



SOUTH YORKSHIRE POLICE AND CRIME PANEL

The Police & Crime Panel is responsible for scrutinising and holding to account the South Yorkshire Police & Crime Commissioner for the way in which the Commissioner delivers their responsibilities for setting the priorities and resources for South Yorkshire Police as well as for supporting broader community safety activities in the county.

The Police & Crime Panel is a joint body established collectively by each of the local authorities in the county, with Rotherham Metropolitan Borough Council acting as the host authority.

The membership of the Police & Crime Panel consists of 10 councillors drawn from each of the local authorities in the South Yorkshire Police Area according to a set allocation of places, and 2 independent co-opted members drawn from the local community.

The current membership is as follows:

Panel Members	Role	Local Authority Represented
Councillor Talib Hussain	Chair	Sheffield
Councillor Stuart Sansome	Vice-Chair	Rotherham
Councillor Brian Cutts	Member	Rotherham
Councillor Jackie Drayton	Member	Sheffield
Councillor Robert Frost	Member	Barnsley
Councillor David Griffin	Member	Barnsley
Councillor John Healy	Member	Doncaster
Councillor Chris McGuinness	Member	Doncaster
Councillor Joe Otten	Member	Sheffield
Councillor Mick Rooney	Member	Sheffield
Mr Alan Carter	Independent Co-opted Member	
Mr Steve Chufungleung	Independent Co-opted Member	

The agenda papers for Police & Crime Panel meetings are published 5 working days in advance and can be downloaded from the Rotherham Council [website](#) –

AGENDA

Date:- Friday, 16 December 2016
Time:- 10.00 a.m.
Venue:- South Yorkshire Joint Secretariat, 18 Regent St, Barnsley S70 2HG
Contact James McLaughlin, Democratic Services Manager
Tel. 01709 822477 or james.mclaughlin@rotherham.gov.uk

PLEASE NOTE THE CHANGE OF VENUE FOR THE MEETING

Car Parking is available for Panel Members. The entrance to the car park is a few yards down from the entrance to 18 Regent St (through the covered archway) and before the pelican crossing on Regent Street. It is controlled by a barrier. Members will need to press the button by the barrier and Reception will allow entry.

- 1. Apologies for Absence.**
- 2. Minutes of the Previous Meeting held on 28 October 2016 (herewith) (Pages 3 - 13)**
- 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. Questions from Members of the Public to the Panel
If any member of the public wishes to ask a question of the Panel at its meeting, they should be submitted in writing at least 24 hours before the date and of the meeting and be no more than 50 words in length.

Questions should be submitted to James McLaughlin, Democratic Services Manager at Rotherham MBC (Host Authority for the Police and Crime Panel) by email – james.mclaughlin@rotherham.gov.uk

There is no provision for the public to ask questions of the Police and Crime Commissioner. Any questions for the Commissioner should be forwarded to the Commissioner's office – info@southyorkshire-pcc.gov.uk – for response.

6. **Questions from Members of the Panel to the Police & Crime Commissioner (Pages 15 - 21)**
7. **PCC'S Governance Arrangements (Pages 23 - 27)**
8. **Her Majesty's Inspectorate of Constabulary (HMIC) Update (Pages 29 - 35)**
9. **Budget Position for 2016/17 (Pages 37 - 39)**
10. **Home Office Guidance - Scrutiny of Precepts (Pages 41 - 43)**
11. **Complaints Update (Pages 45 - 46)**
12. **Future Activity and Dates of Meetings (Pages 47 - 48)**

SHARON KEMP,
Chief Executive.

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@
18 REGENT STREET, BARNSELEY
S70 2HG

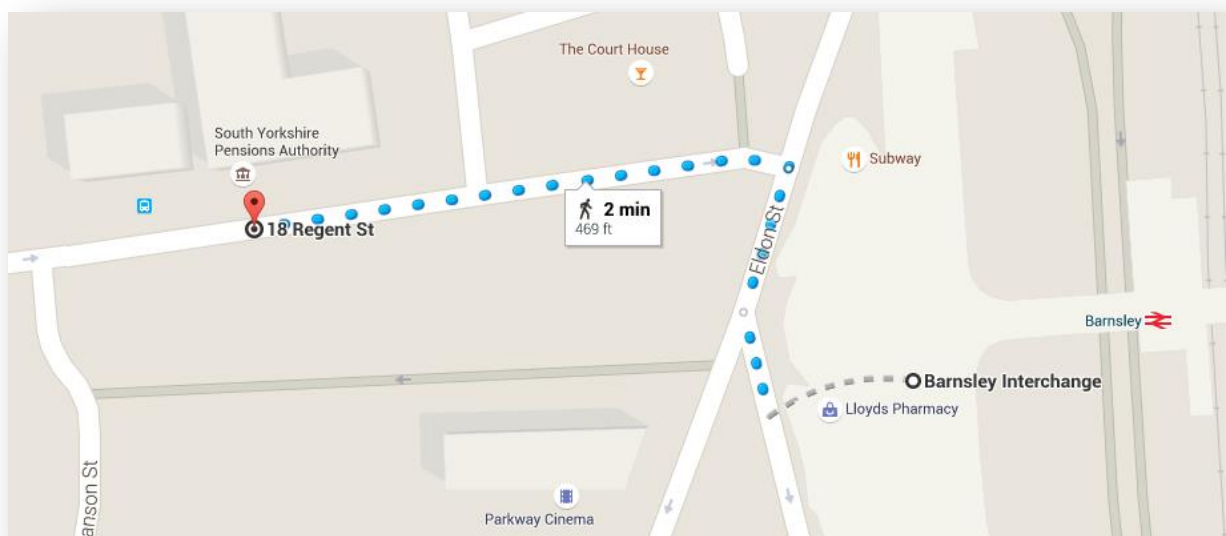
By road from the M1

- Exit the M1 at junction 37 and head for Barnsley Town Centre
- Approach the crossroads along Dodworth Road and continue straight ahead (left-hand lane)
- At the roundabout take the 2nd exit along Shambles Street
- Continue along Shambles Street past Barnsley College and follow the road around to the left
- Turn right immediately after the Town Hall.
- At the traffic lights turn right and then left onto Regent Street
- Our offices are located on the left and signed **18 Regent Street**



By public transport

- From the interchange walk up Regent Street towards the Town Hall
- Our offices are located on the right



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POLICE AND CRIME PANEL
Friday 28 October 2016

Present:-

Barnsley MBC

Councillor R. Frost

Councillor D. Griffin

Doncaster MBC

Councillor C. McGuinness

Rotherham MBC

Councillor B. Cutts

Councillor S. Sansome

Sheffield CC

Councillor J. Drayton

Councillor T. Hussain (in the Chair)

Councillor J. Otten

Councillor M. Rooney

Co-opted Members

Mr. A. Carter

Mr. S. Chu

Apologies for absence were received from Councillor G. Jones (Reserve Member – Doncaster MBC)

F20. DECLARATIONS OF INTEREST

There were no declarations of interest.

F21. TO CONSIDER WHETHER THE PRESS AND PUBLIC SHOULD BE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF ANY PART OF THE AGENDA.

The Chair indicated that there were no items for consideration on the agenda that would require the exclusion of the press and public from the meeting.

F22. TO DETERMINE ANY ITEM WHICH THE CHAIRMAN IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY.

The Chair indicated that there were no items requiring the urgent consideration of the Panel.

F23. QUESTIONS FROM MEMBERS OF THE PUBLIC

The Panel received the following question from Mr. P. Thirlwall:

“Is it true that the Police and Crime Commissioner has appointed the ex-chair of the Police and Crime Panel as his Deputy and if so does the Panel believe this is acceptable?”

The Panel provided the following response to the question:

The PCC has announced the appointment of an Assistant PCC this week who is Sioned Mair-Richards, the former Chair of the Police and Crime Panel. This appointment is not subject to the statutory provision for a confirmation hearing by the Police and Crime Panel and it is therefore a matter for the Police and Crime Commissioner to make any appointment he sees fit. The Panel would however have welcomed the opportunity to engage the PCC prior to this recruitment process to understand the background to the establishment of the position.

As a supplementary question, Mr Thirlwall queried whether the Panel considered the appointment of the Assistant Police and Crime Commissioner to be acceptable.

In response, it was explained that another item on the agenda in respect of the Police and Crime Commissioner’s ‘State of the Nation’ report may provide an opportunity for Panel Members to indicate their views in respect of the appointment.

F24. QUESTIONS FROM MEMBERS OF THE PANEL

In accordance with Procedure Rule 11 (General Questions from Members of the Panel), the following questions were put with responses from the Police and Crime Commissioner:

Councillor Joe Otten put the following question:

“What costs have been incurred as a result of the decisions to suspend and then remove the chief constable: a) salaries of replacement/interim/acting chief constables, b) recruitment costs c) legal, d) other?”

The Police and Crime Commissioner responded to indicate that the following costs had been incurred:

- Salaries of Interim Chief Constables: The costs amount to £78k.
- Recruitment costs of Interim Chief: These are nil.
- Legal costs: The costs incurred by the PCC amount to £43k although the final position is still to be determined.
- Other costs: Nil

As a supplementary question, Councillor Otten queried whether the Commissioner considered the costs to be proportionate given the imminent retirement of the Chief Constable.

In response, the Police and Crime Commissioner indicated that the process in respect of the Chief Constable had been long and drawn out, which went some way to explain the costs incurred, but considered them to be totally proportionate. He added that it would be appropriate to make representations to government in respect of the process following the conclusion of proceedings.

Councillor Otten asked another question:

“Did you approve the reported £144,000 spend on an IMSI catcher - i.e. a spoof cellphone mast which enables mass surveillance of cellphones within the geographic reach of the device?”

In response, the Police and Crime Commissioner explained that this was a matter that concerned operational policing. The guidance from the National Police Chiefs' Council (NPCC) was to neither confirm or deny any use of any covert activity as it would serve to undermine its operational use. In respect of operational necessity and NPCC guidance, the Commissioner was therefore unable to confirm or deny the approval or purchase of such technology.

Councillor Otten asked a further question:

“Are you satisfied that there is sufficient judicial oversight of the use of an IMSI catcher to ensure that the reasonable expectation of privacy of innocent citizens is not infringed?”

In response, the Commissioner indicated that he was satisfied that the relevant judicial oversight, provided by the Office of the Surveillance Commissioners (OSC), was sufficiently intrusive and robust to ensure the conduct of any relevant police operations is fully in compliance with all legal requirements, including Human Rights Act 1998, and was conducted with the highest standards of professionalism and integrity. He explained that the OSC was led by the 'Chief Surveillance Commissioner' Lord Judge with the assistance of 8 Surveillance Commissioners, who were appointed by the Prime Minister, report their independent inspection of all authorising public bodies annually. The Commissioner took satisfaction that over the last three years South Yorkshire Police had received an outstanding grading in the inspection of this area of policing.

Councillor Otten asked a further question:

“What operational safeguards are in place to ensure that the calls, data and texts of unintended targets of surveillance are not inadvertently or capriciously intercepted?”

In response, the Commissioner indicated that he must correct the implication in the question that the technology referred to involved interception of personal communications between individuals, which was misconceived and inaccurate. It was his understanding that, where such technology was deployed operationally, there was no interception of communications involved. With regard to safeguards, he was reassured that any deployment of such covert technology, where it existed, was subject to independent consideration of the relevant Force Authorising Officer (Detective Superintendent) and authorisation by the Chief Constable under the Regulation of Investigatory Powers Act 2000 and Police Act 1997. Such covert tactics could not be undertaken by the Police, without the official 'Notification' of a Surveillance Commissioner (OSC) approving the legality and compliance with all relevant aspects of the Human Rights Act 1998. Additionally, the Commissioner indicated that the OSC could rescind and quash such an authority if it was not satisfied that such proposed activity was necessary, proportionate and had sufficient regard to the risk of collateral intrusion. Finally, any such deployment was frequently reviewed to ensure it remained necessary and proportionate to the legitimate aim.

As a supplementary question, Councillor Otten queried how the safeguards did justice to the extreme power available to the police through such technology. In response, the Commissioner reiterated that the technology was a tool to assist the police in extremely sensitive and serious matters and that his original answer had set out what the safeguards were in respect of the operation of the technology by South Yorkshire Police. He again confirmed that he was satisfied by the safeguards in place.

F25. MINUTES OF THE PREVIOUS MEETINGS HELD ON 9 JUNE AND 8 JULY 2016

Resolved:-

That, subject to the inclusion of the supplementary questions raised by Councillor Otten at the meeting on 9 June 2016, the minutes of the previous meetings held on 9 June and 8 July 2016 be approved as a true and correct record of the proceedings.

F26. POLICE AND CRIME COMMISSIONER - 'STATE OF THE NATION'

Consideration was given to the Police and Crime Commissioner's 'State of the Nation' Briefing, which was circulated at the meeting and set out a number of key areas of activity and development for South Yorkshire Police.

The Commissioner reported that public concerns around the performance of South Yorkshire Police's call handling service were raised at most public engagement events and feature in much of the correspondence that he received. It was noted that South Yorkshire Police, in collaboration with Humberside Police, were implementing a new contact management information system, which would replace outdated technology by the summer of 2017 and bring about improvements in the call handling service. It was reported that the force would engage with the public and stakeholders to help design the new contact management service.

With regard to neighbourhood policing, the Commissioner reported that the Interim Chief Constable had made it clear that the re-introduction of the model would be at the centre of the future policing offer. This would not involve reinstating the old safer neighbourhood model, but would be a model which considered the police role in neighbourhood delivery and built upon partnerships, was affordable and fit for the future. Again, it was noted that consultation and communication with the public would be at the heart of the approach, along with the views of staff across the force.

It was noted that the Home Secretary had not made a decision in respect of calls for a public inquiry into the 'Battle of Orgreave', but a decision was expected by the end of October 2016.

The Commissioner further reported that the College of Policing was conducting a review of South Yorkshire Police against the recommendations made in the Jay, Casey and Drew reviews. It was noted that Professor Drew had also been asked to work with the College of Policing to quality assure the process and ensure engagement with partners was taking place.

Two updates were provided by the Commissioner in respect of Operation Clover. It was reported that four men and one woman had been jailed for over 102 years on 26 February for the child sexual exploitation (CSE) of 15 girls in Rotherham, whilst another woman received an 18 month sentence, suspended for two years. It was further reported that eight men had been found guilty of CSE offences committed in Rotherham.

Reference was made to the appointment of an Assistant Police and Crime Commissioner on a fixed-term contract, which will end two months after the existing Police and Crime Commissioner's term of office comes to an end. It was noted that the preferred candidate had been appointed on a part time contract following a full recruitment and selection process. It was reported that the main focus of the Assistant Police and Crime Commissioner would be to:

- Develop and lead a project to attain a baseline of public trust and confidence in South Yorkshire Police, which will involve the commissioning of an independent organisation to carry out the work and project manage the process

- Ensure public engagement and consultation forms part of the Force's service design of the new local policing model (neighbourhood policing) and the contact management system (101)
- Assist the Police and Crime Commissioner with his diary commitments and represent him and his views at various public and partner meetings across the county and to bring back public concerns and comments to the attention of the Commissioner and the Engagement Team, and
- Work with local policing teams to ensure that opportunities for engaging communities are maximised.

It was reported that Chief Constable David Crompton's resignation was received on 29 September 2016 following the Commissioner's call for his resignation under the Section 38 process of the Police Reform and Social Responsibility Act 2011. It was noted that Mr Crompton had applied for permission to judicially review the Commissioner's decision in the High Court and a decision to grant permission would be made follow the Commissioner's response.

Finally, the Commissioner reported that Mr Stephen Watson had commenced as Interim Chief Constable on 25 July 2016 and had begun to build his senior leadership group, having appointed a new Assistant Chief Constable, Mr Mark Roberts from Cheshire Constabulary. It was also reported that work was being undertaken to develop a new Strategic Delivery Plan which would involve key senior managers in the Force and would involve wider consultation with the workforce, the public and partners.

The Panel queried whether the change of Chief Constable had been the origin of the change in the neighbourhood policing approach. In response, the Commissioner indicated that he had been presented with concerns across the Force area and he had challenged this with the former Chief Constable. The Peer Review in the spring of 2016 had confirmed the position and the new Chief Constable. The public would be involved in developing the new neighbourhood approach through the Assistant Police and Crime Commissioner. It was recognised that there was an urgent need to prioritise the development of a new model and there would be a need for local authorities and other bodies to be involved in that conversation.

With regard to the appointment of the Assistant Police and Crime Commissioner, the Panel were keen to understand the logic behind the appointment of an Assistant, rather than a Deputy Police and Crime Commissioner. Reference was also made to the Assistant Police and Crime Commissioner's previous role as Chair of the Police and Crime Panel until May 2016 and the potential conflict of interest that presented. In response, the Commissioner confirmed that he did not want another elected representative, but rather someone to undertake work with a range of experiences in the context of a politically restricted role. The Commissioner explained that the post holder's previous experience as Chair of the Panel would be helpful.

Reflecting on the recruitment process for the Assistant Police and Crime Commissioner, the Panel identified that it would be beneficial to develop a strong working relationship and understanding between itself and the Office of the Police and Crime Commissioner in order to be a more effective "critical friend" and contribute to the improvement of policing and community safety across South Yorkshire.

Resolved:-

That officers from the host authority for the South Yorkshire Police and Crime Panel and the Office of the Police and Crime Commissioner prepare a joint Memorandum of Understanding detailing the governance relationship between the Panel and the Commissioner and setting out working protocols to enable closer working.

F27. POLICE AND CRIME COMMISSIONER'S ANNUAL REPORT

Consideration was given to the Police and Crime Commissioner's Annual Report, summarising the work of the Commissioner from 1 April 2015 to 31 March 2016. It was noted that the report was submitted in accordance with the provisions of the Police Reform and Social Responsibility Act 2011 which requires a Police and Crime Commissioner to produce a report on the exercise of his functions in each financial year and the progress which has been made during that year in meeting the police and crime objectives in the Police and Crime Plan.

In presenting his annual report, the Commissioner indicated that a significant amount of time had to be devoted to the legacy issues of child sexual exploitation and the Hillsborough Inquests. The Commissioner also referenced the Peer Review of the force, which took place just after the end of the year summarised within the report, and whilst the outcome of the review was a frank and hard-hitting report, it did provide the incoming Chief Constable with a clear understanding of the issues requiring attention within South Yorkshire Police.

The Panel welcomed the opportunity to review the Commissioner's annual report and began their review by querying the governance arrangements established by the Police and Crime Commissioner and whether there was any cross over between the various panels and the Police and Crime Panel. The Commissioner agreed to bring a report to a future meeting setting out his governance arrangements and membership of various panels.

Reference was also made to cultural issues and the morale of the workforce of South Yorkshire Police and sought to understand how the Commissioner would work with the Chief Constable to establish improvements. In response, the Commissioner referred to the Peer Review's finding of a lack of strategic leadership being a critical issue and that the review process had sought the views of individuals across the force.

The Panel queried whether the Commissioner intended to retain the same priorities as part of the refresh of the Police and Crime Plan. In response, the Commissioner indicated that the existing priorities would likely remain, but the actions underpinning those priorities would change to accord with circumstances on the ground.

Looking ahead to the future, the Panel sought clarification in respect of funding for legacy issues and whether the Commissioner anticipated continued government funding to deal with such matters. In response, the Commissioner explained that those issues that were specific to South Yorkshire Police, such as child sexual exploitation, would likely need to be funded directly from South Yorkshire, but those legacy issues which were connected to wider national issues, such as Hillsborough or if there were to be an inquiry in the events of the 'Battle of Orgreave', may receive government funding.

In addition, questions were asked in respect of the funding of legal costs and a drive towards a collaborative approach to the delivery of emergency services or sharing of services with other force areas. In response, the Commissioner indicated that it was his role to have oversight of the spending on legal costs funded by his office and that it was his intention to continue the development of collaborative approaches with other emergency services and other police force areas to secure effective and efficient services.

Discussions moved on to the impact of protests in Rotherham, in particular, and the specific negative effect on businesses and footfall in the town centre when protest marches took place. The Commissioner referred to the balance that needed to be struck between discouraging such protests and enabling groups to exercise their right to protest. Following the Commissioner's response, Councillor Cutts indicated that he had attended every protest march in Rotherham and had not encountered any issue and was not aware of any business that had been negatively impacted by protests in the town. He further stated he did not

consider that the protests would require a police presence and a requested that the Commissioner provide him with a list of businesses that had been effected by protest marches in Rotherham, which the Commissioner agreed to do. Other Panel Members stated their disagreement with the comments made by Councillor Cutts, as did the Police and Crime Commissioner.

Resolved:-

1. That the Police and Crime Commissioner's Annual Report be noted.
2. That the Police and Crime Commissioner be advised that the Panel endorses his Annual Report.
3. That the Police and Crime Commissioner be congratulated on his achievements during a turbulent year and, in particular, for this leadership in coordinating a force area wide partnership approach to child sexual exploitation with local authorities.

F28. PROGRESS WITH THE PEER REVIEW

Consideration was given to a report submitted by the Police and Crime Commissioner which provided a progress update in respect of actions arising from the Peer Review of South Yorkshire Police.

It was reported that the review had found that there had been "inconsistent strategic direction from the Chief Officer Team" and decision making had been isolated, staff had not been listened and action had not always been taken on agreed plans. It was further reported that financial and operational planning had not been linked and there had been an underinvestment in key areas and there had been a disturbing move away from an effective neighbourhood policing model. The review made a number of recommendations in respect of initially stabilising the force and the transforming it over a three-year period.

The report detailed the progress that had been made since May 2016:

- Support was being provided by Kent and Lancashire police around demand management and analysis
- Work was ongoing to develop a new Strategic Delivery Plan involving key senior managers in the force and wider consultation with the workforce, the public and partners
- A review of HR Shared Services was imminent
- Recruitment of an Assistant Police and Crime Commissioner to co-lead, with the Force, a project aimed at rebuilding public trust and confidence
- The Durham staff survey had been launched to canvas the views of the workforce to underpin the fundamental change required.

The Panel sought assurances that the processes and learning from the support provided by the College of Policing would become embedded within the culture of the force to enable continuous improvement. In response, the Commissioner indicated that he expected the Peer Review approach to become standardised nationally and referred to the benefits of the approach when compared to the focused inspections by Her Majesty's Inspectorate of Constabulary.

The Commissioner committed to provide Councillor Cutts with copies of the reports in respect of protests in Rotherham following a further question on the subject.

The Panel welcomed the high level overview of the progress that had been made since May 2016, but requested that the Commissioner present a more detailed action plan, setting out timescales for completing specific activities and indicating who would be responsible and accountable for ensuring actions were delivered. The Panel also requested sight of the project scope in respect of the public engagement work to be co-lead by the Assistant Police and Crime Commissioner.

Resolved:-

1. That the report be noted.
2. That a future report be submitted to the Panel by the Police and Crime Commissioner detailing the action plan for the implementation of the recommendations arising from the Peer Review of South Yorkshire Police.
3. That a future report be submitted to the Panel detailing the project scope for the work to be co-lead by the Assistant Police and Crime Commissioner in respect of rebuilding public trust and confidence.

F29. UPDATE ON THE OPERATION OF THE COMPLAINTS PROCEDURE

Consideration was given to a report which provided an update in respect of the number of complaints received and the handling of complaints in accordance with the Panel's rules of procedure.

It was reported that the two complaints in respect of the former Police and Crime Commissioner had been referred by the Panel to the Clerk to the Home Affairs Select Committee had been received and assurances had been received that the Select Committee would give extremely serious consideration to the complaints. It was noted that the outcome of the Committee's consideration would be reported back to a future meeting of the Panel.

It was also reported that a complainant had written to the Police and Crime Commissioner after being dissatisfied with how South Yorkshire Police had handled his complaint. The Independent Police Complaints Commission had upheld the decision of the force, but the complainant wrote to the Commissioner to further complain. Whilst not having responsibility for staff or the operational matters of the force, the Commissioner wrote to the complainant to indicate that there was nothing he could do to assist in the matter. The complainant was dissatisfied with this response and submitted a complaint. The Panel noted that a review was to be carried out by the Office of the Police and Crime Commissioner as to whether the correct policies and procedures had been followed.

Resolved:-

That the action taken in respect of the complaints be noted.

F30. JUDICIAL REVIEW PROCEEDINGS - VERBAL UPDATE

The Panel received a verbal update from the Legal Advisor in respect of the judicial review proceedings arising from the Section 38 process instigated by the Police and Crime Commissioner in respect of the former Chief Constable.

Resolved:-

That the update be noted.

F31. WORK PROGRAMME 2016-17

The Panel gave consideration to an update in respect of the development of a work programme for the remainder of the 2016/17 municipal year. Those members who had attended the National Conference for Police and Crime Panels earlier in October 2016 referred to the approaches of other areas which could be incorporated into the practice of the Panel. It was noted that a separate session for work planning would be arranged to take place during November 2016 to inform future activity.

Resolved:-

That the update be noted.

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**QUESTIONS FROM POLICE AND CRIME PANEL MEMBERS TO
THE POLICE AND CRIME COMMISSIONER**

Question 1 from Mr. Alan Carter

During the past year, the Sheffield Safer and Sustainable Communities Partnership Board (of which I am a Voluntary Sector representative) has received a series of reports about ongoing partnership work, substantially involving the South Yorkshire Police, designed to take a strategic approach to tackling incidences in South Yorkshire of human trafficking and modern slavery.

From the latest report, I read that delivery of this strategy will be based around ensuring multi-agency working and good communication of issues and concerns, training for front-line staff in spotting the signs of modern slavery and how to report this.

In the meantime, a number of non-governmental organisations working in Sheffield have approached your office for funding to support a countywide modern slavery strategic group.

Is the PCC is sufficiently concerned about the issue of human trafficking and modern day slavery to use his influence to ensure that access to adequate funding may be prioritised to ensure that there are resources sufficient to enable the South Yorkshire Police and their various partners to be able to comprehensively address this apparently growing problem in our communities?

Human Trafficking and Modern Slavery is a growing area of concern and all forces in the UK recognise that.

I am meeting with the non-governmental organisation (NGO) and Force lead on the 16 December to discuss a multi-agency partnership. At that meeting I want to discuss the deliverables one might reasonably expect from such a partnership including, but not limited to, the development of a Countywide Partnership Strategy.

In addition to which I have provided some funding to a NGO to provide training to partner agencies first responders - for example housing officers or similar. The training will be free to access and will in the first instance address some of the knowledge gaps we are aware exist in terms of spotting the signs, understanding responsibilities around and reporting mechanisms for victims of modern slavery.

You are right to say that this is a multi-agency issue and responsibility and I welcome this opportunity to further raise the profile of this heinous crime.

Question 2 from Mr Alan Carter

As Police and Crime Commissioner, would you please advise the Police and Crime Panel on your personal involvement in and influence to date upon the releasing and directing for community benefit of assets seized or recovered from criminals' ill-gotten gains, pursuant to the provisions of The Proceeds of Crime Act 2002?

In particular, could you report upon the extent to which money returned to the public purse from this source assists in aiding good community causes and engaging ex-offenders in activities to benefit the wider community in South Yorkshire?

The Proceeds of Crime Act 2002 ("POCA") sets out the legislative scheme for the recovery of criminal assets with criminal confiscation being the most commonly used power. Confiscation occurs after a conviction has taken place. Other means of recovering the proceeds of crime which do not require a conviction are provided for in the Act, namely civil recovery, cash seizure and taxation powers.

If associated with a criminal investigation / prosecution and conviction this is regarded as an asset in the confiscation process for which the police receive only 18.5% back from the incentivisation fund. In cases of cash seizure, detention or forfeiture the police receive 50% of the amount back through the incentivisation fund.

It is complex and difficult to obtain funds through the Proceeds of Crime Act and can take 5 – 6 years to come through.

Because of these complexities we do not rely on POCA money to fund any particular activities because it is not a stable or consistent funding source.

Question 3 from Councillor Joe Otten

Who do you understand to be ultimately responsible for taking the decision to go ahead with the 17th November police and Amey operation on Rustlings Road, Sheffield, to fell trees in the early hours?

The decision to go ahead with the 17 November operation on Rustlings Road was a matter for Sheffield City Council. As I understand it, this was part of a larger contract to resurface roads and make good pavements that included the felling of some older trees whose roots were affecting street maintenance. If memory serves me correctly, this policy was welcomed by all parties on Sheffield City Council at the time. They wanted a coherent plan to tackle the city's potholes and put the streets and pavements into better order so as to minimise future costs in a time of austerity. The Councillor might like to ask the city council how many claims there were for tripping over poorly maintained pavements in the past few years.

Question 4 from Councillor Joe Otten

It has been claimed that decision for the early start to tree felling was "on police advice". Is this correct and what was that advice?

It would not be the role of the police to tell the local council when to undertake its work, but it would be its role to give an assessment of what the impact might be.

Question 5 from Councillor Joe Otten

It has been claimed that a vehicle containing police dogs was on Rustlings Road for a time on the 17th November. Can you confirm or deny this?

No police dogs were requested, utilised or present during the tree felling exercise on Rustlings Road.

Question 6 from Councillor Joe Otten

A council's powers to close roads and tow vehicles are limited by regulations requiring notification and signage intended to prevent a premeditated ambush of parked cars such as we saw. What are the consequences of police assistance in this aspect of the operation should it be shown to be unlawful?

The road closures as outlined above are the responsibility of the Local Authority. The police only have powers to close in respect of emergencies. Whilst the Local Authority need to secure the road closure orders only the police can enforce them if required. In respect of the operation on the 17th, the police were advised by the Local Authority that road closure orders were in place and would accept this as being the case. Even if it was subsequently discovered that these were not in place or were not lawfully obtained, the fact that the police acted in good faith would negate any liability for the police for any actions taken. The police did not have any involvement in obtaining authorisation for the road closures for the 17th and the removal of vehicles were arranged and undertaken by council contractors. To speak about 'a premeditated ambush' is not helpful and seems designed to heighten emotions in a quite gratuitous fashion. This emotive language was also employed by the MP for Hallam, Nick Clegg, when he spoke about people being 'dragged from their beds' by the police. This undermines trust in the police service and I hope he will think twice before uttering such nonsense in the future.

Question 6 from Councillor Joe Otten

What changes have been or will be made to SYP policy in regards to tree protests as a result of these events?

I have asked the Chief Constable to keep me informed of any operations that might see a repetition of what happened on Rustlings Road and also to ensure, as far as possible, that officers are not drawn into carrying out any activity that properly is a matter for the city council and the contractors – such as knocking on doors to ask people to move their cars.

Question 7 from Councillor Joe Otten

What was the cost (not additional cost, but actual cost of police time etc as normally accounted for) of the police operation on Rustlings Rd on the 17th November?

The resources deployed were all in duty time and no additional costs were incurred. Total staffing time was 72 hours. At £15.47 per hour (mid-level constable rate) this was £1,113.84

Question 8 from Councillor Joe Otten

Do South Yorkshire Police intend to run a 'close pass' initiative to improve the safety of cyclists, similar to the one that West Midlands Police and other forces are now doing?

I am aware of this scheme and only a couple of weeks ago, the Assistant PCC, Sioned-Mair Richards attended a meeting with representatives of Sheffield Cycle groups as well as the city council about this.

Key roads are targeted and police cyclists ride the road. If someone drives too close to them then colleagues, including someone from the local authority waiting ahead are notified and the offending vehicle is stopped and either prosecuted or given education input. A similar scheme is run in Humberside - Operation Achilles applies the same principles except for motorbikes. The educational input is delivered by a local authority representative using an educational mat. The cost of this mat is approximately £900.

Chief Inspector Glen Suttwood has provided me with the statistics from the Safer Roads Partnership concerning collisions involving cyclists in South Yorkshire:-

	CRASH	CJU	CJU
PEDAL CYCLE	<u>2016</u>	<u>2015</u>	<u>2014</u>
FATAL	1	1	1
SERIOUS	52	45	56
SLIGHT	200	258	275

Clearly one death per year is one too many, however, deaths involving cyclists in South Yorkshire are no where near the levels that they are in the West Midlands or other parts of the country. Whilst it is clear that the scheme has been well received in the West Midlands and is a good approach to tackling a key priority, this needs to be balanced against priorities that are force specific. The main cohorts in relation to road deaths or serious injuries in South Yorkshire are centred on pedestrians and car users - drivers or passengers - where SYP have seen a continual rise over the past 2 years. That said, West Midlands Police are hosting a workshop in Birmingham on 13 January and officers from SYP are looking to attend.

In addition to this, given the challenging demand that the police service is currently facing as a result of austerity, resources are carefully deployed to target specific activity. I understand South Yorkshire Police are not aware of any specific location (s) that is prominent for pedal cyclist Road Traffic Collisions. Neither, have any officers who are trained and equipped in the use of pedal cycles brought any concerns to the attention of Chief Inspector Suttwood.

Enforcement should probably be used as a last resort to improve road safety, the most sensible solution would be to look at addressing the root causes of the problem – one of which is the layout of the roads. By creating segregated or shared cycle/pedestrian routes, improving lighting, awareness and signage, cyclists can use the roads with the confidence that they are safe to do. Some of this is being progressed in the county already:-

Sheffield

- Next development at Meadowhall, segregated cycle route.
- The new Ikea is to have cycle routes and crossings to it, as is the upcoming Charter Square improvements.
- The Connect 2 route is a fairly recent cycle route between Halfway and Killamarsh mainly segregated from traffic.

Rotherham

- Centenary Way and Canklow roundabout have all recently been upgraded to cater for cyclists. A cycle route has been created on the Waverley development to a Highfield Springs.

Doncaster

- A number of crossings have been converted to Toucan crossings along with a new one on Leger Way to link the Bawtry Rd commuter route to town. Also a new cycle lane on Bennethorpe.

Barnsley

- A cycle to work route has been built to service the large Asos factory at Grimethorpe.
- Also a new route is being built currently from the Trans Pennine Trail at Pontefract Rd into the town centre.

Whilst naturally, all force areas will see a decline in cyclists on the roads during the winter, I understand Chief Inspector Suttinwood is discussing the prospect of delivering some educational workshops in schools for future drivers and cyclists with local LPTS during Spring 2017 following attendance at West Midland Police's workshop.

Question 10 from Steve Chu

Does the Commissioner know whether South Yorkshire Police has received any reports of current or historic child sexual abuse connected to professional football clubs, or any other sports clubs? Is it appropriate to seek to review current child protection procedures at local sports clubs? If so, who should do this?

SYP has received 3 reports to date of sexual abuse relating to football clubs – all are historic (one from the 1960s and the other 2 from the 1980s), with only one relating to a professional club, the others are local non-professional clubs.

It would not be appropriate to share further details with the Panel at this time about the on-going investigations. The child protection procedures with sports clubs and other organised activities with children are a matter for the relevant Local Authority or the Local Safeguarding Children's Board.

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REPORT TO SOUTH YORKSHIRE POLICE AND CRIME PANEL

1.	Meeting:	Police and Crime Panel
2.	Date:	16 December 2016
3.	Title:	PCC's Governance Arrangements
4.	Organisation:	Office of the Police and Crime Commissioner for South Yorkshire

FOR INFORMATION

5. Interim Governance Meeting Structure

The PCC's Governance arrangements, including the Joint Corporate Governance Framework, are currently being reviewed. Ahead of the review an Interim Governance Meeting structure has been implemented (attached at Appendix A).

6. Independent Assurance Panels

As can be seen from Appendix A a number of independent assurance panels feed into the governance meeting structures.

The Joint Independent Audit Committee ('JIAC')

JIAC is a non-executive function of the Office of the Police and Crime Commissioner (OPCC) and SYP. Its main purpose is to provide independent assurance about the adequacy and effectiveness of the governance, risk, data quality, internal control and financial management arrangements of those organisations.

Members must reside or work in South Yorkshire and be independent of both the Force and the PCC.

Members are appointed for a period of one 3-year term, and be eligible for re-appointment for one additional term.

The Committee will under normal circumstances, meet at least 5 times per year. Meetings are scheduled to coincide with the key responsibilities and functions of the Committee. Members will be expected to carry out other duties in connection with their role, including but not limited to, reading reports, being available for advice, or asked to input into project groups.

This role attracts an allowance and all reasonable expenses incurred will be reimbursed.

The Committee consists of five members, although currently has two vacancies. A recruitment process has just taken place, however, due to a low response will be going back out to advert shortly.

The Independent Ethics Panel

The Panel provides independent and effective challenge and assurance around integrity, standards and ethics of decision-making in SYP.

It meets quarterly and consists of five independent members. All members live in South Yorkshire and have a wide range of skills and experience which they use to help improve transparency, accountability and trust in South Yorkshire Police.

A national Code of Ethics was written for all police forces earlier in July 2014. It has been adopted by South Yorkshire Police and the Office of the South Yorkshire Police and Crime Commissioner. The Independent Ethics Panel supports and monitors work to embed the Code across all the functions and activities of the Force, and also those within the PCC's office.

The Panel has no decision making powers, although they are able to make recommendations to the PCC and the Chief Constable.

This role attracts an allowance and all reasonable expenses incurred are reimbursed.

Members were chosen following the OPCC's recruitment and selection process.

Independent Advisory Panel for Minority Communities

The Independent Advisory Panel for Minority Communities advises the Force and the PCC on issues of concern to minority groups. These may be minority groups of any kind, including ethnic or religious minorities. The Panel does not seek to represent all possible minority communities but it does have members from a broad range.

The panel seeks to ensure as many communities as possible can put forward their views on police and crime issues and that the police have a more engaging role in policing our communities.

There are currently 13 members on the Panel, they do not receive an allowance but all reasonable expenses incurred can be reimbursed.

Membership of this panel is by invitation from the PCC in consultation with the chair. This is to give some flexibility in recruiting from new or emerging communities.

Independent Policing Protests Advisory Panel

As a result of a report into the engagement of SYP with communities following a protest in Rotherham on 5 September 2015, the PCC established an

Independent Policing Protests Advisory Panel to work with SYP in the planning and learning stages of managing protest and marches.

The Panel convenes to provide advice to SYP when a group indicates it will be protesting on any issue within South Yorkshire. Members will support the Force by offering comment on the Force's proposals for handling the event and work with them in advance of any protest, as well as being in attendance to observe on the day and helping to learn lessons from the event and make recommendations for managing future protests.

The Panel is made up of members of the PCC's Independent Ethics Panel and Independent Advisory Panel for Minority Communities. There are eight members on the Panel.

This role attracts an allowance and all reasonable expenses incurred are reimbursed.

Independent Custody Visitors

The Independent Custody Visiting Scheme is where members of the public visit police stations unannounced, to check that people held in custody are being treated properly. The people who carry out these visits are volunteers recruited after advertisement from a variety of backgrounds and sections of the South Yorkshire community. They must be over 18 years of age. They do not receive an allowance but all reasonable expenses incurred are reimbursed.

There are 29 Independent Custody Visitors. Vacancies are advertised and members are chosen following the OPCC's recruitment and selection process.

Further information on the PCC's various Panels can be found on his website at <http://www.southyorkshire-pcc.gov.uk/Home.aspx>

7. Background Papers and Consultation

All background papers used in the preparation of this report are available for inspection at the Office of Police and Crime Commissioner, Carbrook House, Carbrook Hall Road, Sheffield, S9 2EH

8. Contact

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POLICE AND CRIME COMMISSIONER INTERIM GOVERNANCE MEETING STRUCTURE – JULY 2016

Public Accountability Board

Chair: Police & Crime Commissioner
Membership: OPCC and SYP SLG as appropriate
Frequency: 6 weekly

Remit: To make decisions of significant public interest and hold the force to account against the priorities of the Police and Crime Plan and Business Plan, consideration of escalated governance issues, including risks.
Publications: Forward Plan, Agenda, Minutes, Decisions
Public meeting

Feed from Assurance Panels

- IEP
- JIAC
- IAPMC
- Protests
- ICV

Joint Corporate Risk and Governance Group

Chair: Chief Executive / Deputy Chief Constable
Membership: OPCC and SYP SLG
Frequency: Quarterly
Remit: Strategic Risk Register & governance products

Feed from Partnerships / Collaboration / Change arrangements, including:

- LCJB
- Safeguarding Boards
- BDA / JCB
- RCB

Joint Senior Management Group

Co - Chair: Chief Executive / Deputy Chief Constable
Membership: OPCC & SYP SLG, Force Head of Change, Engagement Lead (Public & Partners), Report authors as required
Frequency: Monthly
Remit: Support PCC's strategic planning process, provide direction on outline business cases, prepare decision papers, finalise reports for PAB having considered views of public & partners, impact on service delivery, HR, legal, financial & equality and diversity issues
Non - public meeting

Force Senior Leadership Group

Chair: Chief Constable
Membership: SYP SLG
Frequency: 1 per week (Business) & 2 per week (Operational)
Remit: (1) Business Matters
(2) Police Operational Matters
Non-public meeting

Leadership Group

Chair: Police & Crime Commissioner
Membership: PCC, CX, CC, DCC
Frequency: Weekly.
Remit: Review, discuss and provide strategic direction. Make non-contentious and /or urgent decisions. Membership extended once per month to wider SLG & OPCC SMG
Non-public meeting

PCC Senior Management Group

Chair: Chief Executive
Membership: SYPCC SMG. Membership extended once per month to wider Mgt Group
Frequency: Weekly
Remit: to manage the business of the OPCC
Non-public meeting

Main purpose of meeting:

- Direction Setting
- Scrutiny & Key Decision Making
- SYP
- Joint SYPCC & SYP Governance
- OPCC

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REPORT TO SOUTH YORKSHIRE POLICE AND CRIME PANEL

1.	Meeting:	Police and Crime Panel
2.	Date:	16 December 2016
3.	Title:	Her Majesty's Inspectorate of Constabulary (HMIC) Update
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 HMIC PEEL (Police Effectiveness, Efficiency and Legitimacy) inspection regime.

6. Recommendation

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

7. Details

7.1 Background

HMIC independently assesses police forces and policing across a wide range of policing activity.

HMIC decides on the depth, frequency and areas to inspect based upon their judgement about what is in the public interest. In certain circumstances inspections are jointly carried out with their colleagues in other inspectorates, such as prisons.

HMIC's annual inspection programme is subject to the approval of the Home Secretary in accordance with the Police Reform and Social Responsibility Act, 2011.

The inspectorate powers currently do not extend to the inspection of PCC's but HMIC can accept commissions from them for specific areas of work.

Most, if not all HMIC reports are made publically available thereby informing the public of the outcomes of inspection work carried out.

Section 55(5) of the 1996 Police Act requires PCCs to prepare comments on any of HMIC's published reports that relate to their force, and then publish these in the manner they see fit. Section 55(6) requires PCCs to send a copy of these comments to the Home Secretary.

7.2 PEEL Police Efficiency Inspection 2016

The Police Efficiency 2016 report was published on 3 November 2016. The inspection considered the extent to which the force is efficient at keeping people safe and reducing crime. The three questions considered by HMIC were:

1. How well does the force understand the current and likely future demand?
2. How well does the force use its resources to manage current demand?
3. How well is the force planning for demand in the future?

South Yorkshire Police has been assessed as requiring improvement in respect of the efficiency with which it keeps people safe and reduces crime.

Attached at Appendix A is the PCC and Chief Constable's response to the report.

7.3 PEEL Police Effectiveness Inspection 2016

The effectiveness inspection took place in South Yorkshire on 17 October. This will seek to give a rating on how effective South Yorkshire Police are at keeping people safe and reducing crime, previously the force were rated as requiring improvement. The Police Effectiveness Report will be published in Spring 2017.

7.4 Legitimacy and Leadership

On Thursday 8 December, HMIC will be publishing Legitimacy reports which make up its annual PEEL assessment of all 43 police forces in England and Wales. HMIC will also be publishing statements on Leadership in each of the 43 police forces.

The inspection is focused on how a force understands, develops and displays leadership through its organisational development and is based on the recent 'Guiding Principles' developed by the National Police Chiefs' Council, the College of Policing and HMIC.

Reports can be obtained from the HMIC website at <https://www.justiceinspectrates.gov.uk/hmic/>

7. **Background Papers and Consultation**

All background papers used in the preparation of this report are available for inspection at the Office of Police and Crime Commissioner, Carbrook House, Carbrook Hall Road, Sheffield, S9 2EH

8. **Contact**

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RESPONSE TO HMIC REPORTS – PEEL Efficiency

In response to the specific findings relating to South Yorkshire Police arising from the PEEL Efficiency Report.

South Yorkshire Police – Response from the Chief Constable, Stephen Watson

South Yorkshire Police welcomes the HMIC PEEL report 'Police efficiency 2016', which was generated following a number of visits to the force during 2016. South Yorkshire Police had already recognised that one of the unintended consequences of the LPU structures was the loss of dedicated neighbourhood policing resulting in our ability to meet the needs of our communities being compromised. As such, an internal review of local policing was launched, followed by a Peer Review conducted by the College of Policing, the findings of which mirror the observations of the HMIC.

HMIC have judged that South Yorkshire Police 'requires improvement'. The report acknowledges that the force does have a good understanding of current demand in responding to calls for service from victims but has a limited understanding of how to work proactively to prevent crime occurring.

The force recognises the journey we are on and is committed to delivering the best possible service to the people of South Yorkshire. We therefore welcome the HMIC recommendation and improvement suggestions contained in the report. As such, we are already acting on the areas highlighted, in line with the recommendations provided. This includes:

- A review of Human Resources.
- Leadership Review.
- Recruitment and promotion to address identified gaps within the workforce.
- The development of a new strategic plan and performance framework.
- The launch of an independent staff survey.

An increase in the capacity of the Change Team to deliver a comprehensive assessment of current and future demand will provide a new operating model for local policing. The team will use recognised best practice to deliver improvements and a good example is the work already completed to look at demand around neighbourhoods using deprivation, police incidents data mapped against the Cambridge Harm Index. This provides us with an opportunity to understand where our vulnerable areas are and therefore where a neighbourhood presence to proactively prevent harm is required. We recognise that the model introduced in 2015 does not allow this level of proactivity nor does it meet the changing needs of South Yorkshire's diverse communities.

To enable us to better address community issues across the county, work is ongoing with partner agencies and blue light services to develop joint working arrangements and I am pleased to see this reflected in the report. The new Change Team will bring together all

projects under a governance framework led by a Chief Officer and overseen personally by me.

I am pleased that the report acknowledges the work already undertaken to provide officers and staff with the appropriate technology to enable them to spend more time out in our neighbourhoods and we will continue to work to realise further benefits from technology.

HMIC recognises our track record in working with other police forces to improve efficiency, and whilst we recognise that the force has some hurdles to overcome, I feel positive that the Force has all the ingredients to make good progress towards addressing these areas.

Every officer and member of staff within South Yorkshire Police is committed to ensuring our communities can have trust and confidence in the Force, and we will continue to listen to the public to ensure we are preventing and fighting crime and protecting communities.

Office of the South Yorkshire PCC – Response from Dr Alan Billings, PCC

Nothing in this report comes as a surprise because in May-June interim Chief Constable Dave Jones and I commissioned a peer review of the force conducted by the College of Policing which laid out very clearly where the strengths and weaknesses of South Yorkshire Police were. This report does not add to that.

The peer review findings have already provided the incoming Chief Constable, Stephen Watson, with a very clear idea of where the force's priorities must lie. This is what he and the force have been working to since his arrival and the College of Policing is continuing to give support. The HMIC report does not change those priorities but only confirms them.

As a result of the peer review, the key areas for improvement are already well recognised, especially the need to have a more complete understanding of the different and changing demands on the force.

The report states that while the force understands well such areas of demand as reported crime, it did not anticipate how changing local policing would impact on its workload. It finds the force 'inadequate' in this respect. In other words, the force needs good neighbourhood policing if it is to manage crime and anti-social behaviour. It also needs better planning for future demand. When I appointed the present Chief Constable he was given a clear brief to get all this right.

The report echoes the peer review in finding that a lack of strategic vision and a failure to understand demand has made workforce planning too finance rather than function driven.

Overall, I see this report as the inspectorate catching up with and confirming what the peer review had laid bare and what the force has been working to address since that time.



There are some positive points worth noting. One is that victim satisfaction with the service is 'good' at 83%. Given where the force was when I first became Police and Crime Commissioner, immediately after the Jay Report and the scandals around child sexual exploitation, this is a very good result and a credit to hard-pressed as well as hard-working officers and staff.

We might note that 999 calls in South Yorkshire per 1000 of population are thirty more than the average per force area.

The Chief Constable has committed to take South Yorkshire Police from a force that requires improvement to one that is good and indeed excellent and I will support him in that in every way I can.

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REPORT TO SOUTH YORKSHIRE POLICE AND CRIME PANEL

1.	Meeting:	Police and Crime Panel
2.	Date:	16 December 2016
3.	Title:	Budget Position for 2016/17
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 for 2016/17.

6. Recommendations

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

7. Revenue Budget for 2016/17

For 2016/17 there was a reduction in funding from Government amounting to approximately £1m compared to 2015/16. As part of the Finance Settlement for 2016/17, the South Yorkshire Police and Crime Commissioner (PCC) was given the flexibility to increase the council tax by 3.3%: this generated additional council tax income of £2.4m largely as a result of an increase in the council tax base. This allowed the Police Minister to say that "no PCC will face a reduction in cash funding".

The total level of revenue funding - including government grant and council tax income - amounts to approximately £242m. The majority of this is allocated to the Chief Constable to finance Force running costs including employee costs. In order to keep within the amount allocated and to meet the costs of demand and cost pressures, reductions of at least £6m were agreed as part of the budget process.

8. Current spending position 2016/17

It is currently forecast that there will be an overall underspending of £4.2m in the current financial year.

Included in the overall position is a projected underspend of £2.7m in the Chief Constable's operating budget: the projected underspend represents a variation of about 1%. The Chief Constable has taken steps to reduce expenditure in the current financial year in order to have resources to carry forward for use in meeting expenditure in 2017/18. One of the largest single variations relates to Police Staff costs where there is a projected £2m underspend due to vacancies and staff turnover.

The overall position includes a spending variation in respect of the costs of Operation Stovewood: this is conducted by the National Crime Agency into historic allegations of child sexual exploitation. When the budget was agreed it had been assumed that Special Grant funding would be received from Government and that this would involve the application of a "1% rule": the Home Office have in the past expected the Force to meet an amount equivalent to 1% of the budget with the Government providing the balance. The actual Special Grant award for 2016/17 has put a ceiling of £1m on the costs met by the Force.

One of the assumptions underpinning the 2016/17 budget is that any further costs that may potentially arise from legacy issues will be largely met from special grant allocations from Government. The nature and extent of any liability that may arise and the degree to which it should be set against the 2016/17 budget, has yet to be finalised.

The overall position is summarised in the table below:

	Revised Budget £'000	Forecast Outturn £'000	Forecast Variation £'000
Chief Constable Budget	235,716	232,932	-2,784
Potential Legacy Issue costs	4,800	4,918	118
Operation Stovewood Costs	2,400	850	-1,550
PCC and OPCC Budget	2,100	2,086	-14
Commissioning & Partnership	3,272	3,272	0
Capital Financing	3,040	3,026	-14
External Funding	-6,820	-6,785	34
Total Net Expenditure (before use of reserves)	244,508	240,299	-4,210
Contribution to/ (from) Reserves	-2,545	1,665	4,210
Net Revenue Expenditure	241,963	241,963	0

9. Forecast position for 2017/18

It is expected that the Government will announce details of the Police Finance Settlement for 2017/18 during week commencing 12 December. The indications are that the "flat cash" settlement for 2017/18 will be the same as for 2016/17: i.e.

that the level of government grant will reduce but that the PCC will be able to propose an increase in council tax that makes up for the grant loss and that the overall funding position will be neutral.

The Force face significant financial challenges in keeping expenditure to the same level of funding as in the current year. There are cost and demand pressures that will need to be absorbed and which will require offsetting savings and efficiencies. The position will be reported to the Panel in 2017 as part of the process for the determination of the precept for 2017/18.

10. Contact

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Police and Crime Panels – Scrutiny of Precepts

This guidance note explains the process for the police and crime panel's (PCP) scrutiny of the police and crime commissioner's (PCC) proposed precept and should be read alongside:

- Schedule 5 of the [Police Reform and Social Responsibility Act 2011](#) ("the Act")
- Part 2 of the [Police and Crime Panels \(Precepts and Chief Constable Appointments\) Regulations 2012](#) ("the Regulations")

A separate [guidance note setting out the scrutiny of chief constable appointments](#) has been published alongside this guidance note.

Background

Schedule 5 of the Act sets out the process for issuing a precept, including the panel's role in reviewing the proposed precept, their power to veto the precept and the steps to be taken if they do veto the proposed precept.

The Regulations provide greater detail to the Act, including time limits applicable to the stages of the process and the process for reviewing and issuing a revised precept.

Schedule 5 requires:

- the PCC to notify the panel of his/her proposed precept;
- the panel to review the proposed precept;
- the panel to make a report to the PCC on the proposed precept (this may include recommendations);
- the panel's report (if they veto the proposed precept) to include a statement that they have vetoed it;
- a decision of veto to be agreed by two-thirds of the panel members;
- the PCC to have regard to the report made by the panel (including any recommendations in the report);
- the PCC to give the panel a response to their report (and any such recommendations);
- the PCC to publish the response.

It is for the panel to determine how a response to a report or recommendations is to be published.

If there is no veto and the PCC has published his/her response to the panel's report, the PCC may then issue the proposed precept - or a different precept (but only if in accordance with a recommendation in the panel's report to do so).

The Regulations require:

- the PCC to notify the panel of his/her proposed precept **by 1 February**;
- the panel to review and make a report to the PCC on the proposed precept (whether it vetoes the precept or not) **by 8 February**;
- where the panel vetoes the precept, the PCC to have regard to and respond to the Panel's report, and publish his/her response, including the revised precept, **by 15 February**;

- the panel, on receipt of a response from the PCC notifying them of his/her revised precept, to review the revised precept and make a second report to the PCC **by 22 February**;
- the PCC to have regard to and respond to the Panel's second report and publish his/her response, **by 1 March**.

Panel's report on the proposed precept

If the panel fails to report to the PCC by 8 February the scrutiny process comes to an end, even if the panel have voted to veto the proposed precept, and the PCC may issue the proposed precept.

PCC's response to a veto

Where the panel vetoes the proposed precept, the PCC must have regard to the report made by the panel, give the panel a response to the report and publish the response, by 15 February. In his/her response, the PCC must notify the panel of the revised precept that he intends to issue.

Where the panel's report indicates that they vetoed the precept because it was:

- too **high**, the revised precept must be lower than the previously proposed precept.
- too **low**, the revised precept must be higher than the previously proposed precept.

The PCP may only veto the first proposed precept. Such a veto must be agreed by two-thirds of PCP members (the full membership rather than those present at a meeting). Where a veto occurs, the report to the PCC must include a statement to that effect.

Panel's review of the revised precept

On receipt of a response from the PCC notifying them of the revised precept proposal, the panel must review the revised precept proposal and make a second report to the PCC on the revised precept by 22 February. This report may:

- indicate whether the panel accepts or rejects the revised precept (although rejection does not prevent the PCC from issuing the revised precept); and
- make recommendations, including recommendations on the precept that should be issued.

If the panel fails to make a second report to the PCC by 22 February, the PCC may issue the revised precept.

Issuing the precept

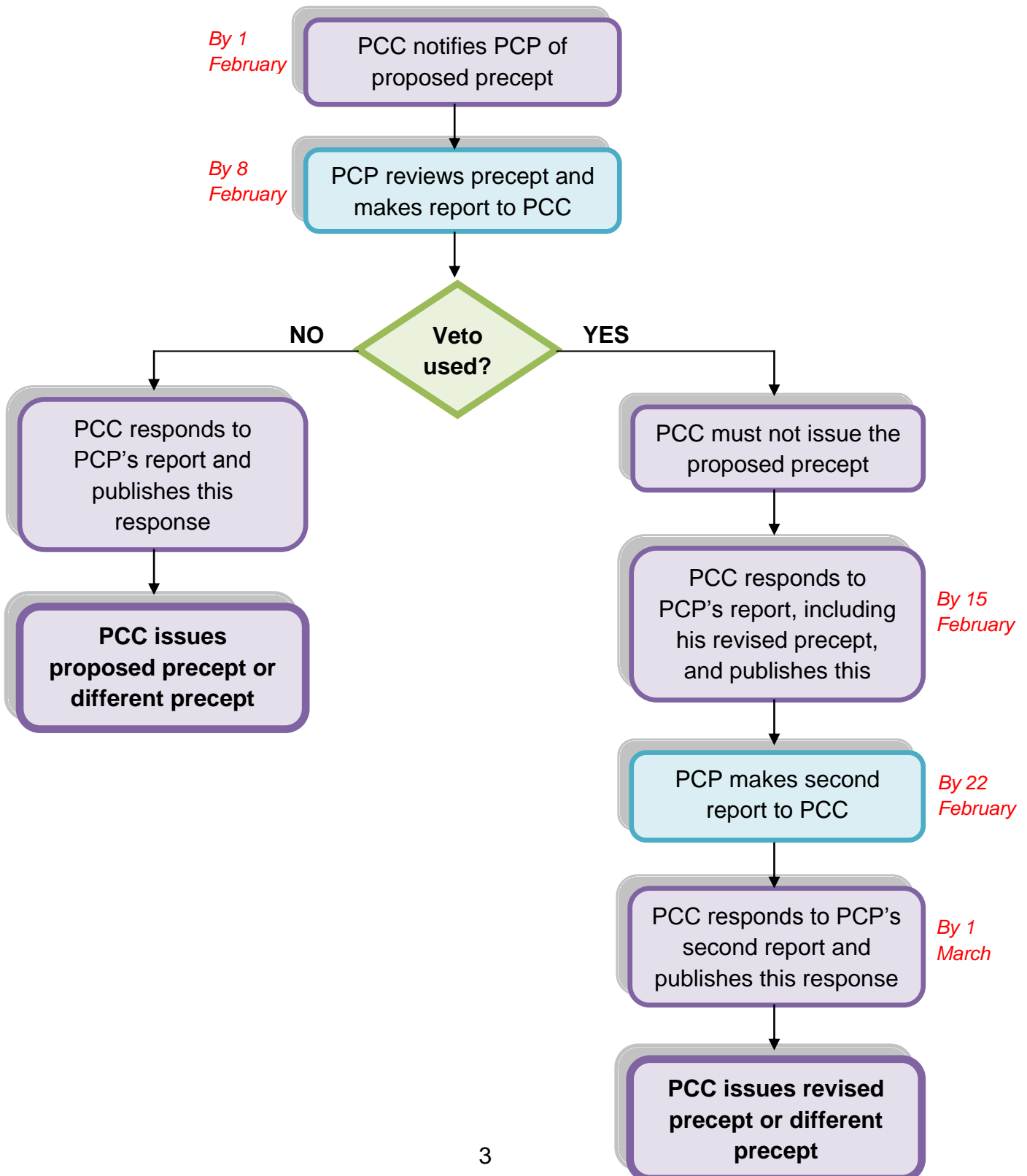
Excluding where the panel fails to report on the proposed precept by 8 February or make a second report on the revised precept by 22 February, the scrutiny process ends when the PCC gives the panel his/her response to their second report.

The PCC may then:

- issue the revised precept; or
- issue a different precept, although:

- they must not issue a precept that is higher than the revised precept if the revised precept was lowered following the panel’s initial report on the first proposed precept indicating it was vetoed because it was too high;
- they must not issue a precept which is lower than the revised precept if the revised precept was raised following the panel’s initial report on the first proposed precept indicating it was vetoed because it was too low.

Process for PCP scrutiny of PCC’s proposed precept



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SOUTH YORKSHIRE POLICE AND CRIME PANEL
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1.	Meeting:	Police and Crime Panel
2.	Date:	16th December 2016
3.	Title:	Complaints Update

4. Summary

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

5. Recommendations

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

6. Proposals and Details

6.1 It was reported to the last meeting of the Panel that the two complaints received in respect of the previous Police and Crime Commissioner (PCC) have been referred to the Clerk to the Home Affairs Select Committee. The Panel has now been informed that the matters have now been referred to the Metropolitan Police, by the Home Affairs Select Committee (HASC). After taking legal advice the HASC concluded that the allegations referred to (deliberately misleading the Committee) would if proved constitute a criminal offence, which is contrary to the conclusion of the IPCC. The progress of the matter will be reported back to a future meeting of the Panel.

6.3 A Complaint has been received whereby the complainant is dissatisfied with how South Yorkshire Police (SYP) have dealt with his complaint. He appealed their decision to the IPCC who upheld SYP's decision. The complainant then wrote to the PCC. The initial complaint relates to how a crime is recorded.

6.4 The PCC is not responsible for complaints against officers and staff of SYP or for operational matters, these are the responsibility of the Chief Constable. The Office of the Police and Crime Commissioner initially wrote to the Complainant explaining that there was nothing further that the PCC could do to assist him in the matter, but the Complainant was dissatisfied with that response, and as such submitted a complaint. A review has been carried out by the OPCC as to whether the correct policies and procedures have been followed. The outcome of this review and further information as to the recording of criminal offences has been provided to the complainant. Confirmation from the complainant is awaited that this satisfactorily concludes the matter.

7. Finance

None

8. Risks and Uncertainties

None

9. Background Papers and Consultation

Files and correspondence held by the Legal Adviser.

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SOUTH YORKSHIRE POLICE AND CRIME PANEL
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1.	Meeting:	Police and Crime Panel
2.	Date:	16 December 2016
3.	Title:	Future Activity and Dates of Meetings

4. Summary

- 4.1 To report on the outcome of work planning session held by the Police and Crime Panel on 18 November 2016 and to identify future meeting dates to accord with statutory provisions in the 2016/17 and 2017/18 municipal years.

5. Recommendations

- 5.1 That the Panel notes the items identified for inclusion within the work programme.
- 5.2 That the Panel identify any further matters for inclusion within the work programme.
- 5.3 That the schedule of meeting dates for the remainder of the 2016/17 municipal year and for the forthcoming 2017/18 municipal year be agreed, subject to consultation with the host authority of the South Yorkshire Police and Crime Panel and the Office of the Police and Crime Commissioner.

6. Work Programme

- 6.1 On 18 November 2016, the Panel held a work programme planning session to consider items and issues for examination throughout the year. The session also focused on different approaches to scrutiny activity and to the way in which the Panel can act as a “critical friend” to both the Police and Crime Commissioner for South Yorkshire and to South Yorkshire Police.
- 6.2 The following items were identified by Members as warranting further scrutiny, oversight or challenge:
- the Governance Arrangements of the Police and Crime Commissioner
 - the financial position of South Yorkshire Police and the Office of the PCC
 - the implementation of the recommendations arising from the Peer Review of South Yorkshire Police
 - Scrutiny of the Police and Crime Plan
- 6.3 The Panel has the discretion to determine how it wishes to undertake its scrutiny activity. In doing so, it must have regard to the resources available to support it in its activity and the potential value or intended outcome from that activity. In the work planning session, Members mooted the notion of establishing small groups of Panel Members to work together on specific themes or appointing Champions

for specific areas under its remit. The Panel should give consideration as to how it wishes to proceed before confirming its work plan for the remainder of the year.

- 6.4 Following the session on 18 November 2016, the Police and Crime Commissioner has written to invite the Panel to contribute to the Strategic Planning Process to inform the new Police and Crime Plan and has sought Members' input by 14 December 2016, which is prior to this meeting taking place.

7. Dates of Future Meetings

- 7.1 The Panel has previously agreed to hold meetings on 24 February and 21 April 2017. The previous agenda item in respect of Home Office guidance on the scrutiny of precept proposals requires the Commissioner to share his proposal by 1 February 2017 and for the Panel to have met by 8 February 2017 to respond. In order to comply with that provision it will be necessary to agree a date to meet during that period.

- 7.2 With regard to the next municipal year, it is recommended that, subject to consultation with the host authority and the Office of the Police and Crime Commissioner, the following dates be provisionally agreed for Panel meetings:-

Friday 9 June 2017 at 10.00am (Member Briefing at 9.00am)
Friday 21 July 2017 at 10.00am (Member Briefing at 9.00am)
Friday 29 September 2017 at 10.00am (Member Briefing at 9.00am)
Friday 15 December 2017 at 10.00am (Member Briefing at 9.00am)
Wednesday 7 February 2018 at 10.00am (Member Briefing at 9.00am)
Friday 21 April 2018 at 10.00am (Member Briefing at 9.00am)

8. Governance Arrangements

- 8.1 The Panel has expressly requested the preparation of a Memorandum of Understanding to manage the relationship between itself and the Police and Crime Commissioner. Since the previous meeting, discussions have taken place with the Office of the Police and Crime Commissioner which have indicated that a protocol had previously been prepared by the host authority. It is intended to review this document with a view to bringing it before the Panel at its next meeting in February 2016 and to consult with the Office of the Police and Crime Commissioner as to the content in the meantime.
- 8.2 The Panel's website (www.southyorkspcp.org.uk) has not been updated in some time. It is proposed that officers from the host authority be instructed to improve the presentation of the website to encourage more public engagement and to better explain the role and work of the Panel. It is envisaged that significant improvements will have been made by the time of the next meeting.

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