

NOTTINGHAMSHIRE POLICE AND CRIME PANEL

Monday, 10 November 2014 at 14:00
County Hall,

There will be a pre-meeting for Panel Members only
in Committee Room B at 1.00pm

AGENDA

- | | | |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1 | Minutes of last meeting held on 15 September 2014 | 3 - 12 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Work Programme | 13 - 18 |
| 5 | Police and Crime Commissioner's Update | 19 - 60 |
| 6 | Police and Crime Plan - focus on two Strategic Priority Themes | |
| 6a | Priority Theme 3
Focus on those priority crime types and local areas that are most affected by Crime and Anti-Social Behavior - Presentation by Deputy Chief Constable | |
| 6b | Priority Theme 7 - Spending Your Money Wisely | 61 - 70 |
| 7 | Response to the Committee on Standards in Public Life's 'Local Policing - Accountability, Leadership | 71 - 86 |

Notes

- (a) Members of the public are welcome to attend to observe meetings of the Police and Crime Panel. Please note that there is no opportunity for the public to speak at these meetings.
- (b) Declarations of Interests – Persons making a declaration of interest should have regard to their own Council's Code of Conduct and the Panel's Procedural Rules. Members or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 9772590) or a colleague in Democratic Services at Nottinghamshire County Council prior to the meeting.
- (c) Members of the public wishing to inspect 'Background Papers' referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (d) **Membership**

Mayor Tony Egginton – Mansfield District Council (Chair)
Mrs Christine Goldstraw OBE – Independent Member (Vice-Chair)
Councillor David Ellis – Gedling Borough Council
Mr Rizwan Araf – Independent Member
Councillor Chris Baron – Ashfield District Council
Councillor Eunice Campbell – Nottingham City Council
Councillor David Challinor – Bassetlaw District Council
Councillor Georgina Culley – Nottingham City Council
Councillor Glynn Gilfoyle – Nottinghamshire County Council
Councillor John Handley – Nottinghamshire County Council
Mrs Suma Harding – Independent Member
Councillor Neghat Khan – Nottingham City Council
Councillor Pat Lally – Broxtowe Borough Council
Councillor Bruce Laughton – Newark and Sherwood District Council
Councillor Keith Longdon – Nottinghamshire County Council
Councillor Debbie Mason – Rushcliffe Borough Council
Councillor Rosemary Healy – Nottingham City Council
Mr Bob Vaughan-Newton – Independent Member

NOTTINGHAMSHIRE POLICE AND CRIME PANEL

MINUTES OF THE MEETING HELD ON 15 SEPTEMBER 2014 AT 2.00 PM AT COUNTY HALL

MEMBERS PRESENT

(A denotes absent)

Chairman - Executive Mayor Tony Egginton – Mansfield District Council - **A**
Vice-Chairman - Christine Goldstraw OBE – Independent Member

Rizwan Araf – Independent Member
Councillor Chris Baron – Ashfield District Council - **A**
Councillor David Challinor – Bassetlaw District Council
Councillor Eunice Campbell – Nottingham City Council
Councillor Georgina Culley – Nottingham City Council - **A**
Councillor David Ellis – Gedling Borough Council
Councillor Glynn Gilfoyle – Nottinghamshire County Council
Councillor John Handley – Nottinghamshire County Council
Suma Harding – Independent Member
Councillor Rosemary Healy – Nottingham City Council
Councillor Neghat Khan – Nottingham City Council
Councillor Pat Lally – Broxtowe Borough Council - **A**
Councillor Bruce Laughton – Newark and Sherwood District Council
Councillor Keith Longdon – Nottinghamshire County Council
Councillor Debbie Mason – Rushcliffe Borough Council
Bob Vaughan-Newton – Independent Member

OFFICERS PRESENT

Heather Dickinson – Group Manager, Legal &) Nottinghamshire
Democratic Services) County Council
Keith Ford – Team Manager, Democratic Services) (Host Authority)

OTHERS PRESENT

Paddy Tipping – Police and Crime Commissioner
Chris Cutland – Deputy Police and Crime Commissioner
Kevin Dennis, Chief Executive, OPCC

Chief Constable Chris Eyre – Nottinghamshire Police
Superintendent Helen Chamberlain – Nottinghamshire Police

CHAIR

In the absence of the Chairman, the meeting was chaired by the Vice-Chairman, Christine Goldstraw OBE.

1. MINUTES OF LAST MEETING

The minutes of the meeting held on 18 June 2014, having been previously circulated, were agreed as a true and correct record and were confirmed and signed by the Chair of the meeting, subject to the following amendment:-

- Minute 7 – Transforming Rehabilitation - 2nd bullet point – replace ‘serving over 12 months in prison’ with ‘serving under 12 months in prison’.

Further to Minute 11 – Estates and Front Counter Proposals – Members referred to the recent Retford Times coverage of the relocation of police stations in the Bassetlaw area. The Commissioner clarified that Harworth Police Station would be relocated next to the Town Council offices and that Retford Police Station would be relocated to the Old Town Hall in Retford. The Commissioner stated that a police station would always be maintained in Worksop but the current station was too large and therefore partner agencies were being approached about possible co-location in smaller premises. Members requested further information about the strategy being taken with estates. The Commissioner underlined that there was no County-wide strategy for this issue and that he favoured an ongoing approach of consideration of individual proposals. Members stated that it would be helpful for any existing plans for change to be shared with the Panel and the Commissioner agreed to give that suggestion further thought.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Executive Mayor Tony Egginton and Councillors Baron and Culley.

3. DECLARATIONS OF INTERESTS

Councillor Laughton declared a private and pecuniary interest as his wife works for Nottinghamshire Police, which did not preclude him from speaking or voting on any agenda items.

4. WORK PROGRAMME

Keith Ford introduced the update report and sought the further views of the Panel and the Commissioner on how they could better engage the public.

During discussions, the following issues were raised:-

- Members suggested establishing a task and finish group to work with the Commissioner’s Office to develop public engagement proposals. Bob Vaughan-Newton and Councillors Campbell and Mason agreed to meet with Kevin Dennis and report back any proposals to a future meeting of the Panel;

- with regard to the proposed approach to focus on specific priority themes within the Police and Crime Plan at future meetings, Members requested that an update on Community Remedy and Community Trigger be included in the focus on Priority Theme 3 at the November meeting;
- the work programme would also be updated to include Priority Theme 1 – ‘Protect, support and respond to victims, witnesses and vulnerable people’ in the January meeting at which consideration of the Code of Practice for Victims and the Victims Strategy was also planned;
- Members felt that future meetings of the Panel should be held at County Hall and that this arrangement should be reviewed in the future.

RESOLVED 2014/023

- 1) That the work programme be noted and updated as discussed.**
- 2) That a task and finish group (consisting of Bob Vaughan-Newton and Councillors Campbell and Mason) be established to develop proposals to improve public engagement.**
- 3) That future Panel meetings be held at County Hall, subject to ongoing review.**
- 4) That the forthcoming national Police and Crime Panel (PCP) conference being held at County Hall on 17 October 2014 be noted.**

5. POLICE AND CRIME COMMISSIONER’S UPDATE REPORT

The Chair and Members thanked the Commissioner for the new, condensed format of these regular reports, which had been revised in light of Members’ previous requests.

The Police and Crime Commissioner introduced his update report. With reference to the Rotherham child sexual exploitation inquiry and the recent national and local media coverage about investigations into sexual abuse allegations within Nottinghamshire and Nottingham children’s residential homes, the following points were raised:-

- Superintendent Helen Chamberlain had analysed the outcomes of the Rotherham inquiry report to ensure any implications for Nottinghamshire Police and partnership agencies (via the City and County Safeguarding Boards) were addressed and that any recommended best practice was replicated. Superintendent Chamberlain was also leading Operation Daybreak, the investigation into the allegations of abuse in residential homes. This operation had been ongoing since 2010, with a number of arrests already made.

Having met some of the alleged victims, the Commissioner felt that there would still be some public concerns at the end of the investigation and he was therefore recommending an independent review into what had occurred. He added that this recommendation was supported by the Leaders of both the City and County Council. At this stage he was unable to clarify when and what form this review would take, and this would be shaped to some degree by the findings of the Police investigations. He stated that there had been major improvements in safeguarding practice over the last 20-30 years. He underlined the importance of an open and transparent review to ensure best practice with partners and enable young people and children to feel safe in the care of local authorities and feel protected by the Police;

- the Chief Constable highlighted that Superintendent Chamberlain had led on safeguarding within the Force for a number of years and had received appropriate recognition for her outstanding work in transforming and refining practice. He added that the issues arising from Rotherham were of deep concern but underlined that, although the findings had only recently been published, the Force and other public protection partners had been aware of the relevant issues well in advance. The national Yew Tree Team had been asked to assess the work of Operation Daybreak and any findings would be externally reviewed and validated before they were published. A multi-agency group was also assessing whether any further lessons could be learned in terms of partnership working. With reference to the recent Guardian interview with the actress Samantha Morton, the Chief Constable felt that it took a great deal of courage for a person in the public eye to make disclosures, and that this could give other victims the courage to come forward. Operation Daybreak was dealing with 95 victims currently and if more people were to come forward this would assist investigations. Superintendent Chamberlain had attempted to make contact with Ms Morton to obtain further details of the allegations, to offer appropriate care and support and to help ensure that offenders were brought to account;
- Superintendent Chamberlain raised the following key issues in relation to the Rotherham report:-
 - risk assessments of children the Police are aware of due to being missing from home or other issues – the Rotherham practice had been based around quantitative and numerical measures whereas Nottinghamshire's approach also included qualitative judgement from professionals, working continuously with partner agencies, including organisations such as Barnados. Intelligence on such children who were at risk of sexual exploitation was gathered on an ongoing basis to ensure their issues were fully understood;
 - staffing in the Child Sexual Exploitation team was currently challenging with eleven suitably trained officers (staffing had

been an issue in Rotherham). Staffing was subject to ongoing review and the team would also be subject to review as part of the work around implementing the Delivering the Future new operating model;

- quality assurance audits were undertaken to look at safeguarding and child sexual exploitation practice;
- communications with the community were ongoing to ensure that the signs and symptoms of sexual exploitation were understood and recognised by carers and parents (awareness of these issues was one of the gaps highlighted in Rotherham). Training and awareness-raising was also offered to front line staff, for example working with schools to explain the process and forms of victim grooming. All staff within the Force were required to undertake the Introduction to Public Protection training to ensure that the relevant signs and symptoms of sexual exploitation were considered for children who go missing;
- with regard to looked after children who had moved into the area and had previously been sexually exploited, better sharing of information with relevant partner agencies was required and steps were being taken to develop such partnership relationships to ensure they were fit for purpose;
- the team was able to make risk assessments particularly swiftly compared to other Forces (including South Yorkshire) and this was facilitated by ICT equipment;
- Superintendent Chamberlain explained the following issues about Operation Daybreak:-
 - this was a historical inquiry which had initially focussed on allegations dating back up to 50 years ago about the former Beechwood residential home. Complaints were received by the Police about 9 care homes and 4 of these were now subject to no further action. People had also made litigation claims directly to the City and County Councils about 13 care homes in total. 95 people had made complaints to the Police and 10 men had been arrested as a result. Of these, 7 had been released with no further action to be taken, 2 had been released on bail awaiting a Crown Prosecution Service (CPS) outcome and 1 man had died since the inquiry started;
 - an officer from Leicestershire Police had been asked to externally review the Operation 'Daybreak' investigation. This was a very complex inquiry and work with the CPS continued;

- Superintendent Chamberlain had been in touch with Samantha Morton to offer support and to help ensure that other children were not at risk.

In response, the following points were raised by Members:-

- the Chair thanked the Commissioner for raising the issue in a timely manner, which helped address the Panel's current concerns;
- Members underlined that child sexual exploitation continued to be a live issue in Rotherham and queried the prevalence of the problem in Nottingham and Nottinghamshire. It was stated that there had been two recent operations, in Nottingham and Nottinghamshire in which the relevant young women were reluctant to come forward or co-operate with the Police as they did not perceive themselves to be victims. Following further work with the Local Authority and social workers in the area, warrants were taken out in order to seize evidence in the form of underwear, computers, telephones etc from the girls' homes. This was a ground-breaking approach nationally and underlined the value of a proactive stance in getting victims to come forward with their version of events. Unlike in Rotherham, offenders in Nottingham and Nottinghamshire were not of a single racial group. A number of referrals from the National Crime agency for a variety of reasons including grooming, on-line grooming and possessing indecent images had been received.
- Members queried whether current practice would be changed as a result of the Rotherham findings. Superintendent Chamberlain was wary of complacency and stated that the Chief Constable was arranging a meeting with Council Chief Executives to ensure a proactive review of current practice and to ensure that desired outcomes were being achieved. The fact that child sexual exploitation was not in itself an offence, but rather covered a range of offences, meant that the gathering of intelligence became more difficult. This underlined the benefit of the Multi-Agency Safeguarding Hub (MASH) in Nottinghamshire. Members welcomed the plans for external validation of the Operation Daybreak investigations;
- Members queried what was being done to support victims, especially of historical allegations whom had experienced many years of not being believed or supported. Superintendent Chamberlain stated that a meeting had been arranged last week to look at gaps in service provision for such victims, many of whom had mental health issues and other problems. Health input was felt to be key and was the main gap currently with long term support required for these victims;
- Members highlighted the key role of youth workers in Rotherham in raising awareness of the problems and queried whether there were any plans to replace the funding for youth services in light of both City and County Council reductions. The Commissioner stated that he talked

regularly with the Leaders and Chief Executives of the City and County Councils and was aware of the funding pressures they faced. He felt that the notion of universal youth services was no longer relevant and that resources needed to be targeted, with street workers focussing on children and young people who were at risk. He underlined that it was not his responsibility to replace Council funding of youth services but he was working with partners on the Crime and Disorder Partnership and the Safer Nottinghamshire Board around such issues. Some of the organisations that had bid for grants from his Community Partnership Fund were providers of youth services;

- with regard to the Rotherham experience of workers being reluctant to expose abuse due to the racial element, Members queried whether work had been done with officers in Nottinghamshire about this issue. Superintendent Chamberlain underlined that there was not the same single minority group concentration of offenders but where such issues were evident then appropriate work would be undertaken with the local community – for example, warrants were executed throughout the Ramadan period (but not during prayer time) and staff were given relevant training. Community Impact Assessments were also undertaken wherever relevant;
- Members underlined the need for increased joint working with mental health organisations in the City and the County and queried whether further support for victims was being sought. Superintendent Chamberlain confirmed that Health remained one of the agencies missing from regular inter-agency meetings and there were plans to commission a service to help support victims;
- Members thanked the Commissioner and the Force for their openness and timeliness in raising these issues at the meeting. In order to give the Panel the necessary assurance, Members requested that a regular update on Operation Daybreak, the independent inquiry and other relevant children's safeguarding issues be included within the Panel's work programme (subject to this not impacting upon ongoing investigations and inquiries).

During discussions about the update report, the following issues were raised:-

- Members underlined the need for smarter targets to be included within the performance monitoring, particularly timescales for achieving targets;
- with regard to the issue of errors in case files and the over-building of cases, Members highlighted that this was impacting on the perception of magistrates' performance. The Commissioner felt that the criminal justice system was not as joined up as it needed to be. . He had discussed this issue with the Chief Constable recently. The Chief Constable highlighted the issues arising from incompatible ICT systems between the police and the Crown Prosecution Service and

stated problems had occurred in tracking information that had already been provided by the police (repeat requests for the same information were now being monitored). A single case management system was proposed but this was unlikely to be implemented before 2017. The Chief Constable added that the Nottinghamshire effective trial rates were the best in the country and that work was ongoing to learn from other areas of best practice. Members requested a progress update on this issue to a future meeting. The Chief Constable mentioned that officers from Nottinghamshire were involved in the national information-sharing solutions that were being developed and offered to include an update on those within the future report to the Panel;

- Members queried how the 'ECINS' increase in violence with injury was being addressed. The Commissioner highlighted the new guidance from Her Majesty's Inspectorate of Constabulary (HMIC) which included new processes for recording such crimes. As a result, every force nationally had experienced an increase in violence although the reality was probably no different to previously. The Chief Constable added that under the new guidance a lot of incidents that would not previously have been classed as criminal offences now had to be recorded as such and some Forces had seen a 40-50% increase in certain crimes as a result. Although a child under the age of 10 could not be held criminally responsible for their actions, such actions could now be recorded as crimes – e.g. fights in the playground between very young children could be recorded as assaults. Also, if a partner agency received the report of an incident which was never directly reported to the Police this now also needed to be recorded as a crime. With regard to Anti-Social Behaviour (ASB) it was clarified that issues that were previously recorded by the City Council such as noise nuisance now had to be recorded as ASB by the Police. Also, the City Council had previously advised complainants to keep a diary of ASB incidents but now advised them to inform the Police every time an incident occurred. This had resulted in a 40% increase in recorded ASB which did not reflect the actual increase in ASB overall. The latest figures available on the day of the meeting showed an increase of 8.1% (down from the 19.5% increase up to June 2014 as detailed in the report). The Chief Constable felt that this reduction was due to improved partnership working;
- Members queried when the pilots in Ashfield and the City about the sharing of sensitive data were due to finish. The Commissioner clarified that the pilots were ongoing although events had overtaken these somewhat with the ASB legislation changes due in October 2014;
- Members queried the approach of other forces in the region to ICT transformation. The Commissioner clarified that the ICT collaboration was with Northamptonshire and Lincolnshire Police only. Leicestershire and Derbyshire were taking different approaches. The Commissioner recognised the benefits of having a single system across the region and discussions were still ongoing about different types and costs;

- with regard to paragraph 4.6.6 of the report and the reference to an additional report on Proceeds of Crime Act confiscation and forfeiture orders, this report would be presented to the Panel meeting on 5 January 2015.

Following the late receipt of panel agenda and papers recently, Members requested that an electronic link to the agenda be e-mailed.

RESOLVED 2014/024

That the contents of the update report be noted.

ORDER OF AGENDA

The Chair agreed to revise the order of the agenda to enable the New Operating Model item to be considered ahead of the HMIC Report item.

6. DELIVERING THE FUTURE – NOTTINGHAMSHIRE

The Commissioner introduced the report and the Chief Constable gave a presentation through which he highlighted the purpose and guiding principles around the new operating model and explained the proposals around preventing demand; first point of contact; investigations; the impact on victims, vulnerable people and offenders; and the financial and workforce implications.

During discussions, the following points were raised:-

- Members commended the planned deployment of special constables in parish council areas, which were felt to be a valuable asset to rural communities. The Commissioner clarified that the number of special constables in Nottinghamshire had reduced to 280. Discussions had been held with the Association of Local Councils and ideally a special constable would be provided for each of the 140 parishes (subject to accessing sufficient funding for the training / equipment and enlisting sufficient volunteers). Members offered to share these plans at parish council meetings in order to increase the potential number of volunteers;
- Members queried whether earlier finalisation of the new operating model could have had a positive impact on the HMIC inspection. The Commissioner underlined that the HMIC had been aware of progress with the operating model at the time of the inspection and the inspectors had agreed to make suitable reference to that within their report. The Commissioner underlined that neither he nor the Force had wanted to rush the development of the new model, the main aim of which was to protect neighbourhood policing.

RESOLVED 2014/025

That the views of Panel Members be noted.

7. RESPONDING TO AUSTERITY – HER MAJESTY’S INSPECTORATE OF CONSTABULARY (HMIC) REPORT

During discussions, Members felt that the HMIC findings had been overly-critical of the pace of change within the Force, in light of the balanced budget and value for money that had continued to be delivered.

RESOLVED 2014/026

That the contents of the report be noted.

8. DOMESTIC VIOLENCE UPDATE REPORT

The Deputy Commissioner introduced the report which provided an overview of progress on one of the key Police and Crime Plan priorities, highlighting:-

- the main findings of the HMIC inspection report – ‘Nottinghamshire Police’s approach to tackling domestic abuse’ and the plans to feedback these findings to relevant strategic meetings;
- the aims and ongoing progress of the academic review of repeat victims of medium risk domestic abuse;
- the plans for progressing the findings of the County review of domestic abuse services to ensure that future services were more cost-effective and duplication was prevented.

RESOLVED 2014/027

That the six monthly update on Domestic Abuse be noted.

The meeting closed at 4.01 pm

CHAIRMAN
M_15Sept2014

WORK PROGRAMME

Purpose of the Report

1. To give Members an opportunity to consider the work programme for the Panel and to suggest further topics for inclusion (**see appendix A**).
2. To give further consideration to the process for considering the Commissioner's precept and budget proposals in the New Year.

Information and Advice

3. The work programme is intended to assist with the Panel's agenda management and forward planning. The draft programme will be updated and reviewed regularly in conjunction with the Chairman and Vice-Chairman of the Panel and is subject to detailed discussion with the Police and Crime Commissioner and the Chief Constable.
4. The work programme has been updated to include specific focus on two of the seven Strategic Priority Themes included in the Police and Crime Plan at each meeting of the Panel (except the February meeting at which the precept and budget is considered).

Precept and Budget

5. Members agreed last year to arrange an informal workshop to receive a briefing from the Commissioner and relevant officers on his precept proposals. The Panel received support from the host authority's Chief Finance Officer at this workshop. Members found this to be a useful approach although the timing of the workshop was felt to be too close to the formal Panel Budget meeting (this had been a result of limited officer and member availability).
6. As a result, when the schedule of Panel meetings for 2014/15 was agreed, Members were asked to hold two possible further dates (the morning of Friday 9 January 2015 and Friday 16 January 2015) for consideration of the Commissioner's precept proposals.
7. One possible approach would be to ask the Commissioner and relevant officers to attend on 9 January 2015 to give a briefing to Members and for the 16 January to be used for a Member only discussion (with finance support to both meetings requested from the host authority).
8. Another approach would be to establish a Member working group to meet on the two dates (with and without the Commissioner as above) and to feed back their recommendations to the formal Panel meeting on 2 February 2015.

9. The views of the Commissioner and his officers on the possible approaches are also welcome.
10. In order to assist Members' ongoing understanding of the relevant financial and budget issues, the Commissioner has also agreed to provide budget and efficiency programme updates to all future meetings of the Panel within his usual performance updates. This practice is found to be helpful by other Panels nationally and will commence from the January 2015 meeting (please see the Commissioner's Update report for further details of this proposal).

Other Options Considered

11. All Members of the Panel are able to suggest items for possible inclusion in the work programme. The Work Programme has been updated following discussions around the Commissioner's update report at the last meeting. The regular standing items and statutory requirements have also been scheduled into the proposed meeting timetable.
12. The other option for dealing with the precept and budget would be to consider it solely at the formal meeting on 2 February. However, Members welcomed the informal workshop approach piloted last year as an opportunity to gain a greater understanding of the wider context to the proposals.

Reasons for Recommendation/s

13. To enable the work programme to be developed further.
14. To agree the most helpful means of considering the Commissioner's precept proposals.

RECOMMENDATION/S

- 1) That the work programme be noted and updated in line with Members' suggestions as appropriate.
- 2) Members agree an approach for considering the Commissioner's precept proposals.

Background Papers and Published Documents

- 1) Minutes of the previous meeting of the Panel (published).

For any enquiries about this report please contact:-

Keith Ford, Team Manager, Democratic Services, Nottinghamshire County Council
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Tel: 0115 9772590

Nottinghamshire Police and Crime Panel**Work Programme (as at 31 October 2014)**

<u>Agenda Item</u>	<u>Brief Summary</u>
5 January 2015 – 2.00pm – County Hall	
Transforming Rehabilitation Update	Update report on the implementation of the new Transforming Rehabilitation approach.
Public Engagement	Feedback from the Panel's task and finish group looking at how the Panel and the Commissioner can best engage the public.
Children's Safeguarding issues	An update on Operation Daybreak (investigation of historical child abuse allegations) and other relevant issues.
Victims' Services – Code of Practice for Victims and Victims Strategy	Update on Nottinghamshire's role as an 'early implementer' in the new national approach and feedback from November 2014 inspection by Her Majesty's Inspectorate of Constabulary.
Police and Crime Commissioner's update, including Budget and Efficiency Programme update and details of decisions taken and overview of Force Performance).	The Panel will review and scrutinise any decisions and other actions taken by the Commissioner on an ongoing basis. The Panel will also consider the Commissioner's response to the key performance and financial issues within the Force.
Complaints update	Regular update on any complaints received against the Police and Crime Commissioner or Deputy Police and Crime Commissioner.
Specific focus on two of the Police and Crime Plan Strategic Priority Themes.	<p>Panel to consider specific elements of the following Priority Themes:-</p> <ul style="list-style-type: none">• Priority Theme 2 – Improve the efficiency, accessibility and effectiveness of the Criminal Justice System – to include a presentation from the Chair of the Crime and Disorder Reduction Partnership and progress with information-sharing with relevant partners – e.g. Crown Prosecution Service (including Nottinghamshire input into national initiatives)• Priority Theme 1 - 'Protect, support and respond to victims, witnesses and vulnerable people' – to include Code of Practice for Victims and Victims Strategy.

<u>Agenda Item</u>	<u>Brief Summary</u>
2 February 2015 – 2.00pm – County Hall	
Police and Crime Plan	Annual Refresh
Complaints update	Regular update on any complaints received against the Police and Crime Commissioner or Deputy Police and Crime Commissioner.
Proposed Precept and budget 2015/16	To consider the Commissioner's proposed budget and Council Tax precept.
Police and Crime Commissioner's update, including Budget and Efficiency Programme update and details of decisions taken and overview of Force Performance).	The Panel will review and scrutinise any decisions and other actions taken by the Commissioner on an ongoing basis. The Panel will also consider the Commissioner's response to the key performance and financial issues within the Force.
20 April 2015 – 2.00pm – County Hall	
Community Engagement and Consultation Strategy 2013-17 – Refresh	To support the Commissioner in refreshing this Strategy, initially produced in December 2012.
Children's Safeguarding issues	An update on Operation Daybreak (investigation of historical child abuse allegations) and other relevant issues.
Specific focus on two of the Police and Crime Plan Strategic Priority Themes.	Panel to consider specific elements of two Priority Themes (to be agreed in February 2015).
Police and Crime Commissioner's update, including Budget and Efficiency Programme update and details of decisions taken and overview of Force Performance).	The Panel will review and scrutinise any decisions and other actions taken by the Commissioner on an ongoing basis. The Panel will also consider the Commissioner's response to the key performance and financial issues within the Force.
Complaints update	Regular update on any complaints received against the Police and Crime Commissioner or Deputy Police and Crime Commissioner.
15 June 2015 – County Hall	
Appointment of Chairman and Vice-Chairman	To appoint the Chairman and Vice-Chairman of the Panel for the 2015/16 year.
Review of Balanced Appointment Objective.	The Panel will review its membership to see whether any actions are required in order to meet the requirements for:- <ul style="list-style-type: none"> the membership to represent all parts of the

<u>Agenda Item</u>	<u>Brief Summary</u>
	<p>police force area and be politically balanced; and</p> <ul style="list-style-type: none"> • members to have the skills, knowledge and experience necessary.
Police and Crime Commissioner's update, including Budget and Efficiency Programme update and details of decisions taken and overview of Force Performance).	The Panel will review and scrutinise any decisions and other actions taken by the Commissioner on an ongoing basis. The Panel will also consider the Commissioner's response to the key performance and financial issues within the Force.
Complaints update	Regular update on any complaints received against the Police and Crime Commissioner or Deputy Police and Crime Commissioner.
Specific focus on two of the Police and Crime Plan Strategic Priority Themes.	Panel to consider specific elements of two Priority Themes (to be agreed in April 2015).

For Consideration	
Public/Non Public*	Public
Report to:	Police and Crime Panel
Date of Meeting:	10th November 2014
Report of:	Paddy Tipping Police and Crime Commissioner
Report Author:	Kevin Dennis
E-mail:	kevin.dennis@nottinghamshire.pnn.police.uk
Other Contacts:	Kevin Dennis
Agenda Item:	5

POLICE AND CRIME COMMISSIONER'S UPDATE REPORT

1. PURPOSE OF THE REPORT

- 1.1 This report presents the Police and Crime Panel (Panel) with the Police and Crime Commissioner's (Commissioner) update report.
- 1.2 In accordance with section 13 of the Police Reform and Social Responsibility (PR&SR) Act 2011 and subject to certain restrictions, the Commissioner must provide the Panel with any information which the Panel may reasonably require in order to carry out its functions. The Commissioner may also provide the Panel with any other information which the body thinks appropriate.
- 1.3 This report provides the Panel with an overview of current performance, key decisions made and his activities since the last report in September 2014.

2. RECOMMENDATIONS

- 2.1 The Panel to note the contents of this update report and consider and discuss the issues.
- 2.2 The Commission recommends that future reports include an update on the budget and efficiency programme.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To provide the Panel with information so that they can review the steps the Commissioner is taking to fulfil his pledges and provide sufficient information to enable the Panel to fulfil its statutory role.
- 3.2 Information on the budget and efficiency programme will further assist the Panel to fulfil its statutory responsibility and enable the Commissioner to receive increased scrutiny in a critical area at a time of increased economic pressures.

4. Summary of Key Points

POLICING AND CRIME PLAN – (2014-18)

- 4.1 Performance against targets across all seven themes is contained in the tables at **Appendix A** up to August 2014.
- 4.2 The Commissioner's report has been simplified to focus on reporting by exception. In this respect, this section of the report relates exclusively to some performance currently rated red i.e. significantly worse than the target (>5% difference) or blue, significantly better than the target (>5% difference).
- 4.3 The table below shows a breakdown of the RAGB status the Force has assigned to the 28 measures reported in **Appendix A**. It can be seen that 21 (75%) of these measures are Amber, Green or Blue indicating that a majority of measures are close, better or significantly better than the target. Only 25% of measures reported are significantly worse than target.

KEY to Performance Comparators			
Performance Against Target		Aug-14	% of Total
1	Significantly better than Target >5% difference	1	3.6%
1	Better than Target	13	46.4%
1	Close to achieving Target (within 5%)	7	25%
1	Significantly worse than Target >5% difference	7	25%
		28	100.0%

- 4.4 In summary, total crime is higher than last year (+2.4%, Amber) and so is antisocial behaviour (ASB) (+8.6%, Red). In the last Panel report crime was +0.07% and ASB was +19.5% so there has been a slight increase in crime but a significant reduction in ASB. Violence is the key driver to the overall increase in Total crime.
- 4.5 It should be emphasised that most red ratings relate to shared measures e.g. effective trials at courts and satisfaction levels with local authorities in which the Police have no overall control.
- 4.6 Blue Rating (1 significantly better than Target >5% difference)

The Number of people killed or seriously injured (KSIs) on Nottinghamshire's roads

- 4.6.1 There has been a 10.5% reduction in this measure despite an increase in the number of fatal accidents and casualties. Q1 figures are usually influenced by the weather but the winter months of 2014 didn't see the severe winter weather which suppresses serious Road Traffic Accidents (RTC's) that makes the overall reduction in Q1 2014 even more heartening and reflects a genuine reduction.
- 4.6.2 The biggest reductions came in the pedal cyclist category -42% and amongst car drivers -21% but there were increases in motor cycling KSI's +43% and amongst pedal cyclist minor injury casualties +65%. This

strongly suggests that the mild winter of 2014 saw vulnerable road user group out on the roads in strength. Operation 'Drosometer 4' commences from mid October to mid December and will focus on the fatal 4 offences^a and high visibility enforcement.

- 4.7 Red Rating (1 significantly worse than Target >5% difference)

Improve Satisfaction Levels (Police and Council)

- 4.7.1 Currently, 53.2% of people surveyed agree that the Police and Council are dealing with local Anti-Social Behaviour and other crime issues this is an improvement over the last Panel report when it was 51.1%. The Force is now 6.8% away from the 60% target. However, it should be noted that this is a shared measure and is impacted by both Police and Local Authority performance.

Effectiveness of Magistrates (MC) and Crown Courts (CC)

- 4.7.2 This is the same data as reported previously.^b The percentage of effective trials in the Magistrates' and Crown Courts is lower than the 50% target i.e. MC 40.10% and CC 46.30%. The Magistrates Courts rate shows a slightly decreasing trend over the last twelve months, this being the result of a slight increase in the ineffective trial rate. Ineffective trials are when a trial does not go ahead as planned for reasons which may be due to the prosecution, defence or administrative reasons within HMCTS.
- 4.7.3 The Crown Court Effective Trial rates saw a positive spike in April 2014 however levels have returned to a more usual level. The long term trend is showing an overall downwards trajectory, again with an increase in ineffective trials showing an upwards trajectory.

Reducing Violence with Injury

- 4.7.4 The Force was set a target to significantly reduce levels of Violence with Injury but currently it is +11% (year to date) which is an increase on the previous Panel report when it was +9.1%. This type of crime continues to show an increase. The short and long-term significant upward trends suggest that the Force is unlikely to achieve target if current performance continues.
- 4.7.5 However, performance does appear to have improved month-to-date with a smaller increase of 10.5% compared to the 16% increase recorded in July compared to July last year.
- 4.7.6 Members may be aware that the recent HMIC inspections into recorded crime has resulted in Forces nationally taking a more robust approach to ensure greater compliance with the crime recording standards. Consequently, violent crime has increased nationally. For example, 39 of

^a The fatal 4 offences refer to speeding, mobile phone use, drink/driving and seatbelts.

^b Partnership data is generally reported quarterly and is not always available in time for the Panel meeting.

the 43 Forces have seen an increase in violence with injury ranging from +1% to +41%^c.

4.7.7 The Force has not been complacent in responding to the sharp increase and has nominated a Force lead to oversee an Action Tracker to drive performance in all aspects of violent crime. In addition, the Force is taking a two-pronged approach to achieve short-term and medium term results.

4.7.8 Short term results driven by police activity:

- Geographical approach
- Identifying hotspot areas for volume and volume increase
- Operational activity to tackle volume in identified key areas

4.7.9 Medium and long term results driven by partnership and police activity:

- Thematic approach
- Key themes as identified by Other Violence analysis
- Partnership activity, coordinated through established partner/police performance groups.

4.7.10 Hot spots are being identified and action is being taking with partners to tackle the emerging issues with a greater focus being placed on analysing Other Violence as it relates to:

- Stranger Attacks
- Domestic Related^d (e.g. 15 year old assault on mother)
- Alcohol Related
- Youth on Youth

4.7.11 The analysis identified a number of common themes:

- Many offences are low level and result from an escalation of a minor argument
- Alcohol is a contributory factor
- Mental health and drug issues were also apparent in a number of offences
- A high level of youth involvement
- Uncooperative victims
- Key locations identified for stranger attacks and alcohol related
- High volume beats for domestic related correspond with partnership plus/high impact areas

4.7.12 The Force Tactical Group and City and County Division Violence groups continue to oversee the range of activity.

Reducing Antisocial Behaviour (ASB)

4.7.13 The Commissioner has pledged to reduce antisocial behaviour (ASB) by 50% reduction by 2015/16 (compared to the 2011/12 baseline). This year ASB has increased by 8.6% which is much better than the previous Panel

^c *Iquanta data to July 2014.*

^d *The current national domestic violence definition relates to 16 year olds and above, so excludes incidents where a young male of 15 years assaults his mother.*

report when ASB was +19.5%. The increase (in part) was due to changes in noise reporting to the Police Control Room which is generally a civil matter and tackled by Local Authorities. New advice to callers regarding noise-related complaints and the introduction of the City Council's Community Protection 'Night Car' appears to be having a positive effect.

Make Efficiency Savings

4.7.14 The Force is required to make efficiency savings of £12.7m by March 2015 and is currently off target by £0.6m^e. The Force has not provided any new data since the last report but detailed plans are in place to ensure the savings target is met. Data is not available for August but is currently being worked on.

4.7.15 The Force's overtime expenditure year to date was £2.030m, which is an over spend of £0.195m against a forecast of £1.835m. The majority of the over spend was in County, City and OSD. This over spend has been partially offset by income from mutual aid and providing cover during the Fire Service strikes.

4.7.16 Overtime was incurred to undertake a number of major crime operations and provide additional safety measures connected to ministerial visits for the Newark By-Election (Kapok).

4.8 The Commissioner's staff are represented at the key Divisional, Partnership and Force local Police Board meetings in order to obtain assurance that the Force and Partners are aware of the current performance threats, and are taking appropriate action to address the emerging challenges. Should there be any issues of concern these are relayed to the Commissioner who holds the Chief Constable to account on a weekly basis.

4.9 Due to the rise in violent crime and ASB reported at the last Panel meeting the Commissioner held a special performance stock take meeting on 5th September 2014 at which the Force and key partners provided a detailed overview of current trends in crime and ASB. The Commissioner is assured that all possible interventions are in place to tackle the current challenges.

DECISIONS

4.10 The Commissioner has the sole legal authority to make a decision as the result of a discussion or based on information provided to him by the public, partner organisations, members of staff from the Nottinghamshire Office of the Police and Crime Commissioner (NOPCC) or Chief Constable.

Significant Public Interest Decisions

4.11 The Commissioner's web site provides details of all significant public interest decisions. Since the last Panel report a number of decisions have been approved in respect of:

^e *This is rated red due to the short term trend*

- **Provision of Pensions Services to Nottinghamshire Police:** A Contract has been awarded to Mouchel Business Services Limited for the period 23 September 2014 to 31 August 2019 (with the option to extend for 2 x 12 month periods) for the provision of Pension Services to Nottinghamshire Police.
- **Redevelopment of Kennel Facilities Force Headquarters:** Approved the contract to Robert Woodhead Ltd for the Redevelopment of the Kennels at Force Headquarters for the total contract value of £498,595.
- **Policy - Change in Wording (CC Package):** Word change approved.
- **Funding for UK Newtwork of Sex Work Projects for Ugly Mugs initiative:** £3,000 safety grant funding approved for 2013/14 and again in 2014/15 to support Ugly Mugs initiative.
- **Dragons Den Style DV Schools Awareness Project:** Agreed to make a revenue contribution to capital.
- **Provision of Arrow Centre Redevelopment at Hucknall, Nottingham:** Approved the recommendation to award to Derwent Valley Construction Limited for the total contract value of £860,699.99
- **Invitation to Tender for the service provision of 'The Voice' survey and Police Budget Participatory Groups for Nottinghamshire:** Invitation to tender offered for a bespoke piece of social research to support the Review of Priority Plus Areas in Nottinghamshire, together with providing information for the Police and Crime Needs Assessment to identify threats and opportunities for future priorities for the Police and Crime Plan and setting the precept.
- **Nottinghamshire County Business Crime Partnership (BCP) - £10k Funding:** Approved £10k funding toward the Nottinghamshire County Business Crime Partnership (BCP) in support of reducing retail crime.
- **Collaboration Agreement - Multi Force Shared Services (MFSS):** Approved the collaborative agreement between Nottinghamshire, Northamptonshire and Cheshire.

ACTIVITIES OF COMMISSIONER

4.12 The Commissioner and Deputy Commissioner continue to take steps to obtain assurances that the Chief Constable has not only identified the key threats to performance but more importantly that swift remedial and appropriate action is being taken to tackle the problems especially in the Priority Plus Areas in the County and High Impact Wards in the City.

4.13 Some recent activities and developments include:

Multi Agency Mental Health Conference

- A multi-agency event was held in Nottingham on 25th September to identify how services and support can be improved for people experiencing mental health distress. The Crisis Concordat meeting, brought together experts from a range of agencies including policing, health, third sector organisations and social care to examine the response to people facing mental health crisis in Nottingham and Nottinghamshire and how this can be improved.

- The Commissioner has prioritised the welfare and safety of those suffering a mental health crisis in his Police and Crime Plan. As part of an effort to improve the way police respond to vulnerable people, he has worked with Clinical Commissioning Groups to introduce Mental Health Triage Cars in Nottingham. These vehicles are staffed by a police officer and a mental health nurse and will respond to people experiencing a mental health crisis.

Beechwood and other Children's Homes – Historic Abuse Allegations

- The Commissioner has recently had discussions with leaders of both the City and County Councils and local Safeguarding Boards in respect of the emergence of local historic abuse allegations made about Beechwood and other children's homes. He published a statement on 15th September 2014 in which he stated that an independent review in Nottinghamshire should be carried out as soon as practically possible. Although the details and timetable for this need to be agreed, the Leaders of both the City and County Councils endorse this approach and would like to make progress as soon as possible. The Commissioner is in discussions with the local Safeguarding Boards to determine the best way forward.
- In the meantime the Commissioner is receiving on going briefings from the Chief Constable to make sure that he is up to date with the Force's progress in these matters and has been monitoring the development of Operation Daybreak.

Domestic Abuse Recovery Courses

- The Commission secured £228,175 in July 2014 from the Ministry of Justice's PCC Competed Fund to pay for projects supporting women affected by domestic abuse. He has earmarked £125,000 of that sum to finance the Rights and Recovery project that includes five healthy relationship courses for women survivors in the city and ten in the county.
- The Deputy Commissioner who heads up the work on domestic abuse-related issues is overseeing the project. A series of courses specially developed to help women cope with the aftermath of domestic abuse is now underway in Nottinghamshire. Learning about healthy relationships is an important part of helping victims to cope with the effects of domestic abuse and recover from the harm they have experienced.
- Abuse behind closed doors in what should be the safety of home is traumatic, affecting not only the present but the future for many women who experience it. The courses are designed to enable survivors to reach a greater understanding of domestic abuse, why and how it happens and the impact it has on both them and their children.

Ending Alcohol Harm

- The Commissioner is supporting a new campaign which highlights the problems caused by excessive drinking. The Ending Alcohol Harm campaign, co-ordinated by the Nottingham Crime & Drug Partnership (CDP), brings together key partners to deliver a targeted communications intervention with the aim of getting people to think twice before they drink too much. The campaign explores a new way of approaching specific harms through various interventions and smaller mini-campaigns delivered throughout the year,

focused on the health, financial and social effects of alcohol, including crime and where to get help.

- The work to date has involved representatives from the City's Universities, Police and Licensing, the City Council, Community Protection, alcohol service providers, and many more. Driven by Nottingham's status as a Local Alcohol Action Area (LAAA), a section of the work will be delivered in partnership with Drinkaware, the national alcohol charity.

Police Cadets - Summer School Certificates

- On 29th August 2014 the Commissioner together with the Chief Constable, presented the Police Cadets with their Summer School Certificates of Completion, and is looking forward to them using their new skills and knowledge of crime prevention for the benefit of the County's communities.
- The 25 cadets, who have already completed half of their two years' training, were the second and final batch of Nottinghamshire Cadets to show off their newfound skills at the end of a Summer School at the University of Derby. The Cadet Scheme is specially designed for young people who may later want to join the force as a regular officer or Special Constable.

Commissioner urges Prime Minister to increase firearms licensing fees

- The heavy cost of administering firearms licensing, paid by Nottinghamshire taxpayers, has prompted the Commissioner to personally urge the Prime Minister to support an increase in fees.
- The Commissioner has written to David Cameron (Friday, 29 August) pointing out that the costs to police forces in administering the scheme far outweighs the income generated from fees.
- This year, the cost of firearm licensing in Nottinghamshire is more than £450,000. Yet the income received from fees was around £82,000 in 2012-2013 and £56,000 in 2013-14, with a broadly similar sum anticipated this year.
- The Commissioner has argued that it is difficult to justify public support for shooting sports in Nottinghamshire of around £400,000 per annum when difficult decisions about police priorities, including the loss of police officers, are being made.
- Fees have not been increased since 1 January 2001 and nationally, the cost to the public purse of firearm licensing is estimated at £23.7m, the amount recovered thought to be £6.4m, leaving a shortfall of £17.3million.
- The Commissioner believes that organisations representing shooting recognise the costs involved in administering the lengthy and time-consuming licensing process – and would accept a fee increase provided they receive an efficient and speedy service.

Strategic Resources and Performance Meetings

- The Commissioner continues to hold the Chief Constable to account at the Strategic Resources and Performance meeting which is open to the public. The last meeting was held on 3rd September 2014 at Broxtowe Borough Council.

Visits to Priority Plus and High Impact Areas

- The Commissioner has made arrangements to visit a number of key Priority Plus areas in the County and High Impact areas in the City over the next five months. The purpose of the visits is to obtain assurance from Police, Partners and local Councillors that current community safety issues are fully understood and that appropriate action is being taken. He is keen to learn of any barriers and especially any concerns from local residents so that he can have regard to these when he considers his Policing and Crime Plan priorities.
- So far this year the Commissioner and his Deputy have visited the following areas:
 - Bulwell 25th June 2014 Commissioner
 - St Anns 14th July 2014 Deputy
 - Arboretum 21st July 2014 Deputy
 - Meadows 2nd Sept 2014 Commissioner

5. Financial Implications and Budget Provision

- 5.1 None - this is an information report. Although the report does contain some information on budget variance.

6. Human Resources Implications

- 6.1 None - this is an information report. However, the report does provide some information about BME representation.

7. Equality Implications

- 7.1 None – although it should be noted that high levels of crime occur predominately in areas of high social deprivation.

8. Risk Management

- 8.1 Risks to performance are identified in the main body of the report together with information on how risks are being mitigated.

9. Policy Implications and links to the Police and Crime Plan Priorities

- 9.1 This report provides Members with an update on performance in respect of the Police and Crime Plan.

10. Changes in Legislation or other Legal Considerations

ANTISOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014 – COMMUNITY TRIGGER AND REMEDY

- 10.1 The Anti-social Behaviour, Crime and Policing Act 2014 received royal assent on 13 March 2014 and the provisions became effective from 20 October 2014. Some key aspects were reported to the Panel at the last meeting i.e. Community Remedy and Community Trigger.

Community Remedy Document

- 10.2 At the previous Panel meeting Members were briefed on the development of the Commissioner's Community Remedy document and its purpose. For example, over the summer the Commissioner undertook a major publication consultation exercise to obtain the public's views on a range of sanctions for perpetrators of low level crime or ASB. The document contains a list of actions that victims will be able to choose from in order to punish offenders.
- 10.3 Findings from this consultation exercise have since been analysed and taken into account in the development of the Community Remedy Document.
- 10.4 A first version is now available as required by the Act as of 20th October 2014 (**Appendix B**) and is available to the public on the Commissioner's web site^f. However, the process has identified a number of issues which will need more time to resolve and resource to make the remedy more robust e.g. procedures where an offender fails to comply with the agreed remedy, possible pathways of support using the third sector and potential links to the Commissioner's Community Grants Scheme. This may lead to a second version at some time in the future.

Community Trigger Document

- 10.5 The Community Trigger is defined in the Act as being a requirement of the relevant bodies in a Local Government area to carry out a review of the response to anti-social behaviour where a person has made a complaint about anti-social behaviour and
- (a) that person, or any other person makes an application for such a review, and
 - (b) the relevant bodies decide that the threshold for a review is met.
- 10.6 The Act states that the relevant bodies in each Local Government area must produce a Review Procedure which describes the arrangements for carrying out ASB Case Reviews by those bodies and ensure that the Review Procedure is published.
- 10.7 The ASB Transition Group has sought to develop a consistent approach to the implementation of the Community Trigger across the City and County. However, Local Authorities are required to produce their own.

^f <http://www.nottinghamshire.pcc.police.uk/Our-Work/Restorative-Justice.aspx>

- 10.8 The Commissioner must be consulted on the Community Trigger procedure when it is set up, and must also be consulted whenever the procedure is reviewed. Depending on how the local council areas are arranged for the purposes of the Community Trigger, there may be a number of different procedures in one Police Force area. Arrangements may be made for the PCC to be directly involved in the Community Trigger, for example by:
- auditing case reviews;
 - providing a route for victims to query the decision on whether the threshold was met or the way a Community Trigger review was carried out; or
 - monitoring the use of the Community Trigger to identify any learning and best practice.
- 10.9 The Commissioner is very keen that he is involved in reviewing cases where the victim is not satisfied with local reviews and has developed a procedure similar to the Merseyside Commissioner's model which has been termed 'Commissioner's Community Trigger Appeal Process'. The Commissioner has asked Local Authorities to incorporate this escalation process into their local Community Trigger documents. **Appendix C** details the process and this is also made public on the Commissioner's web site.⁹
- 10.10 The 'Appeal Process'^h will essentially be a desk top review and will not involve hearings or meetings with victims although the Commissioner may consider meeting with victims in exceptional circumstances. The Commissioner's appeal process will be subject to periodic review to ensure that victims' interests are adequately considered.

11. Details of outcome of consultation

- 11.1 The Deputy Chief Constable has been consulted on this report and feedback has been taken into account.
- 11.2 Local Police practitioners have assisted with the development of the Community Remedy document and the Chief Constable and local Partners have been consulted and feedback has been taken into account.

12. Appendices

A. Performance Tables

B. Community Remedy Document (Version 1)

^g <http://www.nottinghamshire.pcc.police.uk/Get-in-touch/Community-Trigger-Appeal.aspx>

^h Whilst the legislation does not refer to an Appeal Process this term has been used to distinguish it from the Review Process already undertaken by the Local Authority.

In addition, it would seem that the legislators may have had regard to the Commissioners responsibilities under the Police Reform and Social Responsibility Act 2011 [Schedule 11 5(3)[1A]] i.e. he may require a report under subsection (1) only if— (a) the Commissioner is not satisfied that the responsible authorities for the area are carrying out their functions under Section 6 Crime and Disorder Act 1998 (Formulation and implementation of strategies) in an effective and efficient manner, and (b) the Commissioner considers it reasonable and proportionate in all the circumstances to require a report."

C. Commissioner's Community Trigger Appeal Process

13. Background Papers (relevant for Police and Crime Panel Only)

- Police and Crime Plan 2014-2018 (published)
- Force Performance Report – August 2014
- Anti-social Behaviour, Crime and Policing Act 2014: Reform of antisocial behaviour powers, Statutory guidance for frontline professionals (July 2014).

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Business & Finance

Performance & Insight Report

Police & Crime Plan Objectives One to Seven

Performance to August 2014







Executive Summary










Strategic Priority Theme 1: Protect, support and respond to victims, witnesses and vulnerable people

Measure		Current Performance - Year-To-Date to August 2014			
		Performance / Difference		Short-term Trend	Long-term trend
1	Percentage of victims that are completely, very or fairly satisfied with the service provided	86.8%	●	◆	◆
2	Percentage of victims and witnesses satisfied with the services provided by the Courts	96.4%	●	△	▲
3	Percentage of people who agree that the Police and Council are dealing with local ASB and other crime issues	53.2%	●		◆
4	Percentage reduction of people that have been repeat victims within the previous 12 months	Repeat DV -0.1% ● % DV Victims 38.2% ● Repeat HC +3.1% ● Repeat ASB +10.5%			
5	Public confidence in reporting offences to the Police	Serious Sex +41.0% Domestic Ab -20.0% DA Sat 91.1% Hate Crime +14.0%			
6	The number of people killed or seriously injured (KSIs) on Nottinghamshire's roads	-10.5% ●		◆	◇

Strategic Priority Theme 2: Improve the efficiency, accessibility and effectiveness of the Criminal Justice System

Measure		Current Performance - Year-To-Date to August 2014			
		Performance / Difference		Short-term Trend	Long-term trend
1	Percentage of Crown and Magistrate's Court files submitted to the CPS on time and without errors	CC Quality -0.4pp ● CC Time -0.4pp ● MC Quality +0.5pp ● MC Time -0.7pp ●		◆	
2	Crown Court and Magistrate's Court conviction rates	CC 82.1% ● MC 83.8% ●			

3	Early guilty plea rate for Crown Court and Magistrate's Court	CC 38.0% MC 67.1%	 		
4	Percentage of effective trials in the Magistrates' and Crown Courts (HMCTS Measure)	CC 46.3% MC 40.1% CC 46.3% MC 40.1%	   		

Strategic Priority Theme 3: Focus on those priority crime types and local areas that are most affected by Crime and Anti-Social Behaviour					
Measure		Current Performance - Year-To-Date to June 2014			
		Performance / Difference		Short-term Trend	Long-term trend
1	Reduction in 'All Crime' across the Force	+2.8			
2	Reduction in Anti-Social Behaviour (ASB) incidents across the Force	+8.6%			
3	The detection rate (including positive outcomes) for Victim-Based Crime	-2.5pp			

Strategic Priority Theme 4: Reduce the impact of drugs and alcohol on levels of Crime and Anti-Social Behaviour					
Measure		Current Performance - Year-To-Date to June 2014			
		Performance / Difference		Short-term Trend	Long-term trend
1	The number of alcohol-related crimes	Crime +2.8% ASB +8.6%			
2	Re-offending of drug fuelled offenders in the Force IOM cohort				

Strategic Priority Theme 5: Reduce the threat from organised crime					
Measure		Current Performance - Year-To-Date to June 2014			
		Performance / Difference		Short-term Trend	Long-term trend
1	Reported drug offences	-0.4%			
2	The number of Proceeds of Crime Act (POCA) confiscation and forfeiture orders	-1.2%			

3	Force Threat, Harm and Risk (THR) assessment level	●		
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Strategic Priority Theme 6: Prevention, early intervention and reduction in re-offending



Measure		Current Performance - Year-To-Date to June 2014		
		Performance / Difference	Short-term Trend	Long-term trend
1	Re-offending of offenders in the Force IOM cohort			
2	Youth Offender re-offending rates	Ci 32.6%		
3	Community Resolutions for Youth Offenders			

Strategic Priority Theme 7: To spend your money wisely

Measure		Current Performance - Year-To-Date to June 2014		
		Performance / Difference	Short-term Trend	Long-term trend
1	Make efficiency savings	Data Unavailable	●	●
2	Ensure balanced budget	£0.0m +0.0%	●	●
3a	Total number of days lost to sickness (Officers)	3.6%	●	●
3b	Total number of days lost to sickness (Staff)	3.3%	●	●
3c	BME representation	4.2%	●	●














Strategic Priority Theme 1: Protect, support and respond to victims, witnesses and vulnerable people

Measure		Target Profile	Current Performance - Year-To-Date to August 2014			
			Performance / Difference	Short-term Trend	Long-term trend	Summary
1	Percentage of victims of crime that are completely, very or fairly satisfied with the service they have received from the police	90% of victims completely, very or fairly satisfied	86.8% ●	◆	◆	<p>Performance remains stable, and the most recent figure, covering satisfaction for incidents reported in the 12 months to May, contrasts with 87.2 percent for the same period last year.</p> <p>While there is no underlying difference between the divisions in terms of the headline figure (City 85.7 percent, County 87.4 percent), theft from vehicle crime satisfaction remains a differentiating factor.</p> <p>The Force is above peers, both nationally and when compared to the Most Similar Group (MSG) average (based on 12 months of interviews ending March 2014).</p>
2	Percentage of victims and witnesses satisfied with the services provided in Court	An increase in the percentage of victims and witnesses satisfied compared to 2013/14	96.4% ●	△	▲	<p>There has been no further data since last month.</p> <p>In May, around 98 percent of victims and witnesses responding were satisfied or very satisfied with the services provided in Court.</p> <p>Figures for the 12 months to May show that more than nine in every ten respondents were satisfied in comparison with the 2013/14 level of 95.7 percent (April 2013 - March 2014).</p>
3	Percentage of people who agree that the Police and Council are dealing with local Anti-Social Behaviour and other crime issues	60% agreement by 2015-16	53.2% ●	n/a	◆	<p>Current performance covers interviews in the year to March 2014. The Force is 6.8 pp away from the 60 percent target. Performance remains stable over the last year while there has been some positive movement since the previous quarter.</p>

4	Percentage reduction of people that have been repeat victims within the previous 12 months	A reduction in the number of repeat victims of Domestic Violence compared to 2013/14	-0.5		n/a	n/a	There has been a 0.5% decrease in the number of repeat victims of Domestic Violence, this equates to 4 less victims. This is in comparison to the increases reported in recent months, which may be due to certain individual no longer being counted as the original incident occurred over twelve months ago. The proportion of domestic violence crime which are repeats remains relatively stable.
		To monitor the proportion of Domestic Violence crimes which are repeats	38.2%		n/a	n/a	
		A reduction in the number of repeat victims of Hate Crime compared to 2013/14	+3.1%		n/a	n/a	There was one more repeat victim of hate crime year-to-date, however, given the reduction reported last month, examining year-to-date figures may mask spikes in the most recent month. This will be analysed further in future reports.
		To monitor repeat victims of Anti-Social Behaviour incidents	+10.5%		n/a	n/a	As ASB continues to increase, as has the number of repeat victims, it will be interesting to monitor if the predicted reductions in ASB have an impact on the numbers of repeat callers.
5	Public confidence in reporting offences to the police	To monitor the number of Serious Sexual offences	+40.0%		n/a	n/a	There have been 160 additional Sexual Serious Offences recorded compared to the previous year. The main driver appears to be the increase in Sexual Assaults (59%).
		To monitor the number of Domestic Violence incidents and crimes	-20.0%		n/a	n/a	In terms of Domestic Abuse, crimes year-to-date have increased by 8.0% (191 offences), compared to a 29.0% reduction in the numbers of Domestic Incidents (-2,135).
		To monitor satisfaction levels of victims of Domestic Abuse through the Force victim surveys;	91.1%		n/a	n/a	Results of the Domestic Abuse Victim Satisfaction Survey for incidents reported in the 12-months to the end of April 2014 demonstrate that rates remain broadly stable with more than nine in every ten victims satisfied with the whole experience (534 out 586 respondents). There is insufficient data to determine short-term and long-term trends.

		To monitor the number of Hate Crimes	+14.0%	n/a	n/a	There have been 48 more Hate Crimes recorded year-to-date. The increase was driven by a 28% increase on County Division, whilst City is now also recording an increase of 3%.
6	The number of people Killed or Seriously Injured (KSIs) on Nottinghamshire's roads	<p>To maintain a reduction in the number of persons Killed or Seriously Injured on Nottinghamshire's roads, in-line with the Nottinghamshire Road Safety Partnership target of a 40% reduction by 2020 (from the 2005-2009 baseline)</p> <p>This can be monitored according to an annualised (calendar year) target, which will be calculated at the start of each year;</p>	-10.5% ●	◆	◇	<p>Monitored Quarterly data to March 2014:</p> <p>Performance in the first quarter of 2014 is also showing a positive trend and direction of travel. Definitive Q1 figures show an overall reduction in KSI's of 10.5% and a reduction in KSI RTC's of 12.4%. This is despite an increase in the number of fatal accidents and casualties. Q1 figures are usually influenced by the weather but 2014 didn't see the severe winter weather which suppresses serious RTC's – that makes the overall reduction in Q1 2014 even more heartening and reflects a genuine reduction.</p> <p>The biggest reductions came in the pedal cyclist category – 42% and amongst car drivers – 21% but there were increases in motor cycling KSI's + 43% and amongst pedal cyclist minor injury casualties +65%. This proves that the mild winter of 2014 saw vulnerable road user group out on the roads in strength.</p>

		Monitor KSIs for 0-15 year olds.	-12.5%		<p>Nottinghamshire undertook Operation Drosometer 3 in April/May 2014 which saw over 7000 drivers caught for seat belt offences and mobile phone use. Throughout the summer months activity is being focussed in the County where targeted fatal 4 operations are taking place.</p> <p>Q2 2014 indicative figures suggest that although the number of fatalities has diminished and returned to normal levels the overall KSI reduction figure has weakened. Provisional figures indicate that the H1 KSI figure has reduced to -4% compared to the same period in 2013. It must be borne in mind that in April and May 2014 all FCR staff received training on how to correctly categorize the grade of RTC according to the severity of the injury and it is possible that this deterioration reflects better recording. Until the definitive Q2 figures come out we won't be able to test this theory.</p> <p>It will remain challenging for the remainder of 2014 to preserve the 20.2% reduction seen in 2013.</p>
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Strategic Priority Theme 2: Improve the efficiency, accessibility and effectiveness of the Criminal Justice System						
Measure		Target Profile	Current Performance - Year-To-Date to August 2014			
			Performance / Difference	Short-term Trend	Long-term trend	Summary
1	Percentage of Crown and Magistrates' Court files to be submitted by the police to the Crown Prosecution Service on time and without errors	A reduction in the error rate and late rate compared to 2013/14	CC Quality -0.4pp 	 ¹	n/a	A new quality review system is being implemented through the Prosecution Team Performance management meeting. Data is not yet available for this measure.
			CC Time -0.4pp 	 ¹	n/a	
			MC Quality +0.5pp 	 ¹	n/a	Data shown reflect performance to March 2014. At this time the Crown Court continued to meet target in terms of both file quality and timeliness. The Magistrates Court on the other hand, were achieving target in terms of file quality but not in terms of timeliness.
			MC Time -0.7pp 	 ¹	n/a	
2	Crown and Magistrates' Courts conviction rates	To record a conviction rate in line with the national average	CC 82.1% (-0.6%) 	n/a	n/a	Data are now monitored on a monthly basis. Conviction rates in the Crown and Magistrates Courts are currently relatively in line with the national averages for Nottinghamshire (Year to date).
			MC 83.8% (+0.5%) 	n/a	n/a	
3	Early Guilty Plea Rate for the Crown Court and Magistrates' Court	An increase in the Early Guilty Plea rate compared to 2013/14	CC 38.0% (-1.3%) 	n/a	n/a	Data are now monitored on a monthly basis. Year-to-date the Crown Court are slightly below target in terms of improving the guilty plea rate at first hearing with an average of 38.0% but is nearly four percent above the national average.
			MC 67.1% (+4.6%) 	n/a	n/a	
		To be better than the national average	CC Nat Ave: 34.4% 	n/a	n/a	

¹ Performance on all of the criminal justice measures remains stable in the short-term, however it is not possible to make accurate long-term judgments regarding trend due to a lack of available data

			CC Quality -0.4pp	●	◆ ²	n/a	Magistrates' Courts on the other hand are on target in terms of improving on last year (+4.6%), but again are nearly four percent away from the national average.
4	Percentage of effective trials in the Magistrates' and Crown Courts	Reduce % of ineffective trials compared to 2012/13	CC 46.30%	●	n/a	n/a	There is currently no data sharing protocol between the Force and the Ministry of Justice with regards this area. Until a data sharing protocol can be agreed, data are too March 2014. The Magistrates Courts Effective Trial Rates show a slightly decreasing trend over the last twelve months, this being the result of a slight increase in the ineffective trial rate. Ineffective trials are when a trial does not go ahead as planned for reasons which may be due to the prosecution, defence or administrative reasons within HMCTS. The Crown Court Effective Trial rates saw a positive spike in April 2014 however levels have returned to a more usual level. The long term trend is showing an overall downwards trajectory, again with an increase in ineffective trials showing an upwards trajectory.
			MC 40.10%	●	n/a	n/a	
		Achieve an effective trial rate of 50%	CC 46.30%	●	n/a	n/a	
			MC 40.10%	●	n/a	n/a	

² Performance on all of the criminal justice measures remains stable in the short-term, however it is not possible to make accurate long-term judgments regarding trend due to a lack of available data

Strategic Priority Theme 3: Focus on those priority crime types and local areas that are most affected by Crime and Anti-Social Behaviour						
Measure		Target Profile	Current Performance - Year-To-Date to August 2014			
			Performance / Difference	Short-term Trend	Long-term trend	Summary
1	A reduction in All Crime, particularly Victim-Based Crimes compared to 2013/14	A reduction in All Crime compared to 2013/14	+2.4% ●	▲	▲	The Force continues to see a decline in performance around 'All Crime' although August this year compared to last, was considerably better than July 2014 compared to July 2013. This performance is being driven by continued increases recorded on County Division (+3.5%), although the trend does appear to be slowing, whilst City Divisions performance is now declining with an increase of 1.8%.
		A reduction in Victim-Based Crimes compared to 2013/14	+1.5% ●	▲	△	The increases reported in Victim-Based Crime appear to be slowing, with August showing an increase of 2.9% compared to the same month last year; this is in contrast to the 10.4% increase month-on-month reported in July. As with All Crime, City Division is starting to show an increase (0.6%), although County Division continues to drive overall performance (2.2%).
		To monitor the number of	Ci +3%	n/a	n/a	In the Priority Plus Areas, there has been a 3%


		offences in those local areas which experience a high level of crime	Co +5%		n/a	n/a	increase on the City compared to a 5% increase on the County taking into consideration the different numbers and profiles across the two Divisions.
		To significantly reduce levels of: Burglary Dwelling	-6.2%	●	▽	▽	The projected short and long-term trends for Burglary Dwelling no longer show significance, suggesting the declining performance is predicted to continue, with a possible increase by the end of the reporting year. Month-on-month increases recorded since May are being masked by the Forces incredible performance reported previously. Through the Burglary Gold Group increased operational activity has been actioned throughout the City and County Divisions to address this.
		To significantly reduce levels of: Robbery	-0.6%	●	▲	△	Robbery performance has improved on last month, with August recording six less offences when compared to the same month last year (2 less business, and four less personal robberies).
		To significantly reduce levels of: Violence with injury	+11.0%	●	▲	▲	Whilst the Force continues to record an increase in Violence with Injury, performance does appear to have improved month-to-date with a smaller increase of 10.5% compared to the 16% increase recorded July compared to July last year.
		To reduce Shop Theft	-1.5%	●	▲	▽	Performance around Shop Theft continues to decline with the Force, although August showed improved performance compared to July.
2	Reduce Anti-Social Behaviour incidents in Nottinghamshire with a focus on those local areas which experience a high level of ASB	A reduction in ASB Incidents in line with the long-term target of 50% reduction by 2015/16 (compared to the 2011/12 baseline)	+8.6%	●	▲	▲	The Force is continuing to show an increase in ASB with a significant long-term upward trend. However, the trend is slowing, suggesting that new advice to callers regarding noise-related complaints may be having an effect.
3	The detection rate (including Positive Outcomes) for Victim-	An increase in the detection rate for Victim-Based Crime;	-2.5pp	●	▼	▼	The year-to-date detection rate for Victim-Based Crime is slightly better than reported last month (24.8% compared to 24.6%), and this compared

	Based Crime					to last year is better than previously reported. The decline in performance is mainly being driven by the City Division (-5.7pp), whilst the detection rate on the County Division remains relatively stable (-0.7pp).
		To monitor the proportion of Community Resolution disposals.	-0.14pp	●	▼	▼ The proportion of Community Resolutions remains relatively stable at around 18%, whilst the use of Cautions has considerably declined (-10.7%) and Charge / Summons have seen a comparable increase (+13.4%). The use of Outcomes is currently under review.

Strategic Priority Theme 4: Reduce the impact of drugs and alcohol on levels of Crime and Anti-Social Behaviour						
Measure		Target Profile	Current Performance - Year-To-Date to August 2014			
			Performance / Difference	Short-term Trend	Long-term trend	Summary
1	The number of alcohol-related Crimes	To monitor the number of crimes and ASB incidents which appear to be alcohol-related	Crime +2.8%	n/a	n/a	Based on a complex search it is estimated that 13.4% of Crime is alcohol-related, this is a comparable proportion when compared to ASB. For the time this financial year, the increases in alcohol-related crime and ASB are the same as overall increases in crime and ASB, which may be an indication of better data quality.
			ASB +8.6%	n/a	n/a	
		To monitor the proportion of alcohol-related Violent Crime	23.6%	n/a	n/a	Less than a quarter of Violent Crime is estimated to be alcohol-related, which is woefully below the estimated national average of over half.
2	Re-offending of drug fuelled offenders in the Force IOM cohort	To monitor the number and seriousness of offences committed by drug fuelled offenders in the IOM cohort				New scoring process implemented August 2014 to include offences of violence, new cohort identified for August 2014 and offending level baseline measured. Measurements will be taken every quarter to compare offending levels with the previous year and quarter on quarter.

Strategic Priority Theme 5: Reduce the threat from organised crime

Measure		Target Profile	Current Performance - Year-To-Date to August 2014			
			Performance / Difference	Short-term Trend	Long-term trend	Summary
1	Reported drug offences	To monitor the number of production and supply of drug offences	-0.4%	△	▽	Whilst the number of Production and Supply of Drug Offences has fallen year-to-date, the reduction is smaller than reported last month and it is estimated that numbers will increase in the short but not the long-term. As reported last month the main driver of the reduction is due to a considerable fall in the numbers of Production offences (-19.7%) compared to considerable increase in Supply offences (34.6%), but numbers are however low.
2	The number of Proceeds of Crime Act (POCA) confiscation and forfeiture orders	A 10% increase in the number of orders compared to 2013/14	-1.2% ●	n/a	n/a	Year-to-date there have been 82 successful Confiscation and Forfeiture Orders, this is only 1.2% less than last year, or one less in real terms. This places the Force 11.3pp away from the 10% increase target, but this is an improvement on the previous report where the Force was 27.9pp away from target. In terms of value, there has been considerable improvement, with year-to-date figures showing a £82,849.57 increase which equates to 19.5pp, with the average value rising 20.9pp to £6,198.30. If performance continues at this level, the Force may end the year close to or even on target.

3	Force threat, harm and risk (THR) assessment level	To reduce the Threat, Harm and Risk below the 2013-14 level			<p>In terms of criminal intent and capability, the current threat from Serious, Organised Crime in Nottinghamshire remains significant and consistent despite evidence of successful disruption within the last 12 month period as a result of various Nottinghamshire Police and EMSOU operations.</p> <p>The current intelligence picture relating to organised criminality, coupled with the upcoming prison release of key individuals linked to organised crime, suggests that the medium term threat from Serious, Organised Crime in Nottinghamshire will not change from its current threat status of significant and consistent.</p>
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Strategic Priority Theme 6: Prevention, early intervention and reduction in re-offending						
Measure		Target Profile	Current Performance - Year-To-Date to August 2014			
			Performance / Difference	Short-term Trend	Long-term trend	Summary
1	Re-offending of offenders in the Force IOM cohort	To reduce the number and seriousness of offences committed by offenders in the IOM cohort				New scoring process implemented August 2014 to include offences of violence, new cohort identified for August 2014 and offending level baseline measured. Measurements will be taken every quarter to compare offending levels with the previous year and quarter on quarter.
2	Youth offender re-offending rates	To monitor re-offending rates and offending levels of youth offenders in the Youth Justice System	Ci 32.6%			No data received this month: City Youth Offending Team reported a re-offending rate of 1.07 12 months to August 2014, with 32.6% of the cohort re-offending. There are no data to report on for the County.
3	Community Resolutions for Youth Offenders	To monitor re-offending in Youth Offenders who have received a Community Resolution				A query is currently being built to facilitate the analysis of this area.

Strategic Priority Theme 7: To spend your money wisely						
Measure		Target Profile	Current Performance - Year-To-Date to August 2014			
			Performance / Difference	Short-term Trend	Long-term trend	Summary
2.1	Make efficiency savings	Save £12.7m by March 2015	-£0.6m	●	●	<p>No new data available: The Government's grant has reduced significantly and in order to balance the budget, savings of £12.7m need to be made in 2014-15. Detailed plans are in place to ensure the savings target is met.</p> <p>Data not available for August and is currently being worked.</p>
2.2	Ensure balanced budget	<p>Overall spend v budget</p> <p>2014/15 budget - £193.8m</p> <p>2014/15 Q1 Forecast - £193.8m</p>	£0.0m +0.0%	●	●	<p>Expenditure was £0.031m better than forecast. This was largely due to capitalisation of agency costs relating to the Multi Force Shared Services (MFSS) project; a rates rebate for St Anns and Oxclose Lane Police stations; transport costs resulting from lower mileage and fuel costs; and mutual aid income predominantly for provide cover to the Fire Services during industrial action which offsets some of the over spend on overtime.</p>

2.3	Total number of days lost to sickness (Officers and Staff 3.7% (8.2 days))	Officers	3.6%	●	●	<p>The latest 12 month rolling sickness data for the Force has shown that officer sickness reduced to 3.57% in August 2014 from 3.99% in August 2013. This represents a reduction of 10.6% over the past year.</p> <p>HR continues to work closely with line managers to reduce the number of officers on long term sick.</p> <p>Officer sickness absence in the 12 months to August 2014 amounted to an annual cost to the Force of £3.6m.</p> <p>Following the upgrade to our HR system, there is concern that the upgrade has affected the complex recording and reporting process of sickness absence. This issue is being investigated. Until this is resolved we recommend that the sickness information is used with caution.</p>
		Staff	3.3%	●	●	<p>The latest 12 month rolling sickness data for the Force has shown that staff sickness reduced to 3.28% in August 2014 from 3.78% in August 2013. This represents a reduction of 13.1% over the past year.</p> <p>HR continues to work closely with line managers to reduce the number of officers on long term sick.</p> <p>Staff sickness absence in the 12 months to August 2014 amounted to an annual cost to the Force of £1.4m.</p> <p>Following the upgrade to our HR system, there is concern that the upgrade has affected the complex recording and reporting process of sickness absence. This issue is being investigated. Until this is resolved we recommend that the sickness information is used with caution.</p>

2.4	BME representation	BME representation within the Force to reflect the BME community	4.2%	●	●	<p>Current BME representation in Force stands at 4.2%. This shows little change from the proportion recorded in March 2012, however the Force is in the process of recruiting new officers following a positive action campaign and therefore a change may be seen in the representation statistics in the coming months.</p> <p>The 4.2% figure is lower than the BME population of Nottinghamshire, which stands at 11.2% (Source: 2011 Census Data).</p>
Pm	Overtime Budget	Maintain overtime spend below budget 2014/15 budget - £3.3m	-£0.2m -10.6%	●	●	<p>The Force's overtime expenditure year to date was £2.030m, which is an over spend of £0.195m against a forecast of £1.835m. The majority of the over spend was in County, City and OSD. This over spend has been partially offset by income from mutual aid and providing cover during the Fire Service strikes.</p> <p>The main operations were: major crime ops Hallux, Hearth and Pelfry; County Encollar, Claustal, Packhouse, Jejunal and Raspberry; City centre patrols; OSD Eagre, Genre; ministerial visits for the Newark By-Election (Kapok); increased regional activities around major crimes.</p>
Pm	Establishment (FTE's)	<ul style="list-style-type: none"> ▪ Officer establishment TBC ▪ Staff establishment TBC 	<p>2,036 FTE -2 v latest forecast</p> <p>1,530 FTE -102 v budget</p>	●	●	<p>Officer establishment at the end of August was 2,036 FTE's which was 2 lower than latest forecast. This was due to a higher number of police officers leaving than originally anticipated. To date 56 officers have left the force.</p> <p>Staff establishment at the end of August was 1,530 FTE's (including PCSO's at 343 FTE's) which was 102 FTE's lower than forecast. PCSO's were 3 higher than forecast.</p>



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APPENDIX B

Community Remedy

Introduction

Section 101 of the Anti-social Behaviour, Crime and Policing Act 2014, is designed to place the victim at the heart of decision making and requires the Commissioner and Nottinghamshire Police to consult with community members and Partners relating to the use of Community Remedy.

This document is required legally to provide guidance aimed to support and guide activity between the Police, victims of crime and anti-social behaviour, communities and offenders in delivering community remedy through the use of Out of court Disposals. Should supporting partnership agencies want to take cognisance of the document outcomes to support wider performance delivery and victim care they may do so, but this document contains specific community opinion aimed to enhance community remedy delivered by Nottinghamshire Police.

The document will undergo continuous assessment regarding the use of Community Remedy within certain crime types whilst ensuring the changing views of victims and communities are represented and reflected. Since the legislation is new there are likely to be sceneries occur which will require amendments to this document.

Anti-social behaviour and low-level crime affects people's lives on a daily basis, it matters to the victims and communities of Nottinghamshire. Dealing with Anti-social behaviour is a multi-agency responsibility due to the wide range of behaviours that are involved, from vandalism, street drinking to noisy and abusive neighbours and the Community Remedy document will be used to enhance the existing processes to deliver community resolutions and conditional cautions.

Although there are other Out of Court Disposals available to the Police, such as cautions and fixed penalty notices, only conditional cautions and community resolutions allow for additional reparation in consultation with the victim to be made.

The document is a list of options which might be appropriate to be carried out by a person who has engaged in anti-social behaviour or who has committed a low level offence and is suitable to be dealt with by means of a community resolution (CR) or conditional caution (Youth or Adult).

The Community Remedy is a means of consulting the victim about any possible conditions to be attached to their resolution. The legislation does not specify what actions should be included in the Community Remedy document; however, this document will specify the community opinion.

Each of the activities undertaken must, help to improve public confidence in the use of out of Court disposals and must be compatible with the perpetrators human rights. Each of the actions must have a:

- Punitive element; reflecting the effects on the victim and wider community; or
- Reparative element; achieving appropriate restitution/reparation to the victim; or
- Rehabilitative element; helping to address the causes of the perpetrators behaviour; or
- Combination of all of the above

The victim's involvement with the community remedy is completely voluntary and the victim must be made to feel that they are central to the decision making process. If the victim does not feel as though they want to take part in the community remedy it is for the officer in the case to choose an appropriate professional action, taking into consideration the victim wishes.

An officer must have evidence that the person has engaged in anti-social behaviour or committed an offence; the perpetrator must admit to the behaviour and agree to participate in a community remedy.

Specifically relating to anti-social behaviour, Section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 defines ASB as follows:

- a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
- b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- c) Conduct capable of causing housing related nuisance or annoyance to any person

Strategic Intention

Through increased use of Community Resolution (CR) and Restorative Justice (RJ) we aim to increase officers' professional judgement, to enable swift resolution to anti-social behaviour and crime, empowering victims to have a greater voice and influence over the reparative outcomes of incidents, increasing victim satisfaction, whilst aiming to prevent re-offending through early intervention.

**** Please note this is the current Police Community Resolution strategy.**



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Community Remedy and Community Resolutions:

- When dealing with anti-social behaviour or low level offences through a community resolution, the Police officer will use the Community Remedy document as a means to engage the victim in having a say in the punishment of the perpetrator
- If the officer considers that the action chosen by the victim is appropriate, the perpetrator should be asked to carry out that action
- The Police officer will have ultimate responsibility for ensuring that the action offered to the perpetrator is appropriate and proportionate to the offence
- If there are multiple victims, the officer should make all reasonable efforts to take all of their views into account – the officer will make the final decision based on their professional assessment as to the appropriate outcome if the views of the victims differ
- The officer needs to ensure the victim understands the purpose of the Community Remedy and that it is entirely voluntary, this will help ensure the victim has realistic expectations as to what can be achieved
- The victim must be informed that they do not have to be involved in the Community Remedy if they don't wish to be
- The resolution may not be legally enforceable if the perpetrator fails to complete the agreed action. However, the offender should be warned at the outset by the officer that any failure to take part in this Out of Court procedure may lead to the case being referred to the Crown Prosecution Service (CPS) otherwise the Community Remedy scheme may fall into disrepute
- The victim does not need to meet the perpetrator in order to choose an action
- Victims under 18 or vulnerable, may require a family member or appropriate adult to assist them in understanding the purpose of the community remedies and to choose an action, if the victim is unavailable then wider consultation with the community (i.e. ward members) may be appropriate
- If the victim is not contactable, or there is no apparent victim i.e. Regina offences the officer will choose the appropriate action in line with community opinion held within the document

- Officers should continue to follow the current guidance for when it is appropriate to use community resolutions, and ensuring the correct authority is sought prior to issuing a community resolution
- When dealing with youth offenders, consideration should be given for a referral to the Youth Offending Team (YOT) in order for further preventative measures to be undertaken with the young person to provide ongoing support and intervention
- It will be the responsibility of the Officer in the Case (OIC) to ensure the compliance/completion of the community remedy, this will then form part of the future community remedy tender

Community Remedy (Resolution) and Conditional Cautions:

- The Community Remedy document should be considered when it is proposed that a perpetrator be given a community resolution, conditional caution or youth conditional caution to aid consultation with the victim about the possible conditions to be attached to the outcome
- Conditional cautions are available for all offences except domestic violence and hate crimes
- Youth conditional cautions are available for any offence except for domestic violence or hate crime which scores 4 on the ACPO Gravity Matrix
- Ensuring the correct authority has been sought for a conditional caution;
 - A Sergeant may authorise a conditional caution for an adult for all summary only and either way offences
 - A Sergeant should refer a youth for consideration of a Conditional Caution to the YOT

There are a number of current options available to officers and options which have been included in the Community Remedy document (this list is not exhaustive) and ongoing consultation with victims and offenders to provide relevant pathways:

- A written or verbal apology
- Mediation in order to solve a neighbour dispute
- Restorative Justice activity

- Compensation to the victim, whether for damages, repair or replacement of stolen property (in line with DPP guidance for Conditional Cautions)
- Cleaning graffiti
- Reparation to the community (unpaid local work for a short period)
- Educational or rehabilitative courses
 - “Last Orders” for alcohol related crimes
 - Holocaust Centre for Hate Crimes (Mansfield & Ashfield)
 - Substance Misuse (County division)

Nottinghamshire Police is currently looking at designing and developing its own educational and diversionary packages in consultation with the PCC.

- The perpetrator signing an Acceptable Behaviour Contract (ABC) – where they agree to improve their behaviour, in the future or face more formal consequences, consideration should also be given when the perpetrator has signed an ABC of notifying the relevant Local Authority to assist in monitoring and supporting compliance of the contract.

Current Public Opinion of Community Remedy

There are concerns that having a prescriptive list of options will stifle officer’s innovation and aptitude for developing bespoke remedies to suit specific victims, there is a necessity to make officers aware that the list is not an exhaustive list and other options may be available to them or that options can be tailor made to a specific case.

The Restorative Justice Council welcomes the Community Remedy but that it should be offered as part of a restorative justice approach rather than it being part of the menu of options. They recommend that the Community Remedy and the options selected should be used as a means of opening a dialogue between the victim and offender, thereby using a restorative justice approach rather than it being a remedy. Officers may wish to ask an offender what they consider to be an appropriate remedy – however the victim’s preference is paramount.

Nottinghamshire Police has already allayed some national fears from the Magistrates Association and wider partner agencies in relation to the use of out of court disposals. Through the utilisation of dedicated decision makers and partnership involvement in the scrutiny panel for out of court disposals, which is attended at Chief Executive level from CPS, Probation, Youth Offending Service, Magistrates and importantly Victim Support, all of which

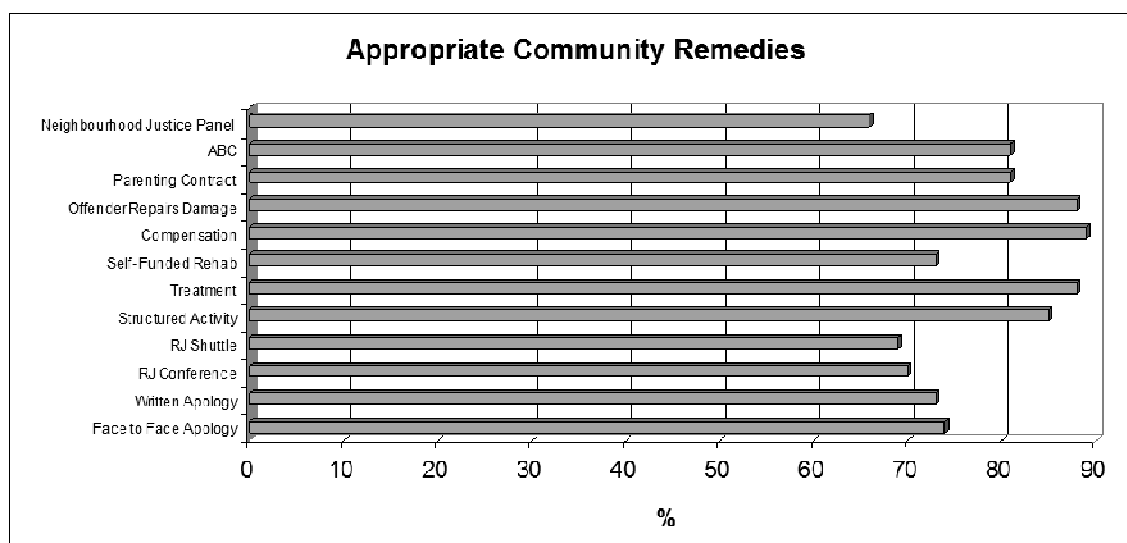
can assess Nottinghamshire's use of out of court disposals. The Community Remedy will form part of this scrutiny panel.

The Commissioner's Office (OPCC) has already conducted a community consultation within Nottinghamshire to establish the thoughts and understanding of Restorative Justice and Community Remedy by the public and whether they think it's appropriate and under what circumstances it should be used. Specifically this activity took place during a number of key events across the County during 2014, whilst further work is underway in order to ensure regular notification of future views electronically and in person.

The most common remedies that have been identified by the public are:

- Face to Face apologies
- Written apologies both of which are already available to victims through the Community Resolution disposal
- RJ Conference
- RJ Shuttle which is currently undertaken by Constables and PCSO
- A structured activity, training or treatment – for example through the use of the Substance Misuse Course and "Last Orders" (the development of further educational programmes is ongoing work with the OPCC)
- Compensation (again which is already utilised through the Conditional Caution and Community Resolution although on a lower scale)
- Neighbourhood Justice Panels – further work in relation to who would participate on a Justice panel is being conducted by the OPCC

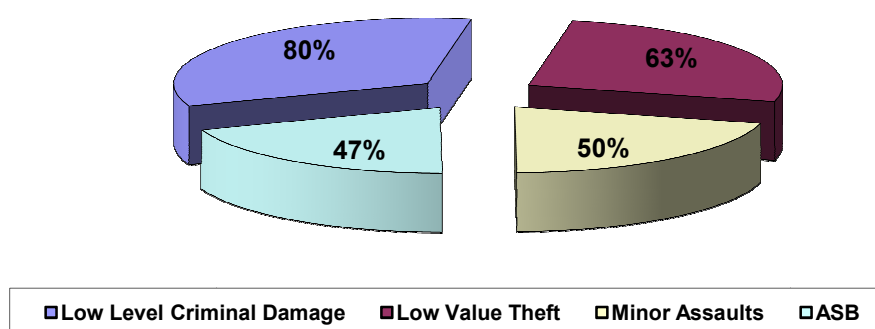
The consultation showed that the following types of remedies would be deemed most appropriate and acceptable by the communities within Nottinghamshire:



The consultation identified that offences such as low level criminal damage and low level theft were deemed to be the most appropriate for the use of Community Remedy, it also identified that the use of Community Remedy for offences such as minor assaults and anti-social behaviour are less supported by the public where they would prefer to see them dealt with within the Criminal Justice system, however there is still clear view that where the victim supports the activity of community remedy the approach can be utilised.

Those offences which were considered as appropriate to use the Community Remedy document can be shown in the table below:

Types of Offences



Conclusion

The new legislation requires the victim to be at the centre of decision making when using Community Remedy and that it should be considered when dealing with low level offences. Officers should ensure that in partnership with their victim the most appropriate reparation is assigned to the offender and in line with current guidelines on the use of out of court disposals.

Community Remedy will be continuously reviewed to ensure that those remedies that are being offered are consistent with the views of the victim and the wider communities of Nottinghamshire e.g. where an offender has victimised a number of people, community remedy may not be appropriate.

Ensuring the victim is part of the decision making process will increase their confidence and further enhance the victim satisfaction and resolution.

APPENDIX C

COMMUNITY TRIGGER APPEAL PROCESS

Should the ASB victim(s) be not content with the outcome of a case review, a community trigger **may only** be escalated to the Commissioner's office where one of the following measures is satisfied:

Measures:

1. The community trigger review has failed to consider a relevant process, policy or protocol;
2. The community trigger review has failed to consider relevant factual information.

The role of the Office of the Police and Crime Commissioner will be to consider due process and ensure that the Community Safety Partnership has properly and effectively undertaken a review. In considering a community trigger escalation the Office of the Police and Crime Commissioner can either:

Outcome:

1. Uphold the appeal and refer the case back to the Community Safety Partnership asking them to consider a particular process, policy or protocol not previously considered;
2. Determine that the Community Safety Partnership has reviewed the case, considering all relevant policies, process and protocols satisfactory in line with its Community Trigger Procedure.

A community trigger review cannot be escalated where a complainant is dissatisfied that a particular agency has not utilised a particular enforcement tool and where it has been established through the review that appropriate consideration has been given to the use of that tool but, having consideration of the facts and relevant protocols, that agency has determined that it would not be appropriate to utilise the enforcement tool.

The appeal process will essentially be a desk top review and will not involve hearings or meetings with victims although the Commissioner may consider meeting with victims in exceptional circumstances. The Commissioner's appeal process will be subject to periodic review to ensure that victims interests are adequately considered.

Should the victim wish to invoke the Appeal procedure this should be done through the relevant local Community Safety Partnership (CSP) who will make the referral to the Commissioner's Office submitting all relevant paperwork together with the grounds for the appeal (i.e. why measures 1 or 2 or both have not been met). The Commissioner's office will undertake the appeal and let the victim(s) know the outcome (either 1 or 2 above) as soon as possible.

For Information	
Public	
Report to:	Police & Crime Panel
Date of Meeting:	10th November 2014
Report of:	Nottinghamshire Police & Crime Commissioner
Report Author:	Laura Spinks
E-mail:	Laura.spinks@nottinghamshire.pnn.police.uk
Other Contacts:	
Agenda Item:	6

*If Non Public, please state under which category number from the guidance in the space provided.

Priority Theme 7: Spending Your Money Wisely

1. Purpose of the Report

- 1.1 The purpose of this report is to update the Nottinghamshire Police and Crime Panel on the latest position with regards to the Police and Crime Plan Priority Theme 7: Spending Your Money Wisely.

2. Recommendations

- 2.1 It is recommended that Panel members note the content of the report.

3. Reasons for Recommendations

- 3.1 The reason for the above recommendation is to ensure that members of the Police and Crime Panel are up-to-date with progress being made in relation to the Police and Crime Plan Priority Theme 7.

4. Summary of Key Points

- 4.1 The Nottinghamshire Police and Crime Plan 2013 – 2018 identifies 7 priority themes supported by a range of activities. Priority Theme 7 is 'spending your money wisely', which aligns to the Force's Policing Plan priority 2, 'to spend your money wisely'.
- 4.2 The Nottinghamshire Police and Crime Commissioner continues to review progress against the Force budget at a monthly review meeting with the Deputy Chief Constable and Head of Business and Finance as well as at the Strategic Resources and Performance Board.

Budget

- 4.3 At the meeting in October the Commissioner was updated that expenditure for the year-to-date (to September 2014) was £0.249m better than forecast (£100.995 million against a forecast of £101.243 million) and that this was largely due to a half year review of accruals and a number of one-offs. These have been partly offset by an increase in medical retirements as a result of the latest information and legal accrual for potential costs relating to employment tribunal and other on-going cases.

- 4.4 If the year-to-date position is adjusted the underlying the performance to date is c£0.120m worse than forecast. With the efficiencies being mainly weighted towards the second half of the year, cost control remains the focus to achieve the year end forecast.
- 4.5 Police officer pay for the year-to-date was £51.396m, which was £0.257m better than forecast. This was largely due to officer leavers at 67, which was 10 higher than forecasted, and savings on National Insurance. Overtime was £2.089m, which was £0.297m worse than forecast in part due to mutual aid operations and support provided to the Fire Service during industrial action, which has been offset in income and also the half year review of the accruals.
- 4.6 Police staff pay was £25.777m for the year-to-date, which was £0.146m worse than forecast. This is largely due to the efficiency challenge, partly offset by the capitalisation of agency costs relating to the Multi-Force Shared Service Centre (MFSS).
- 4.7 Delivering the Future (DtF) is the Force's programme to transform the Force with the aim of being the best performing force in England and Wales by doing things differently and building a sustainable policing model for the communities in Nottinghamshire, whilst addressing the financial challenges.
- 4.8 The efficiencies achieved for year-to-date is £3.449 million against a target of £3.381 million (£0.068 million favourable). Savings are being delivered via a number of projects across Corporate Services, Specialist Services and Local Policing.

Estates

- 4.9 As part of the productivity programme, rationalisation of Force estates is being planned with partners to contribute to the delivery of the efficiency savings by reducing the number of buildings, running, and maintenance costs. The aim is to provide a fit for purpose, flexible and sustainable estate, which retains a policing presence in communities by maximising co-location with partners..
- 4.10 A summary of the current estates position is attached to this report at appendix A. The guiding principle for the estates rationalisation programme is to ensure that neighbourhood policing team and response bases are in strategic locations covering the whole county. As the estate is reducing in size, the quality of the remaining estate is being improved through capital investment as well as planned and reactive maintenance. There is a year-on-year reduction in revenue costs relating to the estate in order to ensure that maximum funds can be released to support frontline policing.
- 4.11 Where the Force has identified 'excess' estate the opportunity to rationalise it has been taken through the acquisition of a smaller, lower cost or more suitable building or by moving frontline staff to an alternative base. In the later case, this would often be supported by the acquisition of a community police station, which can be used by the Neighbourhood Policing Team during their shift to avoid abstraction from their neighbourhood. These premises also include IT and welfare facilities and are usually within shared premises.

- 4.12 The Force has also been heavily involved in work within the East Midlands region to design further effective and efficient services that are not constrained by geographical or Force boundaries and therefore provide a more flexible approach to policing.
- 4.13 The East Midlands Criminal Justice Service (EMCJS) continues to move forward with four main areas; the Senior Management Team and Business Support, Prosecutions, Witness Care and Custody. EMCJS is working with partners at a regional level to deliver action plans around Transforming Summary Justice (to increase the number of cases dealt with at first hearing by improving the quality of files, separating anticipated guilty and not guilty cases, and improving case management by CPS, Police and Courts ahead of first hearings). Work is also on going with the Niche implementation team to prepare for the delivery of the integrated IT platform, which should release further potential for the alignment of working practices and delivery of savings at a regional level.

Collaboration

- 4.14 There is also a vision to develop an integrated East Midlands Operational Support Service (EMOpSS). This programme of work includes the following business areas; armed policing, strategic roads policing, specialist services, and command and control. The regional Operational Support Department (OSD) senior management team is in place and the final business case was discussed at the beginning of November. Benefits will include cost savings, consistency of approach in leadership, strategy, people, partnerships, resources, and processes together with increased operational resilience.
- 4.15 Chief Constable Chris Eyre is leading on the Police Business Services work, a two force project between Nottinghamshire and Northamptonshire Police. The aim is to transform the infrastructure to produce a single flexible service base.
- 4.16 The MFSS programme seeks to move elements of the Force's transactional services to a shared services model via collaboration between Cheshire and Northamptonshire police and now includes Nottinghamshire Police, supported by Capgemini. There will be a greater use of self-service and enabling technology to allow greater integration and collaboration with partners. The programme has mobilised with joint governance arrangements established between all forces. A number of significant milestones have been achieved, including the agreement of the functional requirements of a DMS solution and key functional specifications for the development of the core Oracle ERP solution. An implementation plan has been agreed and is on target to 'go live' on the 1st April 2015.
- 4.17 The East Midlands Collaboration Team has re-structured to reflect the new governance structure (please see Appendix B) with a Business Support Portfolio lead having taken up post, a performance analyst, and two researcher/clerical assistants.

- 4.18 Value for money is also evident in other areas of successful collaboration such as East Midlands Special Operations Unit (EMSOU) – Forensics, the East Midlands Strategic Commercial Unit (EMSCU), and the East Midlands Collaborative Human Resources (EMCHRS) Learning and Development Unit. Collaboration in these areas ensure a consistency of service, flexibility and a more efficient and effective service to the communities in Nottinghamshire.
- 4.19 All existing Collaborative units are subject to efficiency savings through a Board chaired by the Nottinghamshire Police and Crime Commissioner on behalf of all regional Forces.

5. Financial Implications and Budget Provision

- 5.1 The financial implications of the work on-going are outlined within section 4 above.

6. Human Resources Implications

- 6.1 There are no human resource implications arising from this report – all projects being undertaken have taken full consideration of HR issues.

7. Equality Implications

- 7.1 The Nottinghamshire Police and Crime Commissioner is committed to promoting equality to ensure that the organisation is representative of the communities in the City of Nottingham and in Nottinghamshire.

8. Risk Management

- 8.1 The key risks associated with budget delivery are monitored via the Force's risk management process, overseen by the Assistant Chief Constable Resources and reported to the Nottinghamshire Police and Crime Commissioner at the Audit and Scrutiny Panel.

9. Policy Implications and links to the Police and Crime Plan Priorities

- 9.1 The updates in this report relate to Priority Theme 7: Spending Your Money Wisely.

10. Changes in Legislation or other Legal Considerations

- 10.1 There are no changes in legislation or other legal considerations applicable to this report.

11. Details of outcome of consultation

- 11.1 The Nottinghamshire Office of the Police and Crime Commissioner has consulted with the Force in the preparation of this update report.

12. Appendices

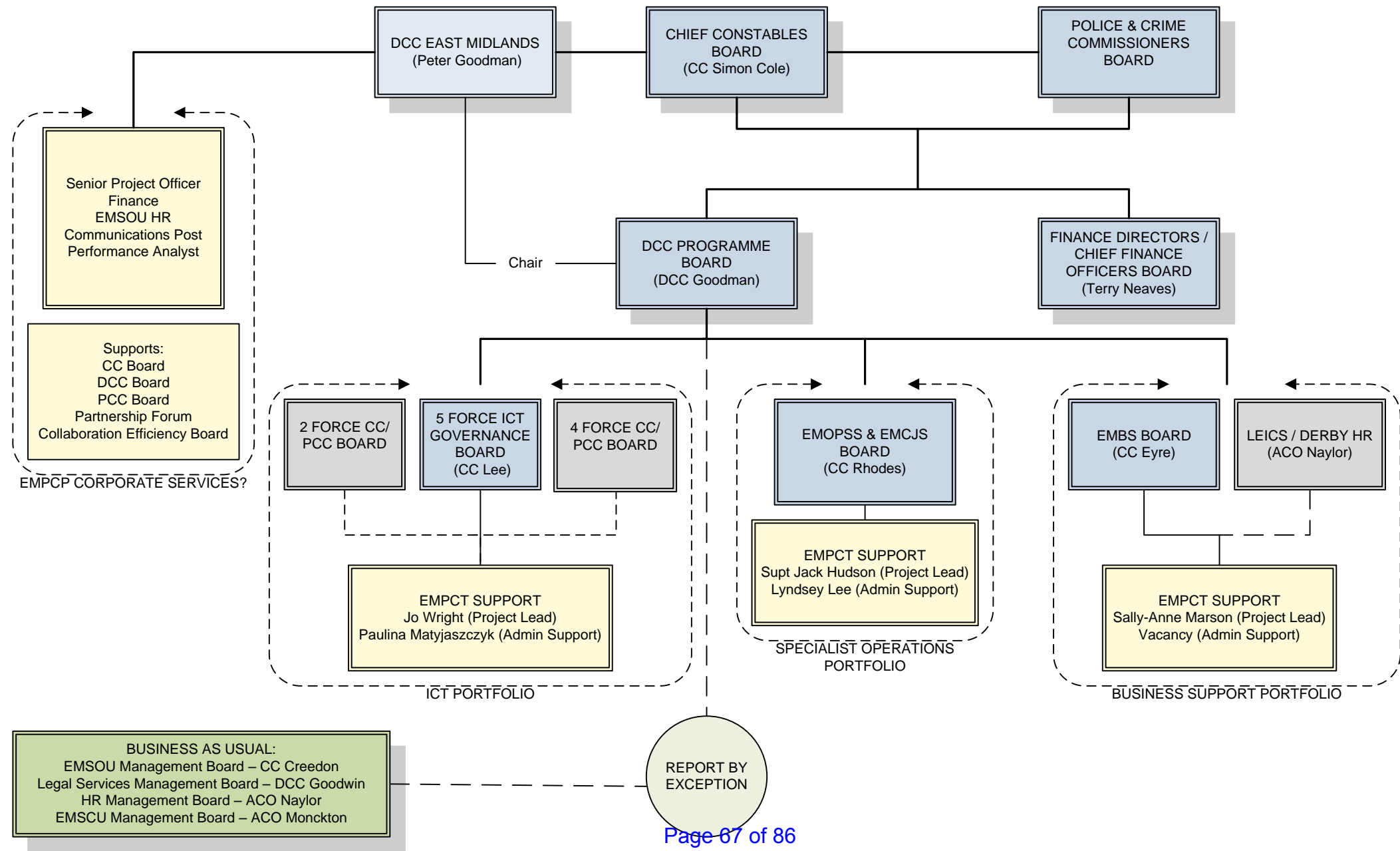
- 12.1 Appendix A – Summary of the current estates position.

12.2 Appendix B – East Midlands Police Collaboration Programme structure.

13. Background Papers (relevant for Police and Crime Panel Only)

13.1 Nottinghamshire Police and Crime Plan 2013 -2018.

East Midlands Police Collaboration Programme – Appendix B



Station	Summary of current position
Central	Terms agreed with Nottingham City Council for the sale of Central and ongoing discussions for replacement accomodation in the City at Byron House.
Retford	Terms agreed with Bassetlaw DC for a shared service at 17b The Square. Anticipated start date April, 2015, following the completion of legal formalities and building alteration works.
Harworth	Alterations to new premises - Harworth & Bircotes Town Council building, now complete and will be moving in shortly.
Arnold	Planned move into Sir John Robinson House (former Home Brewery) building. Series of meetings taking place with Notts County Council and Gedling Borough Council to design the shared service proposals, agree terms and necessary building alteration works.
Carlton	Ongoing discussions with EMAS, Gedling Borough Council and other partners about a neighbourhood base in the area.
Meadows	Sale of Meadows Police Station has been discussed and agreed in principle with Nottingham City Council. The proposed arrangement involves Nottingham City Council providing space at the Meadow's Childrens Centre to accommodate the Neighbourhood Policing Team, to enable the existing Police Station to be sold.
Sneinton	Sale of Sneinton Police Station has been discussed and agreed in principle with Nottingham City Council. It is proposed that the ground floor will be converted for library use. As part of this arrangement, the police will be permitted to remain in the space on the first floor.
Mansfield Woodhouse	Proposed lease of 2 The Market Place fell through. Current proposal is to lease surplus parts of the existing Police Station to the Mansfield Woodhouse Youth Project and for the Police to remain within a reduced area within the building.
Beeston	Sale of Beeston Police Station has been completed. Shared service with Broxtowe BC working well.
Trowell	Now sharing Police premises at Trowell Service Station on M1 with VOSA.
Eastwood	Seeking to progress proposal to build joint development with NHS on the Hill Top House site. Fire Service have also expressed interest. Proposal currently delayed due to NHS funding issues. Decision regarding NHS involvement expected by Christmas.
Arrow Centre	Building works commenced to convert the building into a Regional Forensics Centre. Running costs to be shared by Regional Forces.
Worksop	Proposal to move to a shared service with Bassetlaw DC in Queens Buildings is not currently supported. Search for alternative premises ongoing in Worksop.

RESPONSE TO THE COMMITTEE ON STANDARDS IN PUBLIC LIFE'S 'LOCAL POLICING – ACCOUNTABILITY, LEADERSHIP AND ETHICS' – ISSUES AND QUESTIONS PAPER

Purpose of the Report

1. To seek Members' views on the Committee on Standards in Public Life's 'Local Policing – Accountability, Leadership and Ethics' – Issues and Questions Paper.

Information and Advice

2. The Committee on Standards in Public Life has recently published an Issues and Questions Paper (**see appendix**) in order to review how ethical standards are being addressed in the police accountability landscape.
3. Members' views are sought on the questions listed at paragraph 25 and 32 of the report. Members' views are particularly sought on questions vi. a-e on page 11 of the appendix which relate directly to the role and powers of Police and Crime Panels.
4. The Commissioner's Office will be responding independently to the Committee on Standards in Public Life.
5. The deadline for all responses is 30 November 2014.

Other Options Considered

6. None - although there is no requirement to respond to the Issues and Questions paper, Members' views are sought based on their direct involvement with the Police and Crime Panel.

Reasons for Recommendation/s

7. Following discussions at this meeting, a Panel response will be drafted and shared for comments ahead of submission.

RECOMMENDATION/S

- 1) That Members discuss and respond to the questions included within the Issues and Questions paper, particularly questions vi. a-e about the role and powers of Police and Crime Panels.

Background Papers and Published Documents

None

For any enquiries about this report please contact:-

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Local Policing – accountability, leadership and ethics

Issues and Questions paper

The Police Reform and Social Responsibility Act 2011 enabled the election of the first Police and Crime Commissioners (PCCs) in November 2012. Elected PCCs would, in the words of the then Police Minister Nick Herbert, ‘swap the bureaucratic control of the police for democratic accountability’ which would ‘benefit police and public alike.’ Section 14 of the Policing Protocol 2011 makes clear:

The public accountability for the delivery and performance of the police service is placed into the hands of the PCC on behalf of their electorate. The PCC draws on their mandate to set and shape the strategic objectives of their force area in consultation with the Chief Constable. They are accountable to the electorate; the Chief Constable is accountable to their PCC. The [Police and Crime] Panel within each force area is empowered to maintain a regular check and balance on the performance of the PCC in that context.

The Policing Protocol also makes clear at section 10 that ‘All parties will abide by the seven principles set out in Standards in Public Life: First Report of the Committee on Standards in Public Life (a) (known as the “Nolan Principles”).’ The Seven Principles of Public Life are Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

In January 2014 the National Audit Office published a review of the police accountability landscape, examining ‘whether the Department’s chosen framework is sufficient for providing assurance for value for money in the police service and operating as intended.’ Naturally, given the remit of the NAO, the focus of their report was on assurance for value for money. It was not within their scope to consider the extent to which the accountability framework for policing was sufficient for providing assurance that the Seven Principles of Public Life were being observed.

The Committee on Standards in Public Life, which advises the Prime Minister on ethical standards across public life in the UK, is responsible for monitoring and reporting on issues relating to the standards of conduct of all public office holders. The category of public office holder includes members of the police service, Police and Crime Commissioners and members of

Police and Crime Panels. It is clearly within our remit to consider the accountability framework for policing in the context of ethical standards.

In our report *Standards Matters*, published in January 2013, just months after the first PCC elections, we noted the risks arising from new ways of delivering public services, including policing. We stated then that 'It is essential to take care in all these cases [where new models are introduced] to design governance structures which actively promote the right ethical behaviour' and that 'We intend to monitor the extent to which PCCs are genuinely open and accountable and how successfully any ethical risks (such as conflicts of interest) arising from their role are addressed.'

We have decided that the time is right to undertake a review of how ethical standards are being addressed in the police accountability landscape. There are three reasons for doing this now. Firstly, as with any new system, it is sensible to review its operation to test how well it is living up to its original rationale and at this point we have the benefit of nearly two years of evidence on which to base any judgements. Secondly, the new system as a whole, and individual elements of it, have been the subject of criticism, much of it arising from standards issues, yet the relationship between standards and governance structures has been relatively underexplored; more needs to be done to consider how governance structures can promote ethical behaviour and limit ethical risks. And finally, in the light of recent scandals and criticisms, all political parties have indicated that they are likely to make further changes to the police accountability framework. We believe any changes should be informed by the widest possible range of evidence – evidence on efficiency, on effectiveness, on value for money, on democratic accountability and on public confidence in standards in public life.

This inquiry by the Committee on Standards in Public Life sits alongside the work already done by the National Audit Office, and is being conducted alongside a review of police leadership by the College of Policing, a review of the police disciplinary system by Major General Clive Chapman, a review of police complaints, a consultation on whistleblowing, and a review of the anti-corruption capability in all police forces by Her Majesty's Inspectorate of Constabulary. A substantial evidence base on accountability in policing is being constructed.

Our contribution, in this inquiry, will be to focus on the public accountability structures of the police. The reviews announced by the Home Secretary in July 2014 focus on the systems that hold police officers to account; we will complement her work by looking at accountability in police governance from a standards point of view. In particular, we will look at what structures are in place for ensuring ethical standards in the conduct and operation of Police and Crime Panels, Police and Crime Commissioners, and Chief Constables. We will then go on to consider how effective those structures are, identify what works well and, where there are shortcomings, what we would expect to see – in any model for police accountability. We will be seeking the necessary assurance that ethical standards in public life are, and are capable of being, upheld.

Whether a new model of policing accountability and governance is introduced, or whether the existing model is modified or stays the same, it is essential that the model is capable of promoting

ethical behaviour, reducing ethical risks and providing effective accountability in order to command public confidence.

The Committee would like to receive your answers to some or all of the questions set out in this paper.

Please send in your response by no later than **noon on 30 November 2014**. Details on how to submit your response can be found at the bottom of the call for evidence.

Background

1. Our policing system relies on policing by consent in ways that meet the differing needs and priorities of communities. Operational decisions are taken by Chief Constables, who are held to account through democratic scrutiny, which over time has taken various forms – watch committees, police committees, two forms of police authorities and now Police and Crime Commissioners. The changing forms of oversight are evidence of the difficult and continuing tensions in achieving democratic scrutiny that commands public trust and confidence in operational policing.
2. Police and Crime Commissioners (PCCs) replaced Police Authorities in 2012 as ‘the voice of the public’ and as a means of improving the accountability and transparency of the police to their local communities. As the Home Secretary recently said “the purpose of directly-elected police and crime commissioners was clear. They’d be elected, visible, well-known in their communities and accountable to the electorate.”¹ When PCCs were elected across England and Wales on 15 November 2012 the average voter turnout was low at 15.1 % and this has raised questions about the validity of the role and the extent of their electoral mandate. This debate has continued following the recent election of the PCC in the West Midlands where the voter turnout was 10.4%. Police and Crime Panels were also established as a means of ensuring that PCCs would be subject to “effective scrutiny and appropriate checks and balances” by local representatives on behalf of the public.²
3. The Government has pursued other significant reforms of policing including establishing the College of Policing in 2012 to set standards of professional practice, promote ethics, values and standards of integrity and provide training and identify and promote best practice. More recently the Home Secretary has announced reviews of the Police Disciplinary System and Police Complaints System and a consultation on whistleblowing.³ This has been in the face of public concern in recent years over police standards including “Hillsborough, Orgreave Colliery, the investigation of the murder of Stephen Lawrence and how police conducted themselves afterwards, the resignation of a Cabinet Minister as a result of the actions of at least one

¹ Speech by Home Secretary Theresa May to Policy Exchange about Police and Crime Commissioners. Delivered on 7 November 2013. Available at: <https://www.gov.uk/government/speeches/police-and-crime-commissioners-one-year-on-warts-and-all>

² Policing in the 21st Century: Reconnecting police and the people Cm 7925 July 2010

³ July 2014 Oral statement to Parliament. Available at: <https://www.gov.uk/government/speeches/home-secretary-on-police-reform>

dishonest police officer, the sexual deception of citizens who trusted undercover police officers, and others”.⁴ Most recently concerns have been raised about the safeguarding of children in Rotherham and the accountability of the South Yorkshire PCC.

4. Questions have been asked about the ‘gaming’ of police recorded crime statistics.⁵ The Police Federation has been scrutinised, with the Independent Review of the Police Federation of England and Wales concluding that fundamental reform of the Federation’s culture, behaviours, structures and organisation was required to rebuild the trust of its members and the public.⁶ The conduct of individual PCCs has also been the subject of criticism.⁷
5. Earlier this year the Public Administration Select Committee (“PASC”) were inquiring into police recorded crime statistics and argued that there was “lax police compliance with the agreed national standard of victim-focussed crime recording”. PASC concluded that “The quality of leadership within the police, and its compliance with the core values of policing, including accountability, honesty and integrity, will determine whether the proper quality of police recorded crime (PRC) data can be restored”. PASC recommended that:

“...the Committee on Standards in Public Life conducts a wide-ranging inquiry into the police’s compliance with the new Code of Ethics; in particular the role of leadership in promoting and sustaining these values in the face of all the other pressures on the force.”⁸

6. The Committee have considered seriously this recommendation in framing the scope of this inquiry and the Committee will consider specifically the extent to which PCCs are providing ethical leadership in embedding the Policing Code of Ethics, and are themselves acting within that framework as elected officials.
7. The Home Secretary has said PCCs “would bring – probably for the first time ever – real local scrutiny of how Chief Constables and their forces perform.” With regards to the extent they have achieved this; the Home Secretary has acknowledged the picture was “a little mixed⁹”.

⁴HMIC 2014 State of Policing: The Annual Assessment of Policing in England and Wales 2012/13 <http://www.hmic.gov.uk/wp-content/uploads/2014/03/state-of-policing-12-13.pdf>

⁵ Questions were raised about the integrity of police recorded crime statistics in 2012 and it was acknowledged by the Office for National Statistics (ONS) that the recorded crime figures in their National Crime Survey reported in January 2013 might be defective since the ONS relied on figures reported to them by police forces. HMIC’s latest report into crime statistics published in May 2014 ‘Crime recording: A matter of fact. An interim report of the inspection of crime data integrity in police forces in England and Wales’ said that there was a problem in some forces of weak or absent management and supervision of crime-recording, significant under-recording of crime, and serious sexual offences not being recorded. Problems continue to emerge in some forces, for example, after an HMIC inspection, concerns were raised that there are rapes misreported as ‘no crime’ in Northumbria. The Chief Constable and Police and Crime Commissioner are investigating. See link for more details: <http://www.northumbria.police.uk/releasedetails.asp?id=97908>

⁶ 2014 Police Federation Independent Review. Available at: http://www.thersa.org/_data/assets/pdf_file/0004/1538230/RSA_Police_Federation_Report_WEB.pdf

⁷ For example, the PCC in Newport was accused of bullying a Chief Constable into retiring. The case has raised concerns about the process and power of PCCs being able to fire Chief Constables. Ann Barnes, Police and Crime Commissioner in Kent, was criticised for being ineffective and inadequately describing her role on ‘Meet the Police and Crime Commissioner’ on Channel 4. The Police and Crime Panel decided that letters received afterwards from the public received airing concerns were to be treated as routine correspondence and not official complaints.

⁸ Public Administration Select Committee 2014 Caught red-handed: Why we can’t count on Police Recorded Crime statistics’. Available at: <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmpubadm/760/760.pdf>

⁹ Speech by Home Secretary Theresa May to Policy Exchange about Police and Crime Commissioners 2013. Available at: <https://www.gov.uk/government/speeches/police-and-crime-commissioners-one-year-on-warts-and-all>

The current accountability structures

The role of Police and Crime Commissioners

8. The role of Police and Crime Commissioner is a central component of new police governance arrangements provided for in the Police Reform and Social Responsibility Act 2011 (“PRSRA”). PCCs are intended to improve local accountability and increase local autonomy in policing. They replaced police authorities and are elected rather than appointed and are therefore directly accountable to the voters in their locality.¹⁰ They are elected for a set four year term of office with a limit of two terms. PCCs can be disqualified from holding office on certain grounds, such as being the subject of debt or bankruptcy conditions or on conviction of a criminal offence. They can resign their post. They can only be suspended by their Police and Crime Panel in circumstances where the PCC has been charged with a criminal offence which carries a maximum term of imprisonment exceeding two years.¹¹
9. The Home Office states that the role of a PCC is to ensure the policing needs of their communities are met as effectively as possible, bringing communities close to the police, building confidence in the system and restoring trust.¹² Their objective is to cut crime and deliver an effective and efficient police service in their police force locality by:
 - Holding the Chief Constable to account for the delivery of the force
 - Setting and updating a police and crime plan
 - Setting the force budget and precept¹³
 - Regularly engaging with the public and communities
 - Appointing, and where necessary dismissing, the Chief Constable.
10. Each PCC is designated a “corporation sole” under the PRSRA (as are Chief Constables). This means that they have a separate legal personality from the person holding the role and they are able to employ staff, own property, hold funds and enter into contracts. The PRSRA provides that PCCs may appoint a deputy PCC to exercise any of their functions.¹⁴ There are some restrictions on who can be appointed as a deputy but significantly the Act states that Schedule 7 of the Local Government and Housing Act 1989 (appointment of staff on merit) does not apply to the appointment of a deputy PCC.¹⁵ This means that the recruitment of deputy PCCs differs from the majority of public officials who are either elected or appointed as non-political officials following the Commissioner for Public Appointments’ Code of Practice, both mechanisms providing a means of assurance to the public through an appointment process which is open and transparent. The check on this power of appointment is that the PCC is required to notify the

¹⁰ PCCs were introduced in 41 of 43 police forces in England and Wales, separate arrangements exist in the Metropolitan Police Service and the City of London Police.

¹¹ Police Reform and Social Responsibility Act 2011 sections 30, 61 and 67.

¹² Home Office Have you got what it takes? Your role as a Police and Crime Commissioner Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/117463/role-as-pcc.pdf

¹³ Precept is the amount of the Council Tax budget that goes to the local police force.

¹⁴ There are some excepted functions listed in section 18(3)(b). Available at <http://www.legislation.gov.uk/ukpga/2011/13/section/18/enacted>

¹⁵ Police Reform and Social Responsibility Act 2011. Available at: <http://www.legislation.gov.uk/ukpga/2011/13/section/18/enacted>

Police and Crime Panel of the proposed appointment, the criteria used to assess their suitability and how the criteria were satisfied. The Police and Crime Panel is required to review the proposed appointment and make a recommendation to the PCC as to whether or not the candidate should be appointed which the PCC may choose to accept or reject. The framework for appointing deputies raises the question of whether the process presents an ethical risk.¹⁶

11. One of the key aspects of the role of the PCC is to open their force to greater transparency. The PRSRA provides that the PCC, as an “elected local policing body” must issue a police and crime plan within the financial year an election is held. This plan includes:

- a. their police and crime objectives
- b. financial and other resources provided
- c. the means by which the Chief Constable will report to the PCC and
- d. how the Chief Constable’s performance will be measured.

The PCC must also produce an annual report and publish information considered necessary to enable people living in the local area to assess the performance of the Chief Constable in exercising their functions. Just as important is for PCCs to be (and seen to be) transparent and open about their performance and they have a duty under section 11(1) PRSRA to publish specified information relating to the exercise of their functions and be transparent in their decision making.¹⁷ PCCs have a duty to engage with the public and local communities, put out good information and create a genuine dialogue.

12. A Home Affairs Committee (“HAC”) report published in May 2014 ‘*Police and Crime Commissioners: progress to date*’ noted a concern that the Home Office and the Association of Police and Crime Commissioners provide relatively little comparative analysis that might help the general public to assess the actions and decisions of their commissioners against each other.¹⁸ For instance, recently PCCs have been negotiating the transfer of police staff, assets and liabilities that were formerly employed or held by police authorities and have adopted a range of approaches to the process, but it is difficult to compare these approaches. The report concluded that it was too early to determine whether the introduction of PCCs has been a success and made several recommendations centred on strengthening Police and Crime Panels, training for PCCs and discouraging use of targets. It was noted that many PCCs (18 out of 41) were holding Chief Constables to account using targets. There is a more general concern that targets can introduce perverse incentives and a performance culture to meet targets.¹⁹

13. Her Majesty’s Inspectorate of Constabulary (HMIC) which continues to be responsible for inspecting the efficiency and effectiveness of police forces and previously had responsibility for inspecting police authorities, has no such jurisdiction in relation to PCCs. However PCCs can commission HMIC to investigate an issue. HMIC does provide PCCs and the public with

¹⁶ The Commissioner for Public Appointments 2012. The Code of Practice. Available at: <http://publicappointmentscommissioner.independent.gov.uk/wp-content/uploads/2012/02/Code-of-Practice-20121.pdf>

¹⁷ See The Elected Local Policing Bodies(Specified Information) Order 2011 S.I. No. 2011/3050

¹⁸ Home Affairs Committee 2014 Police and Crime Commissioners: progress to date. Available at: <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/757/757.pdf>

¹⁹ Loveday, B 2008 ‘Performance Management and the Decline of Leadership within Public Services in the United Kingdom’. *Policing* 2 (1) pp 120-130.

“information, analysis, judgements and recommendations which can be used to understand police performance and so establish how well forces are doing with taxpayers’ money”.²⁰

14. The PRSRA, the Financial Management Code of Practice issued under section 17 PRSRA and the Policing Protocol 2011 form part of comprehensive framework for governance in every area.²¹

These are:

- the relationship between the PCC and the Chief Constable and how their functions will be exercised in relation to each other
- an independent audit committee
- Police and Crime Panels.

The relationship between the PCC and the Chief Constable

15. The Government intends PCCs to be responsible for the “totality of policing within their force area” they set the strategic direction and objectives of the police force whilst operational delivery, including the direction and control of police officers and staff, is designated solely to the Chief Constable.²² The Policing Protocol 2011 sets out some examples of what is meant by operational matters including the appointment or dismissal of officers or the investigation of crime and “decisions taken with the purpose of balancing competing operational needs within the framework of priorities and objectives set by the PCC.”²³ The list is not exhaustive and it is therefore for PCCs and Chief Constables to use their working relationship to safeguard operational independence and agree where the boundaries lie between their respective roles.²⁴ ²⁵ The Chief Constable is responsible for remaining politically independent of their PCC and the PCC must not fetter the operational independence of the police force and Chief Constable. As the Protocol acknowledges: “an effective, constructive working relationship is more likely to be achieved where communication and clarity of understanding are at their highest” but this ambiguity in the respective roles presents a risk of potential disagreement or conflict.

16. According to the Home Office, “the relationship between the PCC and Chief Constable is defined by the PCC’s democratic mandate to hold the Chief Constable to account, and by the law itself”.²⁶ The PRSRA provides that PCCs must hold Chief Constables to account for, amongst other things, the overall performance of the force including against the priorities set out in the police and crime plan, the performance of officers and staff and the exercise by the Chief Constable of his functions. The Chief Constable is accountable to the law for the exercise of police powers and to the PCC for the delivery of efficient and effective policing, management of

²⁰ HMIC 2014 State of Policing: The Annual Assessment of Policing in England and Wales 2012/13 <http://www.hmic.gov.uk/wp-content/uploads/2014/03/state-of-policing-12-13.pdf>

²¹ As part of the Home Office accounting officers assurance framework for obtain the necessary assurances for Parliament where the department funds other bodies on a decentralised basis. Home Office 2013 Financial Management Code Of Practice for The Police Service of England And Wales https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228960/9780108511332.pdf

²² The Policing Protocol Order 2011 S.I. 2011 No. 2744 Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/117474/policing-protocol-order.pdf

²³ *ibid*

²⁴ *ibid*

²⁵ Home Office Have you got what it takes? Working with and holding your chief constable to account

²⁶ Home Office 2013 Financial Management Code of Practice for the Police Forces of England and Wales

resources and expenditure by the police force.²⁷ However, it is up to each PCC to decide how practically they will hold the police to account on behalf of the public. In order to do so effectively, PCCs must also be in receipt of high quality information, although the legislation does not specify where they must obtain this from.

17. The PCC is responsible for monitoring all complaints made against officers and staff and dealing with complaints against the Chief Constable. Section 38 of the PRSRA outlines the rights of the PCC to dismiss a Chief Constable, whilst Schedule 8 sets out the procedure for doing so, including requiring PCCs to give a description of their reasons for dismissing a Chief Constable both to the Chief Constable and the Police and Crime Panel.²⁸ This duty has been subject to some criticism.²⁹

Audit committees

18. Whilst the PCC is accountable to the public for the allocation of the police funding, both the PCC and Chief Constable are responsible for ensuring the effective management of the policing budget and securing value for money. The PRSRA requires every PCC outside London to appoint a person to be responsible for the proper administration of the commissioner's financial affairs, referred to as the Chief Finance Officer.³⁰
19. The Chief Constable has day to day responsibility for managing their allocated budgets and must also have adequate financial governance in place. It is encouraged that, where possible, forces and the Office of Police and Crime Commissioner should have joint Audit Committees with between three and five members who are independent of police.³¹ There have been some cases of forces and Offices of PCCs employing a joint Chief Financial Officer. The Chartered Institute of Public Finance and Accountancy (CIPFA) has stated that these offices will have to satisfy themselves that any conflict of interest can be effectively managed.³² The National Audit Office also raised this as a potential conflict of interest in its report published in January *Police accountability: Landscape review*.³³
20. Audit Committees provide an independent scrutiny function. It is for the Audit Committee to establish their own terms of reference but best practice from CIPFA would suggest its core functions would include risk management, governance, internal control, consideration of internal and external audit reports, annual accounts and financial statements. The Association of Police and Crime Commissioners (APCC) indicates that a large proportion of the terms of

²⁷ Home Office 2011 The Policing Protocol Order 2011. Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/117474/policing-protocol-order.pdf

²⁸ Police Reform and Social Responsibility Act 2011. Available at: <http://www.legislation.gov.uk/ukpga/2011/13/section/38/enacted>

²⁹ Home Affairs Committee *Police and Crime Commissioners: progress to date paras 68-78*

³⁰ Police Reform and Social Responsibility Act 2011 Schedule 1 Section 1. Available at:

<http://www.legislation.gov.uk/ukpga/2011/13/schedule/1/enacted#schedule-1-paragraph-6>

³¹ Home Office 2012 Financial Management Code Of Practice for The Police Service of England And Wales

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228960/9780108511332.pdf

³² Scott, A 2012 Accompanying letter to Statement on the role of the chief finance officer. Available at: <http://www.cipfa.org/-/media/files/publications/reports/120928%20as%20police%20cfo%20statement%20letter.pdf>

See also CIPFA Statement on the role of the chief finance officer 2012. Available at: <http://www.cipfa.org/-/media/files/publications/reports/role%20of%20cfo%20police.pdf>

³³ HC 963 Session 2013-14 22 January 2014

reference of PCC Audit Committees not only cover these traditional areas, they also extend to matters such as ensuring value for money is achieved, health and safety and more unusually professional standards and ethics.³⁴ There may be a question as to whether the audit committee is the most appropriate body for consideration of standards and ethical issues.

Police and Crime Panels

21. PCCs are scrutinised locally by Police and Crime Panels which regularly review or scrutinise the performance of the PCC and the exercise by the PCC of their functions. There is a statutory requirement for the panel to be balanced to represent all parts of and reflect the political make-up of the local area and have the skills, knowledge and experience necessary to discharge its functions effectively. Police and Crime Panels are made up of at least one elected representative from each local authority within the police force area and two independent co-optees, with a minimum of 10 representatives from the local authorities in the force area and a maximum total number of 20 panel members.³⁵ It has been suggested that the requirement, in particular, to have a politically “balanced” panel may have implications for the effective scrutiny of the PCC. The panel that shares the same political allegiance as the PCC may tend to “support” rather than “scrutinise” and the panel with a political difference to the PCC may be more adversarial.³⁶

22. As referred to above, Police and Crime Panels are charged with both challenging and supporting PCCs. Section 28(2) of the PRSRA states that the PCP’s various statutory functions “must be exercised with a view to supporting the effective exercise of the functions of the police and crime commissioner”.³⁷ The key functions of Police and Crime Panels are:

- Confirming or vetoing the PCC’s appointment of Chief Constable
- Confirming or vetoing the level of the council tax precept³⁸
- Reviewing the police and crime plan, annual report and both scrutinising and supporting the activities of the PCC in holding the Chief Constable to account³⁹
- Responsibility for complaints about a PCC
- Reviewing appointments of senior staff within the office of the PCC including the Deputy PCC.

In order to veto an appointment of the Chief Constable or the precept, at least two thirds of the panel will have to agree. Although the panel has responsibility for considering complaints against PCCs or their deputies, if a criminal offence is alleged the panel must refer the matter to the Independent Police Complaints Commission. Where complaints are non-criminal the panel will

³⁴ Association of Police and Crime Commissioners 2014. Report on Review of Terms of Reference - Independent Joint Audit Committee: Wiltshire Police and Crime Commissioner's Office. Available at: <http://www.wiltshire-pcc.gov.uk/Document-Library/Audit-Committee/Audit-Committee-260614/Agenda-Item-6---Terms-of-Reference-APCC.pdf>

³⁵ Strickland, S 2013 Police and Crime Commissioners. House of Commons Library. Available at: <http://www.parliament.uk/briefing-papers/SN06104.pdf>

³⁶ Lister, S 2014 Scrutinising the role of the Police and Crime Panel in the new era of police governance in England and Wales. *Safer Communities*. 13 no. 1, p28.

³⁷ Police Reform and Social Responsibility Act 2011. Available at: <http://www.legislation.gov.uk/ukpga/2011/13/enacted>

³⁸ A precept is the amount of Council Tax that is allocated to policing.

³⁹ Strickland, S 2013 Police and Crime Commissioners. House of Commons Library. Available at: <http://www.parliament.uk/briefing-papers/SN06104.pdf>

be responsible for handling and informally resolving these complaints, which can include delegating the initial handling to the PCC's monitoring officer. The Panel is ultimately responsible for the complaint resolution.

23. The panels have additional powers to help them carry out their functions and specific responsibilities relating to the Police and Crime Plan and annual report. These include:
- Making reports and recommendations on these two documents, which the PCC must take account of and respond to
 - Publishing all reports and recommendations that it makes
 - Holding public meetings to discuss the annual report and to question the PCC
 - Requiring the attendance of the PCC at a meeting to answer questions
 - Suspending the PCC if he or she has been charged with an offence punishable by at least two years in prison.
24. It has been argued that there is an inherent tension in Police and Crime Panels acting as both an accountability and support mechanism for PCCs. It is thought that this dual role may lead to conflict or blurring between the different aspect of the role and inconsistency amongst the panel members as to how they interpret their role.⁴⁰ Further, despite the Policing Protocol stating that the accountability of the Chief Constables remains firmly to the PCC and not the panel, the National Audit Office concluded that “panels were risking straying beyond their statutory remit by directly monitoring and evaluating the police force”.⁴¹ The Home Affairs Committee has said that Police and Crime Panels have struggled to understand their powers and define their role and recommended that Police and Crime Panels should fully exercise their powers of scrutiny especially in relation to proposed removals of Chief Constables.⁴²

Questions

25. The Committee is interested in your views on how effective the police accountability structures are, what works well, what can be improved and what can provide the public with the necessary assurance that ethical standards are being maintained. The Committee welcomes any general comments but in particular invites responses to the following questions:
- i. *Are there any gaps in the existing mechanisms for holding PCCs to account?*
 - ii. *What can PCCs do themselves to improve their accountability to the public in between elections? How well are these mechanisms working in practice?*
 - iii. *How are PCCs ensuring transparency in their decision making?*

⁴⁰ Lister, S 2014 Scrutinising the role of the Police and Crime Panel in the new era of police governance in England and Wales. *Safer Communities*. 13 no. 1, pp. 22-31.

⁴¹ NAO Police accountability: Landscape Review HC 963 Session 2013-14 22 January 2014 p.20

⁴² Home Affairs Committee 2014 Police and Crime Commissioners: progress to date. Available at: <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/757/757.pdf>

- iv. *What information is being made available to the public to enable them to scrutinise the performance of their local police force and hold PCCs to account? To what extent is it easily accessible, understandable and reliable?*
- v. *What has worked best for PCCs in engaging with the public and local communities?*
- vi. *How well are Police and Crime Panels able to hold a PCC to account between elections?*
 - a. *Does the role of the Police and Crime Panel need any further clarification?*
 - b. *How well are the current “balanced”⁴³ membership arrangements ensuring effective scrutiny and support of PCCs?*
 - c. *Are the current membership thresholds requiring a two thirds majority to veto a PCC’s level of precept and appointment of a Chief Constable proving practicable?*
 - d. *Should Police and Crime Panels have the power to veto PCC appointments of senior staff where they believe the criteria for suitability were inappropriate or not satisfied?*
 - e. *How should PCCs be held to account for their standards of personal conduct? What role should Police and Crime Panels have in this?*
- vii. *Are the boundaries between the local roles and responsibilities of the PCC and Chief Constable being adequately communicated and understood by local communities? Is there evidence that they require any further clarification or guidance?*
- viii. *According to the Financial Management Code, Audit Committees should ‘advise the PCC and the Chief Constable according to good governance principles and to adopt appropriate risk management arrangements.’ How well is this working in practice? Are there any examples of conflicts of interests arising from PCCs and Chief Constables having in some cases, a joint audit committee and/or a joint chief financial officer?*

⁴³ Schedule 6 paragraph 31 PRSRA sets out the duty to provide a balanced panel. The “balanced appointment objective” referred to in this paragraph is the objective that local authority members of a police and crime panel (when taken together)—

(a) represent all parts of the relevant police area;

(b) represent the political make-up of—

(i) the relevant local authority, or

(ii) the relevant local authorities (when taken together);

(c) have the skills, knowledge and experience necessary for the police and crime panel to discharge its functions effectively.

Ethical leadership to promote and sustain the values of the Policing Code of Ethics

26. The Policing Protocol requires that all parties to the protocol including PCCs, Chief Constables and Police and Crime Panels will abide by the Seven Principles of Public Life - Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. All of these individuals will have a responsibility to demonstrate leadership in upholding high ethical standards – by observing high standards themselves, by demonstrating high standards to others through their own behaviour and by challenging inadequate standards when they see them.
27. We highlighted the value of proactive governance and visible leadership in ensuring high ethical standards in organisations when we said, “Exemplifying high standards is particularly important for those in management positions. It is even more so for those at the very top, because it is they who set the tone for an organisation.”⁴⁴ This statement has been echoed by HMIC.⁴⁵
28. The College of Policing recently published a Code of Ethics that ‘defines the policing principles and expected standards of behaviour for everyone who works in policing’.⁴⁶ Chief Constables must have regard to the Code. The Committee has previously said that PCCs have a key role in reassuring the public by holding the Chief Constable to account for putting in place robust systems to monitor and evaluate implementation so that high standards are experienced as an integral part of everyday business.
29. This Committee has also said that PCCs should lead by example by having their own Code or adopting the Code of Ethics. The APCC has worked with PCCs to develop an ethical framework which is based on the Seven Principles, adheres to good practice and is locally adaptable.⁴⁷ The framework describes high level principles and PCCs are encouraged to set out how they will apply them in their role. Most codes of conduct include a requirement to identify and resolve any actual or potential conflicts of interest. Although codes of conduct are useful tools, the Committee has frequently observed that they are unlikely to be sufficient in themselves to maintain high standards. They need to be applied in tandem with independent scrutiny, guidance, training and the application of appropriate sanctions when those standards are breached. There have already been cases in which PCCs have been accused of failing to resolve conflicts of interest, for example, by continuing to remain as local councillors in the force area for which they are responsible.

⁴⁴ Committee on Standards in Public Life 2013 Standards Matter A review of best practice in promoting good behaviour in public life. Available at: http://www.public-standards.gov.uk/wp-content/uploads/2013/01/Standards_Matter.pdf

⁴⁵ In 2014 State of Policing: The Annual Assessment of Policing in England and Wales 2012/13, HMIC have said “*If leaders fail to uphold the high standards rightly expected of them – for example, in relation to financial impropriety or the improper acceptance of gifts and hospitality – that will adversely affect the behaviour of some others lower down the organisation, and damage the morale of the vast majority of honest, hardworking officers and staff.*” Available at: <http://www.hmic.gov.uk/wp-content/uploads/2014/03/state-of-policing-12-13.pdf>

⁴⁶ College of Policing 2014 Code of Ethics. Available at: <http://www.college.police.uk/en/20972.htm>

⁴⁷ Association of Police and Crime Commissioners 2014. Annual report summary 2013/14. Available at: <http://apccs.police.uk/wp-content/uploads/2013/08/APCC-Annual-Report-Summary-190814.pdf>

30. PCCs are required to publish lists of gifts and donations and registers of interest; however the Home Affairs Committee, at the time of its progress review, reported that not all Commissioners were meeting their transparency requirements. The Committee also recommended a national register of commissioners' disclosable interests.
31. As PCCs have responsibility for the budgets of their police forces, they look at how services are delivered, including where appropriate outsourcing. PCCs are therefore likely to be subject to lobbying from a range of individuals and organisations including those looking for opportunities to provide services to or on behalf of the police or on other policing matters more generally. In our report '*Strengthening Transparency Around Lobbying*' we recommended that public office holders should regularly publish records of all significant meetings and hospitality involving external attempts to influence a public policy decision. They should also decline offers of significant gifts and hospitality and publish records of registers of interest and gifts and hospitality accepted in an easily accessible format.⁴⁸ We note that the Home Affairs Committee, in its progress review, also recommended that commissioners should publish a register of meetings held with external stakeholders.

Questions

32. The Committee are concerned to understand generally the steps all parties to the Policing Protocol are taking to ensure they are abiding by the Seven Principles of Public Life. The Committee also wishes to consider specifically the extent to which PCCs are providing ethical leadership in embedding the Policing Code of Ethics, and are themselves acting within that framework as elected officials. The Committee invites views generally and on the following questions:
- ix. *What do you see are the key responsibilities of PCCs as ethical leaders? Can you provide examples of PCCs managing those responsibilities well, or, if not, suggest what can be improved?*
 - x. *What actions are PCCs taking to ensure that they and the police force they hold to account maintain the highest ethical standards and embed the Policing Code of Ethics? In particular how are PCCs and Chief Constables as leaders promoting and sustaining the core values of policing in the face of all the other pressures on the force? How are any obstacles being overcome?*
 - xi. *Is there sufficient transparency of propriety information from PCCs, for example published information on expenses, registers of interest, gifts and hospitality and external meetings?*
 - xii. *What measures have proved helpful in supporting PCCs to identify and resolve conflicts of interest in discharging their duties? Are there sufficiently robust protocols and guidance in place locally to manage these in a transparent way?*

⁴⁸ Committee on Standards in Public Life 2013. *Strengthening Transparency Around Lobbying*. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/336925/2901376_LobbyingStandards_WEB.pdf

How to respond

Responses should be sent by email to public@standards.gsi.gov.uk or by post to the Secretary to the Committee on Standards in Public Life GC05 1 Horse Guards Road, London SW1A 2HQ. Wherever possible views expressed should be supported by appropriate evidence.

Any queries about submitting evidence can be made via the email address above or by telephoning the Committee Secretariat on 020 7271 2948.

The closing date for responses is noon on 30 November 2014.

The Committee's website can be found at <https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>

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It is important for the evidence considered by the Committee to be open and transparent. All responses will be published along with the identity of the person or organisation making the submission, unless the Committee is satisfied both that there is a compelling reason for an exemption to be granted and that the integrity of the process will not be undermined.