



SOUTH YORKSHIRE POLICE AND CRIME PANEL

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

6 FEBRUARY 2020

PRESENT: Councillor D Nevett (Doncaster MBC) (Chair)

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

Councillors: J Grocutt (Sheffield City Council), P Garbutt (Sheffield City Council), K Mitchell (Barnsley MBC), J Otten (Sheffield City Council), P Short (Rotherham MBC) and S Wilkinson (Doncaster MBC)

Independent Co-opted Members: Mr A Carter and Professor A James

Dr A Billings (South Yorkshire Police and Crime Commissioner)

M Buttery, M Clements, S Abbott, S Parkin, F Topliss and K Wright
(Office of the South Yorkshire Police and Crime Commissioner)

A Frosdick, L Noble and A Shirt
(Barnsley MBC)

Apologies for absence were received from
M McCarthy (Barnsley MBC)

1 **WELCOME AND INTRODUCTIONS**

Councillor Nevett welcomed everyone to the February meeting of the Police and Crime Panel. An extended welcome went to A Frosdick, Monitoring Officer to the Panel.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were noted as above.

3 **ANNOUNCEMENTS**

Councillor Nevett reported that Panel Member Councillor Michelle Cook had recently stepped down as a Councillor from Sheffield City Council. It was noted that, Sheffield City Council's Labour Group were currently carrying out a selection process to appoint a new representative to the Panel.

Members' were also informed that, Councillor Martin Dyson from Barnsley MBC had resigned from the Panel. A replacement would be appointed at Barnsley MBC's full Council meeting today.

On behalf of the Panel, Councillor Nevett thanked Councillors Cook and Dyson for their contributions.

Councillor Nevett informed the Panel that, today would be Michael Clements last meeting, as he would shortly be leaving the OPCC to take up a position with North Yorkshire Police.

Members' paid tribute to the work undertaken by Michael at the Panel's Budget Working Group, which had been very much appreciated.

4 URGENT ITEMS

Councillor Wilkinson referred to the outbreak of the Coronavirus in China. She asked the Commissioner if the Police were prepared if there was an outbreak. Furthermore, she asked the Commissioner if he was confident of the security measures in place at Doncaster Sheffield Airport.

The Commissioner replied that, he did not have any specific information around the Airport, however, the Police were well-sighted on this. There was a Group co-ordinating the work at the Airport and they adhere to Home Office advice.

The Commissioner added that he had been in dialogue with the Director of Public Health at Sheffield City Council who had advised him that, it was almost impossible to not stop the virus entering the UK. Assurance was provided to Members that, all agencies were well sighted and well prepared.

5 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

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

None.

7 PUBLIC QUESTIONS:-

7A TO THE POLICE AND CRIME COMMISSIONER

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

7B TO THE POLICE AND CRIME PANEL

There were no questions to the Police and Crime Panel.

8 MINUTES OF THE MEETING HELD ON 2ND DECEMBER 2019

Professor James thanked the Commissioner and his staff for preparing figures around Restorative Justice, which were most helpful to him.

Professor James added that, it was gratifying to note that there was a fairly high proportion of female offenders who were referred to the Restorative Justice system. However, the figures provided did not make clear what the offences were. He asked if there was a strategic approach to identifying women offenders who might be referred to Restorative Justice. Additionally, he asked if the Force had in place a Women Offenders' Strategy, which was recommended by the Ministry of Justice in its 2018 report.

The Commissioner thanked Professor James for his questions and agreed to provide answers following today's meeting.

M Buttery added that, from her recollection, she was not aware that South Yorkshire Police had a dedicated strategy. However, the recommendations from the guidance and the report highlighted had been permeated through a number of workstreams. To provide further assurance, discussions around the low referral numbers had been addressed with the Force; future reporting would hopefully show an improved pattern.

Professor James raised concern that there may not be a Strategy in place. Additionally, he highlighted that the report recommended a multi-agency approach with regards to Restorative Justice, and asked if the OPCC had any plans to pursue this.

The Commissioner replied that he would follow-up with the Force and provide a reply following today's meeting.

Councillor Nevett thanked the Commissioner and the OPCC for organising a visit to the Custody Suite at Doncaster scheduled for 7 February 2020.

RESOLVED –

- i) That the minutes of the Police and Crime Panel held on 2nd December 2019 be agreed as a correct record.
- ii) That the Commissioner would provide answers to Professor James' questions around Restorative Justice as set out above.

9 PROPOSED REVENUE BUDGET AND COUNCIL TAX PRECEPT FOR 2020/21

A report of the Chief Finance and Commissioning Officer, OPCC was presented to notify the Police and Crime Panel of the South Yorkshire Police and Crime Commissioner's proposed Council Tax precept for 2020/21.

The Commissioner provided the Panel with context to his proposal, he stated that, ten years of austerity was now coming to an end with essentially nine years of cuts to Police Grant year-on-year and reductions in police officer numbers. Last year's decision to increase the precept quite significantly began to make a contribution towards increasing police officer numbers in South Yorkshire, with the Force planning an increase of 220 by 2024. Just before the General Election all political parties, agreed an increase in police numbers by at least 20,000, which was welcomed.

As a consequence of the fall in officer numbers the Force had seen an increase in organised crime gangs, particularly those which were dealing with drugs, child criminal exploitation and county lines. South Yorkshire had also been highlighted alongside 17 other police force areas as having the most numbers of knife-related crime stabbings as recorded by hospital data. There were also correlations between the number of police officers and the growth in serious crime rates.

The Commissioner stated that he was pleased to see the number of police officers rising, however, it did raise issues for him around recruitment, training, equipment, on the job training and placing new officers alongside experienced officers.

The Commissioner made reference to the fact that he was aware South Yorkshire was not a wealthy part of the country and was, in fact, amongst the poorest parts of the country and Europe. Furthermore, he was also well aware that people within the communities in South Yorkshire were struggling financially, which he had to balance with the needs of the Force and therefore, his proposal was to levy an annual increase in the Council Tax precept of 2%.

M Clements provided Members with key highlights contained within the report.

Members noted that the Force had made considerable progress on its journey to outstanding. In 2016 South Yorkshire Police was ranked 43rd out of 43 forces. In the latest rankings it was now ranked joint fourth, and was the highest ranking Force in the Yorkshire and Humber region.

In relation to the 2020/21 National Funding Settlement, additional grant funding of £700m was included to help PCCs and Forces achieve the first 6,000 increase in police officer numbers by 31st March 2021. The approach to securing the government's full 20,000 'Uplift' target would be addressed in the 2020 Spending Review and incorporated into the 2021/22 budget planning process. In addition, PCCs were given the flexibility to increase the policing precept by up to £10 for a Band D property in 2020/21.

For South Yorkshire, additional 'Uplift' grant of £16.8m had been made available in 2020/21 to support an increase of police officer numbers of 151 by March 2021. Of this, the Home Office had built 75% (£12.6m) into the core policing grant and retained 25% (£4.2m) as 'ringfenced grant', payable only if the 151 additional officers are in post by 31 March 2021.

For 2020/21 financial planning, only the core grant (75%) is assumed in the 2020/21 budget, with the full value including the ringfenced grant element assumed in 2021/22 onwards.

For South Yorkshire, the Home Office's target number for new 'Uplift' officers in post by March 2021 was 151. This was in addition to the additional 73 officers already planned for 2020/21 following the significant increase in precept levied in 2019/20 to achieve 220 more officers.

In total, 274 new police officer posts will have been created and filled between April 2019 and March 2021. This is also in addition to recruiting to fill vacancies that arise from the 'business as usual' existing police officer workforce.

South Yorkshire anticipated its share of the full 20,000 'Uplift' officers would be 487 by 2023, although the Home Office's approach to grant funding the further 14,000 after 2020/21 would not be confirmed until the Spending Review is published.

The estimated costs of achieving the full Uplift target for South Yorkshire of 487 officers by March 2023 had been built into the Medium Term Resource Strategy (MTRS), but the government grant funding was reflected at 2020/21 levels (i.e. for 151), which created a cost pressure that would need to be addressed.

The proposed budget of £277.6m included investment to support a further increase in police officer posts of 194 (73+121). Also included was investment into Atlas Court (£1.1m full year), the Crime Review (£1.1m) and £1.6m into the estate to support the increased workforce through Uplift.

Savings of £4.5m were reflected and the overtime budget had been reduced.

Legacy issues were forecast to be £129m to 2023/24, requiring £19m of resources to fund the expected shortfall in Special Grant receivable under current Home Office rules.

The Medium Term Resource Strategy (MTRS) assumed a 2% precept increase each year to 2024/25. The MTRS also reflected the full increase in police officer numbers to 3,056 by March 2023 i.e. the 220 from existing Precept plus the 487 further Uplift officers. However, pending certainty through the Spending Review, the level of Uplift grant was maintained at 2020/21 levels i.e. only funding the first 151 of the full Uplift increase in officers for South Yorkshire.

Members noted that the PCC's proposal was to levy an increase in Council Tax precept of 2%, equivalent to £3.88 per annum on a Band D property. The annual increase for a Band A property would be £2.59, and £3.02 for Band B.

Members were informed that further information had been received to update some key elements of the proposed 2020/21 budget. It was noted that the proposed increase in policing precept of 2% for 2020/21 remains the same.

On 30th January 2020 the Association of Police and Crime Commissioners issued a circular indicating that the National Police Chiefs Council was proposing a 2.5% pay award for 2020/21 and a multi-year pay deal thereafter. 2.5% had now been reflected in the proposed 2020/21 budget and MTRS, adding c.£750k in 2020/21 and a further £1.1m per annum thereafter.

In addition, information had also been received to state that there was likely to be increased charges for the national air service (NPAS), which includes police helicopters, of £178k for South Yorkshire. The Home Office had also indicated that an increase in charges to forces in 2020/21 for national IT projects was imminent, estimated at £780k. Both of the increased charges were now reflected in the 2020/21 budget.

The report set out a number of key risks and uncertainties, which were noted by Members.

If the precept was increased by 2% for the year, the proposed budget position for 2020/21 would be a £300k surplus, slightly increasing reserves. The 2019 Reserves Strategy would be refreshed for approval at the PAB meeting on 25th February 2020.

Appendix A to the report reflected the reserves position over the life of the MTRS to 2024/25, maintaining a level of general reserve at or above 5% of the net revenue budget until 2023/24.

Councillor Grocutt referred to the Force's target of recruiting 151 police officers. To provide her with some assurance, she asked how many individuals apply for police officers posts.

In addition, Councillor Grocutt asked the Commissioner and M Clements if they had provided Members with all the necessary information to allow a sensible, reliable and well thought out precept. She also asked if there were any gaps in the information provided.

The Commissioner replied that there were no gaps in the information provided; there were uncertainties as previously outlined by M Clements and therefore, assumptions had been built into the budget.

In relation to recruitment, the Commissioner highlighted that every police force in the country was now recruiting because of the Uplift. He confirmed that he had no reason to believe that the Force would not meet its recruitment target year-on-year.

Councillor Otten commented that the report contained no information to show figures based on raising the precept to either three or four percent, and, what the extra funding could do for the people of South Yorkshire in terms of giving them a good policing service.

The Commissioner replied that there was an element of growth built into the budget, which included improvements to the police service.

Councillor Sansome asked the Commissioner to provide assurances that the Panel's Budget Working Group would continue to monitor the key areas of the budget.

Additionally, Councillor Sansome asked if the Commissioner could provide Members with assurances that plans were in place to get 151 additional officers in post by 31st March 2021, given that 25% of the funding depends on this. He also asked what the position would be if the 151 is achieved, but not until the next financial year (2021/22). Did this mean a shortfall in grant funding for 2020/21, but the full amount obtained in 2021/22.

The Commissioner replied that the informal Budget Working Group meetings would continue to enable Members to be kept informed of developments.

The Commissioner added that the Force had been recruiting for some time now, so were essentially ahead of the programme. He was fairly confident about the recruitment of 151 additional officers in the coming 12 months; currently there were no risks in not achieving the figures, in the short term.

In relation to the 2020/21 financial risk, should 151 not be recruited, M Clements stated that he had not assumed the full additional grant. 25% was dependent on delivering the 151 until 2021/22 as a backstop position.

Councillor Sansome referred to section 6 of the report, which indicated £4.5m of savings were reflected in the budget proposals, but the report did not provide any details of what those savings are.

The Commissioner replied that this figure was for efficiency savings to be achieved by the Force and would be developed as discussions with the Force take place.

Councillor Nevett stated that legacy issues were forecast to be £129m to 2023/24 requiring £19m of resources to fund. He asked how likely it would be that more grant funding could be secured to remove some of the budget pressure.

The Commissioner replied that he was in active dialogue with the Home Office to increase Special Grant to minimise the level of funding from the current policing budget to pay for South Yorkshire's legacy issues.

F Topliss provided Members with an overview of the outcome of consultation with the public regarding the policing precept. Over 2,600 residents had engaged and expressed their views, with the majority indicating they would be prepared to pay an increased precept, in return for assurance regarding value for money and greater police visibility.

Professor James commended the Commissioner and the OPCC for their considerable effort and success in obtaining feedback from the public.

The Chair, Councillor Nevett moved to accept the proposed increase in Council Tax precept for 2020/21 equivalent to 2% and this was seconded by the Vice-Chair Councillor Sansome.

A recorded vote was taken and recorded as follows:-

For accepting the proposed increase in Council Tax precept for 2020/21 - (9)
Councillors Nevett, Sansome, Grocutt, Garbutt, Mitchell, Short, Wilkinson,
Professor James and Mr Carter.

Against the proposed increase (1) Councillor Otten and abstained (0).

The proposal was approved.

RESOLVED – That Members of the Police and Crime Panel voted to accept the proposed annual increase in Council Tax precept for 2020/21 equivalent to 2%. This would be equivalent to a £3.88 increase for a Band D property to £198.04 for

the year. For Band A properties this equated to an annual increase of £2.59 and £3.02 for Band B properties be approved.

10 DIGITAL POLICING

A report of the Commissioner was presented to provide Members with the Independent Ethics Panel's report on ethical issues arising from digital policing.

Appendix A to the report provided Members with the Independent Ethics Panel's report on this piece of work which included an explanation of what is meant by "digital policing", the identification of 6 key digital ethical principles and a set of ethical questions that the Force would be able to use in order to consider the ethics of a particular digital policing technology.

At the PCC's Public Accountability Board held on 14 January 2020 the Chief Constable confirmed that the checklist would enable choices to be made around digital technology investments. Furthermore, it would be a useful benchmark for future business cases.

Councillor Otten thanked the Commissioner for the report. He commented that, there had been reports recently in the press on the use of a facial recognition technology pilot, which had reported that this technology was biased against ethnic minorities, in that, it was less accurate. He stated that he did not see any advice in the report around the use of facial recognition technology.

Councillor Otten also referred to artificial intelligence and reference in the report to a national decision making model, which mentioned making decisions on behalf of police officers which they would normally take. He was unaware of any technology in the market which would make officer decisions rather than a human being. He suggested that this was the wrong way of thinking about technology and the decision would be whether to use the technology or otherwise.

The Commissioner replied that he had tasked the IEP to take an initial look at the whole question of digital technology, which was moving very fast. He added that at present, a machine would only do what it was programmed to do. He did envisage a future in which a machine had more autonomy and independence. In addition, the Commissioner highlighted that the Force had to be prepared for digital policing and the report set out six key digital ethical principles.

In relation to facial recognition it may be that, the technology is used to identify offenders or missing people.

A Carter stated that he was pleased to note the report on today's agenda. He asked if it was the intention of the Commissioner to keep digital policing on the Panel's agenda.

The Commissioner replied that it was his intention to provide updates to the Panel on a six-monthly cycle.

Councillor Garbutt asked how thorough new technologies are tested by the Force prior to investing in them. Additionally, one of the six principles was around

‘accountability’. He asked how the Force could be accountable if technology went wrong and what steps were in place to maintain personal privacy.

The Commissioner replied that new technologies were not only tested by police forces, but by other institutions for example, universities who were also carrying out testing. In relation to ‘accountability’, the Commissioner stated that, as digital technology develops, more and more evidence presented in Court would be digital. The report was looking at new kinds of technology that was up and coming, the questions this raises and the underlying principles that could be applied to each of the new technologies.

Professor James stated that he welcomed the report, which was very thorough and well researched. He asked what the status of the IEP’s report was in relation to the application of the ethical principles in practice. Additionally, he asked if regular updates would be presented to the Panel and include, for example, an assessment against the ethical principles as new technologies are rolled out within the Force.

The Commissioner replied that he had every reason to believe that the report would be influential to the Force, and the recommendations taken on board. He would endeavour to include an assessment against the six ethical principles in future reports to the Panel.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the report and commented on any matters arising.

11 POLICE COMPLAINTS HANDLING - CHANGES TO STATUTORY RESPONSIBILITIES UPDATE

A report of the Commissioner was submitted to provide Members with an update on the changes to the police complaints system and the role of the Police and Crime Commissioner (PCC) within that.

Members were reminded that a major overhaul of the police complaints system had been undertaken for the first time since the Police Reform Act was introduced in 2002. The reforms, under the Policing and Crime Act 2017, were designed to increase public confidence in policing and to make the whole process simpler to manage and administer.

The PCC had decided on 15 August 2019, not to extend his role beyond the minimum required by the new legislation, but this decision may be reviewed at some point in the future, once the new regulations are implemented and the impact of the changes are more clearly understood.

Members noted that the regulations to the complaints and discipline system were laid in Parliament on 10 January 2020 and come into force on 1 February 2020.

In preparation for the legislation changes staff from the Office of the Police and Crime Commissioner (OPCC) had attended a number of training / awareness raising events organised by the IOPC, Home Office and the Force Information Systems Ltd (FIS) who administer the IT system used by all forces to record and handle complaints.

Whilst some analysis had been undertaken to determine the impact the new regulations will have on the workload of the OPCC, this was still relatively unknown. To ensure the new statutory obligations are met, the Chief Constable has agreed to second a member of police staff to work in the OPCC on a part-time basis. This individual will support the Head of Governance in assessing police complaint reviews and making recommendations to the PCC as the relevant review body. The arrangements would be reviewed in twelve months' time.

The PCC had asked that the Independent Ethics Panel provide both the Chief Constable and himself with assurances that legislation changes had been implemented and were working effectively.

Councillor Otten asked the Commissioner if adoption of the minimum requirements reflected a lack of enthusiasm by the OPCC for the reform.

Additionally, Councillor Otten asked if it was the Commissioner's view that the secondment from the Force to carry out this work would be a permanent arrangement, or would the OPCC take full responsibility at a later date.

The Commissioner replied that there was not a lack of enthusiasm on his part.

M Buttery added that the PCC's role was to review an earlier decision, not to re-investigate. The seconded individual had a wealth of knowledge and experience regarding the requirements and the complaints system, and this could be passed onto other members of the OPCC team when conducting a review of the complaint. It was noted that the individual would work on a part-time basis with the OPCC and also part-time with the Force. The recommendation of the PCC on the merits of the review would be made by a senior member of the PCC's staff; not by this seconded individual.

Councillor Nevett asked if there was a date scheduled when the Independent Ethics Panel (IEP) would provide the Chief Constable and the Commissioner with assurance that the legislation changes had been implemented and were working effectively.

S Parkin replied that the IEP receives a six monthly report which provides them with all the information on complaints during the last six months and identifies any trends over a 12 month period along with any lessons learnt. Additionally, a Lead Member had now been appointed on the Ethics Panel who was familiar with legislation changes. The Lead Member would, in future, be attending the Force's Champions' meeting which looks in more detail at complaints.

RESOLVED – That Members of the Police and Crime Panel are recommended to note the contents of the report and comment on any matters arising.

12 POLICE AND CRIME PANEL MEETING DATES 2020-21

A report was submitted to set out a schedule of meeting dates for the Police and Crime Panel in 2020/21.

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

i) Considered and approved the 2020/21 meeting dates set out below:-

Monday 6 April 2020
Monday 8 June 2020 – Annual Meeting
Monday 20 July 2020
Monday 7 September 2020
Monday 14 December 2020
Monday 1 February 2021
Monday 19 April 2021

All meetings will commence at 1:00 pm with a pre-meeting for Members at 12:30 pm, apart from the July 2020 meeting which will start at 2:00 pm (Member pre-meeting 1:30 pm) and be held at the Town Hall, Church Street, Barnsley, S70 2TA, unless stated otherwise.

ii) Agreed to hold additional / extraordinary meetings / training events as and when appropriate / necessary.

13 PCC DECISIONS

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

In response to a question from A Carter, S Parkin confirmed that the award to Voluntary Action Sheffield was an award of contract for a service to enable the voice of people with lived experience to contribute to the work of the South Yorkshire Violence Reduction Unit.

A Carter asked if the voluntary sector was now able to claim expenses for people who attend or assist with the work of the VRU.

S Parkin confirmed that the Commissioner had agreed to pay expenses to those community groups who were assisting with the work of the VRU.

Following a request for further information from A Carter, M Buttery provided Members with an update on the 'You're Only Young Once (YOYO) Sport programme.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the report and commented on any matters arising.

14 LEARNING AND DEVELOPMENT UPDATE

A report was submitted to update Members on current events – national, regional and local, together with future plans in respect of learning and development for the Panel.

L Noble reported that, in addition to the events listed in the report, Members would be canvassed to attend the LGA's Police, Fire and Crime Panels Workshop in London on 18 March 2020.

Visits to the Sexual Abuse and Referral Centre (SARC) and Lifewise Centre were being arranged, and a visit to Doncaster Custody Suite was arranged for 7th February 2020, 9:15 am prior to the PAB meeting. Members had been notified by email.

Professor James reported that he had recently observed a meeting of the Commissioner's Public Accountability Board, where there had been many positives highlighted, but not many points of criticism. He asked if this could possibly be reflected in future reports to PAB to give a more balanced picture.

The Commissioner acknowledged Professor James' observation. He queried if this would help dialogue with Force; the onus was on him to challenge the Force. The Commissioner highlighted that the PAB was not the only source of information to him; officers from the OPCC attended quarterly performance meetings with the Force and information was fed back to him on Force performance.

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

- i) Noted the update.
- ii) Provide suggestions for future learning and development.

15 WORK PROGRAMME / PAB DATES

Members considered the 2020 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 encouraged to attend meetings of the Commissioner's Public Accountability Board (PAB) to increase their operational knowledge.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the 2020 Work Programme.

16 DATE AND TIME OF THE NEXT MEETING

RESOLVED – That the next meeting of the Police and Crime Panel be held on Monday 6th April 2020, 1:00 pm in Meeting Room 14, Town Hall, Church Street, Barnsley.

CHAIR