

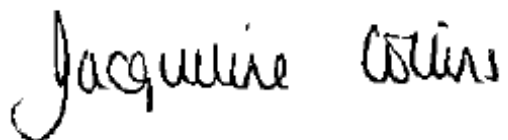
**You are hereby summoned to a meeting of the Police and Crime Panel
to be held on:-**

**Date:- Monday, 29 June 2015 Venue:- Town Hall, Moorgate Street,
Rotherham. S60 2TH**
Time:- 2.30 p.m.

POLICE AND CRIME PANEL AGENDA

1. Appointment of Chairman for the Municipal Year 2015/16.
2. Appointment of Vice-Chairman for the Municipal Year 2015/16.
3. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.
4. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
5. Apologies for Absence.
6. Questions from Members of the Public.
7. Minutes of the Previous Meeting held on 19th March, 2015 (herewith) (Pages 1 - 10)
8. Introduction and Overview by the Police and Crime Commissioner (Pages 11 - 18)
9. Budget Update (Pages 19 - 24)
10. Update on the Operation the Complaints Procedure (Pages 25 - 28)
11. Member Remuneration (Pages 29 - 30)
12. Good Practice for Police and Crime Panels Guidance (Pages 31 - 52)

13. Dates and Times of Future Meetings

A handwritten signature in black ink that reads "Jacqueline Collins". The signature is written in a cursive style with a large initial 'J'.

J. COLLINS,
Director of Legal and Democratic Services.

**POLICE AND CRIME PANEL
19th March, 2015**

Present:-

Barnsley Metropolitan Borough Council:-

Councillor R. Sixsmith M.B.E.

Doncaster Metropolitan Borough Council:-

Councillor J. Sheppard

Rotherham Metropolitan Borough Council:-

Councillor A. Sangster

Councillor C. Vines

Sheffield City Council:-

Councillor M. Iqbal

Councillor R. Davison

Councillor T. Hussain

Councillor R. Munn

Co-opted Member:-

Mr. A. Carter

Apologies for absence were received from:-

Councillor M. Dyson, Barnsley Metropolitan Borough Council

Mayor R. Jones, Doncaster Metropolitan Borough Council

J34. APPOINTMENT OF CHAIRMAN

Resolved:- That Councillor Mazher Iqbal be appointed Chairman for the remainder of the 2014/15 Municipal Year.

(Councillor Mazher Iqbal in the Chair)

J35. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public submitted.

Councillor Sixsmith, M.B.E. referred to an incident at the Dearne ALC last week where seven youths bought legal highs locally. Five of the youths were hospitalised due to smoking the substances and wished to ask the Panel if there were any guidelines around the sale of these substances.

The Police and Crime Commissioner suggested the best course of action would be to contact the District Commander who could provide an update on this matter.

Councillor Sheppard indicated that he was willing to share further information as similar incidents had occurred in Doncaster.

Councillor Hussain referred to the loss of £12 million funding and asked how many Police Officer posts would be lost in each Local Authority area?

The Police and Crime Commissioner confirmed this information had been shared at the last meeting which set out in detail the loss of posts across South Yorkshire.

The Chairman suggested that this information be recirculated for all Panel Members.

J36. MINUTES OF THE PREVIOUS MEETING HELD ON 30TH JANUARY, 2015

Consideration was given to the minutes of the previous meeting of the South Yorkshire Police and Crime Panel held on 30th January, 2015.

Reference was made to Minute No. J28 (Resignation of Independent Co-optee) and an update provided on the current position to seek a replacement for the vacancy. Following consultation with the Chairman and Vice-Chairman it was proposed to filling of the vacancy until after the May election to enable a clearer picture of the skill set for such a candidate to be identified. It was also suggested that Alan Carter, Independent Co-optee to the Panel, be included on the recruitment panel.

The Police and Crime Commissioner also referred to a slight misinterpretation of some text as part of Minute No. J31 (Precept Proposal for 2015/16) on Page 5 of the agenda pack and asked that the proposals lists be amended to now read:-

- ensure that uniformed officers continue to respond to emergency '999' calls;
- have neighbourhood teams and the teams of uniformed officers combined under the same management and, for example, receive the same briefings;
- introduce uniform/common shift patterns;
- increase the overall skills of police officers in the new single teams;
- introduce the use of new ICT technology, so that reports may be prepared by Officers, using laptops in Police vehicles, which would ensure that Officers spend more time in the neighbourhoods instead of returning to Police stations in order to file their reports;
- ensure that the training of all Police personnel be 'neighbourhood focused'.

Reference was also made Minute No. J31 (Precept Proposal for 2015/16) on Page 7 of the agenda pack and particularly Question No. 4 where Councillor Sheppard apologised for the content, but asked if this could be simplified to his direct question of "Had these changes to working practices been trialled elsewhere or implemented across the force without being trialled?"

Deborah Fellowes, Scrutiny Manager, also advised the Panel that, in relation to Minute No. J31 (Precept Proposal for 2015/16), the final report on the budget, to be published on the PCC's website, included some additional information. This information had been shared with the Chairman and Vice-Chairman of the Panel to ensure they were aware.

Resolved:- That the minutes of the previous meeting held on 30th January, 2015 be approved as a correct record, for signature by the Chairman, with the inclusion of the clerical corrections referred to above.

J37. PUTTING SAFETY FIRST - SOUTH YORKSHIRE POLICE AND CRIME PLAN 2013/17

Consideration was given to the report presented by the Police and Crime Commissioner which detailed the Police and Crime Commissioner's current Police and Crime Plan following the publication of the first five year plan in 2013.

In addition, the Police and Crime Commissioner thought it also important to report on his decision and rationale not to appoint a Deputy Police and Crime Commissioner.

Having listened to the views of community groups, leaders in business, the universities and local authorities, those working in the voluntary sector and many individuals, the Police and Commissioner identified that all shared a similar view around wishing to be safe and feeling safe.

In consultation with the Chief Constable, taking cognisance of the recently amended Strategic Policing Requirement, and after consideration of the evidence gathered as part of the strategic planning process, the Police and Crime Commissioner identified that 'Putting Safety First', ensuring services were responsive to the public and needs of victims, would determine the priorities of the police service for the period to 2017.

The aim of the Police and Crime Plan was for South Yorkshire to be and feel a safe place to live, learn and work and split into the strategic priorities of:-

- Protecting Vulnerable People.
- Tackling Crime and Anti-Social Behaviour.
- Enabling Fair Treatment.

The Police and Crime Commissioner made reference to each priority in detail and the reasons for the reduced number of targets.

This was based on the Police being asked to demonstrate their methods of measuring priorities and how targets were being met. The Police Force needed to be more thoughtful in its approach with a model of work around geographical areas, requiring a cultural change with time to embed and become established.

It was important for the Police to prevent people becoming victims of crime and anti-social behaviour and to do this they needed to focus on becoming more local policing teams and taking responsibility for a case rather than handing over to another officer. It also needed to be recognised that the responsibility for dealing with anti-social behaviour did not wholly lay with the Police, but some of the solutions may involve partner agencies.

The Police and Crime Commissioner explained about his establishment of an Independent Ethics Panel, chaired by an experienced Solicitor which would follow up on some ethical concerns and provide the Police and Crime Commissioner and the Police with independent and effective challenge to ensure they were acting with integrity and high professional standards.

It was noted that the budget for this financial year had balanced, but this was a different situation moving forward. For South Yorkshire, the finance settlement represented a reduction in funding of £9.6m (or 4.83%) compared to 2014/15. This was on top of a reduction of £9.5m in the previous financial year.

Further information was provided on how the Police and Crime Plan was to be delivered at a time of continuing austerity. The report set out details how this was broken down and how this would be taken forward. More could be done, including improvements in technology, greater collaboration and by design.

The Police and Crime Panel raised a number of issues, some of which would be considered further by the Police and Crime Commissioner around the elimination of some targets in the Plan.

In terms of complaints it was noted that a filtering mechanism was in operation within the Commissioner's Office to ensure they were directed to the most appropriate person. Complaints and the Whistleblowing Policy were areas that were to be scrutinised by the new Independent Ethics Panel especially in light of concerns about the most vulnerable not wishing to make complaints to the Police and the failures highlighted around the child sexual exploitation scandal.

The Police and Crime Commissioner indicated information about the systematic failures was concerning and did not necessarily stand out in the Plan, but assured the Panel that matters relating to concerns were subject to further investigation by the Independent Police Complaints Commission and the National Crime Agency.

Councillor Sheppard strongly pointed out that the public needed to be assured that the standards of South Yorkshire Police were going to be raised and that the Force did not become complacent. The Police and Crime Commissioner agreed that elements of the Plan needed to be bolder and further strengthened.

The Panel's concerns about the recorded decrease of activity such as anti-social behaviour published South Yorkshire wide were not broken down into districts. Individual areas such as Rotherham, who were seeing an increase in anti-social behaviour, were monitored by the District Commander.

The Commissioner admitted there would always be spikes and troughs in reporting, but the new Policing teams should help to manage the concern and hotspot areas which would trigger the appropriate action required by the Police.

The Chairman suggested that for the Panel to fully understand the detail of the Plan that specific information be broken down into the four South Yorkshire areas.

The Scrutiny Manager pointed out that the Rotherham Overview and Scrutiny Management Board had the Crime and Disorder function and was the vehicle for any Rotherham representations of concern.

Examples from other Local Authorities where partnerships with the Police were working, specifically around anti-social behaviour, were highlighted.

The Police and Crime Panel, however, shared a view about the local "101" number for reporting crimes and whether this was "fit for purpose" as some calls were abandoned due to a lack of response. This had been an ongoing issue for many years and reasons for the problems remained unresolved.

The Police and Crime Commissioner referred to the very high volume of calls to Atlas Court, the home of the "101" number and confirmed this was subject to review. However, he extended an invitation to Members of the Police and Crime Panel to visit Atlas Court and see for themselves the level of activity taking place and the triage system that was in operation.

Reference was made to the progress of a "culture change" within the Police Force and how difficult this was to change given the increasing demands. The big shift required was not underestimated, but it would take time to be integrated. The Force was taking every opportunity to be

visible within communities in areas such as supermarkets and schools rather than being isolated within an inaccessible Police Station. The new neighbourhood way of working would take time to embed.

The Panel welcomed the simpler and leaner version of the Police and Crime Plan as submitted, but suggested some of the strategic priorities should be re-established and broken down into the South Yorkshire districts for clarity. It was a little unclear how performance would be monitored and measured.

The report as submitted and its contents were noted, but it was suggested that feedback from the Independent Ethics Panel be referred to this Panel for information, along with the full membership and any examples of partnership working. The Police and Crime Commissioner advised he would speak to the Chairman to ascertain the best way of sharing this information.

The Panel also sought clarity on breakdown figures for missing persons as it was uncertain if some of the figures related to individuals or occasions of reported instances by third parties. This vulnerable group of people needed to be taken seriously and links with other agencies established to identify reasons for disappearance.

The Panel also referred to the make-up of South Yorkshire Police and its reference in the report with percentages within a pie chart.

The Police and Crime Commissioner agreed to set this out as real figures and forward onto Panel Members for information.

The Police and Crime Commissioner agreed with Councillor Davison that it was a balancing act of holding the Police to account. Legacy issues were an important factor and had to be borne in mind, especially for those Police Officers who had joined the force more recently and the successes and good work of the Police needed to be recognised more.

The Chairman summarised the points raised by the Panel as part of further work with the Police and Crime Commissioner and his Office. This included:-

- Concerns and abandonment figures for the public contacting “101” at Atlas Court.
- Details around membership and terms of reference for the Independent Ethics Panel appointed by the Commissioner.
- Further understanding on how performance would be monitored and measured.
- Vulnerable people, especially those missing from home, the reasons for their disappearance, hate crime and third party reporting.

Some of the work identified would be included as part of the work programme for the Police and Crime Panel and this would be shared in due course.

It was also noted that despite the austerity measures being enforced on Local Authorities and the Police that a great deal of good work was still taking place which the Police and Crime Panel were happy to support.

Resolved:- (1) That the Police and Crime Commissioner be thanked for his attendance and update on the Plan.

(2) That the renewed Police and Crime Plan 2013/17: Putting Safety First be received and approved, the contents noted and any comments provided to the Police and Crime Commissioner before 25th March, 2015.

(3) That information be broken down into four Local Authority areas for future consideration.

(4) That the areas referred to above be incorporated into the work programme moving forward.

J38. POLICE AND CRIME PANEL WEBSITE

Consideration was given to a report which set out in detail the progress on the South Yorkshire Police and Crime Panel website to date, which could be found at www.southyorkspcp.org.uk

A demonstration of the website was provided at the meeting for Panel to comment on and suggest any changes to be made to the site.

The purpose of the website was to make it more user friendly, with links to key tasks and reports and complaints. Full details on how to make a complaint would also be featured with clear parameters on how complaints were to be filtered. This would all be in line with the Complaints Procedure which had previously been approved by the Panel and which should be revisited and added to the work programme.

The Panel were happy for the website to be made live with some further road testing via involvement with the community in testing the prototype.

The URL site, which cost £20.00, would be effective within 72 hours and all other legal technicalities confirmed.

Resolved:- (1) That the current design of the website, as demonstrated at the meeting on 19th March, 2015, and any changes required be noted.

(2) That further consideration be given as to how best to involve members of the community in testing the website.

(3) That further consideration be given to methods of engaging/interacting with the community appropriate for the working and statutory role of the Police and Crime Panel.

(4) That the issue of complaints be added to the work programme for further consideration.

J39. WORK PROGRAMME

Deborah Fellowes, Scrutiny Manager, advised the Police and Crime Panel on the status of the current work programme.

It was, therefore, suggested that the work programme be submitted to the next meeting of the Police and Crime Panel and it was proposed that the new emerging performance framework for the Police and Crime Commissioner's Office be included, along with the review of the Annual report.

Resolved:- That the position be noted and the proposals put forward for consideration at the June meeting be approved.

J40. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Police and Crime Panel take place on Monday, 29th June, 2015 at 2.30 p.m. at Rotherham Town Hall.

Police and Crime Panel Actions**ASB Figures****Force**

INCIDENTS	Earlier	Later	% change
Total Anti Social Behaviour	80,663	83,400	+ 3%

Doncaster

INCIDENTS	Earlier	Later	% change
Total Anti Social Behaviour	15,820	17,177	+ 9%

Barnsley

INCIDENTS	Earlier	Later	% change
Total Anti Social Behaviour	11,048	11,779	+ 7%

Rotherham

INCIDENTS	Earlier	Later	% change
Total Anti Social Behaviour	15,249	15,553	+ 2%

Sheffield

INCIDENTS	Earlier	Later	% change
Total Anti Social Behaviour	38,546	38,891	+ 1%

Earlier Period is Apr 2013 – Mar 2014 and Later Period Apr 2014 – Mar 2015

Special Constables

Please find below employment monitoring figures for Special Constable for South Yorkshire Police.

Data shown is accurate for 8th January 2015.

2013-14 End of Quarter 3					2014-15 End of Quarter 3				
Special Constables	Female %	BME %	Disabled %	56+ %	Special Constables	Female %	BME %	Disabled %	56+ %
402	40.5%	5.7%	1.7%	1.2%	438	40.9%	8.0%	1.4%	1.4%

Missing Persons Data

The table below shows number of people under the age of 18 who have gone missing and the number of occasions, for example 273 young people have gone missing on 2 occasions

Missing Person Repeats (Under 18)	Quantity
273	2
88	3
58	4
21	5
26	6
7	7
5	8
5	9
4	10
2	11
2	12
1	13
1	14
2	16
495	

REPORT TO SOUTH YORKSHIRE POLICE AND CRIME PANEL

1.	Meeting:	Police and Crime Panel
2.	Date:	29 June 2015
3.	Title:	Police and Crime Commissioner Role and Responsibilities
4.	Organisation:	Office of the Police and Crime Commissioner for South Yorkshire

5. Summary

This report provides the Police and Crime Panel with information on the role and responsibilities of the Police and Crime Commissioner, a summary of the Commissioner's Police and Crime Plan – Putting Safety First and information on the Performance Framework being used to measure performance against the Plan.

The report also provides Members with the latest information in relation to the legacy issues facing South Yorkshire Police.

6. Recommendations

It is recommended that the Police and Crime Panel note the contents of the report and comment on any matters arising.

7. Proposals and details

Key Functions

The key functions of a Police and Commissioner (PCC) laid down in legislation are:

- To secure the maintenance of an efficient and effective police force area
- To prepare and issue a police and crime plan and review the police and crime plan
- To set the budget and council tax precept
- To hold the Chief Constable to account
- To oversee all, and investigate certain, complaints
- Partnership working
- Collaboration
- Information, public consultation and engagement

The PCC sets the priorities for the police force within his/her force area in a five-year Police and Crime Plan, following consultation and engagement with the public, the force, partners and others to ensure the priorities effectively respond to the needs and demands of his/her communities, and ensure that local and national priorities are met. The PCC ensures these priorities are suitably funded by setting an annual budget and the local precept. The PCC must then hold to account the local chief constable for the delivery of those priorities and the performance of the force. The PCC has historically awarded crime and disorder grants to organisations other than the police force.

Thus, the PCC is in charge of setting the strategic direction of the force through the production of the Police and Crime Plan, which will be refreshed as necessary, in order to protect the public from cross-boundary threats such as terrorism, civil emergencies, public-disorder and organised crime. The PCC is also required by law to have due regard to the Strategic Policing Requirement ('SPR'). This requirement focuses on those areas where Government has a responsibility for ensuring that sufficient capabilities are in place to respond to serious and cross-border criminality threats such as terrorism; civil emergencies; public disorder; organised crime; child sexual abuse and cyber-crime and in support of the work of national agencies such as the National Crime Agency.

The South Yorkshire Police and Crime Commissioner has a duty to ensure South Yorkshire Police is both effective and efficient. In doing this, he will be required to publish information so that the Force and PCC can be judged on performance by the people of South Yorkshire. The PCC must produce an annual report as an update on progress against the priorities set out in the Police and Crime Plan, and must also publish all information specified by the Home Secretary. As part of ensuring that South Yorkshire Police is both effective and efficient, the PCC will deal with complaints and conduct matters regarding the

Chief Constable, and has powers in relation to recruiting and removing chief constables.

The PCC has the power to bring together representatives of the four Community Safety Partnerships ('CSPs') in the county. He/She also has the power to approve the merger of CSPs. Throughout these duties, the PCC should have regard to the priorities of local CSPs. In addition, the PCC also has the power to enter into partnership agreements with Criminal Justice System partners and a duty to enter into collaborative relationships with other PCCs and forces, in consultation with the Chief Constable. It is the PCC's duty to keep possible collaboration opportunities under review in the interests of value for money.

South Yorkshire Police and Crime Commissioner

Doctor Billings became South Yorkshire Police and Crime Commissioner (Commissioner) in November 2014. The previous Commissioner, had resigned in the face of public anger after Professor Alexis Jay reported on child sexual exploitation in Rotherham.

Police and Crime Plan

In April 2015, the Commissioner published his first Police and Crime Plan – Putting Safety First.

As the Commissioner has gone around South Yorkshire talking to people about what they want from the police service, a common theme has emerged. Whether people were talking about neighbourhood policing, or doing something about business crime, domestic violence, burglary, bad driving or anti-social behaviour, the common factor was the same: the idea of feeling safe.

People said: "We want to feel and be safe – in our homes, where we work, on the streets and in public places, by day and by night." This therefore is the overriding objective of the Police and Crime Plan and why the Commissioner called it Putting Safety First.

Set out below is how the Commissioner has arranged police priorities so that the police and other partner agencies can contribute towards achieving that ultimate goal of people feeling and being safe.

South Yorkshire will be and feel a safe place to live, learn and work

The Strategic Priorities

Protecting Vulnerable People	Tackling Crime and Anti-Social Behaviour	Enabling Fair Treatment
<ul style="list-style-type: none"> • I want the police to be more effective in tackling child sexual exploitation. • I also want them to have a better understanding of who the vulnerable are in our community and take steps to protect them, responding also to new and evolving threats. • That may be women or children at risk from domestic violence or abuse. It may be the growing numbers of frail elderly. It may be those who find themselves vulnerable due to a disability or their sexual orientation or their faith or from being homeless. 	<ul style="list-style-type: none"> • I want the police to take effective action in tackling crime and prioritising that which causes most harm in communities. • I also want them to steer people away from crime, not least young people, and to recognise that if we can manage anti-social behaviour better, that may stop situations developing that lead to crime. • Above all, the police must never lose sight of the victims of crime, trying at all times to understand their needs and securing the right outcome for them. 	<ul style="list-style-type: none"> • I want the police to deal fairly with people whatever their community, their race, gender or religion. • I also want them to be seen in neighbourhoods and to develop people's trust by being responsive to the needs of the different communities. • It is only through patiently working in this way that the police will be able to restore the trust and confidence that has been damaged in the past.

Victim focus

All of this will have to be done with fewer and fewer resources. The police grant from central government has reduced each year since 2010 and the Commissioner has had to assume that will continue with the new government.

South Yorkshire Police are having to work hard to restore public trust in them following revelations about police behaviour in the past. The Commissioner has said that he will help them work through that.

But in the end, a feeling of safety will depend not just on forces of law and order, but also the contribution each person is prepared to make. We can make the job of the police more successful if we are equally concerned with one another's safety.

Monitoring progress against the Police and Crime Plan

The Commissioner has a Police and Partner Performance Framework which has been designed to allow the Commissioner to judge progress against the Police and Crime Plan outcomes. It is structured and filtered in a way that reflects where the majority of resources are provided and to whom they are provided.

Only allocations of £100,000 and above are considered in detail within this Framework.

Not surprisingly the largest service provider receiving a grant from the Commissioner for the financial year 2015/16 is South Yorkshire Police (SYP). SYP have received around £240m this year; whilst other organisations have received relatively smaller grants to cover services such as Drug Intervention, Victim Support and Community Partnerships.

The Framework has been built with a view to providing a holistic view on the overall performance of service providers against the priorities within the Plan. This approach is constantly evolving.

A crime matrix attempts to use a variety of different contexts and comparisons in order to judge recorded crime information. It is envisaged that the Commissioner's Governance and Assurance Board will use this information to identify exceptions under the Tackling Crime and Anti-Social Behaviour section. Some of the comparisons involve those within our Most Similar Group but also the measures Her Majesty's Inspectorate of Constabulary (HMIC) will use to assess performance, thereby linking in with the external inspection process.

Work with other service providers to date has focussed on gaining a full understanding of their activity and the role they have in affecting outcomes identified within the Plan. Once this work is complete the Commissioner will be able to see and understand the areas directly impacted upon by a particular provider, and likewise those that aren't and require a collaborative approach or other action by another organisation. Some mapping has already been completed and the remaining work should be completed by September.

Specific Issues Update

- **Contact Management**

The Commissioner is aware of the issues surrounding South Yorkshire Police's contact management. This was discussed at the Commissioner's Governance and Assurance Board where a number of actions were raised. This is also on the agenda for the next meeting.

- **Hillsborough Inquests**

The South Yorkshire Police and Crime Commissioner has a legal obligation to support both the current Chief Constable and eight former and serving officers who have been granted 'interested person' status and called to give evidence into the deaths of the 96 Liverpool Football Club fans at Hillsborough in 1989.

The costs incurred to date include:

- The provision of legal support to the Chief Constable amounting to approximately £1m
- The previous Commissioner agreed to give financial support to former officers, in accordance with Home Office Circular 43/2001. To date this

legal representation has involved costs of approximately £14m, with the potential for further significant costs particularly as the inquests could run until the summer of 2016.

Work is currently taking place to try to understand the full implications of what has been announced and the options available.

- **Orgreave**

On 12 June 2015 the Independent Police Complaints Commission (IPCC) announced its decision not to conduct an investigation into South Yorkshire Police's handling of events at the Orgreave coking plant during the miners' strike, and the subsequent prosecutions in 1984/85.

The decision follows an extensive scoping exercise relating specifically to the IPCC's remit to investigate allegations of police misconduct. The reasons for their decisions include:

- the passage of time means that allegations of assault and of misconduct could not now be pursued
- some matters were subject to complaints and civil proceedings at the time
- detailed analysis has not revealed any other issues in relation to individual officers which could now be investigated

- **Child sexual exploitation**

On 10 June 2015, the Commissioner announced that he had appointed Professor John Drew to lead an Independent Review of South Yorkshire Police's handling of reports of child sexual exploitation across all the districts.

The report will establish whether South Yorkshire Police (together with its partners) has understood and acted upon the findings of reports and inspections into matters of child sexual exploitation. It will also look at whether the Force's response to safeguarding children and young people is adequate, not just in Rotherham but across the whole of South Yorkshire.

The themed areas that the review will cover are:

Culture

Is the current organisational culture across the four districts a help or hindrance to future openness and transparency?

Effective appropriate leadership

Are SYP leaders effectively driving the fight against child sexual exploitation?

Performance

Has a target-focused recording of crime mentality prevented SYP from effectively tackling child sexual exploitation sooner?

Victim focus

Is the victim at the forefront of all policing decisions within SYP?

Scale

Is the scale of the problem confined to Rotherham, or county-wide?

Partnership working

Do current partnership relationships allow for open and honest discussions to take place, with free exchange of information?

Prosecutions and case-building

Has SYP encouraged case-building against perpetrators of child sexual exploitation, acknowledging the intricacies of information gathering?

Resource management

Does current SYP technology allow for the effective recording and sharing of information and data regarding child sexual exploitation?

8. Finance

Since 2010 government funding for all public services, except the National Health Service, has been cut. On 17 December 2014, the Government issued the Provisional Police Grant Report for 2015/16. The amounts allocated to Police and Crime Commissioners – the Police Grant and Formula Funding allocations - have fallen by 5.1% (in cash terms) compared to 2014/15.

Nationally, over the last 10 years or so, we have seen the costs of investigating crime rising, even though the number of crimes is falling. This is mainly due to the shift in crime types to those that are of a more complex nature.

For South Yorkshire, the finance settlement represents a reduction in funding of £9.6m (or 4.83%) compared to 2014/15. This is on top of a reduction of £9.5m in the previous financial year: i.e. a cumulative reduction of £19m over the last two financial years.

An emergency budget announcement is expected on 8 July 2015.

9. Background Papers and Consultation

- Police Reform and Social Responsibility Act 2011
- Police and Crime Plan – Putting Safety First

All background papers used in the preparation of this report are available for inspection at the Office of the Police and Crime Commissioner, 18 Regent Street, Barnsley S70 2HG.

10. Contact

Name: Sally Parkin

Position: Assurance Officer

Organisation: Office of the Police and Crime Commissioner

Contact number and email address: 01226 772925,

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REPORT TO SOUTH YORKSHIRE POLICE AND CRIME PANEL

1.	Meeting:	Police and Crime Panel
2.	Date:	29 June 2015
3.	Title:	Budget Information
4.	Organisation:	Office of the Police and Crime Commissioner for South Yorkshire

5. Summary

This report provides the Police and Crime Panel with information on the Police and Crime Commissioner's budget 2015/16.

6. Recommendations

It is recommended that the Police and Crime Panel note the contents of the report and comment on any matters arising.

7. Proposals and details

Revenue Budget for 2015/16

For 2015/16 there was a reduction in funding from Government amounting to £9.6m compared to 2014/15. There was a requirement to make sufficient budget provision for the effect of price inflation, pay awards and the planned resources required to address the heightened emphasis given to Protecting Vulnerable People. These additional "Pressures" amounted to almost £8m for 2015/16.

The combined effect of the funding reduction and pressures mean that almost £17.4m had to be found to balance the 2015/16 budget. This was made from a combination of savings and additional income.

The net revenue budget for 2015/16 amounted to £240m and was financed as follows:

	Budget 2014/15 £'000	Budget 2015/16 £'000
Council Tax income	47,282	49,144
Police Grant (HO Core)	-107,770	-101,174
Revenue Support Grant (Ex DCLG Formula)	80,957	77,909
Council Tax Freeze Grant 2011/12	-1,269	-1,269
Council Tax Support Scheme compensation	9,591	9,591
Collection Fund surplus	730	1,041
FINANCING OF BUDGET REQUIREMENT	247,599	240,128

The overall budget funds the provision of a Police Force for South Yorkshire as well as the Commissioners commissioning activity. The amounts allocated to each function are shown below. The cost of employees represents approximately 85% of the budget allocated to the Chief Constable.

	Budget 2014/15 £'000	Budget 2015/16 £'000
Chief Constable budget	244,103	237,829
PCC and OPCC Budget	1,994	2,127
Commissioning & Partnership	5,114	4,877
Debt Charges & interest on balances	7,426	7,132
External Funding	-4,263	-4,601
Contribution from Reserves	-6,775	-7,236
BUDGET REQUIREMENT	247,599	240,128

Capital Programme 2015/16

To secure the necessary operational efficiencies in policing over the medium term, it is necessary to invest in new technology, buildings and equipment. The capital programme for 2015/16 amounts to £27.4m. The financing of this expenditure is set out below:

	Original Budget 2014/15	Revised Budget 2014/15	Forecast Budget 2015/16
	£000	£000	£000
CAPITAL FINANCING			
External Grant (HO Grant)	2,550	2,550	2,088
External funding		1,728	1,028
Capital Receipts	514	900	727
Capital Reserve		3,550	3,724
RCCO (from Reserves)	4,172	2,444	4,313
Borrowing	8,158		15,525
OVERALL TOTAL	15,394	11,172	27,405
PLANNED CAPITAL SPENDING	15,394	11,172	27,405

The proposed capital programme comprises three key elements:

- Ensuring equipment is 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 is fit for purpose and sustainable and developed in accordance with the Commissioners accommodation strategy.
- Supporting and investing in new technology which will allow the force to deliver a better service at reduced cost.

Reserves position at 1 April 2015

The Budget for 2015/16 involves the use of £11m of Reserves, mostly to support the investment in capital schemes. The Reserves consist of the following general and earmarked reserves:

- General Reserves: these are necessary to fund day to day cash flow requirements and also to Revenue Grants Reserve: any grant that has not been used to fund related expenditure has been taken to this reserve and used to fund expenditure when it is incurred in future years.
- Transition Reserve: to meet any costs associated with the transfer of functions from the South Yorkshire Joint Secretariat to proposed provision within the Office of the PCC and/or with other bodies.

- Partnership Reserve: this has been set aside to fund the Commissioners partnership and commissioning activity and will be fully used in 2015/16.
- Insurance Reserve: this represents sums set aside to fund potential liabilities under current insurance arrangements.
- Innovation Reserve: this represents amounts set aside to fund innovation initiatives and investment in schemes that will improve efficiency and reduce operating costs.
- Devolved Budget Reserve: as part of the devolved financial management arrangements, budget holders are allowed to carry forward underspends up to approved limits to fund expenditure in the following year. This will be used in 2015/16 to fund severance payments as part of a programme to balance the budget in 2016/17.
- Capital Reserve: this represents amounts set aside to support the Commissioners capital investment programme. This will be fully used in 2015/16 and 2016/17.

	Forecast Balance at 31/3/15	Forecast Balance at 31/3/16
RESERVES	£000	£000
General Reserve balance at 31/3/14	10,182	5,200
<u>Earmarked Reserves - Revenue</u>		
PCC transition reserve	250	250
PCC Partnership Reserve	1,500	0
PCC Innovation Reserve	2,000	2,000
Insurance Reserve	10,296	9,571
Devolved Budgets	3,900	3,900
<u>Earmarked Reserves - Capital</u>		
Capital Reserves	12,209	8,485
Total Earmarked	30,155	24,206
OVERALL TOTAL	40,337	29,406

Further potential costs: Hillsborough

The Chief Finance Officer has concern about the potential costs associated with the Hillsborough inquests and the assumptions that have been made in determining the budget and precept for 2015/16. Since the inquests were opened in March 2014, the Commissioner has provided financial assistance to former officers to enable them to have legal representation at the inquests. The Chief Constable is a designated 'interested person' in the inquests by virtue of his role and the Force budget is also supporting costs of legal representation.

The assumption relating to these potential costs has been that they will be offset by a Special Grant from the Home Office and that there will not be an impact on the net revenue budget for 2015/16. However although the Home Secretary has set out the principles on which funding will be provided, the level of funding is subject to further discussions with the Home Office and has not yet been finalised. There remains a risk that the level of Special grant may fall well below the level of expenditure incurred. The available Reserves may not be sufficient to meet this cost.

The costs incurred to date include:

- The provision of legal support to the Chief Constable amounting to approximately £1m
- The previous Commissioner agreed to give financial support to former officers, in accordance with Home Office Circular 43/2001. To date this legal representation has involved costs of approximately £14m, with the potential for further significant costs particularly as the inquests could run until the summer of 2016.

8. Background Papers and Consultation

All background papers used in the preparation of this report are available for inspection at the Office of the Police and Crime Commissioner, 18 Regent Street, Barnsley S70 2HG.

9. Contact

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Police and Crime Panel
2.	Date:	29th June 2015
3.	Title:	Report of the Legal Adviser – Update on the Operation the Complaints Procedure
4.	Directorate:	Resources

5. Summary

To update the panel on the number of complaints received and the handling of complaints since the last report.

6. Recommendations

That the panel notes the actions that have been taken in respect of complaints

7. Proposals and Details

Since the last meeting of the Panel, three relevant complaints have been received:

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

These complaints have been referred to the Office of the Police Commissioner who has provided responses.

The legislation provides that complaints be dealt with by way of informal resolution. Accordingly, the legal adviser will now consider the replies and attempt an informal resolution of the matters.

The legal adviser will also consult with the Chair and Vice Chair of the Panel to consider whether any further action is necessary. A report will be submitted to the next meeting of the panel on the progress of the complaints.

The legal adviser also received six further complaints in relation to routine policing issues which have been referred to the Police as appropriate.

As the Legal Adviser has previously informed the panel, three complaints were referred to the Independent Police Complaints Commission (IPCC) in relation to the former Police Commissioner. The Commissioner of the IPCC has recently written to the Legal Advisor to the effect that the IPCC does not intend to investigate the complaints further as the letters of complaint did not provide any actual evidence to support the claim that the previous Police and Crime Commissioner committed a criminal offence.

The IPCC's decisions is therefore that there is insufficient information to suggest that Mr Wright may have committed a criminal act and hence there is no requirement for an IPCC investigation. The IPCC further stated that if concerns arise later that might merit this decision being reconsidered the matter should be referred back to them.

8. Finance

None

9. Risks and Uncertainties

None

10. Background Papers and Consultation

Files and correspondence held by Legal Adviser.

Contact Name: *Stuart Fletcher, Service Manager, Commercial Property & Information Governance, telephone 01709 823523 or e-mail stuart.fletcher@rotherham.gov.uk*

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	South Yorkshire Police and Crime Panel
2.	Date:	29 th June 2015
3.	Title:	Member Remuneration
4.	Directorate:	Resources

5. Summary

To inform the Police and Crime Panel ('the Panel') of the recommendations of the Independent Remuneration Panel ('IRP') of Rotherham Metropolitan Borough Council in relation to allowances payable to members of the Panel.

6. Recommendations

That the panel notes the recommendations of the IRP and the decision of Rotherham Metropolitan Borough Council meeting on 22nd May 2015.

7. Proposals and Details

7.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require Councils to review the remuneration for Members. The Panel also requested Rotherham Metropolitan Borough Council to review the allowances paid to Panel members.

7.2 Upon the establishment of the Panel an allowance for each member of the Panel of £920 was budgeted for by central government. This amount is no longer 'ring fenced' but forms part of the overall budget for the Panel.

7.3 The IRP considered this allowance and decided that there should be no change in the amount payable to members.

7.4 The Council have to 'have regard' to the IRP recommendations. At their meeting on 22nd May 2015 the Council accepted the views of the IRP. Therefore the allowances for the Panel will remain at £920 until the matter is reviewed again.

8. Finance

The annual cost for Members' allowances for Members of the Panel is £11,040. This figure will remain the same until another review is completed.

9. Risks and Uncertainties

Effective support for the democratic process is important and a robust allowance is essential in attracting Members with the requisite skills. However this has to be tempered with an awareness of the current economic climate.

10. Policy and Performance Agenda Implications

Ensuring effective support for the democratic process is expected, but in the current economic climate it should also be reviewed and any resource savings realised.

11. Background Papers and Consultation

The Local Authorities (Members Allowances) (England) Regulations 2003.

Contact Name: *Stuart Fletcher, Service Manager – Commercial, Property & Information Governance, telephone: 01709 8223523 or e-mail: stuart.fletcher@rotherham.gov.uk*

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Police and Crime Panel
2.	Date:	29th June 2015
3.	Title:	Report of the Legal Adviser-Good practice for Police and Crime Panels
4.	Directorate:	Resources

5. Summary

This report informs members of recent guidance from the Local Government Association in relation to Police and Crime Panels.

6. Recommendations

That the Panel note the advice from the Local Government Association.

7. Proposals and Details

7.1 The Local Government Association has released guidance in relation to good practice for Police and Crime Panels. The advice is at the Appendix.

7.2 Members are referred to the case study on page 17 of the report which deals with the way the South Yorkshire Police and Crime Panel dealt with issues relating to the previous Police and Crime Commissioner.

8. Finance

None

9. Risks and Uncertainties

The guidance draws upon the experiences of different Police and Crime Panels in the country and offers practical solutions to issues that may arise.

10. Policy and Performance Agenda Implications

None

11. Background Papers and Consultation

None

Contact Name: *Stuart Fletcher, Service Manager Commercial, Property & Information Governance, telephone 01709 8223523 or e-mail stuart.fletcher@rotherham.gov.uk*

Good practice for police and crime panels

Guidance document

Acknowledgements

The Local Government Association (LGA) is grateful to all those panel members and others from councils, police and crime panels (PCPs), offices of police and crime commissioners (OPCC) and others who participated in interviews, provided information for case studies and made suggestions for issues to be covered in this guide.

Their contribution has helped to ground the discussions in the guide in the practical realities of running an effective police and crime panel.

The guide was written by Miranda Carruthers-Watt from BHL Associates for the LGA.

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Foreword

Police and crime panels are an essential part of new accountability structures for policing and community safety. Over the past two years, panels have developed local approaches to accountability that ensure police and crime commissioners are effectively and proportionately held to account for their responsibilities. Police accountability is not a new role for councils and councillors, having played a leading role in police authorities between 1964 and 2012.

Councils have embraced this change in a period of austerity and limited resources. This document shares information on the good practice police and crime panels have developed in holding police and crime commissioners to account. This new accountability landscape has occasionally presented unexpected challenges; for example, there have been some high-profile implementation and ethical concerns that have put police and crime panels to the test. The lessons learned from these events have demonstrated the resilience of panels and form part of the good practice to be found in this document.

However, police and crime panels now undertake a substantially different accountability role from the police authorities they replaced. As directly elected individuals, police and crime commissioners are ultimately held to account by local residents at the end of their four year term. Panels have an important ongoing scrutiny role to ensure that the electorate can make a fair and balanced judgement on the performance of the police and crime commissioner. This is a new political relationship with many different experiences throughout the country. Some areas have readily embraced the new relationship, learning new ways to continually evaluate and improve the performance of local police forces, identifying opportunities for joined-up working. Others have found the change more challenging, struggling to find the right balance between independent leadership and local accountability. However, finding a way to build a healthy, effective and challenging relationship is essential for local communities who rely on fair accountability for excellent police services.

It is hoped that this document will provide guidance on how local areas can best develop accountability approaches and procedures on behalf of their local communities. Together, police and crime panels and police and crime commissioners can ensure that continuous improvement is the foundation of local accountability, from which all can benefit.



Councillor Ann Lucas OBE

Chair, Safer and Stronger Communities Board

Introduction

Over the past two years, police and crime panels have demonstrated their ability to hold police and crime commissioners (PCCs) to account within their given powers and have maintained a fair and transparent approach to accountability throughout some very high-profile and public issues. Although the police and crime panel accountability model is largely based on parliamentary select committees, they are not entirely similar as they do not have any punitive powers to hold a police and crime commissioner to account. Panels must instead focus on effective public scrutiny of the impact PCCs are having on policing, maintaining safety, resilience and protecting vulnerable communities. The most effective panels will have also developed local public scrutiny models that are accessible and hold the police and crime commissioner to account for their wider community safety and local resilience responsibilities.

As such, this document will share good practice on:

- delivering effective scrutiny
- positively influencing the performance of police and crime commissioners and subsequently, their local police forces
- building good working relationships between PCCs and the office of the police and crime commissioner (OPCCs)
- complaint-handling and responding to high-profile complaints or issues.

This document is not intended to be a definitive guide, rather it will look at a number of issues that have been significant for panels so far and share some best practice examples on how they have been tackled. It will also build on the guidance¹ that has previously been issued to panels by the Centre for Public Scrutiny (CfPS) and the LGA in 2011 and 2012. In looking at what constitutes good practice, emphasis has been placed on what has worked well in some areas and how certain issues can be anticipated and planned for, to cut down on the amount of work needed for panels to respond.

¹ www.cfps.org.uk/domains/cfps.org.uk/local/media/downloads/Police_Report_CfPS_web.pdf
www.local.gov.uk/c/document_library/get_file?uuid=8f16dd65-7fde-4792-8578-fa955263931e&groupId=10180

Roles and responsibilities

The new single leadership model for policing, held by police and crime commissioners, is ultimately accountable to the electorate. However, ongoing scrutiny over performance and PCC conduct is led by police and crime panels. Police and crime panels are bodies made up of locally elected councillors and independent lay members (members of the public). Panels are representative of their local communities with councillors from two-tier authorities sitting as full members of police and crime panels. The intention of Government was that these panels would provide a light-touch scrutiny function in holding the new role of the police and crime commissioner to account. Additional responsibilities were also prescribed as the legislation went through Parliament, including a requirement to “support” the work of the police and crime commissioner.² The Act notes: “The functions of the police and crime panel for a police area must be exercised with a view to supporting the effective exercise of the functions of the police and crime commissioner for that police area”. This additional legislative duty ensures that panels are not required to critically evaluate the decision making of PCCs but must provide challenge and assurance, on behalf of their communities, that local policing and community priorities will be met.

Holding to account – providing challenge and gaining assurance

Panels must assure themselves of the fair, effective and efficient deployment of police resources and that police and crime commissioners are committed to delivering the priorities laid out in their police and crime plans. Panels do not have the power to directly intervene in a planned activity or decision of the PCC, nor is it within their remit to hold the chief constable to account. Panels must use police performance statistics or qualitative feedback from service users as evidence to challenge, inquire and hold the PCC to account. Questions are put to PCCs at public panel meetings on their progress

and achievements against the priorities of the police and crime plan. Panels can also publicly record any concerns they have and can revisit an issue or concern again.

Police and crime panel resources

Building and developing local government capacity to support panels can be a significant challenge. One of the reasons for this is adequate government funding. Panel members raise this as one of their main concerns about their ability to be effective. Panels have questioned whether their funding allocation is sufficient to carry out their accountability and scrutiny duties effectively. The process of holding police and crime commissioners to account must be undertaken in a professional and transparent way and will often require supporting expertise from a number of professionals including legal, human resources, financial and community safety.

“We rely heavily on the work of the County Council officers to support the panel – we have the Monitoring Officer and Head of Legal that we can turn to as well as a brilliant Committee Administrator”

The level of support and resource made available to panels can be particularly problematic when a serious incident or issue arises. One lead officer said: “in a crisis, the panel becomes a full-time organisation”, which needs considerable member time and officer resources. For example, the Lincolnshire Police and Crime Panel agreed to fully examine the events regarding the suspension of the Temporary Chief Constable by the Police and Crime Commissioner. The Panel felt that there was no evidence that the decision to suspend during an ongoing investigation met the criteria laid out in the Police Regulations and therefore required further investigation. The Panel established a working group to further understand the particular course of action taken by the Police and Crime Commissioner. This work required

² s28(2), Police Reform and Social Responsibility Act 2011

significant officer support and involved interviewing 55 people and preparing a detailed report.³

Dedicated and experienced scrutiny officers can measurably enhance the work and outcomes of a panel. According to the CfPS⁴, for effective scrutiny and accountability of elected positions, dedicated scrutiny officers can significantly enhance the smooth running of the scrutiny function, especially when a difficult situation arises. Yet, as a result of ongoing financial pressures driving public sector reform the number of dedicated officers for scrutiny matters within local government has fallen.⁵ This may prove to have a significant impact on policing accountability.

Panels should also look to their local Community Safety Partnership as a source of information. Community safety partnerships (CSPs) are made up of representatives from the 'responsible authorities', which are the: police, local authority, fire and rescue authorities, national probation service and community rehabilitation companies (CRC) and Clinical Commissioning Groups⁶. Every Community Safety Partnership will have evidence of their local community safety needs and a community safety strategy and plan. They will also be able to provide analysis and an assessment of the impact of police and crime commissioner policies.

Confirmation hearings

A principal role for the panels is to conduct confirmation appointment hearings for some senior staff including the chief constable. The pool of potential chief constables is small but the appointments' process benefits from a degree of external oversight. The feedback from panels' experience is that having some involvement with the appointment process, such as a panel member acting as an observer, reassures the panel that a fair and transparent process had been conducted.

Some panels have received reports from the independent members PCCs are required to appoint as part of the process. The independent members' role is to ensure the selection and appointment process for chief constables is conducted openly and fairly. Consideration of their reports as part of the information provided for the confirmation hearing has provided panels with the assurance the candidate before them has been appointed on merit. More detail on the role of panels can be found in the LGA/Centre for Public Scrutiny Guidance on Confirmation Hearings.⁷

3 Lincolnshire Police and Crime Panel, Task Group Scrutiny Report, www.e-lindsey.gov.uk/CHttpHandler.ashx?id=1083&p=0

4 www.cfps.org.uk/publications?item=7190&offset=25

5 LGA and Centre for Public Scrutiny (2012) Police and crime panels: Guidance on confirmation hearings – www.cfps.org.uk/publications?item=7190&offset=25

6 Section 6 of the Crime and Disorder Act 1998 required the relevant responsible authorities (commonly referred to collectively as a Community Safety Partnership (CSP) in a local government area to work together in formulating and implementing strategies to tackle local crime and disorder in the area

7 Ibid

Police and crime panel scrutiny

To make best use of the powers awarded to police and crime panels, members should become experts in local government scrutiny. Many panel members will already have a grounded understanding and experience of scrutiny through processes such as local government overview and scrutiny committees or consumer champion organisations. Most council's will also have written guidance on scrutiny for councillors. Scrutiny can best be described as the critical observation or examination of a function, process or area of knowledge. There is no one way to do scrutiny and it is one of the most creative areas of work for a police and crime panel. Panels should work together and with their police and crime commissioner, to develop a suitable local scrutiny approach. There are many tools and approaches for effective scrutiny.

A couple of examples include:

- in Durham, to widen the contribution of scrutiny over the PCC's Police and Crime Plan, the Police and crime panel reports on progress to local overview and scrutiny committees
- in London, the Deputy Mayor for Policing receives 100-150 questions a month from the Police and Crime Committee, which are formally answered in writing.

Transparent scrutiny

Transparency plays a key role in panels' approach to scrutiny. Panels are public committees and are required to publish their agendas and minutes. It will be through these documents that the public will be able to evaluate the performance of the PCC and provides evidence of ongoing council support and challenge to local policing and community safety. Increasing numbers of local authorities are using webcasting to connect their meetings with the public and South Yorkshire, Cheshire, Sussex, Leicestershire, Surrey, Warwickshire and Staffordshire routinely webcast their meetings.

South Yorkshire webcast a full 'lessons learned' Police and crime panel meeting after the election of the new PCC in November 2014 and the Merseyside Panel publishes all correspondence with the PCC on their website.

Adjusting scrutiny approaches for local 'best fit'

Some panels have benefited from developing a 'best fit' approach to scrutiny. Establishing a police and crime panel that 'best fits' the local area is an effective way to meet the needs of individual panels and PCCs. Clear terms of reference for a police and crime panel can help to make this approach successful. Terms of reference for a police and crime panel should be drawn up to reflect the full role of a PCC – including their responsibility to victims, their duty to ensure collaboration and their responsibility for securing efficient and effective policing for the force area. The terms of reference will therefore clearly set out the scope for what a PCC will be held to account for. For those areas that have a clear local definition of the role of the panel and PCC, there have been notable improvements in the ability of the panel to hold a PCC to account and cooperation from the PCC. Alternatively, panels may wish to review the style of their panel meeting. In one example, a panel which initially had a difficult relationship with their police and crime commissioner, has moved from a very formal committee structure to running the panel as a 'solution focused' conversation.

“This approach helps us to find solutions rather than end in confrontation”

Panel Chair

The most successful and established panels have taken time to consider and plan the work of the panel. A good programme of work, with a forward plan for any public reports, cuts down on 'surprises'; unexpected decisions or issues that a panel may be required to respond to.

To prevent, as far as possible, any unexpected issues or decisions occurring, the relevant officers in Gwent have taken time to build good working relationships. The Office of the Police and Crime Commissioner and officers at Gwent Council meet on a regular basis to discuss the forthcoming work and any unexpected or new work or decisions that have taken place. The panel has also invited the PCC, and other partners, to a Panel development day focused on improving the local scrutiny approaches. This helped both the relationship building and priority setting for the scrutiny agenda. This approach has been particularly effective in establishing and communicating the diverse and important role of police and crime panels.

Forward plans

There is a general view that where the PCC has forward plans in place, they have been very helpful in supporting panels to plan their scrutiny work over a similar period.

The Greater Manchester Office of the Police and Crime Commissioner writes an annual forward plan⁸ which sets out the key decisions due to be made by the Police and Crime Commissioner, and decisions to be made by chief officers. Those chief officers are the Chief Executive, Chief Finance Officer and/or Chief Constable. The forward plan is updated on a regular basis and details information that will be reported to the Police and Crime Commissioner, which may not require a decision, but that the Commissioner or Chief Officer considers important. Greater Manchester defines a key decision as one which will have a significant/ongoing impact on communities in Greater Manchester, and/or is financially significant, in terms of spending or savings for the service or function concerned. A forward plan gives the public, and police and crime panels, the opportunity to know what decisions are to be taken, and what information is to be reported.

⁸ <https://meetings.gmpcc.org.uk/mgGeneric.aspx?MD=ForwardPlan&bcr=1>

Development of effective scrutiny techniques for police and crime panels

The London Borough of Merton's Overview and Scrutiny Handbook (2011) quotes the role of overview and scrutiny as "potentially, the most exciting and powerful element of the entire local government modernisation process. It places [elected] members at the heart of policy-making and at the heart of the way in which councils respond to the demands of modernisation".

Since 2012, police and crime panels have been developing their own approach to scrutiny based on new relationships with police and crime commissioners. Most panels began developing their approach to scrutiny by reviewing the PCC's police and crime plan. Panels have a statutory duty to review and comment on the police and crime plan and annual reports⁹ and as such should have some idea on how they will approach scrutiny over the following year.

The police and crime plan must include:

- the PCC's police and crime objectives
- the policing the chief constable is to provide
- the financial and other resources the PCC will make available to the chief constable to provide policing
- how the chief constable will report to the PCC about policing
- how the chief constable's performance will be measured
- information about any crime and disorder reduction grants to be made by the PCC, and any conditions made.

A police and crime plan can last for a PCC's whole term in office but most PCCs are refreshing and reviewing plans on an annual basis. Panels may want to ask if this has been done in their areas and understand what the local thinking is if plans are not refreshed.

⁹ s28(3), Police Reform and Social Responsibility Act 2011

In North Yorkshire, the panel met and considered the Commissioner's refreshed plan in 2014. They supported the plan but asked for and agreed some changes and commented on areas that they liked or felt needed to be reconsidered. They published this report on their website in line with their transparent approach to scrutiny.¹⁰

Panels are also best placed to ensure the police and crime commissioner is making all the relevant links and taking note of other strategic plans across the force area. For example:

- reviewing the police and crime plan and annual report for links to existing local authority plans and priorities
- ensuring that the PCC has clear policies to deal with emergency situations, such as adverse weather problems as well as civil unrest or terrorist incidents, by testing the partnership arrangements.

In Greater Manchester, the Panel comprises the leaders of all the Greater Manchester councils. This is supported by a bi-monthly meeting of all the community safety leads for the councils, the Police and Crime Steering Group and an officer group. The work agenda is set by the steering group and includes not only the PCC's issues but district issues such as licensing, alcohol and others.

Best practice approach to reviewing a police and crime plan

Police and crime plans are the best strategic documents from which a panel should begin to forward plan their work. Below are six suggested approaches:

1. Check that there is at least one measure of success identified for each priority identified in a police and crime plan. Panels may wish to review current performance against each of the success measures and look to other information sources to understand the prevalence of an issue. A good example is the Northumbria Policing Plan where specific

measures for success have been attributed to each objective within the plan.

2. Agree how the PCC will be held to account for delivery of the objectives outlined in their Police and Crime Plan. For example, panels may wish to focus on one or two priorities over a year, gathering further information and evidence to inform a series of questions put to the PCC. Where capacity exists, panels may wish to consider commissioning the work to a sub-group of the panel or officers from a nominated authority. Panels will need to conclude whether the PCC is meeting their objectives in the plan or not. In Cleveland, reports from the PCC to the Panel include information on:

- the priorities of the police and crime plan and how they relate to the work of the Police
- the public engagement and scrutiny undertaken by the PCC
- progress to date on the PCC's objectives
- This means that the Panel has an agreed report structure on which to base their scrutiny plans.¹¹

3. Ask questions about the PCC's approach to holding the chief constable to account, for example, how does the PCC ensure that the chief constable is following the priorities outlined in the police and crime plan?
4. Findings from the South Yorkshire 'lessons learned' session determined that panel members should expect to see evidence for why the PCC has chosen particular areas as priorities. Panels can receive information on:
 - how the PCC has engaged with the public on a particular issue

¹⁰ www.nypartnerships.org.uk/CHttpHandler.ashx?id=29668&p=0

¹¹ www.cleveland.pcc.police.uk

- the leadership role and actions taken by a PCC to drive both the chief constable and broader criminal justice partners to deliver improvements
 - the measures put in place to monitor outcomes against the police and crime plan's priorities.
5. Ensure the police and crime plan notes and commits to considering other local strategic assessments including; strategic assessments of community safety partnerships, joint strategic needs assessments (JSNAs) and children and young people's needs assessments. The panel may wish to review the information set out in these documents as a discussion of how the police and crime plan is contributing to meeting other needs set out within a local area.
 6. Discuss with the PCC how the police and crime plan contributes to the prevention and early intervention of crime. For example, the panel may wish to discuss any opportunities to invest in the prevention of domestic violence or road traffic accidents.

Undertaking strategic assurance questions

It is important that any series of questions put to the police and crime commissioner are not seen as negative, but rather as essential to the smooth functioning of a resilient scrutiny process. The panel can, and must, ask searching questions, and dig deep into information and data supplied by both the PCC and the chief constable. They will have a role in making sure that targets are achieved – and if targets are altered or removed, panels should seek and review the reasons for this. They should also make sure that where there are specific issues such as child sexual exploitation, national action plans are followed, local action plans are developed and that the PCC has oversight that is shared with the police and crime panel.

Example community safety issue:

Panel chairs have asked how they can scrutinise the PCC's performance where no local performance targets are set. Asking a series of focused and seeking questions can

enable panels to better understand the context of a local issue. Below is an example of a local community safety issue and a number of approaches that a panel could employ, in the absence of performance targets, to find out how a problem is being resolved.

Example

A local newspaper has published negative stories about the police no longer attending burglaries or car thefts. This is an operational decision by the chief constable as a result of financial pressures. There are no targets set to monitor police performance against these offences to measure the impact of this decision. As a result of this publicity, people in this district are worried about their safety and it is damaging inward investment and the economic stability of the area. The issue has also been raised at a local community safety meeting. Historically, the constabulary has been criticised by HMIC for their poor performance, but has recently responded saying that the issues are in the past and performance is improving. The PCC has said that it is operational, and is scrutinising the issues and is assured by the police response.

Suggested approaches to scrutiny:

1. Clarify how the commissioner holds the chief constable to account for performance on serious acquisitive crime.
2. Request information and data on this issue; for example, ask what data is held on serious acquisitive crime? How often is this data reviewed? What happens after the data has been reviewed?
3. Ask what resources are allocated to respond to this issue.
4. Commission a survey or focus groups to better understand public opinion, including victims or victims' services on this issue.
5. Ask for attendance of relevant officers at the police and crime panel meeting; this could include the chief constable or policy and performance officers to contribute more information.

6. Compare with how other police forces deal with this problem; consider the similarities and differences between them.
7. Write a scrutiny review on the issue; this review would be available to the public and media.
8. Give a response to the commissioner on the panel's assessment of how well the issue is being addressed – this could include referring to what is working well and which areas need to improve and offer recommendations.
9. Inform the commissioner when the panel is not satisfied with their response and repeat the scrutiny and questioning. This may be scheduled for another meeting in the future.

The art of negotiation – influencing community safety performance

Relationships between the panel and the PCC

Good working relationships are essential between a panel, PCC and their office. A good working relationship is one that is strong and embraces the healthy challenge that inevitably comes with positions of scrutiny and accountability. The ability to negotiate and influence are important skills to further develop and establish these relationships on a firm foundation. It is through discussion, influence and negotiation that transparent accountability will be accomplished. Where panels and PCCs commented particularly on the strength of their working relationship, they noted the commitment and effort that local council officers have put into developing and maintaining these relationships. This includes regular discussions between panels, PCCs and their offices on each organisation's priorities and points of pressure, negotiating priority areas for scrutiny and agreeing suitable local approaches that will meet both their statutory responsibilities and the needs and expectations of local communities.

Supporting continuous improvement

If there are issues or concerns about a police force's ability to improve or to accept and act on improvement recommendations put forward by a panel, further questions may need to be directed towards the leadership of the police, including those concerning the role of the commissioner. These concerns should be raised – they may be about operational performance but this does not necessarily mean that they will fall into the definition of operational independence. Recent reports have been damning of elected members who failed to examine and challenge complacency or misplaced confidence about poor performance.¹²

¹² www.gov.uk/government/publications/report-of-inspection-of-rotherham-metropolitan-borough-council

Media protocols

Some panels are concerned that key information is shared with the press before a police and crime panel has had a chance to consider any implications for the panel, or their own organisations. Poor communication between PCCs, the OPCC and panels can have a negative effect on developing and establishing working relationships. To manage this concern, a number of panels have an agreed process with the OPCC for sharing public information that can include a press protocol. A media protocol can ensure that the chair of a police and crime panel is notified of any press releases, or news, which could have a significant impact on the reputation of the PCC, the force, or the broader criminal justice community.

Dyfed Powys Police and Crime Panel has drafted a media protocol¹³ with the Police and Crime Commissioner that outlines a series of practical steps and principles for communicating with the media. The protocol is set out to allow for differences of opinion to be expressed. It states that “working together through a coordinated approach will help manage the quality, consistency and reliability of information released to the media. This will benefit the public and will protect the reputation of each organisation.” This is a clear and joined-up approach that seeks to maintain positive working relations through open and timely communication.

A media protocol might look to cover:

- who the PCC can contact in an emergency to notify them of issues
- what is agreed in a local area that needs to be fed back to key stakeholders, including local authorities and to the panel
- what the PCC’s media and campaign plan is – this could be a scrutiny item
- notification of any joint press and PR to be undertaken by the PCC and chief constable

- all media and press releases to be copied to the chair of the police and crime panel and supporting officers
- agreed principle of ‘no surprises’.

Scrutiny of commissioned services

Panels have¹⁴ a very broad power to review or scrutinise both decisions made by a commissioner or any other taken by the commissioner in discharge of their functions. This puts anything that the commissioner does within the scope of the panel. The panel should be looking at all of the areas where the commissioner may be planning to develop policy and also new areas of delivery.

An example of new service delivery will arise in respect of services for victims. All commissioners took over responsibility for victims’ services from April 2015. Panels could consider:

- asking for and reviewing data about victim numbers
- identifying whether there are categories of victims who do not report to the police
- identifying issues such as hate crime and calling for information from victims
- taking evidence from victims about their experiences
- preparing and publicising a scrutiny report on victims’ services commissioning arrangements and making it available to the PCC, and other relevant bodies
- asking the PCC to prepare an action plan to tackle any concerns
- setting a timetable for reviewing any issues.

One of the key scrutiny outcomes here would be to further develop issues across the community safety, criminal justice and wider public sector arenas. Reports and recommendations about an issue scrutinised must be sent to all local authorities within the police area.¹⁵ Panels themselves can decide the form of such a report and how they will present it, which gives them

¹³ www.dyfed-powys.pcc.police.uk/Document-Library/Priorities-and-Policies/Policies/Media-Protocol.pdf

¹⁴ s6, Police Reform and Social Responsibility Act 2011

¹⁵ s28, Police Reform and Social Responsibility Act 2011

scope for considering a variety of reporting mechanisms, including social media.

Collaboration

Scrutiny of joint or collaborated projects is an underdeveloped area at present. As a rule, panels do not have formal arrangements for scrutinising joint activity. In the first instance, panels can look at the arrangements which commissioners may have for joint scrutiny of shared or collaborated projects. The North West Joint Committee comprises all regional North West commissioners: Cumbria, Cheshire, Greater Manchester, Merseyside, Lancashire and North Wales. They have clear terms of reference, a general agreement signed by all commissioners and chief constables in the region, and agendas and meeting papers which are available electronically. Panels could routinely request sight of these papers. Again, the scrutiny here would not be of police performance, but of the commissioner's effectiveness and how well they use resources, including those within the police budget, to achieve the best outcomes possible.

Panel chairs in Warwickshire and West Mercia plan to meet to discuss how their panels could scrutinise the joint working carried out by the two PCCs. The PCC for Nottinghamshire is looking at how joint working in the East Midlands can be reported back to different panels, including common reports from collaborations to panels, for them to see the level of work being undertaken.

Areas of common interest

One way of developing effective scrutiny is to identify areas where the panel and the PCC have a common interest or common objectives to ensure that they can develop a shared agenda. There are a couple of examples from Greater Manchester which show how this relationship has developed. A working group on commissioning of victims' services has been established by the Commissioner, which is attended by Oldham and Stockport Community Safety Partnerships' representatives, who volunteered as a result of a request made through the Police and Crime Leads meeting.

Effective cross-boundary working between the PCC and panel involves both working within their responsible areas to support effective delivery of each other's priorities. An extract from a recent Panel report says that the Panel is asked to:

“Agree that their organisations will contribute to the development of a partnership implementation plan which will complement existing delivery plans in achieving the six objectives of the police and crime plan. Agree to revisit their crime and disorder delivery plans where appropriate to ensure that they align and feed into the delivery of the overarching police and crime plan.”

In this case the councils concerned not only send representatives to scrutinise the PCC, but the PCC, police and other services also have a role to play in service delivery. The links between the police and crime plan and broader community safety plans enables the parties to identify gaps in planning and provision and to take steps to fill them. This allows everyone to focus on achieving the best outcomes for local people.

Complaint-handling

There is significant variation in the number of complaints panels receive against their local police and crime commissioner. Panels seem to either receive a large number of complaints relating to a significant or high-profile issue, or very few at all. Complaints received by panels are often the result of poor handling of that complaint when initially made to the police. The panel complaints process often facilitates an opportunity for an aggrieved complainant to continue to pursue a resolution when all other avenues are exhausted. This has led some panels to introduce vexatious complaints policies.

Hampshire Police and Crime Panel has a protocol for the informal resolution of complaints, a clear flowchart for complaints and a procedure for dealing with vexatious complaints on their website.¹⁶

PCC complaints operate within a very narrow statutory framework. The regulations are set out in the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Complaints against the PCC are within the remit of the panel. There are requirements to notify the Independent Police Complaints Commission in certain circumstances and for them to carry out investigations. Guidance on this was initially published by the Government in 2012.¹⁷ This guidance was published before the final regulations in respect of complaints were laid and is not fully comprehensive. The regulations permit the panel to delegate complaints-handling to the monitoring officer for the PCC or to one of the monitoring officers within the panel area.

Panels have a range of models to deliver complaints-handling. A number of panels have said that they have a model where the PCC's office acts as a triage for the complaints, identifies what should be recorded and passes these recommendations to the panel. This is carried out by the PCC's

chief executive as monitoring officer and will not involve the PCC. This can work well; it means that complaints which are really about police performance and not the policies or conduct of the PCC can be identified and highlighted.

Complaints against the police are for the chief constable to resolve but a number of panels have said that they receive information from the PCC about how complaints against the police are scrutinised by the PCC. This is a good measure of public satisfaction with police performance and the panel may want to review how the PCC is tackling numbers of complaints against the police. Following the high numbers of complaints upheld by the IPCC, the PCC for Northumbria introduced an internal triage system for complaints made about the police. This has changed the way that complaints are resolved and reduced the numbers of upheld complaints by over 30 per cent. In turn this information, as well as that about complaints about the PCC, is reported to the Northumbria panel for scrutiny.

In some cases all complaints about the PCC are reviewed by the chair of the panel. Chairs who do this have said that in this way they are certain that the panel is sighted on any issues raised. The Sussex Panel's complaints monitoring report sets out clearly the headings under which complaints fall, and which can be considered by the panel and which cannot.¹⁸

Warwickshire, Bedfordshire, Kent and others have reviewed their complaints processes to make them more effective. The South Yorkshire Panel reviewed and amended their complaints process after dealing with high-profile complaints and a number of panels have also carried out reviews after they have used the process. Good practice for panels would be to consider the following:

- clearly setting out responsibility for all types of complaint
- reviewing whether a triage system would be useful

¹⁶ www3.hants.gov.uk/hampshire-pcp/pcc-complaints.htm

¹⁷ www.gov.uk/government/publications/the-new-system-for-handling-complaints-against-police-and-crime-commissioners

¹⁸ www2.westsussex.gov.uk/ds/cttee/pcp/pcp230115i9.pdf

- making sure that complainants understand that recording a complaint is not the same as upholding it
- considering whether it is appropriate for the chair of the panel to see all complaints
- many complaints against police officers to the IPCC are partly upheld through lack of recording although the substance later fails. This produces unsatisfactory outcomes – consider scrutinising the PCC's performance in tackling this
- having clear guidance for recording complaints
- developing clear communication to explain what is happening to members of the public
- rather than referring to the IPCC general casework team; referrals should be to a specialist link with experience of PCC complaints
- having a process to take back and conclude complaints when received back from the IPCC.

High-profile complaints are notoriously difficult to manage. A number of panels have had to respond to high public profile complaints against a PCC. In response to these incidents many panels have developed their complaints procedures. Lincolnshire produced a flowchart to communicate the details of the process more widely and entered into a memorandum of understanding (MOU) between the panel and PCC to reinforce roles and responsibilities.

Working with the Independent Police Complaints Commission (IPCC)

Police and crime panels do not have the power to fully investigate complaints against a PCC. A panel must refer a complaint to the Independent Police Complaints Commission (IPCC) if it is deemed serious (where a complaint regards PCC conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence) or the IPCC requires it to be referred.¹⁹

The IPCC has published statutory guidance on this but it does not address the issue of timeliness.²⁰ There is much concern amongst panel members regarding the length of time it takes to resolve a complaint when it is referred to the IPCC. Some complaints have now taken over a year and remain to be fully resolved. The relationship between panels and the IPCC needs to be clarified. Panels have indicated that they would find it helpful to have informal discussions with the IPCC to improve the response to complainants.

PCCs, panels and the media

A significant area of difficulty reported by panels is the relationship between the PCC and the media. Panel chairs have commented that in the rush to court media attention, PCCs can seem focused on reputation management. A number of panels have commented that over-exposure can damage the relationship between the police and the public and this is clearly a difficult balance to achieve. Many PCCs are active on social media – this is less common for panels who take the general view, supported by the small resources at their disposal, that they do not court an active media presence. This is a new situation and much can be done by agreeing protocols in advance. Panel chairs acknowledge that media protocols, when in place, can be very helpful.

¹⁹ The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012

²⁰ www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2013_statutory_guidance_english.PDF

Responding to a change of PCC mid-term

There have been two by-elections since 2012, one following the sad and sudden death of the incumbent PCC in the West Midlands and a high-profile resignation in South Yorkshire. With no comprehensive guidance on calling a by-election, both unexpected departures created practical issues that were difficult to deal with. In the West Midlands, the Chair of the Panel, Leader of Sandwell Council and supporting officers were faced with a crisis which turned their Police and Crime Panel roles into full-time ones.

Case study – West Midlands

There was significant external pressure from the press and public to prepare for a by-election. Two electors had notified the returning officer of the vacant position and as a result a by-election had to be held within 35 days of the returning officer being notified.²¹ The Panel also had to appoint an acting PCC. An acting PCC is required during the period before a by-election. This is because there are a number of powers held only by the PCC that cannot be delegated. Police and crime panels are responsible for appointing an acting PCC. Given this was the first by-election for a police and crime commissioner little was known about the appropriate process. Questions arose about the eligibility of the Deputy PCC to be appointed as the Acting PCC as their term of office had been linked to that of the PCC when first appointed. If the Deputy had not been eligible, one of the officers in the Office of the PCC would have had to be appointed to the role. Although a newly elected PCC took office within a few months, the intervening period had been a time of heightened emotion and confusion. Substantial work was required by the Panel to plan and prepare for the delivery of both 'business as usual' alongside by-election preparations. It is recommended that together panels and OPCCs develop a clearly agreed protocol for what needs to happen in the event of a by-election, including identifying

any difficult issues. Some lessons learned from this situation include:

- understand the panel's responsibilities, local policies and procedures for an unexpected mid-term election for the role of police and crime commissioner
- understand the panel's responsibilities for appointing an acting police and crime commissioner and who could be appointed to the role including whether any deputy PCC will be eligible
- maintain communication between the PCC's office, panel secretariat, the chief constable to allow for the smooth running of process and procedure
- invite the proposed or acting PCC to attend a police and crime panel to maintain transparency during a period of change, although it is not required
- keep the public informed of progress, changes and by-election timings through regular website updates and press releases.

Case study – South Yorkshire

In September 2014, the South Yorkshire Police and Crime Commissioner resigned from their role mid-term. This was as a result of the findings from the Jay report commissioned to review the issue of child sexual exploitation (CSE) in South Yorkshire. The report revealed significant community safety concerns regarding the prevalence and response to CSE and led to questions about the suitability of the PCC remaining in office. In response to the findings of the report, the Panel met to hold the PCC to account on 11 September. The Panel, led by the Chair, decisively called the Police and Crime Commissioner to a meeting that would focus on the issues highlighted within the Jay report. The panel concentrated on facilitating a discussion between the PCC, the Panel members and members of the public, as many concerns had arisen from the report. Panel members and the public were able to put direct questions to the PCC. The meeting had a very high public profile and was extensively covered by the local and national

²¹ s51, Police Reform and Social Responsibility Act 2011

media. The Chair had a critical role leading and managing an emotionally charged meeting, including managing expectations, ensuring fair and open questioning and maintaining public order. As a result of the public participation at the meeting, the PCC resigned as Police and Crime Commissioner shortly after the meeting. Some lessons learned from this situation include:

- the complaints process was used extensively by the public during this time, and effective processes need to be in place to manage a change in demand
- be clear on which discussions need to be held in public and how such meetings will be chaired and managed
- effective engagement and community leadership are critical at a time of heightened public interest
- check understanding of the powers of the panel, limitations and legal position in advance of a public meeting
- work closely with the police and crime commissioner, their officers and the chief constable to maintain good information-sharing practice.

Be prepared to accommodate other practical issues which may result from high-profile meetings; for example significant media attention, public protests and marches, and provide adequate security for the public and witnesses.



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