

<b>For Consideration</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Police and Crime Panel</b>
<b>Date of Meeting:</b>	<b>15th September 2014</b>
<b>Report of:</b>	<b>Paddy Tipping Police Commissioner</b>
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<b>Agenda Item:</b>	<b>5</b>

## **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 December 2013.

### **2. RECOMMENDATIONS**

- 2.1 The Panel to note the contents of this update report and consider and discuss the issues.

### **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.

## 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 June 2014.
- 4.2 At the previous Panel meeting members requested that the Commissioner's report be simplified with a 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 However, the table below shows a breakdown of the RAGB status the Force has assigned to the 23 measures being monitored in its Policing Plan. It can be seen that 13 (56.5%) of these measures are either Amber, Green or Blue indicating that a majority of measures are close, better or significantly better than the target.

KEY to Performance Comparators			
Performance Against Target		Jun-14	% of Total
<span style="color: blue;">1</span>	Significantly better than Target >5% difference	1	4.3%
<span style="color: green;">1</span>	Better than Target	6	26.1%
<span style="color: yellow;">1</span>	Close to achieving Target (within 5%)	6	26.1%
<span style="color: red;">1</span>	Significantly worse than Target >5% difference	10	43.5%
		23	100.0%

- 4.4 In summary, total crime is slightly higher than last year (+0.07%, Amber) but antisocial behaviour (ASB) is significantly higher (+19.5%, Red). 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.
- 4.5 Blue Rating (1 significantly better than Target >5% difference)
- 4.5.1 Although, the overall crime reduction target is rated amber, the year to date in respect of the number of Burglary Dwellings has reduced significantly, i.e. -17.8%. The Burglary Gold Group continues to meet and tackle the emerging problems.
- 4.5.2 There has been a significant reduction in the number of repeat victims of Hate Crime compared to 2013/14 i.e. -21.1%. However, numbers are historically low which can cause large swings in percentage change.
- 4.6 Red Rating (1 significantly worse than Target >5% difference)

- 4.6.1 Early guilty plea rate for Magistrate's Court is 67.1% and is lower than last year (-1.1%) and lower than national averages for Magistrates Courts cases for the year to date so far.
- 4.6.2 The percentage of effective trials in the Magistrates' and Crown Courts is also 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.
- 4.6.3 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.
- 4.6.4 The Force was set a target to significantly reduce levels of Violence with Injury but currently it is +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.
- 4.6.5 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 +19.5%. Although significant reductions were made in previous years, to achieve this pledge a 24% reduction is required.
- 4.6.6 The number of Proceeds of Crime Act (POCA) confiscation and forfeiture orders is down 14%. The target was to increase by 10%. Year-to-date there has been 43 successful confiscation and forfeiture orders. In terms of value, there has been a marked decrease year-to-date compared to the same period last year, just over 25% less money was recovered, which has impacted on the average value of each order (£4,761.87)<sup>a</sup>. A Force report on POCA is tabled as an additional agenda item to this meeting.
- 4.6.7 The Force is required to make efficiency savings of £12.7m by March 2015 and is currently off target by £0.6m<sup>b</sup>. Local Policing is £0.237m behind target mainly due to overtime and vacancy rate; Specialist Services £0.095m behind target, mainly due to collaboration £0.051m which sits in Corporate Services; and Corporate Services £0.258m behind target. This is mainly due to the capitalisation of IS costs £0.144m and Oracle licences recharging £0.081m which are being re-phased to the end of the year, which leaves a genuine under achieved amount of £0.033m.

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<sup>a</sup> Year-to-date £204,760.34 was recovered compared to £273,628.92 in the previous year, a reduction of £68,868.58.

<sup>b</sup> This is rated red due to the short term trend

- 4.6.8 The total number of days lost to sickness is 3.79% for officers just short of the 3.7% (8.2 days) target<sup>c</sup>. The latest 12 month rolling sickness data for the Force has shown that officer sickness reduced to 3.79% in June 2014 from 4.18% in June 2013. This represents a reduction of 7.8% over the past year. HR continues to work closely with line managers to reduce the number of officers on long term sick.
- 4.6.9 Currently, 51.1% of people surveyed agree that the Police and Council are dealing with local Anti-Social Behaviour and other crime issues. The Force is 8.9% away from the 60% target, performance remains stable and there has been very little movement in previous two quarters.
- 4.7 The Commissioner is satisfied that the Chief Constable is aware of these issues and is taking appropriate action to address them all. In addition, the Commissioner has arranged a special performance stock take meeting for 5<sup>th</sup> September 2014 at which the Force will provide a detailed overview of current trends in ASB and crime and key partners have been invited so that assurance can be secured that all possible interventions are in place to tackle the current challenges.

## DECISIONS

- 4.8 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

- 4.9 The Commissioner's web site provides details of all significant public interest decisions. Since the last report a number of decisions have been approved in respect of:
- **Amendment to the Treasury Management Strategy:** To approve an overnight limit of up to £10m being held in the bank account of PCC and to also approve the removal of both parties from the counter party list.
  - **Police Business Services Business Case:** Collaboration of business services between Nottinghamshire and Northamptonshire has been detailed further to provide a breakdown of implementation costs and estimated savings.
  - **Digital Upgrade of GATSO Red Light Cameras:** To approve the request to purchase cameras and supporting infrastructure to enable the system to become operational
  - **Replacement Building Access Control System:** To approve the replacement of swipe card access control system and police key locks

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<sup>c</sup> This is rated red due to the short term trend

throughout the Force and the costs of producing replacement photo ID and swipe cards for all members of staff

- **Retford Shared Service with Bassetlaw District Council:** To approve the sale of Retford Police Station and to develop a Shared Service with Bassetlaw District Council
- **Treasury Management Delegations:** To approve the delegation to the Chief Finance Officer for the increase to £10m for the bank account balance
- **Police Pensions Administration and Payroll:** To agree to move Pensions admin and payroll away from Nottinghamshire County Council
- **Provision of new Biomass Boiler Plant and Associated Work at Nottinghamshire Police Headquarters:** To award to contract to Ashwell Biomass Limited
- **Provision of Temporary Staff to Nottinghamshire Police:** A zero commitment contract be awarded to Reed Specialist recruitment for the period 1 August 2014 to 31 July 2016 for the provision of temporary staff
- **Nottinghamshire Police Replacement Telephony System:** To approve the contract awarded to BT iNet for the period of 2 years commencing 23rd June 2014 to 22nd June 2016 for the provision of a replacement telephone system
- **Media and Communications Assistant Apprenticeship:** To agree the apprenticeship for NOPCC.
- **Treasury Management Year-end Report 2013-14:** To agree the review
- **Regional Drugs Laboratory Relocation:** To sign of relocation
- **Capital Out-turn and Slippage 2013-2014:** To note the expenditure for the year and to approve the net slippage into 2014-2015 capital programme.
- **Tom Ball Hall - Compensation Claim:** Claim made against the designers of conversion works of the former Bestwood Swimming Pool into police premises in 2004/5
- **Additional Capital Schemes - 2013/2014:** FEB has reviewed capital schemes (Crime Lights and Capitalisation of IT Staff Project Time) and seek that they are added to the Capital Programme. Approval sought for overspends on existing projects totalling £0.155m.
- **ICT Transformation Resources:** ICT Collaboration across Nottinghamshire Police, Northampton Police and Lincolnshire Police
- **Mental Health Strategy Triage Pilot (2 years):** To approve the Street Triage Team
- **Digital Upgrade of Cameras and Back Office:** To inform and agree approval for the award/extension of contract Truvelo (UK)

## ACTIVITIES OF COMMISSIONER

4.10 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.

4.11 Some recent activities and developments include:

- Working closely with the Force to develop a new policing model for Nottinghamshire which places prevention of crime at its heart. Many of the savings for future years are dependent on a redesign of the workforce, further collaboration with other forces and changes to its operating model. It should be emphasised that over the past three years, savings of £42 million have been made and this year the budget is being reduced by £12.7 million.
- Despite the financial pressures the Commissioner is pleased to report that by the end of March this year (with a further 20 in the pipeline), the number of PCSOs has increased by 67, taking the total to 335.
- The Commissioner has conflicting pressures; on the one hand he has to make substantial savings and on the other hand he wants to fulfil his pledge of recruiting more police officers. However, further recruitment depends upon the success of the Force's savings plans in other areas, and is well aware that people prefer police officers to buildings. The Force now has a budgeted establishment of 2,109 officers which, compared to the actual number of officers of 2,011 in April last year is a significant increase.
- Following public consultation, we are now moving ahead with our plans to relocate some police stations and reduce some less-used front counter services. Such decisions have been made for economic reasons, but the fact that these services were underused mean it's also common sense, while helping us to protect frontline policing.
- In the autumn, the Commissioner will be responsible for commissioning and funding both practical and emotional support services for victims which includes community remedy solutions. Before this happens, it's imperative that strong relationships with colleagues are built. In June this year, a Victims of Crime Conference was held that to ensure that swifter justice and appropriate support to victims will be delivered. Stakeholders were briefed on the Code of Practice for Victims of Crime and the Commissioner's draft Victims' Strategy, which has been guided by the valuable feedback we've received from victims.
- £228,175 has been awarded from the Government's PCC Competed Fund following a successful application by the Commissioner's Deputy. Young women who suffer at the hands of a violent partner in Nottinghamshire will now receive more help to recover.
- In June 2014, the Commissioner held an event so that Police, Partners, key retailers and academics could consider the current threat of retail crime and make proposals to help tackle the problem. The Commissioner has

provided £10k to part-fund the Nottinghamshire County Business Crime Partnership (BCP). He has also provided additional funding to pilot ten GPS state of the art electronic tags to be used with the most persistent shoplifters to improve offender management. The technology is now capable of sending alerts to all interested parties including retailers where outer zones (Shopping Centre) and inner zones (specific retail store) are breached. The Commissioner intends to write to the Secretary of State for Justice and Lord Chancellor to ensure that the necessary legislation is in place as part of the national review.

- The Commissioner has been successful in his bid to the Government's Innovation Fund on behalf of the forces which make up the East Midlands Police Collaboration Programme (EMPCP). Police Forces across the East Midlands have been awarded over £5m of Home Office funding to invest in new technology and pioneering crime investigation techniques to improve public safety, it has been confirmed. Funding worth £2.9m has been awarded for a four forces (Nottinghamshire, Leicestershire, Lincolnshire and Northamptonshire) interoperable crime and justice platform to improve the sharing of information and the submission of evidence between forces and the criminal justice system.
- Funding has also been awarded for a range of other projects across all five forces. This includes nearly £1.7m for body worn videos which will help officers collect evidence of criminality while on the frontline and will also act as a deterrent tool, helping to defuse potentially violent situations before an officer has to resort to force.
- A further £0.4m has been awarded in support an integrated 'virtual courts system' across the East Midlands, linking all police custody areas, victim suites and all courts. This will enable HMCTS and MOJ to make substantial savings through reduced prisoner transfers and will allow the police, CPS, criminal defence and the Courts to support the delivery of two key objectives in the Government's Criminal Justice Strategy and Action Plan

4.12 **Appendix B** contains the Commissioner's newsletter for July 2014 and provides more detail of his and his Deputy's activities since the last Panel report.

## **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 will become effective from 20 October 2014. The ASB Transition Group, Chaired by the Director of Nottingham Crime & Drugs Partnership (CDP) is a multi-agency group of officers who are developing practical proposals for the consistent implementation of the legislation in the City and County. The Government published statutory guidance in July 2014.<sup>d</sup>
- 10.2 The statutory guidance defines the role of the Police and Crime Commissioner in that the Commissioner must be consulted on the Review Procedure when it is set up, and must also be consulted when it is reviewed. Arrangements may be made for the Commissioner to be directly involved in the Community Trigger. In Nottingham and Nottinghamshire it is proposed that the Commissioner will be involved with working with cases where the applicant is dissatisfied with the way in which their application for an ASB case review or how the ASB Case Review was carried out.
- 10.3 Of particular relevance to the Commissioner are the Community Trigger and Community Remedy:

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<sup>d</sup> *Anti-social Behaviour, Crime and Policing Act 2014: Reform of antisocial behaviour powers, Statutory guidance for frontline professionals (July 2014).*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/332839/StatutoryGuidanceFrontline.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332839/StatutoryGuidanceFrontline.pdf)



- The Community Trigger, gives victims the ability to demand action, starting with a review of their case, where the locally defined threshold is met.
- The Community Remedy, gives victims a say in the out-of-court punishment of perpetrators for low-level crime and anti-social behaviour.

## **COMMUNITY TRIGGER**

10.4 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.

10.5 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. The Act goes on to stipulate a number of specific requirements that the ASB Review Procedure must contain (including what is to happen where an applicant is dissatisfied with the way in which the relevant bodies have dealt with an application for an ASB Case Review or has carried out an ASB Case Review and the assessment and review of Review Procedures).

10.6 The ASB Transition Group is developing a consistent approach to the implementation of the Community Trigger across the City and County. The Commissioner will provide a further report when these arrangements are finalised.

## **COMMUNITY REMEDY**

10.7 The Act places a duty on the Police and Crime Commissioner to consult with members of the public and community representatives on what punitive, reparative or rehabilitative actions they would consider appropriate to be on the Community Remedy document. The Community Remedy document should be considered when it is proposed that a perpetrator be given a conditional caution or youth conditional caution as a means of consulting the victim about the possible conditions to be attached to the caution. The Community Remedy document is a list of actions which may be chosen by the victim for the perpetrator to undertake in consequence of their behaviour or offending. Some suggested examples include:

- Mediation (for example, to resolve a neighbour dispute);
- A written or verbal apology;
- The perpetrator signing an Acceptable Behaviour Contract – where they agree not to behave
- Anti-socially in the future – or face more formal consequences;
- To take part in a restorative justice activity such as a neighbourhood justice panel;

- To pay an appropriate amount for damage to be repaired or stolen property to be replaced;
- Participation in structured activities that are either educational or rehabilitative, funded by the PCC as part of their efforts to reduce crime; or
- Reparation to the community (for example, by doing local unpaid work for a short period).

## **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.

## **12. Appendices**

- A. Performance Tables
- B. Commissioner's Newsletter for July 2014

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

- Police and Crime Plan 2014-2018 (published)
- Force Performance Report – June 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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