

METROPOLITAN POLICE AUTHORITY SUBMISSION TO THE COMMITTEE ON STANDARDS IN PUBLIC LIFE'S INQUIRY - LOCAL LEADERSHIP AND PUBLIC TRUST

Background

1. The Metropolitan Police Authority (MPA) was created in 2000 by the Greater London Authority Act 1999. Although part of the Greater London Authority 'family' of functional bodies it is a distinct statutory body (for instance it is the only one of the four functional bodies over which the Mayor has no power of direction). It should also be noted that the MPA is part of another 'family' with the other police authorities in England and Wales.

2. The MPA exists to ensure that there is an effective, efficient and accountable police service in London. The MPA's key responsibilities are:
 - Strategic planning and setting priorities and performance targets for policing

 - Strategic management of the £3.5 billion policing budget and the £240 million capital programme; including decisions on large property, IS/IT and procurement schemes

 - Appointing all ACPO officers (with the exception of the Commissioner and Deputy Commissioner) and senior police staff, together with appraisal of and any disciplinary action against these officers

 - Consulting and engaging with local people to find out what their crime and disorder reduction needs and priorities are and work as a statutory partner within the 32 Crime and Disorder Reduction Partnerships across London

 - The provision of an effective internal audit service of the Metropolitan Police Service

 - Promoting equality of opportunity, eliminating unlawful discrimination and promoting good relations between persons of different racial and religious groups and of different sexual orientations.

3. The MPA has, therefore, a mix of responsibilities, part regulatory, part executive and part oversight.
4. The provisions of the Local Government Act 2000 in relation to executive arrangements do not apply to the MPA and it therefore operates on the more traditional local authority lines with a full Authority meeting of all 23 members and a variety of functions delegated to committees and sub-committees.
5. As the Inquiry's issues and questions paper states, the MPA has 23 members – 12 London Assembly members (though the paper is incorrect in stating that the Deputy Mayor must be one of those 12) and 11 Independent Members. Since October 2008 the Mayor has had the power to Chair the Authority or to appoint the Chair and Deputy Chair(s). The current Mayor chairs the Authority.
6. Given the makeup of the MPA, there is no majority administration in the local government sense. However, it is clearly the case that by becoming the chair of the Authority the Mayor is in a better position than previously to encourage and influence the Authority to follow and contribute to Mayoral priorities.

Accountability

7. The questions asked in the issues paper include:
 - To what extent are those responsible for public services in London more accountable today than they were before the introduction of the Greater London Authority?
 - What should an effective accountability framework for the functional bodies look like and how well do the current arrangements work in practice?
 - How open is the decision-making process of the functional bodies both to the GLA and to Londoners, and what measures could be taken to improve openness and transparency?

It is these questions that this section looks to address.

Accountability of the MPS

8. There is no doubt that the creation of the Metropolitan Police Authority has led to the Metropolitan Police Service (MPS) being more accountable to Londoners as a whole. It replaced the Metropolitan Police Committee and oversight by the Home Office,

which could in no sense be described as an open and transparent arrangement. Holding the MPS to account on behalf of Londoners is the fundamental reason for the existence of the MPA. It can evidence successful outcomes in this respect from the introduction of more rigorous financial management, annual Policing Plans that reflect priorities expressed by Londoners, a focus in public session on police performance and major public scrutinies on matters of current or cross-cutting concern. The Commissioner reports, in person, on police performance to every full Authority meeting and will answer questions from members of the Authority on any aspect of the police service.

9. The MPA's Authority and committee meetings are held in public (subject of course to statutory provisions to conduct exempt business), papers are available on the website and Authority meetings are webcast. Members of the public can put questions to the Authority in public session, can present petitions or make deputations to Authority or committee meetings. The MPA is committed to responding positively to Freedom of Information requests.
10. The MPA also funds borough-level community engagement groups and is also a statutory partner in cross-agency crime and disorder reduction partnerships. As part of the Safer Neighbourhoods programme the MPS support Safer Neighbourhood Panels at ward-level at which local people can influence the priorities of their Safer Neighbourhoods police team.
11. There are therefore opportunities for the public to understand how and why decisions are taken in respect of policing, to influence those decisions in some ways and to access large amounts of information about how policing is carried out in the capital.
12. The issue driving much of the ongoing debate about police accountability is the extent to which police should be accountable at the local, borough level and there is cross-party agreement nationally that further development of this local relationship is required. The MPA would make the distinction between accountability and answerability. To make the 32 London borough commanders locally *accountable* in whatever form runs the risk of fragmentation and loss of strategic and consistent management of London's policing. Where the debate should focus is on ensuring that borough commanders are *answerable* at a local level. To an

extent this already happens through community engagement groups and through police membership of crime and disorder reduction partnerships and local strategic partnerships. It is important that whatever additional provision is made does not add another layer of bureaucracy.

Accountability of the MPA

13. As outlined above, the MPA aims to conduct its business in as public and transparent a way as possible. In addition, The Greater London Authority Act 1999 provides two ways in which the London Assembly can question the activities and performance of both the MPS and the MPA. Assembly members can put questions to the Mayor at the monthly Mayor's Question Time on any aspect of his Mayoral responsibilities. There is also provision for the Assembly to require the Chair of the MPA to attend an Assembly meeting to answer questions on policing matters. On most recent occasions the MPA Chair has been accompanied by the Commissioner.
14. The question must remain, however, that if the MPS is accountable to the MPA, to whom is the MPA accountable? Local authority administrations can say that they are called to account by the electorate every four years. The 12 Assembly members on the MPA (including the Mayor) can say similarly that they are answerable to the electorate but this is arguably an indirect relationship with regard to their membership of the MPA. The MPA's Independent members must seek re-appointment through a selection process against open competition every four years, so individually they can be held to account. The MPA is also looking to introduce an appropriate form of member appraisal.
15. At the organisation level, the MPA is not directly accountable to the Greater London Authority or to the Home Secretary in the sense that either can impose sanctions (other than the process around approval of the policing budget). However, this is not to say that there is no accountability framework and this will be returned to later.
16. There is an additional issue of visibility and public understanding. Although, because of high profile events in recent years, the MPA probably has a higher public profile than any other police authority it is likely to remain the case that the majority of Londoners are unaware of its existence or its role. Indeed there is no doubt a

common misconception that the Mayor is responsible for and has powers in respect of policing that he does not have (as Mayor as opposed to MPA Chair). As pointed out in the submission to the Inquiry from the Association of Police Authority Chief Executives, the similarity between the name of the police authority and the police service it has oversight of can lead to a public inability to distinguish between the two and therefore further confusion.

Accountability framework

17. It may be inevitable that as long as police authorities remain in existence their visibility (in common with many other non-departmental government organisations) will be lower than, say, a multi-service local authority. The MPA does not see this necessarily as a problem provided the Authority has a commitment to and ability to evidence accountability. This the MPA seeks to do through its code of corporate governance, a copy of which is attached. The Greater London Authority and the functional bodies are jointly developing a similar approach to corporate governance in respect of the relationships and interdependencies in the GLA family, to clarify amongst other things the key issues of authority and accountability. This approach is seen by the MPA as a key initiative in improving and developing accountability and transparency.

CODE OF CORPORATE GOVERNANCE FOR THE METROPOLITAN POLICE AUTHORITY

Introduction

- 1.1 Governance is about how public authorities ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open and accountable manner. It comprises the systems, processes, culture and values by which organisations are directed and controlled, and through which they account to, engage with and, where appropriate, provide leadership for the communities they serve.
- 1.2 This Code of Corporate Governance describes how the Metropolitan Police Authority discharges its responsibilities in this respect, and particularly its two overarching statutory responsibilities:
- To secure an efficient and effective police service for the Metropolitan Police District;
 - To hold to account the Commissioner of the Metropolitan Police Service for the exercise of his functions and those of persons under his direction and control.
- The Commissioner has a statutory responsibility for the control, direction and delivery of operational policing services.
- 1.3 The CIPFA/SOLACE Framework *Delivering Good Governance in Local Government* sets out six core principles on which effective governance should be built:
1. Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
 2. Members and officers working together to achieve a common purpose with clearly defined functions and roles
 3. Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
 4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk
 5. Developing the capacity and capability of members and officers to be effective
 6. Engaging with local people and other stakeholders to ensure robust public accountability
- 1.4 The Metropolitan Police Authority is developing a framework, based on the police authority self-assessment framework, as a means of ensuring that these principles are fully integrated in the conduct of the authority's business and to be able to demonstrate compliance.
- 1.5 The MPA will also be able to demonstrate that the systems and processes in place are:
- Monitored for their effectiveness in practice
 - Subject to annual review to ensure they remain up to date

The Code of Corporate Governance

- 2.1 This Code of Corporate Governance incorporates the core good governance principles in a way that is relevant to the MPA's role and responsibilities. It also sets out the arrangements for reviewing how effective the MPA is in following them.
- 2.2 The Code relates to how the Metropolitan Police Authority carries out its role. Therefore, it does not directly relate to the role and responsibilities of the Metropolitan Police Service. However, the MPA has a responsibility for ensuring that the MPS also adheres to the principles of good governance and will require the Commissioner to demonstrate that this is the case.
- 2.3 The way in which the MPA puts each of the core principles of good governance into practice is set out below.

The six principles

- 3.1 The authority aims to focus on the purpose of the authority and on outcomes for the community to create and implement a vision for the local area. To achieve this the authority will:
- Through the MPA's Corporate Strategy make explicit how the MPA intends to add value to the provision of effective and efficient policing
 - Through the Policing Plan establish policing priorities and performance measures
 - Develop partnerships at borough and pan-London level to ensure that policing issues and priorities are informed by and contribute to a more holistic approach to social and quality of life issues. This includes contributing to and influencing multi-agency plans and priorities
 - Decide how the service quality for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available
- 3.2 The authority aims to ensure members and officers work together to achieve a common purpose with clearly defined functions and roles. To achieve this the authority will:
- Set out a clear statement of the respective roles and responsibilities of members and officers
 - Establish terms of reference where members have specific roles, for instance as a link or portfolio member,
 - Through its Standing Orders, identify those matters:
 - That will be dealt with by the Authority or one of its committees or sub-committees

- Where MPA or MPS officers are authorised to act under delegated authority

3.3 The authority aims to promote its values and good governance through upholding high standards of conduct and behaviour. To achieve this the authority will:

- look to the MPA's leadership to set a tone for the organisation of openness, support and respect
- ensure that equality and diversity best practice is integral to how the organisation, its members and staff conduct its business
- through the work of its Standards Committee:
 - ensure that its members are aware of their responsibilities under the Member Code of Conduct and receive guidance on ethical standards and behaviour
 - monitor key standards indicators on a regular basis
- ensure that those who lead or manage in the organisation are equipped with the necessary skills and that all staff are aware of the values and behaviours that the authority expects of its staff. This will be achieved through the MPA's Improvement Programme and subsequent leadership and training programmes

3.4 The authority aims to take informed and transparent decisions, which are subject to effective scrutiny and risk management arrangements. To achieve this the authority will:

- be clear where responsibility for taking decisions lies, through explicit committee terms of reference and a scheme of delegation to the officers
- ensure that those making decisions are given sufficient information on which to take informed decisions
- ensure that equality impact assessments are carried out in respect of relevant decisions and policies
- conduct as much of its formal business as possible in public session
- specifically through its Corporate Governance Committee ensure that there is robust scrutiny of its corporate governance arrangements and procedures for managing risk. This includes oversight of the MPA and the MPS's risk management arrangements and regular review of the corporate risk registers
- ensure that it maintains an effective policy and procedure on whistle blowing and on investigating complaints against the MPA
- develop and maintain effective arrangements to challenge and scrutinise force performance and compliance with other requirements
- ensure effective, transparent and accessible arrangements are in place for dealing with complaints

3.5 The authority aims to develop the capacity and capability of members and officers to be effective in their roles. To achieve this the authority will:

- on a regular basis assess the skills required by members and officers and commit to develop those skills to enable roles to be carried out effectively
- ensure that as far as possible the composition of the MPA's membership and workforce is broadly representative of the communities and communities of interest in London
- maintain effective HR policies, procedures, and recruitment processes so that the requirements of a role are correctly identified and those appointed can operate

effectively within that role

- 3.6 The authority aims to engage with local people and other stakeholders to ensure robust public accountability. To achieve this the authority will:
- produce a community engagement strategy
 - develop and maintain mechanisms for engaging with local people and organisations and communities of interest on relevant issues. These will include support for community and police consultative groups and community safety boards; and participation in crime and disorder reduction partnerships and local strategic partnerships
 - consult on relevant plans, policies and proposals and take account of the results of that consultation in taking decisions
 - ensure that as much of its formal business as possible is conducted in public and that members of the public have the ability to ask questions or raise matters of concern at Authority meetings

Arrangements for review of governance

- 4.1 The authority has put in place the following arrangements to review the effectiveness of the Code of Corporate Governance:
- 4.2 The overall ownership of this Code rests with the MPA's Corporate Governance Committee, which will review it annually, both in terms of whether it remains fit for purpose and to determine the extent to which the MPA has complied with it. The committee will report the outcome of this review to the full Authority with any recommendations for improvement or remedial action.
- 4.3 The Corporate Governance Committee oversees the arrangements for audit, risk management and health & safety within the MPS and the MPA.
- 4.4 Other MPA committees have ongoing responsibility for elements of the Code. For instance:
- the Standards Committee for MPA member conduct and probity issues
 - the Finance Committee for financial strategy and budget management
 - the Planning, Performance & Review Committee for developing the policing plan and oversight of MPS performance against its priorities and targets
 - the Equal Opportunities & Diversity Board for ensuring that the MPA and MPS meet their statutory obligations under anti-discrimination legislation
 - the Co-ordination & Policing Committee for the MPA's community engagement strategy. This committee is also responsible for commissioning member-level scrutinies into specific aspects of the policing service together with member-level oversight groups on major service areas

- 4.5 The Authority is responsible for preparing an Annual Governance Statement under the CIPFA/SOLACE guidance. In exercising this responsibility the Authority places reliance on the Commissioner to support the internal control and risk management process as the majority of the MPA's controls are deployed within the MPS. Hence, in exercising its statutory responsibility the Authority will place reliance on the Commissioner to deploy a separate governance statement, an Annual Assurance Statement, which will be consolidated with the Authority's own Annual Governance Statement.

- 4.6. The Annual Governance Statement will include commentary on the effectiveness of the governance framework, including the system of internal control and will be informed by internal auditors and managers within the Authority who have the responsibility for the development and maintenance of the governance environment. In addition, comments made by the external auditors and other review agencies will have informed this review.

- 4.7 An annual review will be conducted to produce an Annual Governance Statement required to meet audit and accounting standards