



**POLICE AND CRIME COMMISSIONER
FOR DYFED-POWYS**

**OPCC Governance Review
Position Update**

1. Overview

Following the Police and Crime Commissioner elections in May 2024, it was decided that now would be an opportune time to review the governance arrangements in place to support the Police and Crime Commissioner for Dyfed-Powys in discharging his statutory responsibilities.

The Police Reform and Social Responsibility Act 2011 established Police and Crime Commissioners who have a statutory duty and electoral mandate to hold the Police to account on behalf of the public. In line with the Policing Protocol 2023 the holding to account duties include:

- Scrutinise, support and challenge performance against the strategic priorities set out in the Police and Crime Plan.
- Hold the CC to account for the performance of the force's officers and staff.
- Provide the local link between the police and communities, working to translate the legitimate desires and aspirations of the public into action.
- Focus on the delivery of effective services that support victims and provides victim satisfaction and public confidence.
- Engage with a cross section of communities and undertake work that enhances the public confidence in the police service.
- Provide critical friend challenge to drive improvement in policing services, without fettering the operational independence of the CC.

2. Governance Review

Work was undertaken to review existing arrangements to ascertain what worked well and what required further consideration. Feedback was obtained from a number of key individuals, including the Chief Constable, the Chief Constable's staff officer, OPCC officers and other Force officers who feed into existing governance arrangements. Feedback included:

- Consideration to be given to what is required to be considered at Policing Board in order to make best use of the meetings;
- Clarification required regarding the objectives of Policing Accountability Board and consideration to be given to separating functions into different fora;
- Ensure clarity of focus to facilitate in-depth scrutiny of key areas of concern;
- Increase opportunities to involve key stakeholders and partners from a scrutiny perspective at the formal meetings;

- Integrate scrutiny of Commissioned Services into wider scrutiny activity e.g. scrutiny of victims services, thereby taking a more thematic approach to scrutiny;
- The criminal justice duty states that the Commissioner and criminal justice bodies in that police area, “must make arrangements (so far as it is appropriate to do so) for the exercise of functions so as to provide an efficient and effective criminal justice system for the police area.” In addition to this, the PCC is responsible for holding Criminal Justice partners to account for delivery against the Victims’ Code of Practice. Whilst the Local Criminal Justice Board meets quarterly this forum sits at strategic level and an alternative route for scrutinising data and performance would be advantageous;
- Commissioners have specific powers in relation to community safety, which previously resided with the Home Secretary. They are able to request a report from the responsible authorities on an issue of concern and they have power to call the responsible authorities from the various community safety partnerships, of which there are four in Dyfed Powys, together to discuss issues affecting the whole police area. This power has rarely been called upon in Dyfed Powys but provides an additional option for calling partners together to consider areas of risk or performance concerns;
- Need to explore additional approaches to public engagement opportunities, that will support the PCC to address public concerns and fulfilling his statutory responsibilities.

In early 2023 the Association of Policing and Crime Chief Executives (APACCE) published a Holding to Account Toolkit following consultation with OPCCs and PCCs across the England and Wales. The toolkit does not prescribe a template for the ideal set of ‘holding to account’ arrangements and it is widely accepted that there are no right or wrong approach nor a one size fits all approach. The toolkit provides a menu of examples for consideration which was explored by the OPCC Senior Management Team as part of the Governance Review.

A benchmarking exercise was also undertaken as part of the Governance Review, where governance arrangements in OPCC that were highlighted as best practice by APACCE were considered.

A report with recommendations for future arrangements was subsequently presented for consultation with the Force Chief Officer Team, Police and Crime Panel Members and Joint Audit Committee members.

3. Agreed Way Forward

Policing Board

Policing Board will continue as a monthly forum for the Commissioner to hold the Chief Constable to account. Specifically, in line with the Policing Protocol 2023, Policing Board will:

- Give the PCC an opportunity to seek assurance from the CC on dynamic and emerging issues, including feedback from the public.
- Hold the Chief Constable to account for organisational performance.
- Provide critical friend challenge to drive improvement in policing services, without fettering the operational independence of the Chief Constable.

Further detail in relation to Policing Board is outlined in the Terms of Reference as set out in Appendix A.

Strategic Performance Board

On a Quarterly basis a Strategic Performance Board will be held. In line with the Policing Protocol 2023, the Strategic Performance Board will:

- Seek assurance on matters impacting public trust and confidence in policing;
- Scrutinise, support and challenge performance against the strategic priorities set out in the Police and Crime Plan;
- Hold the CC to account for the performance of the Force's officers and staff;
- Focus on the delivery of effective services that support victims and provides victim satisfaction and public confidence, including consideration of commissioned service performance data;
- Provide critical friend challenge to drive improvement in policing services, without fettering the operational independence of the CC.
- The Committee may also consider areas for which the PCC has a duty to convene partners, such as monitoring of compliance with the Victims' Code of Practice

A work programme will be established to ensure the meetings are effective and focus on matters at appropriate intervals throughout the year. The programme would also include the Force Performance against

national priorities and Force financial performance information to ensure that budgeted resources are closely aligned with policing priorities. Where there are identified issues around performance of a particular area the Commissioner will be able to request a specific report on that matter be prepared for the meeting.

The Strategic Performance Board would be a meeting between the OPCC and the Force and relevant commissioned services.

The meetings would be webcast and agendas and minutes published to ensure transparency of process of review and scrutiny.

Further detail is provided in Appendix B.

Select Committee Meeting Approach

Up to three occasions during the year during spring, autumn and winter there will be a formal Select Committee meeting that will be used to publicly hold the Chief Constable to account along with involvement of key partners, providers and stakeholders to provide evidence and information contributing to the scrutiny process and to demonstrate their delivery of complementary services.

Key partners would have the opportunity to provide evidence to the meeting and report on their own areas of accountability. For example, if there is a focus on victims, those with lived experience could provide their input to assist the Commissioner's understanding. Where appropriate, representatives from partner organisations such as CPS and HMCTS could attend to contribute to discussions and add context and to provide performance updates regarding their own accountability under the Victims' Code. This would help identify shared areas for improvement or joint challenges to be escalated appropriately.

With the cessation of the Commissioning Advisory Board, the select committee approach provides an opportunity for commissioned service providers to contribute. This can be two-fold in terms of contributing evidence and challenge as appropriate but also to present the context and performance of their service delivery ensuring that this is woven into Force and partners workstreams.

As part of scoping any review a key component will be identifying the most appropriate key stakeholders that will provide the information the Commissioner requires to understand the issues fully.

Items selected for review would be areas of concern that have been identified via various avenues:

- Outcomes of assurance and scrutiny activity.
- Issues contained within the risk register.
- Critical incidents e.g., the recent FCC issues.
- Recommendations from HMICFRS.
- Staff concerns e.g., those raised during aspects of Force Review
- Public Concerns.
- Force Performance figures.
- Issues raised by partners or service providers.

All areas identified would be linked to a Police and Crime Plan priority.

They would be distinct pieces of work with a clear timeframe of review. This would be an opportunity for the Commissioner to demonstrate how he has assisted with influencing and driving service improvements by concentrating on a specific area of concern. It would also be used as a forum to inform the Commissioner's investment decisions with regard to service delivery.

This activity will commence upon finalisation of the Police and Crime Plan 2025-2029.

Community Engagement

Proposals have been developed to create a more structural and efficient process for public engagement, which will enable the PCC to gather valuable community feedback and hold the Chief Constable accountable in a focused manner. By integrating these activities into our monthly community engagement days, and ensuring that an efficient communications plan is implemented, the PCC can fulfil aspects of his statutory duties while also ensuring that the voice of the public is heard and acted upon effectively.

Our Engagement Advisor will work closely with individuals within the Force's Central Prevention Hub, which, as part of their new NPT strategy, plan to hold monthly community surgeries and public meetings in each NPT area. It is essential therefore to collaborate with the local NPT when

planning our community surgeries and meetings, to avoid duplication, and identify opportunities to work collaboratively on these activities at some locations and dates when appropriate. This will be dependent on local concerns and issues, so that we can take a more effective approach to addressing community needs.

With the completion of consultation and engagement activity related to the development of the Police and Crime Plan, attention will now turn to implementing these proposals.

4. Conclusion

The arrangements above will renew and refresh how the Commissioner undertakes their statutory responsibilities by providing several fora that will be opportunities to demonstrate how:

- There is scrutiny of the performance of Dyfed-Powys Police against the strategic priorities set out in the Police and Crime plan.
- The Commissioner holds the Chief Constable to account on the performance of the force's officers and staff.
- The Commissioner is the link between the police and communities by listening to their legitimate desires and aspirations and facilitating action on specific areas.
- There is a focus on delivery of effective services.
- The Commissioner engages with communities and undertakes work to enhance public confidence in the police service.
- There is a critical friend challenge with the view to drive improvement in policing services.

Each element will have a distinct role in the governance model. The introduction of the revised arrangements will see a continuation of the Commissioner and Chief Constable working together to address areas of concern and ultimately enhance the position of the Commissioner in discharging the statutory responsibilities on behalf of the public.

Policing Board Terms of Reference

1. INTRODUCTION

This document defines the terms of reference for the Policing Board, its membership and the roles and responsibilities of the members.

2. POLICING BOARD PURPOSE

The Police Reform and Social Responsibility Act 2011 established Police and Crime Commissioners (PCCs), who have a statutory duty and electoral mandate to hold the police to account on behalf of the public. The Policing Board is the forum in which the PCC will hold the Chief Constable (CC) to account for the exercise of the functions of the office of CC and the functions of the persons under the direction and control of the CC.

The Policing Board allows the PCC and CC to exercise their respective roles in a transparent manner. This means enshrining locally the operational independence of the police; ensuring robust scrutiny and holding the CC to account; and supporting good, effective decision-making. The Policing Board provides opportunity for timely scrutiny and oversight of Force business. It will focus on delivery of service against the priorities outlined in the Police and Crime Plan as well as discharging the requirements as set out in the Joint Corporate Governance Framework.

3. GOVERNANCE

- The Chair of the Policing Board is the Police and Crime Commissioner.
- The Policing Board has the authority to make decisions and commit resources within the remit of their statutory responsibilities. The Board has a key role in ensuring that Force and OPCC commitments to national requirements are maintained and enhanced as required.
- The Policing Board is held to account for the way in which it delivers its functions by the Chief Executive and Monitoring Officer. Any emerging risks will be considered for inclusion within the Force and/or OPCC Risk Registers.

4. TERMS OF REFERENCE

A forward work programme will be established to ensure that meetings are effective and focus on matters at appropriate intervals throughout the year. This will be reviewed fortnightly by the OPCC Senior Management Team. A themed approach will be adopted whereby each Policing Board meeting will have a topic of focus. Questions to the CC will be identified and submitted in advance based on matters highlighted through OPCC scrutiny and oversight, community engagement, public feedback and organisational risk.

In line with the Policing Protocol 2023, the Policing Board will:

- Give the PPC an opportunity to seek assurance from the CC on dynamic and emerging issues;
- Hold the CC to account for organisational performance;
- Provide critical friend challenge to drive improvement in policing services, without fettering the operational independence of the CC.

5. MEMBERSHIP

The board will comprise of the following core members (or nominated representative):

Office of the Police and Crime Commissioner

- Police and Crime Commissioner
- Chief Executive and Monitoring Officer *or* Deputy Monitoring Officer
- Chief Finance Officer

Dyfed-Powys Police

- Chief Constable
- Director of Finance (as appropriate)
- Director of People and Organisation Development (as appropriate)

Both the PCC and CC may vary attendance and invite other attendees at their discretion to provide professional advice to the Board.

The Board will meet monthly and a simple majority of those in attendance will be required to meet the quorum requirements for decision making.

Extraordinary meetings may be called by the PCC or the CC to address urgent matters. Whether a matter is urgent or not for these purposes shall be decided by either or both the PCC and the CC.

6. SECRETARIAT

The OPCC is responsible for the preparation, distribution and maintenance of papers relating to the Policing Board. This will include the management and publication of the minutes and the compilation of meeting agendas and papers. The CC's Staff Officer is responsible for ensuring Force papers are submitted in line with the timescales below and will communicate outcomes and actions to relevant staff in the Force. The OPCC Executive Support Officer will communicate outcomes and actions to relevant OPCC staff.

An agenda and associated reports for the Policing Board will be circulated to Members no later than 7 days in advance of the meeting. As such, papers for consideration at the Policing Board are to be received by the OPCC Executive Support Officer 8 days in advance of the meeting. Urgent or late reports will need to be approved by the Chief Executive before inclusion for consideration by the Board.

Papers submitted to the Policing Board must be presented in an agreed format. All papers received will need to be appropriately marked in accordance with the Government Security Classification Policy to safeguard against inappropriate disclosure.

Matters discussed at the Policing Board which have operational sensitivity, relate to personal information or have commercial sensitivity will either be made public at an appropriate time in the future or be retained by the OPCC. The decisions relating to the public release of information will be made in accordance with the Freedom of Information Act and other statutory instruments or regulations which are applicable to the policing service and the Commissioner.

7. VERSION CONTROL AND REVIEW DATE

Version:	2024-1
Original Author:	Sophie Morgan, Executive Support Officer
Approval date:	24 th September 2024
Approving Board:	Policing Board
Review date:	September 2025



Strategic Performance Board

Terms of Reference

1. INTRODUCTION

This document defines the terms of reference for the Strategic Performance Board, its membership and the roles and responsibilities of the members.

2. STRATEGIC PERFORMANCE BOARD PURPOSE

The Police Reform and Social Responsibility Act 2011 established Police and Crime Commissioners (PCCs), who have a statutory duty and electoral mandate to hold the police to account on behalf of the public. The Strategic Performance Board is the forum in which the PCC will hold the Chief Constable (CC) and scrutinise the CC's performance of the functions and responsibilities listed in section 1(8) of the 2011 Act and those functions and responsibilities under the direction and control of the CC.

3. GOVERNANCE

- The Chair of the Strategic Performance Board is the Police and Crime Commissioner.
- The Strategic Performance Board has a key role in ensuring that Force and OPCC commitments to national requirements are maintained and enhanced as required.
- Any emerging issues that require further consideration will be escalated to the Policing Board.
- The Strategic Performance Board is held to account for the way in which it delivers its functions by the Chief Executive and Monitoring Officer. Any emerging risks will be considered for inclusion within the Force and/or OPCC Risk Registers.

4. TERMS OF REFERENCE

The Strategic Performance Board provides opportunity for scrutiny and oversight of Force performance. It will focus on delivery of service against the priorities outlined in the Police and Crime Plan, performance against national measures and organisational productivity. A forward work programme will be established to ensure that meetings are effective and focus on matters at appropriate intervals throughout the year. This will be reviewed fortnightly by the OPCC Senior Management Team.

In line with the Policing Protocol 2023, the Strategic Performance Board will:

- Seek assurance on matters impacting public trust and confidence in policing;
- Scrutinise, support and challenge performance against the strategic priorities set out in the Police and Crime Plan;
- Hold the CC to account for the performance of the Force's officers and staff;
- Focus on the delivery of effective services that support victims and provides victim satisfaction and public confidence, including consideration of commissioned service performance data;
- Provide critical friend challenge to drive improvement in policing services, without fettering the operational independence of the CC.



- The Committee may also consider areas for which the PCC has a duty to convene partners, such as monitoring of compliance with the Victims' Code of Practice

5. MEMBERSHIP

The board will comprise of the following core members (or nominated representative):

Office of the Police and Crime Commissioner

- Police and Crime Commissioner
- Chief Executive and Monitoring Officer
- Chief Finance Officer
- Director of Commissioning and Partnerships
- Head of Strategy and Policy

Dyfed-Powys Police

- Chief Constable
- Deputy Chief Constable
- Assistant Chief Constable
- Director of Finance
- Director of People and Organisational Development

Both the PCC and CC may vary attendance and invite other attendees at their discretion to provide professional advice to the Board.

The Board will meet quarterly or at such shorter intervals as shall be agreed between the PCC and the CC.

The meeting will be webcast and actively promoted.

6. SECRETARIAT

The OPCC is responsible for the preparation, distribution and maintenance of papers relating to the Strategic Performance Board. This will include the management and publication of the minutes and the compilation of meeting agendas and papers. The CC's Staff Officer is responsible for ensuring Force papers are submitted in line with the timescales below and will communicate outcomes and actions to relevant staff in the Force. The OPCC Executive Support Officer will communicate outcomes and actions to relevant OPCC staff.

An agenda and associated reports for the Strategic Performance Board will be circulated to Members no later than 7 days in advance of the meeting. As such, papers for consideration at the Strategic Performance Board are to be received by the OPCC Executive Support Officer 8 days in advance of the meeting. Urgent or late reports will need to be approved by the Chief Executive before inclusion for consideration by the Board.

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Matters discussed at the Strategic Performance Board which have operational sensitivity, relate to personal information or have commercial sensitivity will either be made public at an appropriate time in the future or be retained by the OPCC. The decisions relating to the public release of information will be made in accordance with the Freedom of Information Act and other statutory instruments or regulations which are applicable to the policing service and the Commissioner.

7. VERSION CONTROL AND REVIEW DATE

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