

## **POLICE AND CRIME PANEL**

**Venue: Town Hall, Moorgate Street, Rotherham. S60 2TH**      **Date: Wednesday, 19th November, 2014**  
**Time: 1.00 p.m.**

### **A G E N D A**

1. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for Absence.
4. Questions from Members of the Public.
5. Minutes of the Previous Meeting held on 29th October, 2014 (herewith) (Pages 1 - 4)
6. Introduction to Alan Billings, Police and Crime Commissioner.
7. Learning Lessons and the Way Forward for the Police and Crime Panel (report herewith) (Pages 5 - 9)
8. Date and Time of the Next Meeting - Monday, 8th December, 2014 at 1.00 p.m.

**POLICE AND CRIME PANEL**  
**Wednesday, 29th October, 2014**

**Present:-**

Barnsley Metropolitan Borough Council:-

Councillor R. Sixsmith, M.B.E.

Doncaster Metropolitan Borough Council:-

Councillor G. Jones (Substitute)

Rotherham Metropolitan Borough Council:-

Councillor M. Parker

Councillor T. R. Sharman

Sheffield City Council:-

Councillor H. Harpham (in the Chair)

Councillor T. Hussain

Councillor R. Munn

Co-opted Member:-

Mr. A. J. Carter

Mr. K. Walayat

**Apologies for absence were received from:-**

Councillor M. Dyson, Barnsley Metropolitan Borough Council

Mayor R. Jones, Doncaster Metropolitan Borough Council

Councillor J. Sheppard, Doncaster Metropolitan Borough Council

Councillor R. Davison, Sheffield City Council

**J19. QUESTIONS FROM MEMBERS OF THE PUBLIC**

The Chairman advised the Police and Crime Panel that questions received from members of the public would not be considered today, but that they would be included for the next meeting on the 19<sup>th</sup> November, 2014.

The 19<sup>th</sup> November meeting would be a one agenda item meeting to consider the experiences over the last three to four months on the role of the Police and Crime Commissioner with invitations being extended to members of the public, the Chief Constable and the newly elected Police and Crime Commissioner.

All those in attendance would have the opportunity to put forward their views for inclusion in recommendations to the Home Secretary to ensure that the experiences recently would not occur again in the future.

**J20. MINUTES OF THE PREVIOUS MEETING HELD ON 11TH AND 18TH SEPTEMBER, 2014**

Consideration was given to the minutes of the previous meeting of the Police and Crime Panel held on 11<sup>th</sup> and 18<sup>th</sup> September, 2014.

With regards to the minutes held on the 11<sup>th</sup> September, 2014 Councillor Parker referred to a number of matters which included:-

- The answer to Question No. 12 from a member of the public and whether the Chief Constable had been contacted.
- Had the Chairman of the Police and Crime Panel made contact with the Chief Constable with regards to an investigation into perjury with regards to information shared at the Home Affairs Select Committee.
- The former Police and Crime Commissioner had named Councillor Parker and alluded to him being a Councillor at the time. Councillor Parker requested that he be given the right to reply, which was declined at that meeting. However, Councillor Parker now wished to place on record his views and set the record straight in his statement:-

“He was not a Councillor at the time of the seminar in 2005 which appeared to be the time that information was given to Councillors.

He was an OPPOSITION Councillor from 2008 to 2012 and in that time had no documentation placed before him.

In 2002 / 2003 there had been two reports suppressed by the Council, at a later stage the alarmed and secured offices of Risky Business were entered without permission and files removed from locked filing cabinets.

There have also been attempts by the Council to place gagging orders on the press so if anyone in their right mind thought that an Opposition Councillor would under those conditions be privy to any information that would help them to bring the Child Sexual exploitation issue to the fore then he suggested they think again.”

- Clarification as to why the official minute taker was excluded from the confidential decision making session.
- Clarification as to why Councillor C. Vines was not given the opportunity to make a statement regarding his reasons for voting

against the Panel's decision, when he was told he could do so by the Chairman.

In answer to the questions raised the Chairman confirmed he had written to the Chief Constable and received a reply, but this would form the basis of further discussion at the next meeting to which the Chief Constable was invited.

In terms of the information relating to the Home Affairs Select Committee, this was a matter for them to consider.

With regards to the statement by Councillor C. Vines following the decision making session, the Chairman advised that Councillor C. Vines had issued a media statement to which he was entitled.

The Director of Legal and Democratic Services, in response to the query about the recording of the confidential decision making session where the Panel adjourned, confirmed that she had deputised for the official minute taker, who it was felt due to experience was in a better position to support the public during the Panel's recess of what was a very difficult meeting.

Resolved:- That the minutes of the previous meeting held on 11<sup>th</sup> and 18<sup>th</sup> September 2014, be agreed as a correct record for signature by the Chairman.

**J21. PROPOSED APPOINTMENT OF THE CHIEF FINANCE AND COMMISSIONING OFFICER**

Consideration was given to the report presented by the Acting Police and Crime Commissioner, which confirmed how the Police Reform and Social Responsibility Act 2011 ('the Act'), under Schedule 1, Paragraph 6(1)(b) directed that the Police and Crime Commissioner for a police area must appoint a person to be responsible for the proper administration of the Commissioner's financial affairs (referred to as the Commissioner's Chief Finance Officer).

Under Paragraphs 10 and 11 of Schedule 1, the Panel must review the proposed appointment, hold a confirmation hearing and make a report to the Commissioner on the proposed appointment, including a recommendation to the Commissioner as to whether or not the candidate should be appointed, within a period of three weeks beginning with the day on which the Panel receives notification from the Commissioner of the proposed appointment.

The Acting Police and Crime Commissioner was, therefore, notifying the Panel of the decision recommending acceptance of Mr. Allan Rainford following an in-depth interviewing process by:-

- The Police and Crime Commissioner.
- Michelle Buttery, Chief Executive and Solicitor.

- Bill Wilkinson, former Chief Executive and Treasurer, now PaCCTS Adviser and Chairman of the CIPFA Police Panel.

Following the recruitment, interview and vetting process, the Acting Police and Crime Commissioner was satisfied that Mr. Allan Rainford had suitable experience and understanding of the community of South Yorkshire and the role to which it was proposed he be appointed.

Questions were raised as to whether it was felt appropriate to delay this appointment pending the outcome of the election of the Police and Crime Commissioner on the 30<sup>th</sup> October, 2014 so that the person elected could be involved in the process and why the letter offering the appointment was dated 27<sup>th</sup> August, 2014.

The Acting Police and Crime Commissioner confirmed that the arrangements for the appointment of the Chief Finance and Commissioning Officer were put in place while the former Police and Crime Commissioner was in post. The position of Chief Finance and Commissioning Officer was a critical position responsible for the proper administration of the Commissioner's financial affairs.

Further information was also provided on the contract termination process and the social responsibility placed on the Police and Crime Panel as to the appointment of the Chief Finance and Commissioning Officer.

The Panel retired to consider legal advice and the role to which it was proposed the candidate be appointed.

The Panel considered carefully all the information that had been shared at the meeting, the profile of the candidate and the answers to the questions before coming to a decision.

The Panel returned to the meeting to announce the decision they had made as part of their discussion.

Resolved:- That the proposed appointment of Mr. Allan Rainford as Chief Finance and Commissioning Officer for the Office of the Police and Crime Commissioner for South Yorkshire be approved.

**SOUTH YORKSHIRE POLICE AND CRIME PANEL – REPORT TO MEMBERS**

<b>1. Meeting:</b>	South Yorkshire Police and Crime Panel
<b>2. Date:</b>	19 <sup>th</sup> November 2014
<b>3. Title:</b>	Learning Lessons and the Way Forward for the Police and Crime Panel
<b>4. Organisation:</b>	RMBC – Host Authority

**5. Summary**

At the meeting of the Police and Crime Panel held on 29<sup>th</sup> October 2014, following a number of public questions that fell broadly under the heading of “learning the lessons from recent events” it was agreed to consider them all at a reflective meeting on the 19<sup>th</sup> November. This paper seeks to summarise some of the key issues the Panel may wish to consider during this discussion.

**6. Recommendations**

**That the Panel consider all of the items raised for discussion and highlighted in section 7 of this report.**

## 7. Proposals and detail

Following the events of the last few months the Panel have agreed that an open discussion around lessons to be learnt is now appropriate. This report seeks to outline the key issues for consideration by the Panel during these discussions.

On the positive side, it is clear that the Panel played its full part in ensuring that the voice of the public and, more importantly, the voices of the victims and their families were heard. Indeed, this was clearly instrumental in the final decision of the previous Police and Crime Commissioner to resign.

Public interest in the work of the Panel has been generated as a result of these recent events and it is of critical importance that this is now harnessed to further improve the work of the Panel and its working relationship with the newly elected Police and Crime Commissioner. Public questions recently received relating to this agenda can be found at appendix A to this report. The issues raised can be summarised as follows:

### **Effective Scrutiny**

It is clear that the role of the Panel is to scrutinise the work of the Police and Crime Commissioner at a strategic level and not to become involved in the operational detail of the Police Force. Some of the concerns that have emerged have highlighted this as an issue – **is the system effectively scrutinising operational police matters and how can this be improved?**

The Panel recently agreed to working protocols with the Crime and Disorder Scrutiny Committees for each of the four local authorities in South Yorkshire, to share information and practices with them. Their scrutiny powers also have limitations, however, so **how does the Panel use all of the resources available to it to effectively scrutinise the police and crime agenda?**

The Panel adopted a pilot Task and Finish Group approach this year, and this would have been tested with its first main subject being that of Domestic Abuse. This has not been completed as a result of events of recent months and the effective suspension of the work programme for the Panel.

**Panel members may wish to consider if piloting this approach should still be done and how effective this might be in scrutinising the work of the Police and Crime Commissioner.**

Other issues to consider include:

- **Resources required to effectively scrutinise the Police and Crime agenda**
- **The role of the PCP in supporting the PCC to effectively deliver on his strategic priorities**
- **Joint priorities for scrutiny and how these should be determined**

## **Public and community engagement**

There is no doubt that the role of the public were key over the previous months, and the Panel took the decision to maximise the involvement of the public in its proceedings. The Panel should therefore consider:

- **How are the public effectively engaged in the work of the Panel**
- **Given that the statutory responsibility for public and victim consultation lies with the PCC, how can the PCP effectively support and add value to this?**
- **Is there a potential for a 3 way partnership, as suggested in the public questions?**

The new website is now live and it could be used to generate a debate with the public about these issues, using the community forum facility which exists on it.

## **Legal Powers**

The debate at a national level has turned to the powers (or lack of them) the PCP's have in these circumstances. The Home Affairs Select Committee has forwarded a specific recommendation to the Government regarding this. It recommends that legislation allows for the recall of Police and Crime Commissioners if either the PCP makes a vote of no confidence, or at least one of the local authorities take a vote of no confidence, where they represent at least half of the population of the police area. Clearly, both of these factors would have been triggered in the recent case of South Yorkshire.

**Panel may wish to consider whether this effectively allows for the crucial role that the public and victims played recently, and take a view on this as a recommendation to Government.**

The Home Office, in reply to the Chair's recent letter confirmed that "the Government will reflect carefully on these suggestions and recommendations, and those of Parliament, and the public more generally."

**Are there any further representations to be made by the Panel on this matter?**

### **8. Finance**

None

### **9. Risks and Uncertainties**

None

### **10. Background Papers and Consultation**

**Home Affairs Select Committee report – October 2014**

### **Contact**

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## **Appendix A**

Public Questions:

From Vicky Seddon, Sheffield for Democracy:

If the events in Rotherham have shown anything, they have shown the need for proper and effective scrutiny of the Police and Crime Commissioner, in order to be able to hold him or her to account. The undignified spectacle of calls, both local and national, for the Commissioner to resign, so long resisted by Commissioner Wright, with the Panel having no powers other than public pressure, has done nothing to assure the public that the Police Service is properly led. Nor have the failings of South Yorkshire Police in either bringing to justice the perpetrators of the abuse of those young women, or of preventing it happening, been addressed in a way that give the public confidence in this public service.

**We ask you and your Panel to give careful consideration as to:**

- 1. Whether you could have intervened earlier to progress the exposure of the police failings**
- 2. What kind of scrutiny process might be more effective**
- 3. What further powers the Panel might require in order to be more effective**
- 4. How best to publicise any outcome of your considerations of these matters.**

From Wendy Zealand, South Yorkshire Neighbourhood Watch

**Having had the experience of being in place over the months of the past Police and Crime Commissioner post, and a lull to perhaps review their past work, will the Panel be making any changes as to its way of working when the position is filled again?**

From Alan Kewley.

A few of us have attended Panel meetings over the past 18-months to try to understand the main issues by asking questions from the public bench, but this hasn't been easy. Discussions seem to have been 2-way between the PCC's office & the Panel, but we'd prefer these to be widened to include community groups.

We've been talking with PCC candidates at hustings, who seem willing to consider wider public engagement if elected, so my question to the Panel today is -

**Following the PCC by-election, would the Panel be willing to consider regular 3-way discussions with the new PCC and representatives from community groups like Neighbourhood Watch, and how would they like to see these developing ?**

From Nigel Slack, Sheffield for Democracy

The 6<sup>th</sup> report from the Home Affairs Select Committee, dealing with Child sexual exploitation and the response to localised grooming, included as an annex a draft Bill for the recall of Police and Crime Commissioners.

**What is the Panel's view on this draft and, with reference to the fact that it proposes recall petitions can only be triggered by this panel or the Local Councils, whether the powers for the public go far enough?**