



SOUTH YORKSHIRE POLICE AND CRIME PANEL

**OFFICES OF THE SOUTH YORKSHIRE JOINT AUTHORITIES, 18 REGENT STREET,
BARNSELY, S70 2HG**

7 JULY 2017

PRESENT: Councillor A Khayum (Sheffield City Council) (Chair)

Councillor S Sansome (Rotherham MBC) (Vice-Chair)

Councillors: D Hughes (Doncaster MBC), B Johnson (Sheffield City Council), H Mirfin-Boukouris (Sheffield City Council), J Otten (Sheffield City Council), R Sixsmith MBE (Barnsley MBC) and S Wilkinson (Doncaster MBC)

Independent Co-opted Members: Mr A Carter and Mr S Chu

Dr A Billings (South Yorkshire Police and Crime Commissioner), M Buttery (Office of the South Yorkshire Police and Crime Commissioner), S Parkin (Office of the South Yorkshire Police and Crime Commissioner), A Rainford (Office of the South Yorkshire Police and Crime Commissioner) and F Topliss (Office of the South Yorkshire Police and Crime Commissioner)

Officers: D Cutting, A Frosdick, L Noble and G Richards (Barnsley MBC)

Apologies for absence were received from Councillor B Cutts, Councillor D Griffin and A Shirt

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were noted as above.

2 **ANNOUNCEMENTS**

None.

3 **URGENT ITEMS**

None.

4 **ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS**

None.

5 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

6A PUBLIC QUESTIONS TO THE POLICE AND CRIME COMMISSIONER

There were no written public questions to the Police and Crime Commissioner.

6B PUBLIC QUESTIONS TO THE POLICE AND CRIME PANEL

There were no written public questions to the Police and Crime Panel.

6C VERBAL QUESTIONS FROM THE PUBLIC

L Noble apologised that this item 'Verbal Questions from the Public to the Police and Crime Commissioner and to the Police and Crime Panel' had been missed from the agenda and would ensure it was included in future.

There were no verbal questions to the Police and Crime Commissioner.

With regard to questions to the Police and Crime Panel, Mr N Slack queried why his written question to the Panel submitted on 1 July 2017 had been responded to by an officer rather than being brought to the Panel meeting.

Whilst appreciating the prompt reply from the Policy Officer, the question was meant for the Panel and Mr Slack felt the question should be put to the meeting so that both the question and answer were noted for the public record.

Mr Slack requested that, in future, agendas gave full details of the means of asking questions for the public, including the opportunity to ask them on the day.

L Noble apologised that it had not been noted that the questions were meant for the Panel.

Mr Slack had asked why questions were limited to 50 words.

L Noble explained that the restriction to 50 words was taken from the original Rules of Procedure provided by Rotherham MBC.

L Noble confirmed that the Rules of Procedure and the procedure for asking questions of the Commissioner and the Panel were on the Panels' website; a link to these would be provided on future agendas.

7 QUESTIONS FROM POLICE AND CRIME PANEL MEMBERS TO THE POLICE AND CRIME COMMISSIONER

There were no questions from Police and Crime Panel Members to the Police and Crime Commissioner.

8 MINUTES OF THE PREVIOUS MEETING HELD ON 2ND JUNE 2017 AND MATTERS ARISING

With regard to resolution (ii) on the CSE-PCC update, the resolution had been revised to reflect that not all 220 recommendations were contained in the Drew report. The resolution now read:

- ii) That the Commissioner provides Panel Members with a progress update regarding how many of the 220 recommendations have been dealt with and information regarding how many recommendations are still work in-progress.”

In response to questions raised at the last meeting M Buttery updated the Panel.

With regard to Mr Carter’s question regarding Artificial Intelligence, this had been raised with South Yorkshire Police’s Chief Officers who had been asked that if there were any issues arising in the Force that were relevant to Mr Carter’s question that the OPCC be informed to enable him to report back to the Panel.

Regarding Cllr Sansome’s question in relation to the number of prosecutions in relation to driving while using a mobile phone, South Yorkshire Police had been asked to provide the figures from last year from when the law came in to the end of the financial year. These had not yet been received. They would be forwarded to the Panel when available.

In terms of Stop and Search, the Independent Ethics Panel set up by the Commissioner monitors this and had received a report in February; the next report would be received in August or September.

The Panel had been provided with documents that supported the holding to account arrangements of the Commissioner, including the Terms of Reference of the various assurance panels and the role profile for the Chair of the Joint Independent Audit Committee.

With regard to the recommendations in relation to Child Sexual Exploitation, of the 220 general recommendations, 47 remained outstanding. The Commissioner was monitoring these through twice-yearly reports to his Public Accountability Board.

With regard to Stop and Search the Commissioner informed the Panel that the last time it had been reported on, South Yorkshire had showed a 44% fall. The Chief Constable was focused on outcomes and 36% of Stop and Searches had resulted in further action.

RESOLVED – That subject to the amendments detailed above, the minutes of the Police and Crime Panel held on 2 June 2017 be agreed and signed by the Chair as a correct record.

9 JUDICIAL REVIEW: OUTCOME

A report was presented to draw the Police and Crime Panel’s (PCP) attention to the outcome of the Judicial Review brought by ex-Chief Constable David Crompton against the South Yorkshire Police and Crime Commissioner (PCC).

The Panel noted that on the 9th June 2017 the High Court of Justice Queen's Bench Division quashed the four decisions of the PCC leading to David Crompton being required to resign thereby upholding the ex-Chief Constable's application to have the PCC's actions judicially reviewed.

The PCP were a statutory consultee in the PCC's actions under Section 38 of the Police Reform and Social Responsibility Act 2011 and were therefore cited as an Interested Party to the Judicial Review.

The report was directing the Panel's attention to what the learning points were for the Panel in terms of its procedures. The judgement was a helpful reminder to all public bodies of some of the key principles of public law decision-making and the criteria which the courts would expect to see applied when decisions were being made by public bodies.

There was a need to give good reasons to support any particular decision where one had departed from the views of a third party, in this case the Chief Inspector of Her Majesty's Inspectorate of Constabulary. The court felt that there were some deficiencies in how the Panel had reached their decision.

Cllr Otten commented that the judgement and the papers received when it had considered the case had not dwelled on the conduct of Police counsel at the inquests, which had been a principal grievance of many of the families and asked for the Commissioner's thoughts as to why the subject was not raised at the time.

The Chair replied that he did not see any merit in going over the details of the judgement or reviewing the decision of the court. The Panel were welcome to pass comments on the report or ask for any clarifications but going back over the Judicial Review and requesting the Commissioner to explain his actions was inappropriate in this forum and would not help the Panel going forward.

RESOLVED – That the Panel:

- i) Note the report.
- ii) Consider the implications of the judgement for the Panel.

10 ANNUAL REPORT - POLICE AND CRIME PANEL 2016/17

The Panel considered the draft of their Annual Report for 2016/17.

L Noble thanked James McLaughlin from Rotherham MBC who had provided the text for the 2016/17 Annual Report prior to Barnsley MBC taking over on 1st April 2017.

L Noble informed the Panel that the final version would be an improved design although there was no intention to print a glossy version to save on printing costs, the report when finalised would be uploaded to the Panel's website.

Members were welcome to comment on the contents of the report, either during the meeting or by email within the next week to 10 days when the final version would be produced.

Cllr Sansome placed on record his thanks as Vice-Chair to Panel Members, past and present, for their help and input during a very difficult year.

RESOLVED – That the Panel’s Annual Report for 2016/17 be approved.

11 ANNUAL REPORT 2016-17 OPCC

The Panel considered the Police and Crime Commissioner’s Annual Report for 2016/17.

The Commissioner informed the Panel that this was the third Annual Report that had been produced; the language had been simplified to make the report more accessible and readable. The report would be finalised taking into account any comments made by Panel Members.

The Commissioner thanked his officers, in particular S Parkin, for their hard work in producing the report.

M Buttery reminded the Panel that it was their statutory duty to comment on the Annual Report and asked for any comments from the Panel within a week.

There were two purposes for the Annual Report, to provide an assessment of the progress against the Commissioner’s Police and Crime Plan and the other in relation to discharging his other statutory responsibilities.

The Commissioner directed the Panel to the map contained within the report that detailed the 104 community events, meetings and forums that he had attended during the year.

S Chu questioned what the Commissioner would be doing on the three areas he would be focusing on in the year ahead – Modern Slavery and Human Trafficking, Cyber Crime and Collaboration with the Fire Service.

The Commissioner informed the Panel that this work was in its early stages. The Modern Slavery and Human Trafficking issue had been flagged up by central government as a critical issue. Cyber crime would involve not only South Yorkshire Police but would result in further collaboration. Collaboration with the Fire Service was well underway and would be extended further in the coming year.

With regard to cyber crime, M Buttery commented that the Public Accountability Board would be receiving a report on the subject at its next meeting.

Cllr Sansome asked the Commissioner for examples of how he was holding the Force to account with partnership working and any barriers to this.

The Commissioner replied that his attitude was to collaborate only if it would yield results. Areas of collaboration included South Yorkshire Police with other Forces

and the PCC with other PCC's. One good example was the new Sexual Assault Referral Centre which Members could visit if they so wished. Visits could also be arranged to the new Custody Centres in Barnsley and Sheffield and the Force's other centre in Doncaster.

Mr A Carter reported that he had heard the Humberside PCC speaking about the low morale of the Force; and questioned whether this could affect the morale of South Yorkshire Police due to the collaboration arrangements.

The Commissioner replied that all Forces had suffered cuts and the loss of frontline staff at a time of rising demand during the period of austerity and this would be bound to affect morale. The appointment of the new Chief Constable has had a beneficial effect on morale; he had made a particular effort to get to know all parts of the Force.

M Buttery commented that as part of the Peer Review that was commissioned last year, the support to South Yorkshire included a staff survey, and morale was one of the issues that was picked up. The Chief Constable had already put actions in place which the Commissioner was closely monitoring.

There would also be a report to the September meeting of the Panel as a follow-up to questions around collaboration, the Force could be asked to include a section on morale.

With regard to the Trust and Confidence Steering Group and the work they were doing, Cllr Sansome asked whether it could be considered to invite the Assistant PCC, alongside the Chief Constable to outline the work in more detail.

Cllr Sixsmith agreed that this would be useful.

The Commissioner agreed to consider this.

RESOLVED- That the report be noted.

12 HOLDING TO ACCOUNT ARRANGEMENTS - TO INCLUDE:

A report was submitted to provide the Panel with information on how the PCC holds the Chief Constable to account in the areas of:

- Progress in addressing improvements/recommendations identifies by Her Majesty's Inspectorate of Constabulary
- Stop and Search
- Contact Management Performance – Atlas Court
- Succession planning

With regard to Stop and Search, Cllr Wilkinson asked whether the Force broke the figures down by ethnicity and enquired what was being done to ensure fairness.

The Commissioner replied that this was work that he had asked the Ethics Panel to take forward; that was where his assurance would come from. The Commissioner confirmed that the figures were broken down by ethnicity.

With reference to the Contact Management Performance at Atlas Court, Mr A Carter commented that, at a previous visit to Atlas Court, he had seen the difficulties caused for staff by the ageing technology and queried whether it would be possible for the Panel to re-visit Atlas Court when the new technology had been installed. The Commissioner agreed he could facilitate this at the appropriate time.

Mr S Chu requested information on contact management performance to see how it had improved or otherwise.

The Commissioner confirmed that this information could be provided; although performance fluctuated, overall it had improved.

In answer to a question from Cllr Sansome, the Commissioner reported that the Chief Constable had received some very clear messages from his consultation meetings. One of them had been especially clear – that the public wanted neighbourhood policing restored in some form, but there was public recognition that things could not go back to what they were due to reduced resources.

The Chief Constable had been tasked to remodel neighbourhood policing, this was an absolute priority and work had already commenced. The Chief Constable would be able to update the Panel in September although the complete model would not be available by that date.

Cllr Wilkinson asked what steps were being taken to ensure the Commissioner had confidence with regard to the training of call-handlers and what was being done to ensure the assessments are objective not subjective and that there was consistency across the board.

The Commissioner replied that they were the questions he would ask the Chief Constable as they were operational matters. If the Panel would like further information in the future around these issues it could be arranged.

RESOLVED - That the report be noted.

13 BUDGET MONITORING REPORT (OPCC)

A report was submitted to inform the Panel of the outturn position in respect of the revenue budget and capital programme at the end of the 2016/17 financial year.

The Panel noted that the year-end position was that revenue expenditure is £3m less than budget, when legacy issue costs were excluded. The spending on legacy issues had slipped into future financial years and had meant that £6m had been held in financial reserves.

In terms of capital expenditure, the report indicated that spending totalled £11.9m compared to a capital programme of £15.2m.

The PCC had approved a capital programme for 2016/17 of £15m. At the end of the financial year, the level of capital spending totalled approximately £12m. The

variation of £3m would slip into future financial years. The amount spent in 2016/17 was on the following:

- £1.8m spent improving existing buildings.
- £1m was spent on new vehicles in accordance with the vehicle replacement programme.
- £1.5m on information, communications and operational equipment, including joint projects with Humberside Police.
- £7.7m on assets under construction, of which £4m was spent on construction costs for the new Barnsley custody suite.

In reply to a question from a Member, A Rainford informed the Panel that he would bring details of some of the more significant schemes within the Capital Programme to the next meeting of the Panel.

With regard to reserves, at the end of the 2016/17 financial year, the overall level of revenue reserves was approximately £39m. The revenue budget for 2017/18 would use around £8m of reserves to fund expenditure in the current financial year. The forecast level of reserves at 31 March 2018 was therefore approximately £31m. Members were reminded that this had to be seen in the context of potential significant liabilities in future years and considerable uncertainty regarding the level of additional funding from Government for those costs.

RESOLVED – That the report be noted.

14 PERFORMANCE AGAINST THE POLICE AND CRIME PLAN: QUARTERLY UPDATE

A report was submitted to update the Panel on progress against the against the priorities and outcomes set out in the Police and Crime Plan 2013-17, together with further planned activity.

The report looked at last year's performance after the statistics had been audited and looked ahead to how the Force would report to the Commissioner going forward.

M Buttery informed the Panel that performance was reported monthly by the Force to the Public Accountability Board, the end of year report was attached at Appendix A for the Panel's information.

At Appendix B was a report on how the Force intended to report against the Commissioner's three priorities of Protecting Vulnerable people, Enabling Fair Treatment and Tackling Crime and Anti-Social Behaviour.

Cllr Sansome queried whether the Force, following recent events across the UK, would be updating their Counter-Terrorism plan.

The Commissioner replied that South Yorkshire Police had recently conducted a large counter-terrorism exercise and he was satisfied that the Force had plans in place to meet any incident that might occur across South Yorkshire. Nevertheless this was an area which would be kept under constant review.

Cllr Hughes quoted one of the Commissioner's requirements 'I require South Yorkshire Police to tackle offenders that cause the most harm in the community', and commented that from the PACT meetings he had attended that didn't seem to be happening.

The Commissioner replied that this would be part of the restoration of neighbourhood policing.

Also from time to time the Force would focus on a particular problem area e.g. quad bikes, but with the Force's resources being stretched this could be difficult.

The Chief Constable had also launched Operation Duxford where large numbers of officers had travelled to each of the four districts to tackle issues in certain areas. The public had welcomed these operations.

The Force realised that anti-social behaviour was a big issue for many people and recognised that there were many different approaches to tackling the problem including involving local authorities.

RESOLVED – That the report be noted.

15 WORK PROGRAMME

The Panel considered its Work Programme.

L Noble commented that following today's meeting there were a number of items to add along with some issues that came out of the recent training event – these would be discussed with the OPCC in order to further develop the Panels' scrutiny role.

RESOLVED- That the Work Programme be noted.

16 DATE AND TIME OF THE NEXT MEETING

The next meeting of the Panel will be on 29 September 2017 at 10am.

CHAIR