

Fifteenth Report of the Committee on Standards in Public Life

Tone from the top Leadership, ethics and accountability in policing

Recommendations in full

1 The Association of Police and Crime Commissioners, working with the Association of Policing and Crime Chief Executives should develop a nationally agreed minimum code of conduct by the end of 2015, which all current PCCs should publicly sign up to by then, and all future PCCs on taking up office.

2 PCCs and their Deputies should receive an ethical component as an essential part of their induction. While this should be locally tailored and delivered it should cover the Seven Principles of Public Life, the Association of Police and Crime Commissioners Ethical Framework and the College of Policing's Code of Ethics. This is to provide an understanding of ethics in practice and the role of PCCs as ethical leaders, promoting and modelling the high standards of conduct for which they hold others to account.

3 A Deputy PCC should be subject to the same mandatory national minimum code of conduct as PCCs and publicly available protocols should be in place for their relationships with other employees of the PCC.

4 The Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives, the National Police Chiefs' Council and Local Government Association should work collaboratively to produce a model Memorandum of Understanding between the PCC and Chief Constable to include working arrangements, recognition of the role of statutory officers and a supporting statutory officer protocol.

5 Joint Audit Committees should publish an Annual Report in a form that is easily accessible to the public.

6 PCCs' responsibility for holding Chief Constables to account on behalf of the public should explicitly include holding the Chief Constable to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics. Each PCC's Police and Crime Plan should set out how they intend to do this, and their Annual Report should show delivery against the objectives set out in the plan.

7 The Police and Crime Commissioner Elections Order should be amended so that all candidates for the post of PCC should be required to publish their responses to the Committee's Ethical Checklist. For the May 2016 elections all candidates should be asked to consider and answer the Checklist and the Committee will be encouraging relevant media outlets to play their part in seeking out and publicising their responses.

8 Drawing on existing good practice and experience, the Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives and the Local Government Association should work together to develop national guidance on the meaning of a decision of 'significant public interest', so that it is better understood when PCCs should publish records of such decisions.

9 Police and Crime Panels should review the PCC's Annual Report in public session attended by the PCC as part of their annual scrutiny programme and make any recommendations as appropriate.

10 As a matter of good practice:

- PCCs should publish a forward plan of decisions identifying the subject matter of the decision, why it is key, the meeting at which the decision is due to be taken, who will be consulted before the decision is taken and what reports/papers will be available for inspection; and

■ Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out that work.

11 The Home Secretary should conduct an urgent review of whether there are sufficient powers available to take action against a PCC whose conduct falls below the standards expected of public office holders.

12 To demonstrate an equivalent level of transparency and accountability to the Chief Constables that they oversee, the Association of Police and Crime Commissioners and Association of Policing and Crime Chief Executives should work together to host and make publicly available a list of PCCs' pay and rewards, gifts and hospitality and outside business interests, including notifiable memberships, in an easily accessible format.

13 Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.

14 Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

15 Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.

16 The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.

17 PCCs and their Deputies should publish a register of meetings with external stakeholders and routinely publish information about all significant meetings involving external attempts to influence a public policy decision. The published information should include dates of meetings, details of attendances and meaningful descriptors of subject matter. It should normally be published within one month on their website in an easily accessible format.

18 All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end.

The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC.

Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.

The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.

19 The Committee endorses the Home Affairs Committee's recommendations that:

■ the Home Office bring forward proposals to amend the powers of commissioners to suspend or remove chief constables under Section 38(2) and 38(3) of the Police Reform and Social Responsibility Act 2011 by stipulating the grounds on which they may do so.

■ the Home Office should also provide guidance to commissioners on the use of their powers in both respects. In the case of a suspension there should also be a clear system of safeguards similar to those which guide suspension in respect of conduct.

■ Police and Crime Panels inquire and report into the circumstances whenever a chief constable's service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged.

- the Home Office bring forward proposals to extend the Schedule 8 process to include scrutiny by the police and crime panel where a commissioner chooses not to agree to an extension of the chief constables' contract to bring it in line with the process for the removal of a chief constable.