

POLICE AND CRIME PANEL
2nd September, 2013

Present:- Councillor Mirfin-Boukouris (in the Chair); Councillors Councillor Roger Davison, Councillor M. Dyson, Bartlett, Harpham, Hussain, Councillor Ros Jones and Sharman.

Apologies for absence:- Apologies were received from Councillors Walayat.

J8. QUESTIONS FROM MEMBERS OF THE PUBLIC

A member of the public, who was unable to attend today's meeting, had submitted a question in writing:-

"The Police and Crime Plan stressed the importance of value for money. HMIC published a detailed report on the 18th July, 2013 – Response to the Funding Challenge (see website). This criticised several Police Forces, including South Yorkshire. Was the Panel aware of this report and how did they plan to respond?"

The Chairman confirmed that this report had been made available to Members of the Police and Crime Panel and would be formally writing to the Police and Crime Commissioner on the Panel's behalf to ask how he proposed to respond to this report.

J9. MINUTES OF THE PREVIOUS MEETING HELD ON 17TH JUNE, 2013

Consideration was given to the minutes of the previous meeting of the Police and Crime Panel held on 17th June, 2013.

Resolved:- That the minutes of the previous meeting held on 17th June, 2013 be agreed as a true record.

J10. UPDATE FROM THE LEGAL ADVISER REGARDING REFERRALS UNDER THE COMPLAINTS PROCEDURE

Consideration was given to a report presented by Stuart Fletcher, Deputy Monitoring Officer, which provided an update on the handling of complaints received against the Police and Crime Commissioner.

In accordance with Regulation 6(1) of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 the Panel had a duty to ensure it was kept informed of the handling of such complaints.

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

1. Complaint that the Commissioner failed to take appropriate action regarding comments made by the Chief Constable.

As this matter concerned personnel issues the Panel decided, in accordance with the Complaint Procedure, to refer it for consideration by a Sub-Committee made up from three Members of the Police and Crime Panel.

2. Complaint that the Commissioner failed to respond to a matter reported to him.

Following consultation with the Chairman and Vice-Chairman it was clear that the complaint regarded an administrative failure and was not a complaint as envisaged by The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Therefore, the matter was not further considered under the procedure.

3. Complaint that the Commissioner failed to declare an interest upon his register of interests.

Following clarification from the Commissioner it was clear that he did not hold the interest that it was alleged should have been declared. Therefore, the matter did not fall to be considered further under the procedure.

4. Complaint that the Commissioner had failed to register as a data controller, in accordance with the Data Protection Act 1998. As this allegation, if true, would constitute a criminal offence the matter had to be referred to the Independent Police Complaints Commission (IPCC).

The IPCC referred the matter back to the Panel and confirmed that, in accordance with transitional regulations, the previous data protection registration of the Police Authority transferred to the Police Commissioner.

Accordingly the complaint did not require further consideration by the Panel.

5. A complaint of poor service by South Yorkshire Police.

This was referred to the Commissioner for consideration.

Resolved:- That the report be received and the actions/contents noted.

J11. UPDATE AND FUTURE WORK OF THE POLICE AND CRIME PANEL

Consideration was given to a report presented by Deborah Fellowes, Scrutiny Manager, on issues that have arisen during the Summer period and suggested that the Panel discuss how it would like to take its work forward, now that its statutory commitments for the first year have been fulfilled.

Developments that have taken place considered as part of this report included:-

- Report of the House of Commons Home Affairs Committee on Police and Crime Commissioners Register of Interests (Printed 16th May, 2013).
- HMRC Policing in Austerity Report.
- Police and Crime Panel conference in Leeds, July 2013.
- Centre for Public Scrutiny are carrying out research assessing the impact of the first year's work of Police and Crime Panels.
- Expert Adviser support being offered through LGA and Centre for Public Scrutiny.

During July, a meeting was also held with support officers across South Yorkshire from both the Community Safety Partnerships and the Crime and Disorder Scrutiny functions. The purpose of this was to determine how best to support the work of the Police and Crime Panel going forward. As a result it was proposed that:-

- That appropriate officers from each authority ensure that their individual members of the Police and Crime Panel receive the necessary briefing support with locality Scrutiny Officers and Community Safety Partnership Officers potentially carrying out a key role.
- To hold a development or training session with the Panel Members to discuss work planning - following the priorities outlined in the Police and Crime Plan and any other emerging local issues. This could be supported by officers as outlined above.
- South Yorkshire's Police and Crime Panel to consider adopting a similar process to West Yorkshire who hold quarterly meetings with reports from all of the Community Safety Partnerships and invite Crime and Disorder Scrutiny Chairs to attend this also.
- Priorities to consider for working with the Expert Adviser around gathering and triangulating evidence and operating with constrained resources.

Discussion ensued on the issues that had arisen since the last meeting and it was suggested that, with the support of officers, all relevant community groups be kept informed of developments and that an invitation be extended to Crimestoppers to update the Panel on their work, alongside that of the developments of the Community Safety Partnerships with the appropriate arrangements being made.

The Panel welcomed the opportunity to develop a training session to discuss work planning.

It was also suggested that to aid forward planning, specific dates be identified for when information should be provided to the Panel by the Police and Crime Commissioner, specifically around the HMRC Policing in Austerity Report, which should be provided for the next meeting in December, 2013.

Resolved:- (1) That the report be received and the contents noted.

(2) That the response by the Police and Crime Commissioner to the HMRC Policing in Austerity report be submitted to the next meeting of this Panel in December, 2013.

(3) That arrangements be made to invite Crime and Disorder Partnerships to report on a quarterly basis to the Police and Crime Panel.

(4) That a training session be developed with relevant supporting officers in due course.

J12. REPORT OF THE HOUSE OF COMMONS HOME AFFAIRS COMMITTEE ON POLICE AND CRIME COMMISSIONERS REGISTER OF INTERESTS

Consideration was given to a report presented by Deborah Fellowes, Scrutiny Manager, which provided a briefing, focusing on the outcomes and implications for South Yorkshire.

The Local Government Association advised that there was likely to be a further hearing of the Home Affairs Select Committee before the end of the year which was likely to focus on the powers of Police and Crime Commissioners and Police and Crime Panels.

Recent comments from Keith Vaz MP who chaired the Committee indicated that this may have been triggered at least in part by the recent involuntary resignation of the Chief Constable in Gwent. This gave the impression that the operation of Police and Crime Commissioners and Panels and the balance of power between them needed to be looked at, particularly in relation to the dismissal of Chief Constables.

To help develop a wider position on the adequacy of powers available to Panels, the Local Government Association would like to gather any views from officers and Panel Members.

The Panel were mindful of its own role and holding the Police and Crime Commissioner to account, but believed that an update on progress and projections for the year by the Police and Crime Commissioner would be helpful and suggested that this be provided for the meeting in December, 2013.

Resolved:- (1) That the report be received and the contents noted.

(2) That a progress report by the Police and Crime Commissioner be submitted to the next meeting of this Panel in December, 2013.

J13. INTRODUCTION TO THE CFPS EXPERT ADVISOR

The Chairman offered a warm welcome to the newly appointed Centre for Public Scrutiny Expert Advisor, Cath Saltis, who gave a brief resume about her background, her current role and how best she could provide assistance with work programming and priorities, gathering and triangulating evidence from a variety of different sources, carrying out work within significant resource constraints and in the engagement with the Police and Crime Commissioner.

The Panel looked forward to working with the Expert Adviser in the future.

J14. INDEPENDENT CO-OPTEE

The Chairman reported that, due to a clash of responsibilities, Mrs Maureen Tennison had had to tender her resignation from the Police and Crime Panel.

With this in mind and, due to the resources and time constraints, it was suggested that the third candidate who originally applied to be an Independent Co-optee be contacted to ascertain his willingness to participate.

Resolved:- (1) That a letter of thanks be forwarded to Mrs. Tennison for her work and involvement with the Police and Crime Panel.

(2) That arrangements be made to contact the third candidate to ascertain whether or not he still wished to be an Independent Co-opted Member of the Police and Crime Panel.

J15. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Police and Crime Panel take place on Monday, 2nd December, 2013 at 1.00 p.m.