

**SOUTH YORKSHIRE POLICE AND CRIME PANEL**

**IN MEETING ROOM 14, TOWN HALL, CHURCH STREET, BARNSELEY, S70 2TA**

**3 SEPTEMBER 2018**

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

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

Councillors: R Frost (Barnsley MBC), D Nevett (Doncaster MBC), B Johnson (Sheffield City Council), J Otten (Sheffield City Council) 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 (OPCC), M Clements (OPCC), S Mawson (OPCC) and K Wright (OPCC)

Officers: D Cutting, M McCarthy, L Noble and A Shirt (Barnsley MBC)

Guest in attendance: P Hollingsworth (Barnsley MBC – Item 8)

Apologies for absence were received from Councillor B Cutts (Rotherham MBC), Councillor M Dyson (Barnsley MBC) and Councillor M O'Rourke (Sheffield CC)

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.

6 PUBLIC QUESTIONS:-

6A TO THE POLICE AND CRIME COMMISSIONER

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

6B TO THE POLICE AND CRIME PANEL

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

7 MINUTES OF THE MEETING HELD ON 2 JULY 2018

Councillor Sansome referred to the discussion at the last meeting with regard to the 'Abuse of Position' letter dated 2<sup>nd</sup> October 2017 on the HMICFRS website.

He asked the Commissioner, what actions / plan was in place to prevent similar situations happening in future. Furthermore, he asked how the Commissioner was being visible in holding the Force to account on this issue.

The Commissioner replied that he did press the Chief Constable at the Public Accountability Board on this issue, which Councillor Sansome had attended and also at other meetings with the Force. Additionally, these issues would be picked-up by the HMICFRS on their next visit to South Yorkshire.

Councillor Sansome explained that he was seeking reassurance from the Commissioner that the contents of the letter from HMICFRS were now a past issue. He added that the people of South Yorkshire needed trust and confidence in South Yorkshire Police and reassurance that issues relating to counter corruption would not be reoccurring.

The Commissioner replied that the Chief Constable was seeking to increase staff in the area of counter-corruption. Additionally, the Chief Constable was the national police lead for this area of business. The Commissioner was satisfied with the response of the Chief Constable to the HMICFRS's letter.

M Buttery reported that, in relation to the counter corruption inspection, the evidence had not been available to satisfy the Inspector against a particular criteria. It was confirmed that this issue had been picked up by the Force.

Furthermore, since the letter was written, the Commissioner had asked that an Officer from the OPCC was now in attendance at Force meetings where discussions regarding Force inspections were being held to understand the methodology that the Inspectors were going to use, the information requested from the Force in advance of inspection and any risk areas for the Force where evidence was not available in order to satisfy the Inspectorate.

A Carter thanked the Commissioner for making arrangements for Members of the Panel to visit Atlas Court; the visit had been very beneficial for those Members in attendance.

The Commissioner thanked Councillors Khayum, Sansome, Otten and Mr Carter for attending the visit to Atlas Court. If any other Members of the Panel wished to visit Atlas Court, arrangements could be made via the Commissioner's Office.

A Carter expressed an interest in observing a YOYO session. It was agreed that L Noble would make arrangements via the Commissioner's Office for Panel Members to observe a YOYO session.

Councillor Sansome referred to an article published in the Rotherham Advertiser on 10<sup>th</sup> July 2018, which stated that "*South Yorkshire Police's Top Cops during Jay Report period were being probed by Police Watchdog*".

Whilst noting that the investigation would not involve any serving officers within South Yorkshire Police, Councillor Sansome asked how the Commissioner would be involved in supporting the IOPC in their investigation and ensuring transparency where appropriate.

The Commissioner replied that with regard to this investigation his responsibility was towards the Chief Constable by holding him to account. In relation to former officers it was for the IOPC to make its investigations first.

RESOLVED –

- i) That the minutes of the Police and Crime Panel held on 2 July 2018 be agreed and signed by the Chair as a correct record.
- ii) That L Noble would make arrangements via the Commissioner's Office for Panel Members to observe a YOYO session at a location suitable to them.

## **8 COMMISSIONING BUDGET REPORT - FEEDBACK FROM DISTRICTS**

Councillor Khayum welcomed Phil Hollingsworth, Service Director, Safer, Stronger Healthier Communities, Barnsley MBC to the meeting. He thanked P Hollingsworth for stepping in for the Chair of Barnsley's CSP, Wendy Lowder.

Members were made aware that, unfortunately today's Panel meeting clashed with a CONTEST meeting and therefore, there were no CSP representatives from the other Districts available to attend today's meeting. The lines of enquiry set out in the briefing for the meeting would be circulated to the Chairs of the Rotherham, Doncaster and Sheffield CSPs.

To give context to the agenda item, Councillor Khayum reminded Members that a Commissioning report was submitted to the Panel in July, where Members had agreed that they would look to strengthen links with the District CSPs as set out in the 2012 guidance.

It was felt that it would be timely to invite CSP representatives to give their views on the relationship with the Commissioner's Office, the hot topics in their areas and how the Panel could help and support their work.

Councillor Khayum invited P Hollingsworth to address the meeting and inform the Panel about the work being carried out by the Safer Barnsley Partnership (SBP).

P Hollingsworth provided the Panel with a summary of the SBP's role, strategic priorities contained within the SBP Annual Plan 2018/19 and details of its relationship with the Commissioner's Office.

The SBP Annual Plan was refreshed annually and was currently open for consultation. The 2018/19 SBP Annual Plan was aligned with the priorities outlined in the Commissioner's Police and Crime Plan (2017 – 2021). The SBP's three strategic priorities for 2018/19 were: Protecting Vulnerable People, Preventing Crime, Tackling Anti-Social Behaviour and Promoting Community Tolerance and Respect.

Thematic Delivery Groups were in place for each of the strategic priorities, chaired by a local Councillor or a Police Officer. The Groups report back to the Performance and Delivery Group who in return report to the SBP.

Representatives from the Commissioner's Office regularly attend meetings of the SBP along with Councillors from Barnsley MBC. Councillor Dyson is the PCP's representative on the SBP.

In relation to the Commissioning Budget, the SBP had close contact with the OPCC and fed directly into the process annually with notification of its priorities. The budget allocated by the OPCC was monitored on a 6 monthly basis.

The SBP also feeds into the Countywide Community Safety Forum, which involves Community Safety Chairs from across the four districts and the OPCC. This Forum is chaired by the PCC and looks at priorities across South Yorkshire and how the CSPs can work together with the OPCC. Additionally, the Commissioner attends and supports key SBP events and initiatives held in Barnsley.

Councillor Sansome commented that he had attended a Countywide Community Safety Forum, where it had been announced by colleagues from Doncaster that they had been able to fund a Mental Health Officer. He asked if other CSPs were able to access this service. Additionally, he asked how much this service would cost if each CSP had to fund an officer from within their own district budget.

P Hollingsworth replied that he was unsure of the exact costs and was unaware of the specifics of the post in Doncaster. However, from a Barnsley perspective, the SBP had strengthened links with its Mental Health Services in relation to the SBP's Safer Neighbourhood Service; this partnership arrangement was working very well.

S Chu highlighted that 1-2% of the Commissioner's budget was used for commissioning services, other than the Police. He asked how the Commissioner made decisions on those commissioning services he sourced from the Police and those he sourced outside of the Police.

The Commissioner commented that the process was mainly historical; reviews were carried out yearly to review and understand how the commissioning budget

had been used. CSP funding was directly given to each CSP, and it was for them to decide how best to use the funds.

Following a question from S Chu regarding the promotion of prevention / social impact initiatives, the Commissioner informed the Panel that the Government had recently launched an Early Intervention Youth Fund (£22m over two years) which he had encouraged the district CSPs to work together on a joint bid. He was pleased to report that Doncaster, Barnsley and Rotherham CSPs would be formulating a joint bid via his Office.

The Commissioner stated that it would be a positive move in strengthening links between the Panel and CSPs if Members of the Police and Crime Panel were Members of their own district CSP. This would allow Members to understand the work taking place within their own district and relate those to the Panel's work in supporting and scrutinising the PCC.

RESOLVED – That Police and Crime Panel Members:-

- i) Thanked P Hollingsworth for his update.
- ii) Noted that L Noble would circulate the 'Key Lines of Enquiry' from the briefing to Sheffield, Doncaster and Rotherham CSP leads for response.

**9     IMPACT OF NEIGHBOURHOOD POLICING ON SOUTH YORKSHIRE - OUTCOMES**

A briefing paper was received to update Members on the impact of local uniformed Neighbourhood Policing.

Members noted that there had been a steady increase in the number of officers and staff working within neighbourhoods (up from 275 in April 2017 to 396 in June 2018).

The feedback received from the public and the positive impacts achieved within each district were presented within the paper for Members' information.

Councillor Wilkinson commented that she had noted from the Force's Budget Monitoring Report that a vacancy factor had been set to reflect that 1.5fte PCSO's were leaving the Force each month. She had also noted that there would be no further PCSO recruits during the year. Councillor Wilkinson asked if this would have an impact on the Neighbourhood Policing model, given that PCSO's were often the Officers most involved in neighbourhood policing.

The Commissioner replied that the Chief Constable was currently conducting a review of the powers, role and location of PCSO's. There would be a further discussion with the PCC prior to the Chief Constable concluding his review.

Councillor Sansome asked if the Chief Constable's review of PCSO's would be presented at future Panel meeting.

The Commissioner commented that details of the review would be presented at a number of forums, prior to being presented at a future Panel meeting.

S Chu stated that he welcomed the paper. He asked if any analysis would be carried out by the Force on a ward by ward basis to understand crime rates before and after the implementation of the new Neighbourhood Policing model.

The Commissioner commented that analysis work was vital to understand the situation before and after. Results would be presented in due course.

Councillor Sansome asked how the Commissioner would hold the Chief Constable / District Commanders to account when a district was failing and not meeting their targets.

The Commissioner commented that he would be holding the Chief Constable to account in this area at his PAB meeting, in private discussions with the Chief Constable and by requesting reports to be presented.

The OPCC also attended meetings of the Strategic Demand Group and Strategic Change Board where requests for distribution of district resources were considered; he asked questions at these meetings as part of holding the Force to account.

Councillor Nevett asked how the Force ensured that all communities were covered and not left vulnerable when the Force are re-routed elsewhere within the neighbourhood model and that a service remains in each area all the time.

The Commissioner replied that if there was a spike in demand, every District Commander understands their district and therefore, they would have to prioritise resources.

RESOLVED – That Police and Crime Panel Members noted the report.

10     BUDGET MONITORING REPORT 2018/19 - PERIOD ENDING 30TH JUNE 2018 (QUARTER 1)

A report of the Chief Finance and Commissioning Officer was submitted setting out the latest financial forecasts against revenue and capital budgets at the end of the first quarter of 2018/19. The report covered the costs of the Office of the Police and Crime Commissioner (OPCC), budgets managed by the OPCC and the budget managed by the Chief Constable (CC) of South Yorkshire Police Force (SYP).

Members noted that the overall revenue budget required a contribution of £7.347m from reserves in order to balance. The latest forecast position required £1.483m of reserves to balance, an improvement of £5.864m.

The Chief Constable's budget forecast a £4.018m underspend before the cost of legacy issues. The key reason for the forecast underspend related to the Crime Review and delays in recruitment of officers and staff.

Approval had been granted at the July PAB meeting to utilise £1m of the Force's underspend to create a £1m contingency towards potential costs of policing fracking sites.

The budget for 2018/19 included savings plans of £6.06m. SYP were forecasting to be on target to achieve this.

Legacy issues were currently forecast to underspend by £1.829m because costs will fall in the next financial years.

The PCC and OPCC budget was forecast to underspend by £0.017m.

The capital programme forecast expenditure was £15.97m after £1.16m of slippage. As at 31 March 2018, the overall level of revenue reserves available was £39.0m. This included general reserves of £13.4m and earmarked reserves of £25.6m.

S Chu asked what oversight the Commissioner had on the Force's Capital Programme.

The Commissioner commented that he was now the Chair of a revived Estates Board where the Force's Capital Programme was discussed and considered in detail.

RESOLVED – That Members of the Police and Crime Panel noted the financial outturns for 2018/19 for revenue and capital budgets.

**11     BUDGET MONITORING REPORT: 2018/19: OUTTURN REVIEW - ADDENDUM**

A report of the Chief Finance and Commissioning Officer was submitted to provide information on the updated financial position for 2017/18 as at 31 March 2018.

Members noted that the 2017/18 Budget Monitoring Report: Outturn Review report was presented at the Public Accountability Board meeting on 28 June 2018 (a copy of the report was circulated at the meeting for Members' information).

The final outturn position was an overall underspend of £6m with the overall level of revenue reserves of £38.9m.

Members were made aware that, following KPMG's annual audit of both the Chief Constable's and the PCC's draft Statement of Accounts, KPMG had requested that further provisions be made in the PCC's 2017/18 Statement of Accounts in relation to potential Child Sexual Exploitation (CSE) costs and Hillsborough Disaster related costs.

Provisions of £0.5m had now been included in the Accounts for potential future costs of CSE claims and £1m for Hillsborough Disaster related costs.

The effect of these changes had resulted in the overall outturn surplus reducing to £4.4m and the overall revenue reserves reducing to £37.3m.

RESOLVED – That Members of the Police and Crime Panel noted the report.

12     MONITORING DELIVERY OF THE POLICE AND CRIME PLAN - QUARTERLY REPORT (APRIL - JUNE 2018)

A report of the Police and Crime Commissioner was presented to provide Members of the Police and Crime Panel with the Police and Crime Commissioner's first Quarterly Report for the period April to June 2018. The report provided an overview of the progress against the Police and Crime Plan outcomes produced from the developing Police and Crime Commissioner's Police and Partners Performance Framework.

Members were informed at this stage, there were gaps in the data sets and information available to monitor contribution to, and achievement of, the outcomes in the Police and Crime Plan. It was noted that the OPCC were working closely with SYP colleagues and partners to continue the development of the data for use in the report.

Councillor Otten commented that he welcomed the Commissioner's independent report into South Yorkshire Police's handling of the Sheffield tree protests and the ten recommendations arising. He asked what progress had been made in implementing the recommendations. And secondly, did the decision need to be revised following the IOPC's decision to uphold complaints against the use of Trade Union legislation to arrest tree protestors in Sheffield, as reported in the Sheffield Star on 31 August 2018.

The Commissioner replied that the Force had received the report and had responded in writing to the Chair of the Independent Panel to inform them that they welcomed the report. The Force had also taken on board the recommendations contained within the report.

Moving forward, the Commissioner stated that he hoped for discussions between the contractor, Sheffield City Council and its residents would be progressed to allow the maintenance programme to go forward, so that fewer police officers would be in attendance when trees were felled.

S Chu asked what attempts were being undertaken in South Yorkshire to reduce violent crime, given that there was an increasing trend in violent crime across England.

The Commissioner commented that South Yorkshire was slightly above the national trend in violent crime. He confirmed that regular discussions with the Chief Constable were taking place with regard to this issue and in relation to knife crime, the Force had a better understanding of why this was occurring.

Councillor Frost queried if the new call handling service for the 101 system would be introduced in September. Additionally, could the Commissioner provide comment on what action the Force was taking to reduce inappropriate calls to both the 999 and 101 numbers.

The Commissioner replied that the Force was still to set a 'live' implementation date for the new call handling service. In relation to inappropriate calls, the Force were currently in the process of gathering a compendium of inappropriate requests which had been received. Discussions would take place with the Force to establish how they could educate the public in not making unnecessary calls.

Councillor Sansome suggested that a press release be issued by the Commissioner to highlight the inappropriate use of both 101 and 999 numbers.

The Commissioner acknowledged this suggestion. He added that the press had a big role in helping to address this issue.

Councillor Wilkinson commented that the number of individuals using the drug 'Spice' in Town Centres was becoming an increasing problem. She asked if the Panel could make a recommendation and write to the Home Secretary to ask for the re-classification of this drug to a higher category.

The Commissioner suggested that Councillor Wilkson could take-up this suggestion with her fellow colleagues at Doncaster MBC, due to there being a specific problem in Doncaster Town Centre.

In addition, the Commissioner stated that he would also take-up this suggestion with the Chief Constable, to understand if the re-classification of the drug would help, or whether there would be any consequences of doing so.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report and commented on any matters arising.
- ii) Noted that the Commissioner would discuss Councillor Wilkinson's suggestion with the Chief Constable in relation to the Panel making a recommendation to write to the Home Secretary regarding the re-classification of the drug 'Spice'.

### 13 POLICE AND FIRE COLLABORATION UPDATE

A report was presented to inform Panel Members of the provisions of the Policing and Crime Act 2017, and the current position regarding collaboration between the emergency services in South Yorkshire, particularly the collaboration between South Yorkshire Police and South Yorkshire Fire and Rescue Service.

Members noted that the Policing and Crime Act 2017 ('the Act') placed a high level duty to collaborate on all three emergency services, to improve efficiency or effectiveness. The Act also enabled Police and Crime Commissioners (PCCs) to have greater involvement in Fire and Rescue governance.

Four options for consideration by PCCs under the Act were set out within the report for Members' information.

M Buttery reported that she was currently preparing a scoping document, outlining the advantages and disadvantages for South Yorkshire for each of the options provided for under the Act.

It was noted that South Yorkshire already had '*the Representation Model*', and that the focus would be the other Options. The Commissioner had asked for an objective assessment of options, without a conclusion being reached.

This work would be quality assured by an independent person. Although there was no legal requirement for consultation at this stage, the Commissioner intended to invite the Fire and Rescue Authority (or Chair only at this stage), the two services (SYFRS and SYP), the four local authorities, the Combined Authority, the trade unions/staff representatives and other key stakeholders (which included the Police & Crime Panel), to engage in the work, in order to incorporate wider views in the scoping document.

The Commissioner would then consider the options, and have further discussions.

Councillor Sansome commented that, in terms of the Panel holding the Commissioner to account, he felt that if the Commissioner took on the Fire and Rescue Service, the increase in the requirement to scrutinise two Services, the reduced powers of the Panel as opposed to the Authority would result in a lower level of scrutiny and, therefore, accountability to the public of South Yorkshire.

The Commissioner acknowledged Councillor Sansome's concern.

Councillor Wilkinson commented that if there was to be joint Police and Fire meetings, it would be difficult for the Commissioner to govern and scrutinise both bodies within the time available.

The Commissioner stated that business would have to be conducted differently if this option was progressed. He confirmed again that no conclusion had been reached.

In addition, the Commissioner reported that, on 12 January 2017 he had established a Police and Fire Collaboration Board to provide strategic oversight for collaborative activity between the two services. Examples of the achievements made were set out in the report for Members' information.

RESOLVED – That Members of the Police and Crime Panel noted the content of the report.

#### 14 RULES OF PROCEDURE - SUGGESTED REVISIONS

A report of the Solicitor / Panel's Legal Adviser was submitted to remind Members that the Rules of Procedure are kept under review and were last updated (and approved by the Panel) on 4<sup>th</sup> June 2018.

The report recommended one amendment to the Rules of Procedure:

1. A change of wording to Section 11 (11.1) in respect of questions from Members of the Panel to the Commissioner.

This change followed discussions at the previous Panel meeting and advice from the Host Authority's Monitoring Officer.

Councillor Otten commented that Section 11.2 (c) of the Panel's Rules of Procedure, as written, restricted the discussion of any case, which, he felt the Panel should be able to scrutinise the Commissioner on. He therefore, proposed an amendment to Section 11.2 (c) as follows: 'must not relate to individual cases, except where this has wider policy or governance implications'.

D Cutting stated that the Panel was free to adopt this proposal, however he would carry out checks to ensure that there were no legislative prohibitions in doing so.

Members agreed that the Chair and Vice-Chair would consider Councillor's Otten proposal outside of today's meeting with a decision being made at the December meeting to adopt or otherwise.

M Buttery stated that the Rules of Procedure were silent regarding how long the Commissioner had to respond to Members' questions prior to a Panel meeting. Members were requested to submit their questions earlier, rather than later to enable the OPCC to respond prior to a Panel meeting.

Councillor Khayum acknowledged M Buttery's request.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the report.
- ii) Agreed that the suggested amendment would be considered by the Chair and Vice-Chair outside the meeting.
- iii) That D Cutting would liaise with Councillor Otten on the wording for Section 11.2 (c).
- iv) Noted that D Cutting would carry out checks in relation to Councillor Otten's proposal in respect of paragraph 11.2 (c) to ensure that there were no legislative prohibitions for the Panel in adopting the proposal.
- v) That a decision would be made at the December Panel meeting to adopt or otherwise.

## 15 PCC DECISIONS

A report of the Police and Crime Commissioner was presented to provide Members of the Panel with information on the decisions taken by the Commissioner since the last meeting.

Councillor Sansome asked for confirmation as to the amount of funding which had been received from the Police Transformation Fund. He also asked if further details regarding the Fund could be provided to Panel Members.

M Buttery agreed to provide the information outside of today's meeting.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report and commented on any matters arising.
- ii) Noted that the OPCC would provide Members with further information in relation to the Police Transformation Fund.

**16     LGA POLICE & CRIME PANELS WORKSHOP 11TH JULY 2018**

A report was presented to provide Members with a summary of the LGA Police and Crime Panels Workshop held on 11 July 2018 in London. The Workshop was attended by the Chair, Councillor Abdul Khayum, Vice-Chair, Councillor Stuart Sansome, Independent Member, Alan Carter and the Panel's Support Officer, Linda Noble.

The report highlighted key issues of work to be explored further in respect of South Yorkshire Police and Crime Panel.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the update.
- ii) Noted the areas to be explored further in respect of South Yorkshire Police and Crime Panel.

**17     WORK PROGRAMME (INCLUDING PAB DATES / ROTA)**

Members considered the 2018/19 Work Programme and were reminded that they could submit issues for the Work Programme that fall within the Panel's statutory role in supporting and / or holding the Commissioner to account.

All issues would be given full consideration by the Chair, Vice-Chair and Commissioner at the pre-agenda planning meetings.

Additionally, Members were asked to volunteer to attend meetings of the Commissioner's Public Accountability Board (PAB) to increase their operational knowledge.

S Chu confirmed that he would be attending the PAB scheduled for 27 September 2018.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the 2018/19 Work Programme.

**18     DATE AND TIME OF THE NEXT MEETING**

RESOLVED – That the next meeting of the Panel will be held on Monday 3 December 2018, at 1:00 pm in Meeting Room 14, Town Hall, Church Street, Barnsley.