinating change in policing.

Q: Are our proposals for strengthening the National Policing Board and encouraging collective action on the small number of national issues that demand national attention right?

21.1 Yes. We agreed with Sir Ronnie Flanagan’s conclusion that it was time all the national bodies with an interest in policing started working together effectively and that the police service defined, and then dealt with, those issues which need to be sorted out nationally. While the Green Paper refers to Government using its powers of mandation where there is a consensus (or a “compelling case” where there is not), it is silent on the sorts of areas where the Government envisages potentially to take direct action except for protective services, IT and procurement. Our earlier comments about subsidiarity and our recent experience of the national IT system for case and custody apply here. In procurement, there have been many successful examples of collaborative arrangements with police and other partners that continue to deliver efficiency savings and operational benefits. Any case for mandation should be reflected in meeting agreed common standards or specifications, rather than short term initiatives.

Q: Using the principles we have outlined, what issues should be decided at the national, regional and local level, and who should have responsibility for taking those decisions?

22.1 The principle of subsidiarity should apply, namely that everything should be decided at local, authority and force level, unless there are good reasons why it should be dealt with elsewhere. Some elements of the present structure, including the involvement of regional government offices, should be clarified. The Home Office should confine itself to issues which genuinely relate to national standards and learn to accept that the model inevitably means that local variation is not only to be tolerated, but to be encouraged. There are areas that need clear national direction such as IT provision, some aspects of procurement and police leadership. The Home Office should not be afraid to provide it. However, it must accept that ministers are not, and should not be, responsible for every aspect of local police decision-making and practice throughout England and Wales. They should deal with questions and criticism on this basis.

Q: In what areas of policing should we give greater freedoms to frontline practitioners to enable them to deliver on local priorities and on seriousness in the most effective way?

23.1 National moves to reduce the data recorded for 'Stop & Account' and some crime, along with the refining of detection rate targets, are obvious areas. There are many others: for example discretion can only ever be fully utilised in an engagement between individuals without third party scrutiny, and requires an investment in training for the individual representing society who is so empowered, and above all, trust in the exercise of such judgement. Whilst there are levels where discretion can be capped, dependent on the seriousness of an offence, full discretion means a complete absence of performance targets and accountability in that regard. In Sussex, police officers and staff have been inspired by our new Chief Constable, Martin Richards QPM, who has been prominent in emphasising the need for quality as well as quantity, and a move away from the current performance culture.

23.2 For the growth of emotional intelligence in applying that principle, there needs to be a culture of openness and honesty so that supervision and development can be active and measured. This would be difficult to envision in a blame culture, but the much anticipated introduction of the new Performance and Conduct Regulations for Police Officers would present a timely opportunity for the reversal of that trend.

Chapter 6: Reinforcing collaboration between forces

24.1 Although we are not asked to do so, we propose to comment on the content of the Green Paper dealing generally with collaboration. Sussex opposed the previous Home Secretary's proposals for merging county forces into larger, regional units and we committed ourselves to dealing with the issue of the protective services gap, identified by HMIC. This we have now done, partly as the result of additional, independent investment of some £4m pa in protective services uplift in Sussex and partly in collaboration with other police authorities and forces. As a result, HMIC have written to the Chief Constable confirming that we have no significant developmental needs in serious and organised crime and that we meet the standards for major crime.

24.2 In addition, we have recently received welcome confirmation from the judiciary that our work here is on the right lines, with His Honour Judge Rennie stating in a recent judgment in a serious criminal case heard at Lewes Crown Court that

"this was, on any view, a swift, thorough and highly professional police investigation. One aspect is worthy of particular mention. It is the cross-county and the cross-force cooperation between the Sussex Constabulary and the Thames Valley Constabulary. Cooperation of this sort is to be welcomed and encouraged. It makes it much more likely, in many cases, that perpetrators of crime are brought to justice swiftly, on the best possible evidence"

24.3 We are rising to the challenges identified in "Closing the Gap" in a variety of ways such as our uplift in Protective Services, Hi Tech Crime investigation and alignment to minimum standards. There is no justification for re-opening the mergers debate, which should now be regarded as firmly closed. The legal framework for collaboration seems broadly adequate, but if the police service identifies areas where the law might usefully be clarified, the Home Office should respond with new legislation.

The Green Paper poses a serious of related questions about possible changes in border policing.

Q. What more can be done to build upon present policing arrangements to improve the security of our borders?

25.1 This is of particular interest to Sussex, as a coastal county and the home of the country's second busiest airport at Gatwick. Given the challenges posed to the UK from terrorism, the importance of constantly reviewing how we keep our borders safe and secure remains a top priority for the police service and partner agencies. Our borders are therefore best protected by improving collaboration between the police and partners.

25.2 The Green Paper explores options to increase collaboration between agencies at borders, including the three main policing functions at ports: Special Branch, protective services and general policing. In Sussex, the Chief Constable has established a unified police command at Gatwick covering these three areas. Gatwick Division is a component of 'Operations Department' within Sussex Police which in turn delivers greater protective services capacity, particularly firearms assets. The police commander works closely with the other relevant agencies, including HM Borders Agency, but also the airport operator, the airlines and all those other organisations which make up the extensive and complicated airport community at Gatwick and whose work impacts, in varying ways, on the integrity of the national border.

25.3 The proposed Transport Security Bill to be introduced into Parliament this autumn will build upon the present policing arrangements to improve security at our borders. It requires airports to agree a local airport security plan with their key stakeholders. This process will improve inter-agency co-operation in establishing airport security arrangements, with greater clarity of roles and responsibilities, and introduce a systematic and regular assessment of how threats to an airport are being mitigated. The airport security plan will be a statutory document, ensuring that agencies understand what their shared priorities are and allocate resources to mitigate the threat.

25.4 The building blocks are therefore in place to secure our borders without the substantial investment and enormous structural changes inevitably needed to establish a separate border police force.

25.5 For these reasons, we urge the Home Office not to proceed with the proposal to establish a national border police force, but to rely on the

measures contained in the forthcoming Transport Security Bill to provide the desired benefits.

Q. How far should links with local forces and local accountability be preserved? Any border policing agency independent of local forces would require a police authority-like structure to scrutinize its activities?

26.1 Links with the local forces and the local community is a crucial element of keeping the public safe whether at a border or elsewhere. Neighbourhood policing teams operate very effectively in and around our airports, ports and borders engaging with local communities and gathering valuable community intelligence that contributes to our overall security. Officers and staff at Gatwick are drawn entirely from Sussex Police ensuring that they have a wide breadth of knowledge and experience that goes beyond what could be gained working solely in an airport environment. The turnover of staff to neighbouring divisions and departments ensures officers maintain and refresh their policing skills. Local accountability with operational responsibility remaining with the local chief constable is, in our view, vital in keeping our borders safe and secure.

26.2 The creation of a border policing agency will inevitably raise complications over jurisdiction with forces. It is likely to face even greater challenges from the devolved government in Scotland. Equally, as highlighted in the ACPO 'Next Steps' paper, this agency could not operate in isolation and recommends the introduction of Service Level Agreements with local forces. The ACPO paper also suggests that a border police agency (NBPS) would minimise the need to use local police resources for 'border related matters' and reduce the need to divert staff from delivering neighbourhood policing.

26.3 Neighbourhood policing clearly does not stop at or around our borders. Indeed it is the foundation upon which policing at Gatwick Airport, for example, is delivered. This is reinforced by maintaining important links with neighbourhood policing teams on nearby divisions both in Sussex and beyond.

26.4 A border policing agency would require separate and distinct governance arrangements to preserve the operational independence of the police. This would require the creation of an executive board/police authority and, in all likelihood, a dedicated chief constable.

26.5 For these reasons, we urge the Home Office not to proceed with the proposal to establish a national border police force, but to rely on the measures contained in the forthcoming Transport Security Bill to provide the desired benefits, without incurring the costs.

Q. What are the operational benefits and risks of creating a national police border force as proposed by ACPO?

27.1 The benefits proposed by ACPO focus on the need to simplify the

complexities of coordinating resources across a number of forces in order to maximise public safety. They include greater consistency in delivering protective security, flexibility in response to specific national demands and maximising intelligence opportunities.

27.2 One of the key risks is funding. The ACPO paper makes the assumption that any budget allocation committed by forces to ports together with central funding (DSP grant) would form the core funding for a National Border Police Service (NBPS). It also makes mention of customer levies and sensibly states the government may be reluctant to introduce it given issues associated with personal taxation and the economic downturn. The aviation industry would argue against it too. In addition, the Boys-Smith independent review specifically discounted this option.

27.3 As the lessons from the abortive police force mergers debate of 2005/06 show, the challenges involved in bringing together large and complex organisations cannot be underestimated and must be carefully costed. Before proceeding with any degree of confidence, the funding streams that would lead to the creation of a joint agency would need detailed scrutiny and must be clearly understood from the outset. In addition, it will be necessary to carefully consider the risks associated with making major structural changes to our national infrastructure as we prepare for the London Olympics in 2012.

Q. Are there any variations to that national policing model that could offer greater operational benefits than those currently being delivered under the present arrangements?

28.1 The Transport Security Bill will introduce new arrangements for airport security and implements many of the recommendations following the 2006 Independent Review of Airport Policing. This Bill is important as it will require airports (a small amendment would be required to include all ports) to agree a local airport security plan (ASP) with key stakeholders, based upon an agreed threat and 'risk' analysis. In short, the Bill could deliver precisely what is being asked for – greater collaboration and coordination at our borders.

28.2 It is worth noting that the ACPO paper and Lord Stevens' report do not make reference to the Transport Security Bill given that they seek greater collaboration at our borders. The importance of stakeholders collaborating closely in the interests of greater security is not new and was first acknowledged by the Boys-Smith review in 2006. Key elements of the Bill have been drafted in response to his recommendations which coincidentally did not support a single border agency or versions thereof.

Q. What would be the main costs? Proposals for changing present structures would need to be both affordable and cost effective.

29.1 Both the ACPO paper and Lord Stevens' proposals (single border agency) acknowledge that creating a National Border Police Service, or similar, will be challenging and complex. Indeed Lord Stevens states that, 'substantial investment' will be needed both initially and year on year to

ensure that a border police service (including the UKBA) has the vital technology to meet existing and emerging threats.

29.2 As referred to in answers above, the lessons from the abortive police force mergers debate of 2005/06 show that the challenges involved in bringing together large and complex organisations cannot be underestimated and must be carefully costed. Before proceeding with any degree of confidence, the funding streams that would lead to the creation of a joint agency would need detailed scrutiny and must be clearly understood from the outset.

Q. Will structural reform be required? The scope and timing of changes to police structures may be dependent upon new legislation. Some would require constitutional changes to the police service, others just changes to working practices.

30.1 The extent of structural reform will depend upon whether a border police service is introduced or a single border agency that combines the UKBA with the police. Both the ACPO 'Next Steps' paper and Lord Stevens' report acknowledge that their proposals would require significant structural reform and new legislation. The creation of a single agency (police and UKBA) is likely to require an Act of Parliament similar to that required for the creation of the Serious and Organised Crime agency.

30.2 It seems certain therefore that substantial structural and constitutional reform will be required to deliver a border police service/agency. As previously stated, the way forward could be to combine police resources at ports under a single police command, leaving operational responsibility with local chief constables and seizing on the opportunities presented in the Transport Security Bill. Collectively this will deliver the much sought after collaboration articulated in the above reports, underpinned in law, and achieved at nil cost.

Chapter 7: Improving performance in policing.

31.1 No consultation questions are posed in this section, but we wish to make three comments.

31.2 Firstly, we applaud the expressed intention of the Home Office to refocus its role on strategic issues and look forward to seeing evidence of this being translated into reality.

31.3 Secondly, we see no justification for the Home Secretary taking additional powers "to address persistent under performance (including poor resource management) by a police authority and the power to remove police authority chairmen and chief executives". This would amount to a serious rebalancing of the tripartite relationship in favour of the Home Secretary and, as such, should be resisted by police authorities.

31.4 Finally we have reservations about the overhead involved in the joint inspections by the HMIC and Audit Commission of authorities' and forces'

capability to secure better value for money. This seems a change of approach from the Government's position earlier in the year when the Police Minister wrote to authorities and forces about significant changes to reduce bureaucracy in efficiency planning and reporting. Given the existing inspection arrangements, including the Use of Resources evaluations, we are unclear as to how the Green Paper's proposals will add value.

Conclusion

- 32.1** The Green Paper holds no fears for Sussex, and this response demonstrates that we are already delivering many of its ambitions. Our neighbourhood policing teams are already engaging and empowering their local communities. The complexities of border policing, collaboration and national IT systems mean proposals in these areas will need to be developed carefully to ensure they add value.
- 32.2** We have significant concerns about the proposals in the Green Paper relating to local accountability and the way in which police authority members are appointed. We hope that the comments contained in this paper will enable the Government to amend its proposals, particularly in the local accountability area, in advance of the publication of any proposed legislation.

John Godfrey, Chief Executive

Martin Richards QPM, Chief Constable

