



Scrutiny Framework

**Driving accountability and positive change in
policing through 'critical friend' challenge and
review**

1. The role of the Police and Crime Commissioner

The role of a Police and Crime Commissioner (PCC) is to be the voice of the people in policing, and to hold the Chief Constable to account for how he/she discharges their functions. The aim of all PCCs is to ensure the delivery of an effective and efficient police service within their force area.

One of a PCC's key responsibilities is to set the policing and crime objectives for their area through the [Police and Crime Plan](#). It is the responsibility of the Chief Constable to deliver these objectives through the operational running of the police force.

2. What is 'scrutiny' and why does the PCC do it?

The term 'scrutiny' can mean different things to different people and organisations. The PCC for Devon, Cornwall and the Isles of Scilly defines scrutiny as "a practical tool to review information and explore an issue objectively, with the aim of developing an informed view driving accountability and bringing about positive change".

Scrutiny is a key tool for PCCs in carrying out their duties and can assist them in holding the Chief Constable to account on the running of the police force and on the delivery of the PCC's Police and Crime Plan objectives.

Devon and Cornwall Police can and do carry out their own internal assurance processes to learn and develop as an organisation, but a PCC should always carry out their own independent scrutiny of the police.

Scrutiny should act as a 'critical friend' and can help both the PCC and the Chief Constable identify challenges and opportunities, and seek out best practice and improvements.

3. Principles of 'good scrutiny'

To ensure that scrutiny activity is consistent and fair, the PCC for Devon, Cornwall and the Isles of Scilly aims to uphold a number of principles when conducting scrutiny. The PCC considers that 'good scrutiny' must:

- Consider information objectively, and be balanced and fair
- Reflect the voice and concerns of the public
- Advocate strong ethics and integrity
- Recognise what is working well and identify areas for improvement
- Have a positive and tangible impact
- Be a positive and credible tool to drive positive change

4. How does the PCC carry out scrutiny?

The PCC for Devon, Cornwall and the Isles of Scilly conducts scrutiny in three broad ways. Some of this is carried out directly, whilst some is delegated to the Chief Executive, office staff, volunteers, or specially convened panels.

Informal scrutiny and oversight

The PCC, the Chief Executive, Treasurer, and senior managers all have regular formal and informal meetings and discussions with the Chief Constable and representatives from the police senior leadership team on a weekly basis. Devon and Cornwall Police also regularly invite the PCC's staff to attend specific internal meetings and vice versa. The PCC and OPCC staff may use these meetings to scrutinise an issue or an area of particular concern. For example, the PCC may have read a force performance report which shows a drop in performance in a particular area and use an upcoming meeting with the Chief Constable to question why performance has declined and what the force intends to do to address the issue. Conversely, the PCC may notice an improvement in performance and want to identify the reasons for this. This type of scrutiny is often fairly 'light touch' but is a key part of how the PCC conducts scrutiny in their duty to hold the Chief Constable to account.

Quality assurance scrutiny

The PCC's quality assurance scrutiny activity is about ensuring that the police's processes and procedures are being carried out properly and appropriately. There are five areas of policing where the PCC undertakes regular quality assurance scrutiny:

- Out of Court Disposals Scrutiny Panel: looking at the use of out of court disposals.
- Commissioner's Custody Visitor Scheme: looking at conditions in custody.
- Victims Code of Practice Scrutiny Panel: looking at victim's rights and the minimum standards that organisations must provide to victims of crime
- Complaints Reviews: undertaking reviews of police complaints and dip sampling of completed complaint and misconduct cases.
- Annual/quarterly statements: publishing regular statements on the contribution of the force to achieving improvements against the National Policing priorities and a statement on how the PCC is holding the Chief Constable to account on complaint handling performance.

All of these quality assurance processes provide feedback and sometimes recommendations to the police and other relevant parties, enabling them to address any issues and make improvements.

Thematic scrutiny inquiries

The PCC also delivers a thematic scrutiny inquiry programme, aligned with the Police and Crime Plan, which enables examination of specific themes, issues, or areas of policing of particular concern. Conducting a scrutiny inquiry can help the PCC to investigate an area of policing in far more depth and detail than would be possible through other means. Scrutiny inquiries do this by exploring an issue objectively, in detail and from multiple perspectives. This is usually done through gathering and reviewing a range of information and evidence, which will often include collecting first-hand testimony from police officers and staff, senior police leaders, public sector partners, the third sector, members of the public who have interacted with the police, and where appropriate victims of crime and perpetrators of crime (or

groups/organisations who represent them). Police policies, public and internal documents, and performance information are also reviewed.

Scrutiny Inquiry Panels

In some cases, a thematic scrutiny inquiry may be delivered through a Scrutiny Inquiry Panel. An inquiry panel brings together representatives of the interested parties in the scrutiny inquiry to collectively have oversight of the inquiry. The need for a panel will be carefully considered by the PCC at the commencement of the inquiry, and the role of the panel will be set out in the terms of reference of each inquiry.

The PCC recognises the importance of independent and partner representatives in delivering effective scrutiny. Independent representatives can bring relevant skills, expertise, and lived experience to scrutiny inquiries and therefore may be invited to join a panel where appropriate.

The PCC will usually convene a panel to conduct the scrutiny inquiry adopting a task and finish group approach. The panel may include members of staff from the PCC's office, subject experts, third sector partners, scrutiny volunteers who are members of the public and those with lived experience¹ of the area being reviewed. The make-up of each scrutiny inquiry panel will be determined by the individual scope of the inquiry (as recommended by the OPCC Scrutiny lead agreed by the PCC).

The OPCC will hold a list of scrutiny volunteers, which will be updated on an annual basis. Before the commencement of each thematic inquiry volunteers will be invited to submit an expression of interest to be appointed to the scrutiny inquiry panel for that inquiry. Where volunteers are appointed to a panel the scope of their role will be clearly defined in the Terms of Reference. The appointment of panel members will be based on the expression of interest process and will take into account:

- the scope and scale of the inquiry
- the number of panels which the volunteer has participated in on a rolling 12-month basis
- any professional or lived experience the volunteer may bring to the panel (volunteers appointed to be based on experience linked to the thematic inquiry)

Engagement with the public and those with lived experience

One of the most valuable aspects of conducting a scrutiny inquiry is the ability to engage with and hear from a wide range of people who have relevant views and experiences to share on an issue. It is important to hear from senior police leaders, partners and frontline police officers and staff when carrying out a scrutiny inquiry, but it is equally important to hear from members of the public and those who have lived experience of crime (either as victims or perpetrators), or first-hand experience of interacting with the police. As well as including those with lived experience as members of scrutiny inquiry panels, the OPCC can use a range of other engagement methods including surveys, workshops/focus groups and inviting written testimonies from those with lived experience. The inclusion of this first-hand, lived experience

¹ <https://www.devonandcornwall-pcc.gov.uk/take-part/lived-experience-advisor-scheme/>

perspective helps to give scrutiny inquiry panels an objective and balanced evidence base upon which to develop their conclusions and recommendations.

Findings and Recommendations

A scrutiny inquiry will usually take place overall several weeks, and once all the information and evidence has been gathered. Where a panel has oversight of the inquiry, a meeting will be held so that the panel can consider all the relevant information, draw conclusions, and develop recommendations for change and improvement. This will then be presented as a findings and recommendations report and shared with the Chief Constable, before being published on the PCC's website. The Chief Constable may not always agree with the outcome of a scrutiny process, but he/she will consider the findings and recommendations from the PCC's scrutiny and provide a response to the recommendations in a timely manner.

Selecting areas for an inquiry

The PCC will identify priority themes, issues, and areas of policing for scrutiny inquiry through their day-to-day work with the police force, engagement with the public, and through wider networks.

Areas for scrutiny inquiry will usually have been brought to the attention of the PCC through one or more of the following ways:

- High levels of concern about an issue from local people
- HMICFRS inspections or force performance reports have highlighted concerns about the performance of the police in a particular area
- 'Deep dive' investigations into Police and Crime Plan priority areas.
- Where there have been significant or unexplained changes in reported crime or other incidents managed by the police
- New government guidance or legislation is expected to significantly impact an area of policing or crime
- The Chief Constable has suggested that a theme, issue or area of policing would significantly benefit from more detailed scrutiny

A summary of the PCCs prioritisation process is included at **Appendix A**.

Formal monitoring process

The OPCC will monitor the force's progress on accepted recommendations through a formal process. The OPCC will seek updates at relevant points (aligning with accepted recommendations completion dates) and also schedule a follow-up exercise at an agreed point in time to review progress and improvements made as a result of the scrutiny activity, this would also identify if there were any recurring / outstanding issues / concerns. Progress summaries will be provided to all panel members if applicable and published on the OPCC website.

5. Scrutiny of the PCC - Devon and Cornwall Police and Crime Panel

As well as holding the Chief Constable to account, PCCs must also be able to demonstrate that the decisions they make, and the way they make them are good. The PCC's work and decisions are formally scrutinised publicly at a Police and Crime Panel. The [Devon and Cornwall Police and Crime Panel](#) is made up of local

councillors and two independent members from across Devon, Cornwall and the Isles of Scilly. The role of the panel is to scrutinise the actions and decisions of the PCC. The Police and Crime Panel is independent of the police force and the Office of the Police and Crime Commissioner.

Appendix A: Prioritising Topics for Scrutiny Inquiry

The PCC chooses which themes, issues, or areas of policing to scrutinise based on where the scrutiny inquiry process can add the greatest value. The PCC will consider factors such as:

- Does the PCC or the Chief Constable have the powers to make changes around the issue, or the ability to influence decision makers?
- Is the issue or area of policing already being reviewed, inspected, or scrutinised by another body (such as HMICFRS, a partner organisation or the police force itself)? If so, will a scrutiny inquiry add value in this area or is there a risk of duplication?
- Is a scrutiny inquiry the most effective way of scrutinising the issue, or are there any alternatives to consider?

Proposed topics for scrutiny inquiry will be screened against a checklist of questions to determine the prioritisation of scrutiny activity and the level of resources allocated.

How will scrutiny input add value?

- Is there a clear objective for scrutinising this topic?
- Is there evidence to support the need for scrutiny?
- Are there performance concerns (evidence from performance management)?
- Is the issue strategic and significant rather than relating to an individual complaint?
- Does the PCC or the Chief Constable have the powers to make changes around the issue? Or the ability to influence decision makers (i.e. government or partners)?
- Are there identifiable benefits to the public and the Force?
- Are there identifiable benefits to staff welfare?
- Will this area have an impact on the delivery of the Police and Crime Plan?
- Is a scrutiny inquiry the most effective way of scrutinising the issue, or are there any alternatives to consider?

Is the issue of public Concern?

- Is it an issue that will impact on public confidence?
- Is it an issue that has been identified through public engagement events / surveys?
- Is it an issue that has been identified through OPCC correspondence?
- Is it an issue that have been covered in the local media?

External factors

- Is it a national priority area?
- Has there been new government guidance or legislation?
- Has there been key reports or new evidence provided by partners / external organisations on a key issue?

Criteria to reject items for scrutiny inquiry:

- Is the issue or area of policing is already being reviewed, inspected, or scrutinised by another body (such as HMICFRS, a partner organisation or the police force itself), so there is a risk of duplication?
- Has the issue been explored in the last two years?
- Is new legislation or guidance expected within the next year?
- Will the scope for scrutiny add value or make a difference?