



Home Office

Giving Police and Crime Commissioners greater powers of competence

Government Consultation

This consultation begins on 1 September 2021

This consultation ends on 27 October 2021



Home Office

Giving Police and Crime Commissioners greater powers of competence

Government Consultation

This consultation begins on 1 September 2021

This consultation ends on 27 October 2021

Consultation Questions

| | |
|----------------|--|
| Role/Job title | |
| Organisation | |

1. Do you think PCCs should be given greater powers of competence to enhance their ability to get upstream of crime issues as well as to drive efficiency and make better use of police estates?

| | |
|-----------------------------|--|
| | Please select one of the following options |
| Strongly agree | |
| Agree | |
| Neither agree, nor disagree | |
| Disagree | |
| Strongly disagree | |

Wider Functional power of competence

2. Should PCCs be granted a **wider functional power** of competence including the power to do **anything indirectly related to their functions, no matter how many times removed and to charge and trade?**

| | |
|-----------------------------|--|
| | Please select one of the following options |
| Strongly agree | |
| Agree | |
| Neither agree, nor disagree | |
| Disagree | |
| Strongly disagree | |

3. What do you see as the benefits that may come from granting PCCs a **wider functional power** of competence?

4. What do you consider to be the risks of granting PCCs a **wider functional power** of competence?

5. If PCCs were granted a **wider functional power** of competence, do you consider that additional safeguards or limitations on those powers would be necessary?

| | |
|---|--|
| Yes - please provide details of what safeguards or limitations on the powers you think would be required. | |
| No - please explain | |
| Don't know | |

General power of competence

6. Should PCCs be granted a **general power** of competence which would give them the power to do **anything** that an individual can do so long as it is not prohibited by legislation?

| | |
|-----------------------------|--|
| | Please select one of the following options |
| Strongly agree | |
| Agree | |
| Neither agree, nor disagree | |
| Disagree | |
| Strongly disagree | |

7. What do you see as the benefits that may come from granting PCCs a **general power** of competence?

| |
|--|
| |
|--|

8. Please explain what you consider the risks may be to granting PCCs a **general power** of competence.

| |
|--|
| |
|--|

9. If PCCs were granted a **general power** of competence, do you consider that additional safeguards or limitations on those powers would be necessary?

| | |
|---|--|
| Yes - please provide details of what safeguards or limitations on the powers you think would be required. | |
| No - please explain | |

| | |
|------------|--|
| Don't know | |
|------------|--|

10. Given the benefits and risks of a general and wider functional power of competence, which approach would you prefer?

| | Please select one of the following options |
|--|--|
| Retain existing PCC powers | |
| Give PCCs a wider functional power of competence, in line with the powers currently held by standalone fire and rescue authorities and some combined authorities | |
| Give PCCs the general power of competence, as held by local authorities | |

11. Do you consider there to be any equality impacts with granting PCCs either a wider functional or a general power of competence?

| | |
|------------------------------|--|
| Yes - please provide details | |
| No - please explain | |
| Don't know | |

Privacy Information Notice

Privacy Notice

Your personal information, supplied for the purposes of the consultation, will be held and processed by the Home Office (2 Marsham Street, London SW1P 4DF). The Home Office is the controller of this information.

How and why the Home Office uses your information

The Home Office collects, processes and shares personal information to enable it to carry out its statutory and other functions.

The Home Office is only allowed to process your data where there is a lawful basis for doing so.

In this case, the legal basis for the Home Office processing personal data is set out in Article 6(1)(c) and (e) of the General Data Protection Regulation (GDPR). Article 6(1)(c) permits the Home Office to process personal data where this is necessary for compliance with a legal obligation to which it is subject. Article 6(1)(e) permits the Home Office to process personal data where this is necessary for the performance of a task carried out in the public interest or in the exercise of official authority.

As part of a manifesto commitment, the government is undertaking a consultation on giving great powers of competence to Police and Crime Commissioners (PCCs). This is a targeted consultation that will run for 8 weeks from week commencing 30 August. We will specifically invite views from targeted organisations, although welcome views from any other individuals or bodies.

Through this consultation, we are interested in views on the benefits, opportunities and risks of granting PCCs either:

- (i) a wider functional power of competence as held by fire and rescue authorities, which will include giving them the power to do anything indirectly incidental to their functions; **or**
- (ii) a general power of competence as held by local authorities, which will give them the power to do anything that an individual can do so long as it is not prohibited by legislation.

We will be collating and analysing the responses, but we will not be publishing the responses. This will help us understand how views differ across different groups.

More information about the ways in which the Home Office may use your personal information, including the purposes for which we use it and the legal basis, can be found at: www.gov.uk/government/organisations/home-office/about/personal-information-charter.

Personal data we are collecting

We have asked respondents to the consultation to **voluntarily** provide the following information:

- Job title or capacity in which they are responding to this consultation exercise
- Company name/organisation (if applicable)
- If they are a representative of a group, the name of the group and a summary of the people or organisations that they represent

If respondents provide the information we request, we will use this to understand if there are significant differences between types of respondents. We may illustrate findings through quotes provided to the consultation. We will ensure these are anonymised and do not include any personally identifiable information, unless an organisation tells us they are content for their response to be made public.

Taken together, these data may enable a respondent to be identified. In addition, the way in which a person responds to this consultation will also impact the data we collect on them. If someone responds via email, we will have collected their email address.

Your opinions are also personal data. However, some respondents may still provide information which could identify them.

What we will not do

We will not publish IP or email addresses, or any personal information inadvertently provided in the free text responses.

For the purposes of this consultation, the Home Office will not share your information with other organisations, nor will we send your personal data overseas.

Your personal data will not be used for any automated decision making.

Storing your information

Your personal information will be held on a secure IT system, within a dedicated inbox and then the Home Office SharePoint space, for as long as necessary for the purpose for which it is being processed and in line with departmental retention policy. More details of this policy can be found at:

www.gov.uk/government/organisations/home-office/about/personal-information-charter.

Retention of personal data

We will not keep personal data longer than is necessary for the purpose for which they are being processed. Any personal data we receive in relation to this consultation will be deleted and/or securely destroyed after the response to the consultation has been published.

Requesting access to your personal data

You have the right to request access to the personal information the Home Office holds about you. Details of how to make the request can be found at:

www.gov.uk/government/organisations/home-office/about/personal-information-charter.

Other rights

Because we are processing your personal data under the legal basis of a public task, you have the following rights:

1. to object to and restrict the use of your personal information, or to ask to have your data corrected
2. to contact the Home Office's Data Protection Officer (DPO) if you have questions or concerns about how we are processing your personal data

Please note that personal data once anonymised ceases to be captured by the terms of the data protection act and consequently data rights are no longer deliverable.

Reporting a concern

Email: dpo@homeoffice.gov.uk

Telephone: 020 7035 6999

Or write to:

Office of the DPO
Home Office
Peel Building
2 Marsham Street
London
SW1P 4DF

When we process your information, we will comply with the law, including data protection legislation. Should you feel that your data is being processed in breach of data protection law or other legislation, you can report your concern to our Data Protection Officer using the contact details provided above, or contact the Information Commissioner's Office at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 08456 30 60 60 or 01625 54 57 45.

Fax: 01625 524510

You can also visit the [Information Commissioner's Office website](#).

Questions or concerns about personal data

If you have any further questions or concerns about the collection, use or disclosure of your personal information please see the Home Office's Personal Information Charter:

www.gov.uk/government/organisations/home-office/about/personal-information-charter.