

POLICE AND CRIME PANEL
11th September, 2015

Present:-

Barnsley Metropolitan Borough Council

Councillor M. Dyson

Councillor R. Frost

Doncaster Metropolitan Borough Council

Councillor A. Jones

Councillor C. McGuinness

Rotherham Metropolitan Borough Council

Councillor C. Vines

Councillor E. Wallis

Sheffield City Council

Councillor J. Armstrong

Councillor I. Bowler (**Chair**)

Councillor J. Campbell

Councillor J. Otten

Co-opted Member

Mr. Alan Carter

11. QUESTIONS FROM MEMBERS OF THE PUBLIC

11.1 A member of the public asked the following question:-

“As a layman and member of the public I have been led to believe and had the understanding that the police force as a whole was free of external influences with its mandate with respect to monetary, commercial political etc. influences. That is principal objectives were to “keep the peace” and “maintain the law” within society.

If you accept the above in principal could you explain why we are displaying on police cars the flag of a national organisation I believe within South Yorkshire only.”

11.2 Due to this question being of an operational nature, it was a matter for the Police Force and the Police Commissioner. The Chair had made the Commissioner aware of question and would respond direct to the member of the public.

Action:- That the response to the question be reported to the next meeting.

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

“(a) Please provide an update on the appointment of an additional independent member.

(b) Please add contact details on the agenda for submission of public questions e.g. e-mail address. There was also nothing mentioned on the agenda page that the meeting is to be webcast and extremely difficult to find out where you could access it.

(c) It is difficult to find details of public meetings on the Police and Crime Commissioner’s website e.g. dates, times, venues etc. Please clarify. In particular, 1 issue that was not mentioned were PACT meetings. These were agreed a few years ago to have local meetings with local Police Officers and various officers for members of the public to ask questions. We asked questions on this to the previous Police and Crime Commissioner and he did support them. They do still exist but not very well publicised so the public did not know when and where they were held.

(d) Your website has a Police and Crime Panel Sub-Committee which last met on 7th July, 2014. Please confirm if this still exists and if so who are its members and what is its function.”

11.4 With regard to question (a), the Chair reported that interviews were to take place later that day with, hopefully, an announcement being made as to the newly appointed independent member the week beginning 14th September.

11.5 With regard to question (b), the Chair agreed that it should be clear as to how a member of the public could submit a question.

Action:- That Officers include on the agenda page details of how to submit a question together with a link to the webcast – Immediate.

11.6 With regard to question (c), the Commissioner stated that he attended a number of public meetings by invitation; his Office would have to look at whether it was appropriate for them to be included on the OPCC’s website due to them not being meetings they had organised.

There was some confusion around PACT meetings in that they were Partners and Communities Together and not “Police” and should include the local authority, the Health Service etc. Police engagement at such meetings was currently under review with the Commissioner due to receive a report very shortly with the aim of ensuring attendance at meetings that were the most productive.

11.7 With regard to question (d), the Chair reported that there was a provision for a Sub-Committee of the Panel to be established to look at complaints. The Sub-Committee would consist of 3 Panel members and be convened as and when required. This would be clearer when the Complaints Procedure was refreshed.

12. MINUTES OF THE PREVIOUS MEETING HELD ON 29TH JUNE, 2015

12.1 Consideration was given to the minutes of the previous meeting of the South Yorkshire Police and Crime panel held on 29th June, 2015.

Action: That the minutes of the previous meeting held on 29th June, 2015, be approved for signature by the Chair.

12.2 Arising from Minute No. 3.2 (focussed scrutiny), the Chair proposed that an item be included on a future agenda looking at public engagement by the Commissioner.

Action:- That a briefing be prepared by the Police and Crime Commissioner highlighting current engagement to enable the Panel to discuss current activities and recommend any additions or changes in engagement work.

12.3 Arising from Minute No. 3.3 (independent co-optee Panel member), it was noted that interviews were to take place later that day.

12.4 Arising from Minute Nos. 4.4 (visit to Atlas Court), possible dates were now available for the visit of 22nd, 23rd and 28th October, 2015.

Action:- Deborah Fellowes, Scrutiny Manager, to circulate dates to Panel members and co-ordinate the responses – Immediate

12.5 Arising from Minute No. 5.4 and 5.5 (Performance Framework), the Chair proposed that a workshop training session be held in advance of the October Panel to discuss performance monitoring, the measures that the Panel would be looking at in the Commissioner's Performance Framework and how they could be effectively scrutinised. A report would be then given to the meeting.

Action:- That arrangements be made for a workshop session to be held in advance of the October Panel meeting – Deborah Fellowes, Scrutiny Manager – Immediate

12.6 Arising from Minute No. 6.4 (Capital Programme), although there was inclusion in the budget monitoring report, a more detailed report on the Capital Programme specifically was required.

Action:- That the OPCC submit a detailed Capital Programme report to the next Panel meeting

12.7 Arising from Minute Nos. 7.5 and 7.6 (Complaints Procedure), it was noted that due to holidays/absences, the report had not been included on the agenda.

Action:- That the revised Complaints Procedure be submitted to the October Panel meeting – Stuart Fletcher, Legal Adviser

13. BUDGET MONITORING - FIRST QUARTER 2015/16

13.1 Consideration was given to a report of the Chief Finance Officer relating to the budget monitoring for the first quarter of the 2015/16 financial year.

13.2 The PCC had approved a net revenue budget of £240M for 2015/16. This was the amount financed by Government grant and Council Tax income. The precept set by the PCC represented an increase of 1.95%; the level of Government grant fell by 4.7% compared to the amount for 2014/15.

13.3 Currently the budget monitoring was forecasting an approximate £3.8M overspend. The most significant issues behind the projected overspend were:-

- Costs of Police Officers, Police staff and Police pensions – forecast underspend of £6M partially offset by the cost of severance payments forecast to amount to approximately £3M
- Costs associated with the investigation of child sexual exploitation allegations – potential overspend of approximately £7M
- Provision of National Police Air Service – forecast to exceed budget by £0.7M
- Hillsborough Inquests costs – currently exceeded grant funding by approximately £0.4M
- Financial Reserves

13.4 South Yorkshire was dealing with a set of challenges and difficulties not experienced by any single force or Police and Crime Commissioner elsewhere in England and Wales. There were considerable uncertainties that could mean that the final outturn for 2015/16 was significantly different from that currently forecast.

13.5 Decisions of the Home Secretary in respect of Special Grant applications submitted by the Police and Crime Commissioner would be crucial in providing a degree of certainty about funding but would not be known until later in the year. Also the use of a “1% rule” may only have a marginal impact on the final outturn.

13.6 There were indications that the level of Government funding for Policing could be cut by up to 8% per annum from April 2016 as a result of the 2016/18 Finance Settlement due to be announced in December, 2015. This was greater than the 5% reduction assumed in the Medium Term Financial Strategy. If this were to be the case, there would likely be one-off costs that would require funding in 2016/17 from reserves including the potential for further severance/redundancy costs.

13.7 Dr. Billings, Police and Crime Commissioner, placed on record his thanks to the Home Secretary who had listened to the additional representations that had been made and had increased the amount she was prepared to give South Yorkshire for the first 2 years of the Hillsborough Inquiry. Although the Special Grant for the reimbursement of costs incurred in 2015/16 had been limited to £1M, she had also said she would be prepared to listen when applications were made for Special Grant funding.

13.8 Issues raised following the presentation included:-

- The new local policing model was being rolled out across South Yorkshire, following the pilot in Doncaster from which there would be lessons to be learnt, and the whole culture of the Police Force had to change. The new model brought together all uniformed Officers, Neighbourhood Teams and Response Officers together into one team requiring them to have a local neighbourhood focus and manage all matters within their own local policing team working to a common shift pattern. There would be new technology used which would enable them to stay in the neighbourhoods longer rather than having to go back to the Police Station. It would remove a lot of Officer costs but overall numbers were falling so all had to be managed carefully. This was one of the consequences of the continuing pattern of austerity and the fact that the Police was no longer a protected service with difficult choices having to be made. It was a coincidence that at the same time as South Yorkshire was moving to the new policing model it also had to reduce numbers.
- There had to be a move away from thinking about the four areas of South Yorkshire but 1 Police Force that responded to the needs wherever they were with the resources deployed appropriately.
- Based on the information available at the present time, the £11M Insurance Reserve set aside for potential Child Sexual Exploitation claims was at the correct level. However, it would be kept under review and revised accordingly.
- Members of staff, including civilians, had had to submit an expression of interest in redundancy. In order to minimise the impact on the 2016/17 revenue budget, given the very difficult nature of the challenges to be faced, it was considered to make the cost self-financing for the 2015/16 financial year. Two rates of redundancy

payment had been looked at and the enhanced rate selected due to the urgency. Not all expressions of interest had been successful.

- Hillsborough – a cost review exercise had been commissioned by the Commissioner of the law firms involved as well as auditors to look at the charges. The OPCC had been satisfied, as well as the auditors, that everything charged was legitimate and reasonable given the level of the Inquiry process. Once that external assurance had been received the Home Office had agreed to release funding. The eight Officers concerned had approached their own solicitors through their own staff associations. The Chief Constable's costs were separate and he secured his own representation and liaised with the Commissioner.
- Posts not being filled and the possible loss of expertise in particular areas was always a problem for the management for any organisation when downsizing. This was an operational matter for the Chief Constable.
- The Commissioner and Chief Constable had issued a joint statement calling for an end to the recent right wing protests that had taken place in Rotherham. Rotherham in particular was being hit on a frequent basis and at huge cost to the Force and highly disruptive to the people of Rotherham. The Force was seeking specialist legal advice to explore all options around the protests. The Home Secretary had recently stated that she would provide some of the costs to cover the EDL marches for the last year but would be subject to the 1% rule. £148,000 had been received but, given the difficult financial position faced by the Home Office and the Special Grant funding, it was unlikely that further grant money would be received particularly when there were the issues associated with the Hillsborough Inquiry. There may be potential funding towards the end of the financial year but would be dependent upon underspends elsewhere in the Home Office.
- Due to it being so early in the current financial year, the £3.7M projected overspend did not reflect the actions that had been taken by managers or the OPCC to bring expenditure back into line with budget. It was hoped that the position would improve but there was a range of very difficult issues that made the accurate forecast of the outturn position very difficult. South Yorkshire was facing a very difficult scenario financially for the next few years and could be much worse given the Spending Review.

Action: That the Panel note the projected financial position on the revenue budgets

Action: That the OPCC submit a report as soon as possible on the costs associated with the Hillsborough Inquiry to enable a full understanding of the actions being taken in an attempt to mitigate any future impact on the Police budget

Action: That the OPCC submit the Capital Programme to the October Panel meeting.

Action:- That the OPCC submit a report to the October Panel meeting on the 2 different redundancy payment rates and the rationale for choosing the enhanced scheme.

14. ANNUAL REPORT

14.1 In accordance with the requirements of the Police Reform and Social Responsibility Act (2011), Dr. Billings, Police and Crime Commissioner, presented his draft 2014/15 annual report setting out how he had exercised his statutory functions as well as an overview of the work undertaken by the South Yorkshire Police Authority of its statutory functions between April, 2014 and March, 2015.

14.2 The main purpose of the report was to highlight performance against the functions of a Police and Crime Commissioner as set out in the Act and to demonstrate performance against the key objectives set out in the Police and Crime Plan.

14.3 It should be noted that the report included the following priority areas of the previous Police and Crime Commissioner:-

- Reduce Crime and Anti-Social Behaviour
- Protect Vulnerable People
- Improve Visible Policing

together with Dr. Billing's priorities for 2015/16 which were:-

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

14.4 The reporting year was another very difficult year for all public services and Policing was not immune from the further significant cuts made by Central Government. The reduction in Government funding and the Service finding ways of running the service more efficiently had had the combined effect of £50M of cashable savings since 2007/08.

14.5 The Police and Crime Commissioner invited comments on the annual report and responded as follows:-

POLICE AND CRIME PANEL - 11/09/15

- The term anti-social behaviour covered a wide range of activity some of which may be the responsibility of the local authority. It was hoped that the new local policing teams would be better at managing certain aspects of anti-social behaviour working with other parent organisations, however, it had to be recognised that unless the Police engaged with those other partner organisation and brought the public with them, then some aspects of ASB would continue.
- Until publication of the Jay report, the scale of the problem had not been understood. A lot of work had taken place on changing the understanding in South Yorkshire Police, training Officers and co-locating Officers concerned with CSE with other professionals.
- Prosecution cases were being put together and would be taken to trial later in the year. However, it had to be recognised that some of the victims had been abused whilst quite young and were now in their late 20s/older and had new lives, partners and children. Some of them wanted to go to trial and bring the perpetrators to justice whilst others did not; some co-operated with the Police in bringing cases to trial and some did not; some victims and survivors were strong now but it was not known how they would be when they went to Court.
- A Victim, Survivor and Families Panel had been established and was helping with the training of Police Officers.
- Discussion would take place with the Chair of the Independent Ethics Panel as to whether it was appropriate for a member of the Police and Crime Panel to become a co-opted member. However, care would need to be taken so as not to confuse the scrutiny function.
- A review was underway of the use of the 101 facility and the ways in which members of the public could contact the Police. Satisfaction with the service appeared to have improved but that may be due to the volume of calls having reduced. Technology and additional staff resources were being considered.
- The growth in the use of legal highs, particularly on the part of young people, was very worrying and was on the Police's radar. A publicity campaign was being considered across South Yorkshire to alert people to the dangers and raise awareness. It was not known if the drug testing in custody suites was at a standard to cope with the legal highs.
- The use of body cams by Officers was an operational matter for the Chief Constable.
- The National Crime Agency was also involved looking at historic cases of CSE. The public's frustration was understood but there was a lot of work that had not been done previously to be done from which results would follow. Individual officers were being investigated on the

whole question of CSE particularly in Rotherham. A review by Professor John Drew had been commissioned for the whole of South Yorkshire to be absolutely clear about what was happening in Barnsley, Doncaster and Sheffield as well as Rotherham.

- Approximately one hundred Police Officers had been reported to the IPCC with the results of those investigations awaited. Twenty-four had been assessed in relation as to whether their misconduct needed to be investigated. The IPCC carried out a severity assessment and assessed whether the IPCC independently investigated, supervised or managed an investigation or whether it was given back to the Force to investigate. An Officer was not necessarily suspended – the decision was taken in light of whether they were front line or on restricted duty but not always suspended if there was no risk involved; it was at the discretion of those making the severity decision. The Vice-Chair reported that she had asked the IPCC for regular updates and it was her understanding that twenty-seven Officers have been served with Misconduct Notices. Forty-one instances were being investigated in relation to those twenty-seven Officers.

Action: That any comments on the draft annual report be forwarded to the OPCC by 18th September, 2015 – Immediate

Action: That consideration be given to inviting the Chair of the Independent Ethics Panel to a future meeting to enable Panel members to gain an understanding of its work programme and forward plan

Action: That the OPCC give an update to the next meeting on Police Officers being investigated in relation to CSE

Action: That the OPCC provide an answer to Councillor Otten regarding drug testing in custody suites

15. NATIONAL CHILD PROTECTION INSPECTION - POST INSPECTION REVIEW

15.1 Dr. Billings, Police and Crime Commissioner, presented a report outlining actions resulting from the HMIC's National Child Protection Inspection Post Inspection Review. It was noted that the review was not specifically about Child Sexual Exploitation but child protection issues in general.

15.2 As part of a rolling programme of child protection inspections of all police forces in England and Wales, HMIC had published an initial report in September, 2014, which found that South Yorkshire Police had an inconsistent approach to child protection and improvements to the care of children in custody. Following a post inspection review in April 2015, Inspectors were pleased to find:-

- Improvements to the Force's initial response when attending incidents involving children at risk
- Child protection had been prioritised and there was a strong desire to improve outcomes for children who were at risk of harm
- The Force was developing new joint working arrangements and structures to improve consistency across its four districts

However, Inspectors were concerned to find:-

- That although the Force had undertaken a review of arrangements with care homes and provided guidance to Police staff, this had not resulted in improvements in practice
- The Force was still failing to recognise risks to some children and work jointly with other agencies
- That recording practices remained poor which limited the ability of staff to make good decisions about children

15.3 In accordance with Section 55(5) of the 1996 Police Act required Police and Crime Commissioners to prepare comments on any of the HMIC's published reports that related to their Force and then publish in a manner they saw fit. Section 55(6) required a copy of the comments be sent to the Home Secretary (attached at Appendix A of the report).

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

- The Chief Constable had been requested to focus on all the areas highlighted in the report and to make improvements.
- The question of children's homes was a bigger issue in some districts more than others. A bigger piece of work was required giving consideration to the relationship between them and Child Sexual Exploitation trafficking etc.
- The Jay report had illustrated that a number of the vulnerable children were from children's homes as they were deemed as easy targets but it was clear that many also came from good homes with very caring parents. Agencies had to be very careful not to put all their focus onto one area. Grooming was increasingly moving from the streets to the internet which required a different response and Police Officers with different skills/training. New developments must not be lost sight of.
- The Police had not waited for the results of the investigation but had been making improvements. By the time of the report a number of the improvements required had been made.
- The Commissioner's role was to scrutinise the Police Force and ask what they were doing. It was easy for an organisation like South Yorkshire Police to become so focussed on the recent events that it

POLICE AND CRIME PANEL - 11/09/15

began to lose sight of what else might be happening. A learning organisation was one that did not simply focus on particular outcomes but must learn the lessons and be very careful. At the moment it should think about the general environment and context within which it was working. There was a big culture shift that had to take place not just in South Yorkshire Police but forces across the country.

Action: That the report be noted.

Action: That the OPCC feed into the workshop session the Commissioner's relationship with the Police Force, current structure, the Governance and Assurance Board and information on what reports were routinely submitted to the Commissioner.

16. DATE OF FUTURE MEETINGS

Resolved:- That meetings of the Police and Crime Panel be held as follows:-

Friday, 16th October, 2015 .

27th November

15th January, 2016

4th March

27th May

all to be held in Rotherham Town Hall commencing at 11.00 a.m.