

Committee:	Date:
Police Authority Board	9 November, 2020
Subject:	Public
City of London Police Authority – Governance	For Decision
Report of: Town Clerk & Chief Executive	
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Summary

This report provides background on the powers of the City of London Police Authority (PA) within the City of London Corporation (City Corporation) and sets out proposals to enhance the governance arrangements for the PA in light of the recent publication of the Lisvane Review into City Corporation governance. These proposals fall into three categories: reviewing the structures of the Police Authority Board (PAB) and its sub-committees; developing a framework of policies for PAB to drive challenge and scrutiny of the City of London Police (CoLP), and; creating a robust platform for PA operations.

Recommendations

Members are asked to:

- Approve the proposals set out in this report; and
- Note that further reports will be brought to this Committee in due course as recommendations are progressed.

Introduction

1. The role of the City of London Police Authority (PA) is to provide scrutiny and challenge to the work of the City of London Police (CoLP), acting as one part of a multi-tiered system of ‘checks and balances’. In discharging more than 60 statutory duties, the PA must ensure that CoLP delivers efficient and effective policing for the public within a sustainable medium-term financial plan (MTFP), and hold the City of London Police Commissioner to account for the delivery of policing within the Square Mile and in its capacity as the national lead force for economic crime. In fulfilling its role, the PA must be mindful of public confidence in policing, as well as CoLP’s capacity to reduce threat, risk, and harm in a context of increasingly pressured resources.
2. The Lisvane Review of corporate governance of the City of London Corporation (City Corporation) was published on 15 September 2020. The report will be scrutinised by the Resource Allocation Sub-Committee in the coming months, with recommendations arising considered by the Policy and Resources Committee and final decision(s) being made by the Court of Common Council. Chairs of affected Committees and Members of the Court will have the opportunity input into final recommendations put to Court, with the scheduled 12 November 2020 informal Court meeting being utilised as a forum to debate and review the report. Depending on the length of time that Resource Allocation Sub-

Committee feels it is necessary to reach its conclusions, recommendations could be put to Policy and Resources Committee in November or December 2020 and final recommendations put to the Court of Common Council in January 2021.

Background

3. Policing arrangements for the City of London are governed by private legislation. The City is exceptional in retaining a police authority in the form of the Court of Common Council, acting through the City of London Police Authority Board (PAB) to which the Common Council has delegated its general functions of superintendence. The current arrangements are the result of an agreement between the (then) government and the City when police authorities were reformed by the Police and Magistrates' Courts Act 1994 by which the City of London Corporation mirrored the principles of the national governance arrangements in its oversight of the City of London Police put in place by that Act. The same principle was applied when police authorities were replaced in the Police Reform and Social Responsibility Act 2011.
4. By virtue of these arrangements, it has been possible to mimic the government's general policy within the City's general constitutional framework and in particular to provide that the City's primary business electoral franchise is properly reflected in the oversight of the City of London Police. Accordingly, PAB provides a directly elected scrutiny body mirroring the model deployed for Police & Crime Commissioners. The Board and its Committees further benefit from the addition of independent members recruited for their particular background and expertise in relevant areas of the Board's focus.
5. Local governance arrangements remain under constant review to ensure these remain in step with government policy in this area, including most recently through proposals put to PAB in January 2019 (see background papers). The work of the Policy Authority Board is bolstered by a number of specialist sub-committees. At the present juncture, such bodies exist to oversee the City of London Police's activities as National Lead Force (NLF) for economic crime, professional standards and integrity, resource management, and police performance. The Police Authority is also active within the Association of Police & Crime Commissioners, including membership of the APCC Board of Directors and the Chairman's role as Deputy Lead for the APCC Fraud Portfolio.

Proposals

6. In light of the recent publication of the Lisvane Review into City Corporation governance, it is proposed to enhance the governance arrangements for the PA in three ways: first, to review the structures of the Police Authority Board (PAB) and its sub-committees; second, developing a framework of policies for PAB to drive challenge and scrutiny of the City of London Police (CoLP), and; third, creating a robust platform for PA operations.
7. It is proposed that the following changes be made to the governance arrangements for the PA.

- 7.1. A review of PAB's Terms of Reference (ToRs), in light of the Lisvane Review, to ensure that PAB and its sub-committees undertakes effectively all of the functions of the PA delegated to it by the Court of Common Council; to reduce the scrutiny provided by other City Corporation Committees of PA matters (where this duplicates the work of PAB) and provide greater clarity to CoLP about which City Corporation Committees would regularly be expected to provide scrutiny of CoLP business on behalf of PAB. This should also ensure that the current term limits for PA Members remain consistent with the way in which the Lisvane Review is implemented.
- 7.2. The bifurcation of Performance & Resource Management (P&RM) into two separate sub-committees in April 2021: one committee to focus on the City Policing Plan and CoLP performance; the other committee to focus on finance, risk, CoLP accommodation and change programmes. This would ensure a proportionate and complementary distribution of responsibilities for PA scrutiny of key CoLP activities.
- 7.3. A review of the Economic Crime Committee (ECC) ToRs to widen its remit to cover the CoLP NLF Plan, Action Fraud and National Fraud Investigation Bureau (NFIB) performance, CoLP's private sector partnerships in this area, Cyber Griffin, and the newly acquired National Police Chiefs Council (NPCC) Cyber Portfolio.
- 7.4. The creation of Job Descriptions (JDs) for the PAB Chairman, Deputy Chairman and Sub-Committee Chairmen, role profiles for PAB Members and SIA Leads, and SIA guidance notes. These will help to clarify the respective roles and responsibilities of PAB Members and PA officers, particularly where there is a need for external influence, and help to enhance capacity within the PA to oversee and scrutinise CoLP.
- 7.5. The introduction of an annual skills audit for PAB and its sub-committees prior to the Spring Court of Common Council elections for new PAB Members. This will help to inform annual Member voting onto PAB and the need for co-opted external Members by identifying where PAB needs to develop the requisite knowledge and skills to help maximise the PA's effectiveness.
- 7.6. The co-option of additional external Members, including two external Members onto PAB and where appropriate up to two external Members on each of the various sub-committees. This will help to address any skills gaps within the PA.
- 7.7. Increased engagement for PAB and its sub-committees, as well as wider Members of the Court of Common Council, in the development of the City's Policing Plan. This would ensure that all Members can represent the views of their communities and wards in the way in which the plan is developed, and ensure wider City Corporation engagement with CoLP's specialisms for fraud, cyber and protective security and role in ensuring the Square Mile is a safe place to live and work.

- 7.8. The creation of a PA Governance Handbook, which would consolidate the legislative background, policy frameworks, and best practice guidance, governing the work of the PA, as well as clarifying the various roles and statutory responsibilities of PA officers. This would be a particular help in improving the induction of new Members onto PAB.
8. It is proposed that a framework of overarching policies (or policy positions) be developed for the PA to provide PAB and relevant sub-committees with the opportunity to drive challenge and scrutiny on specific issues affecting CoLP over the medium-term. This would include the introduction of the following policies in the first instance.
 - 8.1. Financial Oversight. This would help to govern the PA's relationship with CoLP on financial matters and provide for clearer financial reporting to PAB and other relevant City Corporation Committees, especially with regards to CoLP funding.
 - 8.2. Financial Reserves. The purpose of this policy would be to incentivise greater efficiency in CoLP's financial planning as part of the work to maintain a sustainable MTFP and help to reduce the demand on the City Corporation's reserves in unforeseen or exceptional circumstances.
 - 8.3. Diversity (or Equality and Inclusion). The purpose of this policy would be PAB to consider how to transpose recommendations arising from the City Corporation's Tackling Racism Taskforce into the work of the PA, particularly in respect of the CoLP workforce and the Force's wider community engagement.
 - 8.4. Crime Prevention and Reduction. This would help to clarify the PA's approach to crime prevention and its reduction in a measurable way, with input from the City Corporation's Community Safety Team, specifically in terms of how it engages with the SCP and Crime and Disorder Scrutiny Committee, and allow for greater engagement on behalf of City businesses on anti-social behaviour and related crime types.
 - 8.5. Future of Policing. This would help to develop the PA's priorities in respect of the Force's business and operational effectiveness, in order to support CoLP's work in this area through Transform and related programmes.
9. It is proposed that a more robust platform be created for PA operations in the following ways.
 - 9.1. To consider whether formal roles need to be created for PA Deputy Chief Executive and PA Deputy Treasurer as part of the implementation of the City Corporation's TOM, including whether any formal delegations should be provided to each post by the PA Chief Executive and Treasurer.
 - 9.2. The introduction of a (high-level) PA Business Plan, supported by a discrete PA Budget and PA Risk Register, to be presented annually to PAB. This would allow PA activities and expenditure to be monitored by relevant

Committees and benchmarked against neighbouring and similar external bodies (e.g. the British Transport Police Authority (BTPA) and Mayor's Office of Policing and Crime (MOPAC)).

- 9.3. The implementation of a joint communications and engagement plan across City Corporation and COLP to support the work of the PA. Particular focus would be given to augmenting awareness of CoLP's NLF activities, specialist protective security programmes, and community engagement, as well as linking CoLP priorities with those of the City's promotional and policy activity through the Mayoralty and Policy Chair. This would be agreed annually by PAB and would also cover the PA's internal communications plan and online presence.
 - 9.4. PAB be given greater visibility of the City Corporation's Internal Audit Plan for CoLP and, where appropriate, the reports of any key investigations. This would allow for greater alignment with PAB's scrutiny functions and widen Members' knowledge base of CoLP operations and performance levels.
 - 9.5. The introduction of service agreements between the PA and key City Corporation services to provide surety of professional support for PAB, particularly the PAB Chairman, sub-Committee Chairmen and SIA Leads.
10. In achieving the above, there needs to be far greater clarity about what constitutes an appropriate level of challenge and scrutiny of CoLP by the PAB, both in terms of operational policing and non-operational matters – and the extent to which the PAB expects this to take place by Police Authority officers.

Conclusion

11. The role of the City of London PA is to provide scrutiny and challenge to the work of the CoLP, ensuring that the Force delivers efficient and effective policing for the public within a sustainable MTFP, and holding the City of London Police Commissioner to account for the delivery of policing within the Square Mile and as the national lead force for economic crime. The proposals set out in this report seek to further enhance this role and strengthen the ability of PA Members to scrutinise and oversee the work of CoLP.

Appendices

- Appendix 1 – Summary of City of London Police-specific reflections and recommendations arising from a report of a review of corporate governance of the City of London Corporation by The Lord Lisvane KCB DL.
- Appendix 2 – Phase 2 Timetable

Background Papers

- A report of a review of corporate governance of the City of London Corporation by The Lord Lisvane KCB DL (appended to report of Town Clerk

- to the Resource Allocation Sub (Policy and Resources) Committee)
- Police Authority Governance Report, Police Committee, 24 January 2019.

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