

**POLICE AND CRIME PANEL
29th June, 2015**

Present:-

Barnsley Metropolitan Borough Council:-

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Doncaster Metropolitan Borough Council:-

Councillor C. McGuinness

Rotherham Metropolitan Borough Council:-

Councillor Emma Wallis

Councillor Caven Vines

Sheffield City Council:-

Councillor Jenny Armstrong

Councillor Isobel Bowler

Councillor Joe Otten

Co-opted Member:-

Mr. Alan Carter

Apologies for absence were received from:-

Councillor John Campbell, Sheffield City Council

Councillor Martin Dyson, Barnsley Metropolitan Borough Council

Councillor Alan Jones, Doncaster Metropolitan Borough Council

F1. APPOINTMENT OF CHAIR FOR THE MUNICIPAL YEAR 2015/16

Resolved:- That Councillor Isobel Bowler be appointed Chair for the 2015/16 Municipal Year.

(Councillor Bowler in the Chair)

F2. APPOINTMENT OF VICE-CHAIRMAN FOR THE MUNICIPAL YEAR 2015/16

Resolved:- That Councillor Emma Wallis be appointed Vice-Chair for the 2015/16 Municipal Year).

F3. QUESTIONS FROM MEMBERS OF THE PUBLIC

3.1 A member of the public asked the following questions:-

“How can effectiveness of this scrutiny panel be improved and how can transparency with the public and community groups throughout South Yorkshire be enhanced?”

Very few people were aware of the Panel and interested in attending. The membership of the Panel had changed at a very rapid rate leading to confusion as to who was on the Panel and whether sufficiently up to speed.

Alan Carter was the only remaining independent person on the Panel so the independent voice was depleted at the moment and it was hoped that the second post could be resurrected.

The webcasting of the meeting was welcomed.”

3.2 The Chair agreed with the importance of focussed scrutiny and also that representatives were much more effective when they had been on a Panel for a while. It was hoped that the Panel’s membership would now stabilise.

The webcasting of meetings was a good step forward together with the website which would be kept up-to-date

Action: Engagement to be explored at a future meeting.

3.3 Deborah Fellowes, Scrutiny Manager, confirmed that there was a vacancy for an independent co-optee Panel member. The recruitment process had commenced some time ago but for numerous reasons had been stalled. Now that the elections were over and the Panel had its full complement of Local Authority members it was hoped to resume the process as a matter of priority.

Action: Chair, Vice-Chair and Alan Carter to take recruitment forward - Immediate.

F4. MINUTES OF THE PREVIOUS MEETING HELD ON 19TH MARCH, 2015

4.1 Consideration was given to the minutes of the previous meeting of the South Yorkshire Police and Crime Panel held on 19th March, 2015.

Resolved:- That the minutes of the previous meeting held on 19th March, 2015, be approved for signature by the Chair.

4.2 Arising from Minute No. J35, it was noted that the previously circulated financial information would be recirculated due to the number of new Panel members.

Action: Deborah Fellowes, Scrutiny Manager - Immediate

4.3 Arising from Minute No. J37 (Putting Safety First), it was reported that the Police and Crime Commissioner had provided the independent co-optee information on the Independent Ethics Panel. However, it would be helpful to have information on their work.

Action: Office of the Police and Crime Commissioner (OPCC) to provide Independent Ethics Panel work plan - Immediate

4.4 An invitation had also been extended to Panel members to visit Atlas Court, the home of the “101” number.

Action: OPCC and Deborah Fellowes to liaise with regard to arrangements for a visit, before the next meeting

F5. INTRODUCTION AND OVERVIEW BY THE POLICE AND CRIME COMMISSIONER

5.1 Consideration was given to the report presented by Dr. Billings, Police and Crime Commissioner, which detailed the role and responsibilities of the Commissioner, a summary of his Police and Crime Plan, Putting Safety First, and information on the Performance Framework being used to measure performance against the Plan.

The report also set out the last position in relation to the legacy issues facing South Yorkshire Police.

5.2 In particular, Dr. Billings highlighted:-

- Cultural change
The Police Force needed to move to a better way of measuring what they did – outcomes rather than targets. It was a big change in the way of working and would take time
- Challenges facing the Police
As with the public sector, there were enormous challenges facing the Police Force and it was known that the period of austerity measures would continue. The forthcoming emergency budget may have an impact on budgets
- Hillsborough Inquests
The Commissioner had a legal obligation to support both the current Chief Constable and 8 former and serving Police Officers who had been granted ‘interested person’ status and called to give evidence at the inquests. Up to the end of the 2014/15 financial year, the costs were approximately £16M+. A submission had been made to the Home Secretary for a special grant to cover the costs; £10.7M had been awarded leaving a gap to be funded by South Yorkshire Police. Unless agreement was reached between South Yorkshire Police, the Home Office and the legal office, there would be more costs that would fall onto the Police Force
- Orgreave
The Independent Police Complaints Commission (IPCC) had declined to investigate the events at Orgreave but had implied that there should be an inquiry which the Government should fund. If there was an inquiry, the costs must not fall onto South Yorkshire Police budget

- Child Sexual Exploitation
A number of Police Officers had been referred to the IPCC. There were ongoing negotiations by the National Crime Agency and the IPCC. The Commissioner had commissioned Professor John Drew to lead an independent review of South Yorkshire Police's handling of reports of child sexual exploitation across all 4 districts. He would be working across the region from September to the end of December, 2015
- Engagement with the wider public/community
The Commissioner attended numerous meetings with the Chief Constable and Senior Command Team as well as with Police Officers and PCSOs.

Communication with the public was via the media, website, letters etc. and attendance at meetings

5.3 Issues raised following the presentation included:-

- Hillsborough – The costs also included the archives for the inquests. The legal representation was for those most likely to be in jeopardy for the statement they had made at the inquests. Negotiations were ongoing with regard to the costs
- Referral of Police Officers to the IPCC – the Force picked up the costs if there was an investigation
- Terms of Reference for the Independent Review by Professor Drew – there had been a press release containing a summary. Once signed off, they would be published on the website
- Vulnerability was a priority for the Force in its widest sense of the word and Police Officers asked to push the boundary of what they understood as “vulnerable” and its many definitions
- The IPCC's decision was awaited as to whether the referred Police Officers were to be investigated or not
- Consideration was still being given as to how to consult with the public on the Performance Framework

5.4 Action:- The OPCC report on the new Performance Framework, to the September Meeting

5.5 Action:- That Panel members receive general training on performance management to enable them to gain an understanding and ability to comment on the Framework. Deborah Fellowes to liaise with OPCC to agree date and format

F6. BUDGET UPDATE

6.1 Alan Rainford, Chief Finance and Commissioning Officer, presented a report detailing the Police and Crime Commissioner's 2015/16 budget.

He drew attention to the following issues:-

- £9.6M reduction in Government funding compared to 2014/15 but still the requirement to make sufficient budget provision (£8M) for the effect of price inflation, pay awards and the planned resources required to address the heightened emphasis given to Protecting Vulnerable People
- £17.4M had had to be found to balance the 2015/16 budget – made up of a combination of savings and additional income
- Net revenue budget of £240M of which 85% represented employees costs
- Increased collaboration working – strategic partnership formed with Humberside Police to deliver services particular support and back office services
- £27.4M Capital Programme 2015/16 comprised of 3 key elements:
 - Ensuring equipment was replaced at the most efficient time in its lifetime in line with the agreed Asset Management Strategy, Information Systems Strategy and Vehicle Fleet Strategy
 - Ensuring the estate was fit for purpose and sustainable and developed in accordance with the Commissioner's Accommodation Strategy
 - Supporting and investing in new technology which would allow the Force to deliver a better service at reduced cost
- £11M of Reserves utilised to support the investment in Capital schemes for the 2015/16 budget
- Cost of legacy issues – an assumption had been made when determining the budget and precept for 2015/16 that all costs associated with the Hillsborough inquests would be offset by Home Office Special Grant. There remained a risk that the level of Special Grant may fall well below the level of expenditure incurred and the available reserves may not be sufficient to meet the cost
- Reserves could not be allowed to fall below £5M
- The budget would be updated to reflect the emergency budget and the Spending Review when it was released later in the year

6.2 Discussion ensued on the report with the following raised/clarified:-

- The Chief Constable's budget did receive contributions from other funding sources but any awards of funding had to be agreed by the Police and Crime Commissioner
- Letters were being drafted to the lawyers and the Home Office explaining South Yorkshire Police's position with regard to the costs of the Hillsborough inquests and the position going forward
- The Home Office Circular set out in broad terms provision of financial assistance to those officers involved in legal proceedings. However, the Home Office had not envisaged anything of the size of the Hillsborough inquests. The Circular gave the presumption in favour of financial assistance to those officers involved in legal proceedings until they were seen to have acted in bad faith or unreasonable judgement in their duties. At no point did the Circular define what "reasonable costs" were in terms of financial assistance and guidance had been sought from the Home Office on what was reasonable e.g. hourly rate, types of costs. A recommendation from the cost review commissioned by the Commissioner's Office was that the Home Office Circular was not fit for purpose and suggested that they might want to amend it to make clear what "reasonable costs" meant
- A large proportion of the Capital Programme was going into IT schemes which produced short term savings
- Although South Yorkshire Police was not alone in facing financial pressures, its situation was more critical given the legacy issues. It was not known what it meant for the Police Force but, if there was less funding, it may be that certain services had to be stopped altogether or done more efficiently

6.3 Action: That the OPCC submit quarterly budget updates highlighting any budget pressures. First report to the September meeting

6.4 Action: That the OPCC include business planning around the Capital Programme in the next budget update

F7. UPDATE ON THE OPERATION THE COMPLAINTS PROCEDURE

7.1 Consideration was given to a report of the Legal Adviser which provided an update on the handling of complaints received against the Police and Crime Commissioner.

It was clarified that the 3 complaints referred to the former Police and Crime Commissioner.

Since the previous meeting the following matters had been considered:-

1. A complaint about the way the Commissioner had dealt with racist and homophobic complaints.
2. Complaints from 1 complainant in relation to a possible conflict of interest of the Commissioner, how the former Commissioner completed his register of interests and a further complaint relating to expenditure on security for the former Commissioner's house
3. A complaint that the Commissioner did not reply to the complainant for 80 days.

7.2 The Legal Adviser had also received a further 6 complaints in relation to routine policing issues which had been referred to the Police as appropriate.

7.3 The IPCC had recently notified the Legal Adviser that it did not intend to investigate the 3 complaints relating to the former Commissioner as the letters did not provide any actual evidence to support the claim that the previous Commissioner had committed a criminal offence.

7.4 Discussion ensued on:-

- the Panel's role in dealing with complaints about the former Commissioner
- role of the Panel in those complaints not resolved by the IPCC
- the Panel's role in resolving complaints
- should all complaints and their responses be submitted to the Panel
- all meetings were now to be webcast so caution must be exercised if reporting an individual's complaint(s)
- possible revised procedure for handling complaints incorporating receipt of complaint, opportunity for Commissioner's Office to respond, Chair and Vice to review and submission to Panel once a resolution had been reached

7.5 Action:- That the Legal Adviser ensures the letter from the IPCC regarding the former Police and Crime Commissioner (subject to IPCC consent) be made available on the PCP's website - Immediate

7.6 Action:- That the Legal Adviser submit a revised procedure for handling complaints taking into consideration the points raised at the meeting - September meeting

F8. MEMBER REMUNERATION

8.1 Consideration was given to a report of the Legal Adviser on the recommendations of the Independent Remuneration Panel of Rotherham Metropolitan Borough Council in relating to allowances payable to members of the Panel.

The Local Authorities (Members' Allowances) (England) Regulations 2003 required Councils to review the remuneration for members. The Panel had also requested that the Council review the allowances paid to Police and Crime Panel members.

8.2 Upon the establishment of the Panel, an allowance for each member of £920 was budgeted for by Central Government. This amount was no longer 'ringfenced' but formed part of the overall budget for the Panel.

The Independent Remuneration Panel had considered the allowance and decided that there should be no change in the amount paid to members.

Resolved:- That the recommendations of the Independent Remuneration Panel be approved.

F9. GOOD PRACTICE FOR POLICE AND CRIME PANELS GUIDANCE

9.1 The Panel noted the Good Practice for Police and Crime Panels produced by the Local Government Association.

F10. DATES AND TIMES OF FUTURE MEETINGS

10.1 It was noted that work was taking place on the drawing up of a schedule of meeting dates and times for the 2015/16 Municipal Year.

Action: Revised schedule of meetings to be circulated by Deborah Fellowes - Immediate