

# PCCs AND STATUTORY TRANSPARENCY

## REPORT 2019

An examination of the fulfillment of statutory obligations for transparency by Offices for Police and Crime Commissioners

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### About CoPaCC

**CoPaCC** was established shortly after the first PCC elections in November 2012 to monitor policing governance in England and Wales. CoPaCC now has a portfolio of services, working together to help organisations meet their governance and management challenges and opportunities.

These include:

- **Policy and delivery** CoPaCC's national overview across policing, criminal justice and blue light provides us with an unrivalled insight into what works
- **Communications and social media** CoPaCC publishes [PolicingInsight.com](http://PolicingInsight.com), the UK's foremost online magazine focusing on governance, management and politics in policing and criminal justice
- **Information and insight** CoPaCC produces thematic reports and expert events covering key issues of policy and practice in the policing and criminal justice sectors
- **Monitoring standards** CoPaCC monitors standards in policing governance, assessing OPCC performance and awarding quality marks in key areas of accountability

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## Introduction

# An enduring commitment to transparency in policing



**Bernard Rix**  
Chief Executive of CoPaCC

Since its establishment in late 2012, CoPaCC has published a number of thematic reports focusing on key topics in policing. These are now regularly published on the website of our sister organisation, Policing Insight, and have included early insight on the likely implications of Brexit for policing and security; a detailed look at police and fire governance; and the police use of drones, and of body worn video.

This CoPaCC Report is the latest in an annual series examining conformance with statutory transparency obligations by Offices for Police and Crime Commissioners (OPCCs). CoPaCC first examined OPCC transparency in Autumn 2013. Early the following year, I gave oral evidence to the House of Commons' Home Affairs Select Committee, during which the Committee suggested that CoPaCC, as a public service, should review OPCC transparency annually.

I am pleased to publish this latest OPCC transparency review. In addition to our detailed analysis of OPCCs' approach to transparency, it contains a number of thoughtful and thought-provoking articles from relevant leaders in policing governance. Julia Mulligan,

the Conservative Police, Fire and Crime Commissioner for North Yorkshire and the Transparency Lead for the Association of Police and Crime Commissioners (APCC) reflects on the learning from this latest Thematic for all PCCs and their staff. Barry Copping, the Labour Police and Crime Commissioner for Cleveland, explains why high levels of openness and transparency are so important to him and to his team. Christopher Jackson, the Chief Executive of the Office of the Police and Crime Commissioner for Suffolk, provides a view from one of the OPCCs that successfully met the threshold for award of the Transparency Quality Mark.

I am particularly grateful to my CoPaCC colleagues. Sandra Andrews undertook some excellent work in conducting the bulk of the analysis behind this transparency thematic, and has provided an article for this Thematic setting out details of her work. Ian Barrett, superbly supported by David Devonport, led for us the project management and production of this report.

The next PCC elections are due to take place in May 2020. I hope by then that the OPCC Transparency Quality Mark will be awarded to many more (and possibly to all) OPCCs, which would help PCCs and their staff to demonstrate their commitment to achieving their statutory responsibilities for transparency. ❖

### Foreword

# Much to celebrate, but more to improve

**Julia Mulligan** welcomes the recognition of OPCCs' drive to improve transparency but more needs to be done to facilitate a better user experience for the public



**Julia Mulligan**  
PFCC for North Yorkshire, and national lead on transparency and integrity

Police and Crime Commissioners have done much to shine a light on the workings and operations of policing, as well as ourselves and our offices. There are many reasons why this is important; not least simply being the right thing to do as well as tangibly benefitting the public. We are, after all, policed by consent in this country, and to consent we must be informed.

Whilst it is incumbent on us as PCCs to take our responsibilities seriously, and we do, it is nothing but healthy to have an external partner assess and scrutinise us, holding us to a higher standard. CoPaCC do that each year via their transparency awards, assessing those PCCs who put themselves forward for review. The results are hugely reassuring and show just how seriously PCCs take their responsibilities around transparency.

## 'The results show just how seriously PCCs take their responsibilities'

There is always more to do though, and whilst the legal threshold for PCC transparency is set by the Specified Information Order, the Order says nothing about how easy that information is to access. This is what I would like PCCs to be looking at next. We hold and produce a lot of information and it can be easy to unwittingly lose focus on accessibility. Simply ticking the publication of information box is not enough. It has to be easy to find and, most importantly, it has to make sense to someone who isn't

schooled in management or police speak. We should see the Order as the minimum requirement, and we should go beyond it wherever we can. For example, I publish the number of complaints against our Chief Constable, and whether or not those complaints have been recorded. I don't have to do this by law, but it seems to me it is the right thing to do.

So, whilst the PCCs in this report all passed their assessment to a good standard in terms of meeting the statutory transparency requirements, many still fall short in optimising the user experience for the public. Those carrying out the assessment sometimes only found the information they sought after clarification and direction from the offices themselves. Simply put, this is not good enough and PCCs must aspire to not only publish the information required in timely fashion but to optimise their websites to make it easy to find. And whilst I applaud the 28 for getting involved in this important voluntary exercise, I do worry about those who do not. There is nothing to lose. It is a positive process which facilitates learning and improvement; something we should all be keen to do on behalf of our constituents. And I speak from experience here. My website was not perfect either, and we now have additional processes in place to ensure information is published in a timely way, with a new focus on making information as easy to find as possible.

This yearly assessment forms an important part of scrutinising and supporting PCCs, and long may it continue. Whilst the public are the ultimate arbiter of whether an elected representative is doing what they need to represent and speak for their constituents, I welcome the many and varied ways we can work with others to ensure we continually improve. ❖

## Background

# Examining transparency: Why, and what next?

**Bernard Rix** explains CoPaCC's approach to examining OPCC transparency



**Bernard Rix**  
Chief Executive of CoPaCC

A Police and Crime Commissioner's (PCC's) performance is assessed democratically by the public in elections every four years. These next take place in May 2020. To make this accountability effective, the public must have access to reliable material which allows them to reach an informed view of their PCC's performance. Between elections, they are scrutinised by Police and Crime Panels (PCPs), which also require timely, open, transparent and relevant information to allow them to be effective in their role to challenge and support PCCs. A CoPaCC OPCC Transparency Quality Mark can thus reassure both PCPs and the electorate that their PCC is meeting the required statutory standards.

Delivering transparency requires a concerted effort on the part of PCCs and their offices at a time when police budgets and public sector resources are particularly tight. However, if done well, the provision of information about the PCC and their activities enables local people to better understand and engage with the PCC to assess how well they are delivering in their role. Transparency is a cornerstone of effective accountability and good governance. More than that, it is a statutory obligation - and therefore a necessity, not a luxury.

### Statutory requirements and guidance

The Police Reform and Social Responsibility Act (2011) and the Elected Local Policing Bodies (Specified Information) Order 2011, and subsequent amendment provide the legal framework for PCCs and their statutory duties in respect of transparency. During 2012, the Home Office produced a number of leaf-

lets, summarising expectations of PCCs' duties. The first of these, *Have you got what it takes? Your role as Police and Crime Commissioner*, stated: "PCCs must be transparent and allow the people who live in the force area to assess their performance and that of the chief constable. Because of this, the Government has set out detailed requirements to allow for this open and transparent assessment."

The reasons for placing requirements on PCCs are summarised in a second Home Office leaflet, *Have you got what it takes? To be transparent*: "Police and crime commissioners (PCCs) will have to publish information to allow the public to hold them to account. The Police

**'Delivering transparency requires a concerted effort on the part of PCCs and their offices at a time when police budgets and public sector resources are tight'**

Reform and Social Responsibility (PRSR) Act 2011 says what information PCCs should make available."

"For this to be effective, Government has issued the Elected Local Policing Bodies (Specified Information) Order 2011, and subsequent amendment, to make sure that the public have timely access to independent and clear information on the performance of their PCC. This will allow them, when they go to the ballot box to vote, to make their decision based on fact rather than rumour."

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## Background

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“The information order has set a minimum evidence base – a specific set of information to be made available – for the public to use when holding PCCs to account. A consistent minimum evidence base will also allow the public to compare different police force areas.”

It continued: “A consistent minimum amount of evidence will also allow the public to compare the performance of their PCC with PCCs elsewhere. The risk in not stating, in legislation, what PCCs should publish is that some may not make available all the information that they need to be held fully accountable by the public. The information order is there to help PCCs to act in line with the expected behaviour of public office holders.”

The reasons for setting a minimum requirement are clear; it allows the public to compare the performance of their PCC against that of others and against their priorities for local policing and crime prevention. The order requires specified information is made available to the public. These are grouped under six themes:

- who they are and what they do;
  - what they spend and how they spend it;
  - what their priorities are and how they are doing;
  - how they make, record and publish their decisions;
  - what policies and procedures govern the OPCC;
- and
- public access to a register of interests.

The Home Office subsequently produced a summary of the requirements of PCCs to “publish certain information to allow the public to hold them to account”. The summary included a “simplified list of the information publication requirements and the timings for publication”. This list is shown as an Appendix to this Thematic.

### CoPaCC’s dedication to monitoring transparency

The House of Commons Home Affairs Select Committee (HASC) undertook an investigation in early 2014 into PCC’s work. As Chief Executive of CoPaCC, I was invited to give oral evidence to the Committee on how well PCCs were settling in to their work. This included

my cross-examination on the results of an examination by CoPaCC just two months earlier of OPCC transparency.

Towards the end of the meeting, the Chair of the Committee acknowledged that there was no statutory body taking an ongoing interest in checking that PCCs and their offices met their statutory obligations on transparency. He suggested that this was something that, as a public service, CoPaCC could undertake. The Committee subsequently published their report, *Police and Crime Commissioners: progress to date*, in April 2014 with a reference to this suggestion. CoPaCC’s assessments of OPCC Transparency have taken place annually since then.

### Our approach to comparing transparency

Each year, our approach has sought to determine whether OPCCs have published the information (and met the statutory requirements) set out in the Elected Local Policing Bodies (Specified Information Order) 2011.

‘There was no statutory body taking an ongoing interest in checking that PCCs and their offices met their statutory obligations on transparency’

Specifically, CoPaCC examines OPCC websites, looking for the information set out in the Home Office’s “simplified list of the information publication requirements and the timings for publication” ([see Appendix](#)). These lists provide: 6 statutory transparency themes; 25 primary statutory transparency disclosures; and 50 secondary statutory transparency disclosures.

Our research, therefore, for each of these annual reviews has focused on looking for the basic presence of this information (i.e. for each statutory transparency disclosure, at least a mention), rather than the overarching quality of that material.

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We have refined our approach each year, and have plans to further improve our methodology next year.

### Improving our assessment approach

For the 2019 assessment, we have made a number of significant improvements to our process, moving from asking simply OPCCs to provide details on how they meet their statutory transparency requirements to something more like a 'mystery shopper' approach. This, we judge, better reflects the public experience of how easy (or difficult) it is to find information on OPCC websites.

For this approach, our researcher navigated the participating OPCC websites, starting at the respective home page, looking for the specific information required by the current statutory transparency require-

'We have refined our approach each year, and have plans to further improve our methodology next year'

ments. This approach is, we judge, much more typical of the approach that a member of the public would adopt. Our researcher then reviewed each required disclosure, assigning a score according to whether the information was present, and for whether it met timeliness requirements.

CoPaCC uses the transparency factors set out in statute as the basis for its assessment of OPCC transparency. These statutory transparency factors are contained in [The Elected Local Policing Bodies \(Specified Information\) Order 2011](#) and the simplified and specific guidance for PCCs "[Guidelines for PCCs on publishing information](#)" based on the 2011 Elected Local Policing Bodies (Specified Information) Order and published by the Home Office in 2013.

The 2013 Home Office publication presented the specific requirements for PCCs in a more simplified form and drew attention to some amendments made

to the 2011. To quote the 2013 guidance:

"In this guidance the information to be published has been put under headings taken from the Information Commissioner's Office's definition documents under their model publication scheme. The Order ensures that PCCs will make available to the public information on:

- Who they are and what they do
- What they spend and how they spend it
- What their priorities are and how they are doing
- How they make decisions
- What policies and procedures govern the operation of the office of the PCC
- Lists & registers"

In the 2013 guidance, the government encourages PCCs to go beyond the minimum requirements of the Act and make available any additional information they wish to.

We used both the 2011 Elected Local Policing Bodies (Specified Information) Order and the simplified 2013 Home Office guidance as a reference in our assessment.

Following the 'mystery shopper' assessment, each OPCC was then contacted with the results of the assessment and asked to either justify or fix where they appeared not to fulfill the statutory requirements. This constructive approach has helped to ensure an accurate and fair assessment as well facilitating the participating OPCCs drive for continuous improvement in the transparency of their activities.

For 2020, we will review our processes again to further improve the standards of the award including looking at how we might score user experience/ease of use of OPCC websites which although not a legal specification, it is critical for transparency. ❖

*As with much of the work that CoPaCC undertakes, I would very much welcome any thoughts or suggestions on this potential improvement in our approach, and indeed on any other ways in which CoPaCC might improve our annual assessment of OPCC Transparency. Do please let me and the CoPaCC team have your thoughts via [office@CoPaCC.org.uk](mailto:office@CoPaCC.org.uk).*

## Quality Mark Awards

# Recognition for transparency

Twenty eight OPCCs have been awarded the 2019 Open and Transparent Quality Mark



- Avon & Somerset
- Bedfordshire
- Cambridgeshire
- Cleveland
- Derbyshire
- Devon & Cornwall
- Dorset
- Durham
- Dyfed-Powys
- Gwent
- Hertfordshire
- Humberside
- Kent
- Leicestershire
- Lincolnshire
- Norfolk
- North Wales
- North Yorkshire
- Northamptonshire
- Nottinghamshire
- South Wales
- Staffordshire
- Suffolk
- Surrey
- Thames Valley
- Warwickshire
- West Midlands
- West Yorkshire

**Analysis**

# 2019 Transparency Review

CoPaCC researcher **Sandra Andrews** discusses this year's review and her findings



**Sandra Andrews**  
CoPaCC researcher

Since 2013, CoPaCC have been carrying out an annual assessment of OPCCs transparency by reviewing websites, collecting and analysing data, disseminating findings and recognising those who meet the standard.

We use the transparency factors set out in statute as the basis for our assessment. These factors are contained in the 2011 Elected Local Policing Bodies (Specified Order), and the simplified 2013 Home Office guidance.

Reflecting on the six years that CoPaCC have been reviewing OPCC transparency, we have witnessed a number of significant changes, both in OPCCs approach to transparency and in the methods we have used to assess them. Although this year there's been a real sense of responsibility for maintaining ethical standards, some of the challenges we faced in the past still persist and despite a positive overall trend, there is still work to be done.

### Improving Our Approach

In 2018, we decided to change our approach to the way in which we gathered, assessed and measured transparency. Recognising our responsibility to maintain high scientific standards, we introduced greater transparency and rigour into our methods, procedures and findings.

Previously, we had invited each OPCC to submit details on how they met their statutory requirements and then reviewed this data. However, we were also interested in the users' experience and how easily information could be found. We knew from experience that, despite the information being present and timely, navigating the websites was often problematic.

Therefore, we approached this review from a member of the public's perspective, reflecting the public's experience of searching for information, and acknowledging the barriers to achieving this.

Our researcher reviewed each required disclosure, assigning a score according to whether the information was **present, timely** and **satisfactory**. During this stage of the process we presented our initial findings to the respective OPCCs, listing the queries we found, along with the URLs that we had viewed. We invited them to comment or action as required.

**'We introduced greater transparency and rigour into our methods, procedures and findings'**

All of the 28 OPCCs participating in this years review either reached the required standard or elevated themselves to that standard during the process.

### Statutory Requirements and Guidance

The Police Reform and Social Responsibility Act (PRSR) 2011 and the Elected Local Policing Bodies (Specified Information) Order 2011 along with the subsequent amendment provide the legal framework for PCCs and their statutory duties in respect of transparency.

The government issued the Elected Local Policing Bodies (Specified Information) Order 2011 and subsequent amendment to make the PRSR more effective and to ensure the public have timely access to independent and clear information on the performance of their PCC.

We used the transparency factors contained in the

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2011 Elected Local Policing Bodies (Specified Order), and the simplified 2013 Home Office guidance as the basis for our assessment.

### TRANSPARENCY KEY ISSUES

#### Differences in legislation

It became clear to us that some OPCCs were unaware of, or just didn't refer to the 2013 guidance and instead used the 2011 Elected Local Policing Bodies (Specified Information) Order. Although, as might be expected, the 2013 guidance is aligned with the 2011 Order, it contains recommendations that are not required by law. Therefore, we saw differences in what OPCCs believed they should be publishing.

For the purposes of the 2019 transparency assessment, OPCCs were not disadvantaged for not adopting the guidance on PCCs publishing information although

## 'Finding information on grants was difficult in a lot of cases because it simply wasn't there'

we are clear that best practice is for OPCCs to adopt those recommendations.

#### Changes between 2011 Order and 2013 Guidance

[From page 4 of 2013 Home Office Guidance]

*In response to Parliamentary scrutiny of the original Order which specifies the information that elected local policing bodies (Police and Crime Commissioners and the Mayor's Office for Policing and Crime) must publish, Home Office Ministers agreed to amend the Order. Therefore, SI 2011/3050 is amended by SI 2012/2479*

*The changes made to the Order are:*

- *The value threshold for publication of tenders and contracts is increased from £500 to £10,000, to match the arrangements in place for central Government. A list of contracts with a value of £10,000 or less is to be published, but not the documents themselves.*

- *Information on expenditure and contracts of the Chief Officer of Police are to be published by the elected local policing body, to ensure that the public has a complete picture of all police spending.*
- *The requirement to identify persons appointed as custody visitors is replaced with a requirement to publish general information about custody visitor arrangements.*
- *An additional requirement is added to publish information about the use made of the staff of the Chief Officer of Police or local authorities, to supplement the information already required about the elected local policing body's own staff.*

#### Grants

Finding information on grants was difficult in a lot of cases because it simply wasn't there. On a few occasions, we found information on grants under decision notices or we were directed to general policy documents.

Clearly searching through decisions notices in the hope of finding one that relates to grants is unworkable. When this was highlighted to the relevant parties, we were thanked for pointing this out and preparations were made to create a new page solely for Grants.

When we raised this as a specific query with an OPCC, this was the reply: *In response, we have taken another look at the information that we have published. We did publish an outline of what the money was awarded for, but we haven't been clear on the problem that the project is going to solve or how it contributes to the PCC's police and crime plan.*

*We have added the missing information for the current financial year and Q4 of the previous year. We will ensure that this information is included from this point onwards. We will also start to retrospectively add this information to all monies awarded.*

#### How to improve Grants:

- Ensure grants can be found using the search facility.
- Ensure 'Grants' have their own page/tab.
- Publish details of recipient.
- Publish the conditions of the grant.
- Publish the reason why the body considered the grant would secure, or contribute to securing, crime and disorder reduction in the body's area.

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### Contracts & Tenders

The majority of OPCCs publish details on 'Contracts Awarded' and 'Invitations to Tender' on the Blue Light Emergency Services website, which the user has to login to access.

Each time a website introduces a feature such as this, that not everyone has access to, it creates a barrier. Whilst this is likely to be an effective and efficient way for contractors to bid for contracts and for OPCCs to award them, it naturally inhibits access.

The use of simple instructions would help the user to overcome this issue and increase accessibility. Unfortunately, we found only a minority of OPCCs offered any guidance to the user.

How to improve the access to Blue Light Website:  
Add a few simple instructions. For example:  
Details of contracts may be viewed on the Blue Light

## 'All too often the search facility is not responsive and does not produce the expected results'

Website Services Tendering website.

- Click here to view the website
- Click on 'Awarded Contracts' on left hand menu
- Under 'Organisation' on the form that appears select \*\*\*\* Constabulary
- Finally, click on 'search' to see list of contracts

### Search Bar

Whilst the layout of the website is vitally important, an aspect that is often over-looked is the importance of a search bar. For people to really find what they are looking for, they need to be able to search through the entire content quickly and easily. Whichever page a visitor lands on, they can search for what they want. This allows people access to some of the content which is well hidden and would take much longer to find by clicking through countless pages.

All too often the search facility is not responsive and does not produce the expected results. The inability to find transparency information is one of the biggest issues we have found and one that has persisted since we began reviewing transparency. However, a way to overcome this is to have a search facility that recognises the words a user unfamiliar with OPCCs websites might use.

How to improve the search function:

- Increase the visibility of the search box.
- Consider a helpful autocomplete and display related items if nothing is found.
- Most importantly, make sure the data feeding your searches is solid and comprehensive.

### Agendas and Minutes

There was some variation between OPCCs in what is deemed appropriate in terms of publishing meeting agendas and minutes. Some thought it only related to public meetings and, as some PCCs have no public meetings, there was no data published at all in some cases. This ambiguity could have been the result of OPCCs referring to different forms legislation and guidance.

How We Make Decisions: (From Page 2, 2013 Home Office Guidance)

The information included under this heading includes public meetings held, minutes of non-public meetings where matters of significant public interest are discussed, and a record of decisions of significant public interest.

It is expected that all minutes from all public meetings held by the PCC plus any background and discussion papers will be made available (further guidance can be found here). This will ensure maximum transparency for the public, giving them access to the discussions which have taken place and showing the decision making process - how decisions are made which will affect them.

### Improving OPCC Transparency

There are many OPCCs who express a desire for higher standards and engage enthusiastically with CoPaCC's transparency review. These are the OPCCs who consider this process an opportunity to gain a valuable insight into their strengths and weakness and are most likely to

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go beyond the minimum requirements of the Act. They make available additional information such as the gender pay gap, details on how they comply with GDPR (General Data Protection Regulation) and such like.

We need not concern ourselves with these OPCCs who are strongly motivated to perform well, instead we should focus on those who repeatedly appear to scrape by each year and, in particular, those who decline to participate at all.

The basis of our work is predicated on the belief that greater access to information will serve rather than threaten the interest of parties. Whilst it's pleasing to see a greater up take by OPCCs this year, an increase from 25 to 28, there are still a significant number who do not participate in our review.

Participation is voluntary and OPCCs are as fully informed as possible; no one should be disadvantaged

### 'User experience, ease of use and how easily information is found are still the biggest issues and where we need to see improvement'

or excluded from the process. Our aim is intended to inform and advise and where departures from the framework are apparent, this should be the result of deliberation rather than ignorance.

We noted an increase in the positive feedback that we received this year and a genuine sense of gratitude for our work. However, there were also frustrations from OPCCs, particularly when we pointed out the difficulty that we had in locating information. In most cases this information was present, but our researcher struggled to locate it without a lengthy search.

This became more apparent when an OPCC had created an archived site or pages. When there is little or no distinction between a live and archived site, it can confuse the user; therefore, it is vital that the user

is made aware of the fact they are viewing archived material.

Comments such as; 'You're looking in the wrong place', or 'You raised similar issues with us in previous years', underlines the need for OPCCs to make improvements. If our researcher, who is familiar with the layouts of the websites, comes across the same issues year on year and find themselves inadvertently searching archived records, we can safely assume the public will do the same!

How to improve archived sites:

- Ensure your archive is clearly defined and distinct from surrounding content.
- Add a border or different font or colour to make this distinction.
- Make sure it's immediately apparent where your archive begins and ends.

### Conclusion

Overall, we are seeing an improvement in transparency, characterised primarily in the way the websites are designed. Many follow a similar style which creates continuity and familiarity. Consideration has been given to the user in the way that the transparency requirements are listed under their own separate heading, commonly referred to as Openness, Transparency or Specified Information.

However, user experience, ease of use and how easily information is found are still the biggest issues and where we need to see improvement. In areas where there was a variation between legislation and guidance, we made allowances for this, but in future we expect OPCCs to follow the 2013 guidance issued by the Home Office.

The changes we've made to our methods and assessment not only demonstrate our commitment to openness and transparency, but it has helped us to create a form of engagement with OPCCs that we were unable to achieve in previous years. It allowed us to not only gain a better understanding of the key issues, but we were also able to experience first hand the enthusiastic co-operation from the majority of participating OPCCs. Congratulations and very well done to all 28 OPCCs on being awarded the 2019 Transparency Quality Mark. ❖

### Comment

## 'If we are statutorily required to do something then it is part of my role to ensure it gets done'



**Christopher Jackson**  
Chief Executive of the Office of the Police and  
Crime Commissioner for Suffolk

In my Office of the Police and Crime Commissioner for Suffolk, obtaining the CoPaCC Transparency Quality Mark is important. For us it is one of those “must-haves”. It is that outward sign that we are complying with our obligations under The Elected Local Policing Bodies (Specified Information) Order 2011 (the Specified Information Order) to publish statutorily specified information. It is not just that however; there are further benefits and reasons why it is necessary.

My approach to the Specified Information Order has been that my office should regard keeping our website up-to-date with the latest and most recent information as business-as-usual. Getting the Transparency Quality Mark is not an annual scramble before assessment to “dust the website down” and “polish it up” for accuracy. In my office I want it up-to-date all of the time.

I have a reason for that. I am particularly keen on good corporate governance. If we are statutorily required to do something then I believe it is part of my role to ensure it gets done. A website publishing all the necessary information required by the Specified Information Order is not only showing that you comply with your obligations, it also illustrates that you take good corporate governance seriously and that good governance will extend to other areas of the operation. Sadly not publishing the necessary information will give the opposite perception. The CoPaCC Transparency Quality Mark is therefore an indicator of good governance. As an indicator however it doesn't tell the full story. Like all performance indicators it tells you about apparent performance; what we want to know about is actual performance.

The Quality Mark should act as a catalyst to ask questions about other information you are required to publish. Obtaining and displaying the Quality Mark

shows that compliance is important to you. Here are a few things you may wish to consider as to whether you comply with transparency in other areas of making information public.

When your PCC makes a collaboration agreement under the Police Act 1996, do you publish the agreement or the fact that the agreement has been made as required by the Act? Some may regard that as a chore but I have found that publishing a list of collaboration agreements entered into by my PCC, and police authority before that, is a useful reference source that I can, and do, refer to. It is not always easy to keep it up-to-date. I suspect that, like me, some of you have found as signatories to collaboration agreements, particularly large multi-party agreements, we do not always get feedback as to whether the collaboration agreements have been fully executed. Getting that feedback is something I think can be improved upon in the police service.

In your preparations last year for the introduction of the GDPR some of you will have noted when your Offices have designated a person as your data protection officer that you are required to publish the contact details of the data protection officer. One would expect, in this day and age, those details to be readily available on your website.

Then of course there is the PCC's Publication Scheme under the Freedom of Information Act 2000, which PCCs are required to publish, and the information that will be published under the associated Definition Document. The information published under the Definition Document goes further than that required under the Specified Information Order. For my Office it has become an archive of material that is available to the public and further a useful tool that I frequently refer to.

Some of you may have had active need to refer to the “Approving Chief Officers' post-service employment” toolkit published in late 2017 by the Home Office. This

### Comment

may be particularly so bearing in mind the relatively high turnover of chief officers at the present time. Within that toolkit the new system, which is non-statutory, is explained. There you will find a requirement to publish recommendations about chief officer post-service employment on the website of a local policing body. Similar provision applies to forces.

#### Beyond compliance

So you can see with these examples that transparency goes beyond the Specified Information Order. For me compliance with all the above requirements will be found within a well-ordered and well-run OPCC. The likelihood is that if they are all being attended to, then a climate of good corporate governance will exist. That for me is something that is at the centre of running the OPCC. Aside from the corporate governance benefits of keeping your information published, available, and up-to-date there are certain practical advantages. You have an archive of valuable current and historic information

about the running of your office which is readily accessible to all your staff.

Then there is the direct benefit that the Transparency Quality Mark will bring when discussing with your internal auditors whether an audit of compliance with the Specified Information Order is necessary. Pointing to your Transparency Quality Mark you will be able to persuade the auditors to look at other areas of PCC and Constabulary business instead.

Of course, alongside publishing required information there are other important gauges of corporate governance, such as preparing and drafting the Annual Governance Statement and its review by the external auditors. However, obtaining the CoPaCC Transparency Quality Mark is one of those annual events that helps me gauge how my OPCC is doing in terms of an area of governance and then assists me demonstrate that to others. ❖

*Christopher Jackson is Chief Executive of the Office of the Police and Crime Commissioner for Suffolk*



## Calling all OPCCs

### Are you ready for your 2020 transparency assessment?

28 OPCCs took part in the programme this year, receiving the Open and Transparent Quality Mark for their achievements.

The Quality Mark is an important statement of PCC and their office's commitment to transparency and accountability.

If your office did not take part in this year's assessment, please feel free to contact CoPaCC CEO Bernard Rix about the next programme and discuss what is required to ensure your successful participation this year.

Contact  
office@CoPaCC.org.uk

**CoPaCC**  
the police governance experts

**Policinginsight**

## Comment

# 'I understood the importance of garnering public trust and confidence'



**Barry Coppinger**  
Police and Crime Commissioner for Cleveland

Operating in a way that ensures high levels of openness and transparency has always been important to me. As a local councillor, I understood the importance of garnering public trust and confidence and endeavoured to make myself available to members of the public for any problem, at any time of day. This ethos has also been reflected during my time as Police and Crime Commissioner for Cleveland.

I'm delighted that once again my office has been recognised for their outstanding commitment to transparency, by ensuring that statutory information is published in a timely manner and in a way that is accessible for all residents.

Last year, CoPaCC named us among the top five OPCCs in the country for transparency – a true testament to the commitment of my entire team towards publishing information that the public have a right to know.

### **Binding guidelines**

Like all OPCCs, we are bound by strict regulatory guidelines about the information we are required to publish, but we regularly go above and beyond these requirements to ensure the public have a robust picture of our key decisions, budget setting and consultation.

We publish much of our financial information, including any expenses and expenditure, in an open-source format. This good practice was highlighted to us by CoPaCC and allows the public to analyse and sort data about the budget they contribute to via local taxation.

Wherever we're able, we publish the reports and research that have helped us reach decisions on key policies and projects, as well as making our own poli-

cies and strategies accessible for all to read.

We use our social media platforms to keep the public up to date with the most crucial developments in our work and regularly publish articles in newspapers and local authority magazines.

It is by going the extra mile that the public can be assured that we are an organisation with transparency and openness at the heart of what we do – and the CoPaCC Award serves as a helpful, independent accreditation to highlight that.

### **Attitudes towards transparency**

It's important that as public authorities OPCCs see openness and transparency as a positive factor in building public confidence and trust in their organisation.

'It is by going the extra mile that the public can be assured that we are an organisation with transparency and openness at the heart of what we do'

Transparency is so important that it played a central role in the design of Cleveland Community Safety Hub – the new state-of-the-art base for my office and home of Cleveland Police's Chief Officer team, control room and intelligence departments.

The building is largely open plan, encouraging teams from different departments to break away from their silos and engage effectively with others. The side of the building facing the public is almost entirely glass, meaning the public can literally see the OPCC, the Force Control Room and other teams in action.

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The café at the front of the building is open to the public, allowing them to sit shoulder to shoulder with police officers, staff and volunteers as they enjoy a hot drink or snack.

This ground-breaking, community-focused design was not an accident – but a visual representation

**'I'm passionate about giving residents a true picture of the financial situation facing the Force and asking them to have their say about what their contribution to local policing'**

of an ethos which has been at the heart of my work since I was elected in 2012. The community MUST have a stake in their police service and other public services.

I take the same approach to my website as I do our flagship building. OPCC sites should be a digital window, where the public can clearly see evidence of key decisions, expenditure, staffing information and records of important meetings.

### Accountability

Transparency is the cornerstone of accountability and building trust. Residents in Cleveland have an expectation that I will keep them informed about the work of my office, as they are the very people who elected me to the position of PCC. I have attended over 650 community meetings since I was first elected in 2012 and I use this engagement opportunity to take questions about my work and to find out what policing issues concern residents.

Government cuts have resulted in the difficult decision to increase the policing precept by its maximum amount for 2019-20. I'm passionate about giving residents a true picture of the financial situation facing

the Force and asking them to have their say about what their contribution to local policing. Our consultation included presentations to local authorities and elected representatives and received over 1,000 responses.

Increasing the precept is not an easy call to make and the public take a keen interest in the budget-setting and long-term financial planning for policing and community safety in their area. By publishing information in a timely and analysis-friendly way, we give them the confidence that this spending is ethical, appropriate and the very best use of public funds.

### Costs

Another important element is providing information about how much my office costs. The implementation of police and crime commissioners was not without its share of controversy and doubt, so by publishing the costings of my team and the difference they are making to Cleveland, the public can rest assured that they are getting better value for money than under the police authority system.

And it's not just about our information, but what we do with the information we hold. The implementation of GDPR last year means the public have developed a heightened awareness of information management and data protection. We have made a number of changes to our website to inform the public about what information we take from them and what we use it for.

As per legislation, our Data Protection Officer is contactable directly to discuss any concerns and publishes the outcome of every Freedom of Information Request we receive in a comprehensive log on our website.

While OPCCs have a responsibility to publish information, to truly develop a culture of openness and transparency we have to be seen to venture beyond the basic requirements set out in the Specified Information Order. This is not always easy but by endeavouring to be as open as possible we stand a better chance of building public trust and confidence in our work. ❖

## Appendix

# List of statutory transparency disclosures

The primary statutory transparency disclosures are listed below. Note that secondary transparency factors are represented by the i) ii) iii) iv) subdivisions within primary factors.

### a. Who they are and what they do (4 primary statutory transparency disclosures)

- a1. {U} The names and contact details of the PCC and Deputy PCC
- a2. {U} Information about the internal structures of the office of the PCC, including: i) organograms (with names of senior staff, if they agree); ii) salary bands; iii) demographics, including ethnicity, gender and disability (by proportion)
- a3. {U} Information about any arrangements that the PCC has to make use of the staff of the chief officer of police or a local authority
- a4. {U} The identity of any premises or land owned by, or occupied for the purpose of the work of the PCC

### b. What they spend and how they spend it (8 primary statutory transparency disclosures)

- b1. {FY} The budget for the office of the PCC, including: i) all planned expenditure; ii) all anticipated revenue sources; iii) the planned precept levels; iv) the draft precept (which must go before the PCP for comment); v) the response to the PCP's report on the proposed precept
- b2. {M} Details of each grant (including crime and disorder reduction grant) made by the PCC, including: i) the conditions (if any) attached to the grant; ii) the recipient of the grant; iii) the purpose of the grant; iv) the reasons why the body considered that the grant would secure, or contribute to securing,

crime and disorder reduction in the body's area, where appropriate

- b3. {M} Information as to any item of expenditure over £500 (other than crime and disorder reduction grants) by the PCC or the Chief Officer, including: i) the recipient; ii) the purpose of the expenditure; iii) the reasons why the PCC or Chief Officer considered that VfM would be achieved (except contracts over £10,000)
- b4. {Q} Allowances and Expenses - details of the allowances and expenses that have been claimed or incurred by the PCC and Deputy PCC. Police and Crime Commissioners and their Deputies should publish a breakdown of their expenses including: i) their name, force area, financial year, month, date, claim reference numbers, expense type (eg travel, accommodation), short description, details amount claimed, amount reimbursed, amount not reimbursed, and the reason why a claim was not reimbursed; ii) for travel and subsistence claims: date, place of origin, place of destination, category of journey, class of travel, mileage, length of hotel stay, category of hotel stay
- b5. {Q}/{U} Contracts and Tenders: i) a list of contracts for £10,000 or less - to include the value of the contract, the identity of all parties to the contract and its purpose; ii) full copies of contracts over £10,000; iii) copies of each invitation to tender which is issued by the PCC or the Chief Officer where the contract is to exceed £10,000
- b6. {U} Senior salaries: the salary amounts above £58,200 including: i) names (with the option to refuse name being published); ii) job description; iii) responsibilities in the office of PCC

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## Appendix

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**b7.** {FY} Audit: i) audited accounts (the specialist examination of the accounts of the office of the PCC); ii) auditors opinions of the audited accounts of the force and PCC, covering any significant issues and any comments; iii) the annual accounting statement showing how the budget has been spent; iv) Audit Reports on the accounts of the office of the PCC (see the Accounts and Audit (England) Regulations 2011 and the Accounts and Audit (Wales) Regulations 2005).

**b8.** {FY} Investment Strategy: the investment strategy of the PCC (see Local Government Act 2003 s15)

### **c. What their priorities are and how they are doing (3 primary statutory transparency disclosures)**

**c1.** {A} Police and Crime Plan (see s5(10) of PRS-RA20112)

**c2.** {A} Annual Report (see s12(6) of PRSA2011)

**c3.** {no deadline specified} A copy of each collaboration agreement, or the fact that an agreement has been made and such other details about it as the PCC thinks appropriate (see s23E of the Police Act 1996)

### **d. How they make, record and publish their decisions (4 primary statutory transparency disclosures)**

**d1.** {U} The dates, times and places of all public meetings and public consultations held by the PCC

**d2.** {U} Agendas and discussion documents for the meetings

**d3.** {U} Copies of the agreed minutes (to ensure transparency and the decisions made by the elected officials)

**d4.** {U} A record of every significant decision taken by or on behalf of the PCC as the result of a meeting or otherwise

### **e. What policies and procedures govern the office of PCC (3 primary statutory transparency disclosures)**

**e1.** {U} The following policies and procedures to

which the PCC and Deputy must adhere to [sic] in the course of their role: i) code of conduct (if any); ii) decision making (policy on); iii) the procedure for the handling of complaints and the number of complaints against the PCC recorded by the Police and Crime Panel (as required by regulations); iv) information about the operation of the ICV [Independent Custody Visitor] scheme including the process and policies of the scheme

**e2.** {U} Record management: i) record management information security policies, relating to records retention and destruction/archive policies; ii) data sharing policies (minimum standards to responding for requests for information).

**e3.** {U} HR: i) numbers of staff employed by the office of the PCC; ii) diversity data on staff employed by the office of the PCC, including the number of women, ethnic minorities and those who are disabled; iii) whistle blowing - a clear guideline on what to do if concerns over the conduct of PCC and/or staff are raised (see section 43B of Employment Rights Act 1996)

### **f. Public access to a register of interests (3 primary statutory transparency disclosures)**

**f1.** {U} Register of any interests which might conflict with the role of the PCC and Deputy PCC, including every other pecuniary interest or other paid positions that they hold

**f2.** {Q} List of FoI requests received, and their responses (disclosure log)

**f3.** {U} List of all gifts/donations and hospitality offered to staff of the office of the PCC, and whether these were accepted or declined

#### **Note: Home Office timeliness criteria:**

- {U} = updated when changes are made (including "as soon as practicable")
- {FY} = published before the start (or at the end) of each financial year
- {M} = published each month
- {Q} = published quarterly
- {A} = published annually

