

**EXPLANATORY MEMORANDUM TO**  
**THE POLICE AUTHORITIES (BEST VALUE) PERFORMANCE INDICATORS**  
**ORDER 2008**

**2008 No. 659**

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

**2. Description**

2.1 This instrument sets out the performance indicators that will apply to police authorities in England and Wales during the period 1st April 2008 to 31st March 2009. These indicators will be used to monitor, manage and assess policing performance in England and Wales. Performance indicators already apply to police authorities under existing instruments; this instrument prescribes a revised set of indicators for 2008/09.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None

**4. Legislative Background**

4.1 Part I of the Local Government Act 1999 (the **1999 Act**) contains provisions setting out the “best value” regime. This regime imposes requirements on police authorities, and other authorities (which are known as best value authorities), to secure continuous improvement in the way in which their functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The Secretary of State is able, under section 4 of the 1999 Act, to specify by Order the performance indicators applicable to best value authorities, including police authorities.

4.2 This Order specifies the performance indicators by which a police authority’s performance in exercising its functions, alone or in partnership with others, will be measured in 2008-09. Performance indicators for police authorities are already in place under other instruments; these instruments will be revoked and the current indicators will be replaced by those set out in this instrument.

4.3 Section 139 of the Local Government and Public Involvement in Health Act 2007 amends section 4 of the 1999 Act so that it no longer applies in relation to best value authorities in England and police authorities in Wales. This amendment will be brought into force shortly, however, we intend to make a savings provision in the relevant commencement order to enable performance indicators to continue to be set for police authorities in England and Wales until 31st March 2010. By that time the Home Office expects to have introduced new legislation which can be used to measure police authority performance.

**5. Extent**

5.1 This instrument applies to England and Wales.

## **6. European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy Background**

7.1 Performance indicators are used on a local and national basis to monitor and manage improvements in police authority performance. Data relating to the matters set out in the indicators is gathered by the Home Office and is used to monitor and assess police authority performance against each of the indicators. The new indicators are being introduced as part of a new framework for managing police performance, known as APACS (Assessments of Policing and Community Safety).

7.2 APACS will replace the existing Policing Performance Assessment Framework (PPAF), along with other Home Office frameworks covering – for example – drugs and partnerships. The development of the new performance framework has been led by the Home Office with the involvement of the Association of Police Authorities (APA), The Association of Chief Police Officers (ACPO), Her Majesty's Inspectorate of Constabulary (HMIC) and other partners including the Department for Communities and Local Government (CLG), the Local Government Association (LGA) and the Audit Commission.

7.3 The Home Office sought the views of these and other stakeholders on the proposed performance indicators for 2008/09 through a *Technical Consultation* which was issued in December 2007 and ran until 18 January 2008. A separate *Strategic Consultation* was held to seek views on the use of APACS to assess, communicate and respond to performance assessments. Responses were received from the bodies listed above and from a range of other stakeholders. Reflecting feedback received through the consultation, some proposed indicators have been amended, some dropped and some will be developed further for consideration for introduction from 2009/10.

7.4 Alongside the APACS consultation CLG consulted on indicators that form part of a National Indicator Set (NIS) which reflects priorities for local government, working alone or in partnership. Some indicators are shared by local authorities and police authorities and are included in both the NIS and APACS, to ensure alignment in the measurement of the performance of local partners working together on community safety outcomes. NIS indicators will be finalised in March.

7.5 As well as simplifying and aligning the frameworks used by the Home Office, APACS also aims to provide greater capacity for local flexibility, broaden the scope of performance management to take account of more serious aspects of policing and community safety and join up with the wider performance management frameworks of community safety partners – taking into account as necessary the differing partnership arrangements in Wales.

7.6 The development of APACS will continue over coming months, reflecting feedback from the Strategic Consultation. This will determine exactly how APACS will operate but – in common with previous arrangements, and in line with the

strategic aims for APACS – it is anticipated that this will include an overall assessment of each police force’s performance that will be published at least annually. One of the key components of the assessment framework will be the indicators specified in this instrument. As in previous years, this assessment of policing is expected to attract a high level of public and media interest.

7.7 This instrument sets out for police authorities the indicators that will be used to assess their performance in 2008/09. Mechanisms are already established to collect the data required for these indicators. As under the previous PPAF arrangements, more detailed technical guidance for practitioners, including formulae and definitions of terms used, will be provided for 1 April at <http://police.homeoffice.gov.uk/performance-and-measurement/assessment-methods/assessment-technical-guidance/>. This page also contains technical guidance from previous years.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 The development of APACS and the National Indicator Set is designed to simplify and align performance frameworks, thus reducing the burden on the public sector.

## **9. Contact**

Alex Hill at the Home Office on 020 7035 3137 or email: [Alex.Hill31@homeoffice.gsi.gov.uk](mailto:Alex.Hill31@homeoffice.gsi.gov.uk) can answer any queries regarding the instrument.