

POLICE AND CRIME PANEL

MINUTES of a meeting of the Police and Crime Panel held on Friday 16 November 2018 at the Cabinet Suite - Shire Hall, Gloucester.

PRESENT:

William Alexander, Cllr Will Windsor Clive (Chair), Cllr Julian Beale, Martin Smith, Cllr Keith Pearson, Cllr Rob Garnham, Cllr Gerald Dee, Cllr Brian Tipper, Cllr Lorraine Patrick, Cllr Joe Harris, Cllr Steve Robinson, Cllr Mattie Ross, Cllr Bruce Hogan, Cllr David Brown, Cllr Colin Hay, Cllr Collette Finnegan, Cllr Jonny Brownstein,

Substitutes: Cllr Stephen Cooke for Cllr Louis Savage

In attendance: PCC Martin Surl, Paul Trott, Richard Bradley, Ruth Greenwood, Chris Brierley, Stephen Bace

Apologies:

28. MINUTES OF PREVIOUS MEETING

The minutes were agreed as a correct record.

29. DECLARATION OF INTERESTS

No additional ones.

30. FIRE GOVERNANCE

- 30.1 Martin Surl shared his outline business case for the Governance of the Fire and Rescue Service with the Panel for their comments. This document was out for consultation and the Commissioner would review it and decide whether to present it to the Home Secretary. In addition the Panel received a report from the Cabinet Member of Public Protection, Parking and Libraries at Gloucestershire County Council which provided an initial response to the Commissioner's report and identified some inaccuracies.
- 30.2 The Panel discussed a number of concerns relating to the business case, most notably around the timing of revisiting this proposal and how this would impact on relationships between the Commissioner's Office, the Council and other partners.

- 30.3 The Panel noted the information within the business case relating to the resignation of the Chief Fire Officer and the allegations brought forward. There was some discussion around that topic, particularly in relation to the Commissioner's criticisms around the current governance for the Fire and Rescue Service. The Panel was reminded that this was the remit of the Audit and Governance Committee and that an Audit report had been published and that a task group had also been set up by scrutiny members looking at the culture of the Fire and Rescue Service. The Commissioner stated that he shared Members' disappointment, but that it was necessary to reopen discussions as he could not ignore what he had heard. He formally requested to see more detailed work behind the published audit document. This was a matter that he would need to raise with the Cabinet Member.
- 30.4 The Panel recognised that should the business case be accepted by the Home Secretary and the governance arrangements change, that this would also lead to a change of role for the Police and Crime Panel which would also hold the Commissioner to account in relation to Fire.
- 30.5 One member raised the question around the Chief Constable position which had originally been kept temporary until the original queries around Fire Governance had been resolved. The Commissioner clarified that the recommendation was for the Governance model. This meant that should the business case be successful then the role of the Chief Constable and Chief Fire Officer would remain distinct and the organisations would remain distinct. Within the legislation (Police and Crime Act 2017) there was explicitly no option of operational merger.
- 30.6 With regards to the timescale for revisiting the business case, members were informed that the Home Office needed to complete the legislative process 6 months before the Police and Crime Commissioners elections in May 2020 so that it was clear to the public what role they were electing to (PCC or PFCC). The consultation was running until 21 December and the business case would need to be submitted by February 2019.
- 30.7 Members raised the costs associated with changing governance and noted the Commissioner's frustration around not having the detailed financial information he sought from the County Council around the Fire and Rescue Service. The Commissioner stated that he would welcome any engagement with the County Council around finances.
- 30.8 Some members commented that in relation to the current issues around the Fire and Rescue Service, the whistleblowing procedure had worked. When considering the governance arrangements around the Commissioner's Office and Constabulary, members noted the areas for improvements identified in the HMIC inspections into child protection and suggested that it was important the Commissioner 'got his own house in order first'.
- 30.9 One member was critical of the County Council and suggested there were issues around transparency but felt that in relation to the Fire and Rescue Service, the process had worked correctly. He stated that fifty-three councillors were in place to scrutinise the service and wanted to know how the Commissioner would improve

upon that. The Commissioner explained that he felt that the Commissioner model provided more effective scrutiny and stated that in relation to the Fire and Rescue Service the members had missed the issues.

- 30.10 Some members explained that they felt that the timing was wrong from a national perspective and that the focus of Central Government was directed towards Brexit at this time.
- 30.11 In response to a question it was explained that the Commissioner's salary was set by the salary review board and that taking on responsibility for fire governance would see an additional £3,000 in salary for the position of Police, Fire and Crime Commissioner.
- 30.12 There was some discussion around the Chief Fire Officer's current position as being a Director at the County Council and the way in which the work cut across service areas.
- 30.13 One member questioned whether the Police and Crime Commissioner being part of the current committee overseeing scrutiny for Gloucestershire Fire and Rescue Service be explored. The Commissioner explained that this would be the Representative model as set out in the Policing and Crime Act and had been previously ruled out by the Council.
- 30.14 In response to a question the Commissioner explained that he had spoken to Fire Unions and would continue to do so as part of the consultation.
- 30.15 The Panel felt that they needed more time to consider the report in full and to make a response to the consultation. Members agreed to set up an informal briefing to discuss their response where they could also get the view of the Cabinet Member with responsibility for Fire.

ACTION **Stephen Bace**

31. CHIEF EXECUTIVE REPORT

- 31.1 Paul Trott, Chief Executive, presented the report providing details on the actions of the Police and Crime Commissioner's Office. One correction was made to the report that detailed the summary of decisions should read September to October.
- 31.2 There was some discussion around the issue of employers pension contributions. The Treasury had recalculated a formula which related to all public sector pension schemes, but particularly hit the unfunded schemes such as the Police. There would be an increase in the contributions that the employer would have to make which equated to the Commissioner needed to find an extra £1.7m in the coming financial year. This would have a large impact on the budget and on areas of planned investment if there was no additional support through funding. It was

recognised that the contribution paid by local tax payers as part of the Police Precept was become an increasing part of the overall police funding. The Panel would be meeting in January to receive details of the draft budget and the Commissioner's plans around the Police Precept. Further information would be provided at that stage.

ACTION PCC Martin Surl

- 31.3 Six new Independent Custody Visitors had been introduced and there was now a waiting list of people wishing to become volunteers. In response to questions it was explained that there was a good group of custody visitors in place and that there was a feeling that the current pool was sufficient to ensure that there was regularity of visits for all volunteers. Each volunteer carried out approximately six visits a year. A lot of work had been carried out in order to diversify the group. An example of this was the work with the university in order to bring in a variety of experience and perspectives. Members congratulated the team on the excellent work with regards to custody visits.

32. POLICE AND CRIME PLAN PRIORITIES HIGHLIGHT REPORT

- 32.1 Richard Bradley introduced the report which detailed that for each of the six priorities within the Police and Crime Plan there was a priority lead. The plan worked across Gloucestershire and heavily involved partners.
- 32.2 Members noted increased exclusion rates in schools and the restorative practice work taking place. Gloucestershire had the highest rate of pupil exclusions in the South West. Cheltenham had the higher rate of exclusion in the County. A significant reduction in exclusions had been seen in those schools where restorative practice had been introduced. One member raised the issue around governance of schools and the effect of the introduction of academies. He suggested where a child is excluded the county council be aware and inform the police. The Commissioner explained that this did happen and Safer Gloucestershire had looked at this. Members noted they had received a briefing on Children First previously. Members commented on successful examples of how a restorative practice was working in communities and in some schools. The plan was to introduce this into more schools and move from a punitive approach which encouraged exclusion to a restorative approach which did not.
- 32.3 School based officers had been introduced by the Constabulary with four of the six already appointed. This had been a commitment by the Commissioner in relation to the increase in the Police Precept.
- 32.4 The Panel understood that with pressure on police resources, it was important to focus on the really tricky areas. At the same time, Members welcomed the focus on community policing. The Commissioner emphasised the continued commitment to neighbourhood policing which was challenging to deliver in response to financial pressures. Members were informed that Gloucestershire had been rated the highest in the country for dealing with vulnerability and a lot around modern day

slavery. One member provided an example of police officers now unable to attend neighbourhood policing panels in one particular area. It was important that there was continued good communication in place but there could be no guarantee that they would always be able to attend every meeting.

- 32.5 Members asked for an update on the summer recruitment of officers. The Commissioner explained that the Constabulary was on track to recruit the full commitment, but that it took two years to train officers so that they were fully operational. He estimated that it would be another 6 months before the Constabulary was staffed up to budgeted levels.
- 32.6 The Panel were informed that there was a new priority lead for Safer Cyber and a new Police lead. It was explained that previous work under the priority had focused on businesses and that it was now time to focus on communities and where possible maximise the work of the Neighbourhood Watch and community alerts system. This would cascade information and understanding of cyber crime more effectively. There was some further discussion around national issues around cyber crime with members highlighting examples of issues around harm to children and fraudulent activity.
- 32.7 Members thanked the Commissioner and his team for the report and the good work that was taking place against the plan. The Commissioner outlined that it demonstrated good relationships across organisations.

33. WHISTLEBLOWING PROCEDURE

- 33.1 Paul Trott presented the report to the Panel stating that it was a procedure that was shared with the Constabulary. The Chairman explained that he had requested the item as the Council had reviewed its own and it was important that the Panel was satisfied that the Commissioner was happy with his own procedure.
- 33.2 In response to a question as to whether the Office was aware of any whistleblowers whose identity had been revealed after following the procedure, the Panel were informed that the Commissioner's Office was not aware of any issues of that nature.
- 33.3 It was suggested that within the procedure the contact details for the Police and Crime Panel including the website address should be provided.
- 33.4 One member asked how whistleblowing events were reported. It was explained that since the current Chief Executive of the Office had been in post there had only been one. With regards to the Constabulary, the team would look at the figures and update the Panel.

ACTION **Paul Trott**

Minutes subject to their acceptance as a correct record at the next meeting

34. SAFE AND SOCIAL DRIVING

- 34.1 The Chairman informed members that the item had been deferred until the next meeting.

35. REPRESENTATION ON NATIONAL AND REGIONAL BODIES

- 34.1 Cllr Rob Garnham had been selected to be part of the Executive on the National Association of Police and Crime Panels. The Chairman and the Vice Chairman of the Panel attended meetings. The Panel agreed that they were happy for Cllr Garnham to sit on this body. Cllr Hay has raised a concern at the meeting about the need for greater political representation on the executive of the Association.
- 34.2 It was agreed that the Panel would also be represented at South West Police and Crime Panel Chairs and Officer meetings.

CHAIRMAN

Meeting concluded at 13:15