



SOUTH YORKSHIRE POLICE AND CRIME PANEL

THIS MEETING WILL BE HELD VIRTUALLY

7 SEPTEMBER 2020

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

Councillors: A Cherryholme (Barnsley MBC), J Grocutt (Sheffield City Council), P Garbutt (Sheffield City Council), J Otten (Sheffield City Council), P Short (Rotherham MBC), J Steinke (Sheffield City Council) 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, S Abbott, S Parkin, K Wright and F Topliss (Office of the South Yorkshire Police and Crime Commissioner)
(Office of the South Yorkshire Police and Crime Commissioner)

M McCarthy, J Field, L Noble, A Shirt and M McCoolle
(Barnsley MBC)

Apologies for absence were received from
Councillor S Sansome (Rotherham MBC) and Councillor K Mitchell
(Barnsley MBC)

1 **WELCOME BY CHAIR**

Councillor Nevett welcomed everyone to the virtual meeting of the Police and Crime Panel.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were noted as above.

3 **ANNOUNCEMENTS**

None.

4 **URGENT ITEMS**

None.

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.

8 TO THE POLICE AND CRIME PANEL

There were no questions to the Police and Crime Panel.

9 MINUTES OF THE POLICE AND CRIME PANEL HELD ON 20TH JULY 2020

Councillor Otten referred to the discussion around the Panel's Rules of Procedure at the July meeting. He asked if clarification could be provided around nominations for the position of Chair and Vice-Chair of the Panel and the role undertaken by the South Yorkshire Leaders'.

J Field replied that the Panel's Rules of Procedure had been drafted to ensure that it was for the Panel to determine which Member should be appointed to the positions of Chair and Vice-Chair.

M McCarthy informed the Panel that the South Yorkshire Leaders' had agreed in 2017 to rotate the positions of Chairs and Vice-Chairs of each South Yorkshire Joint Authority/Body between the four local authorities every two years. He confirmed that, despite the decision on the rotation, it was ultimately a Police and Crime Panel decision as to which local authority Member acts as Chair and Vice-Chair.

L Noble provided Members with an update on the Panel's Action Log which had been updated and circulated to Members on 1st September 2020, following a meeting with the Performance Lead / Deputy Lead Members and K Wright from the OPCC. The following updates were noted:

- Action from Panel meeting held on 02.12.2019 – Health and Wellbeing was covered as part of the Chief Constable's private briefing with the Panel held on 20th July 2020.

The Panel agreed that the action be marked as 'discharged' and moved to the 'Closed Action Log'.

- Action from Panel meeting held on 02.12.2019 – Restorative Justice / Female Offenders. It was noted that the Panel is awaiting feedback from the OPCC around a session on Restorative Justice.

The Panel agreed that the action be retained on the Action Log as 'live'.

- Action from Panel meeting held on 06.04.2020 – Cyber Crime.

The Panel agreed that the action be retained on the Action Log as 'live'.

- Action from Panel meeting held on 06.04.2020 – Stop and Search.

The Panel agreed that the action be retained on the Action Log 'as live' until the December Panel meeting.

- Action from Panel meeting held on 06.04.2020 – Helping to shape future probation services.

The Panel agreed that the action be retained on the Action Log 'as live'.

- Action from Panel meeting held on 08.06.2020 – Lead / Link Members. It was noted that a report was contained on today's agenda for consideration and discussion.

RESOLVED - That the minutes of the Police and Crime Panel held on 20th July 2020 be agreed as a correct record.

10 MONITORING DELIVERY OF THE POLICE AND CRIME PLAN - QUARTERLY REPORT (APRIL TO JUNE 2020)

A report of the Police and Crime Commissioner was submitted to present the Quarterly Report for the period April – June 2020, produced from the developing Police and Crime Commissioner's (PCC's) Police and Partners Performance Framework.

The report aimed to provide information about how the police and partners, as well as the Office of the PCC (OPCC) are working to achieve the outcomes and priorities set out in the Police and Crime Plan for South Yorkshire.

A copy of the Quarterly Report was presented at Appendix A to the report for Members' information. The reporting period covered the time of the Covid-19 pandemic and the associated restrictions imposed by the Government.

Members were reminded that the three priorities under the Police and Crime Plan for 2020/21 remained as:

- Protecting vulnerable people
- Tackling crime and anti-social behaviour
- Treating people fairly

The Commissioner reported that, during the period, there continued to be wide ranging changes to the ways of life for everyone and changes to the way businesses and organisations have had to operate. Page 3 of the report provided Members with a summary of where the Commissioner's focus had been during the period.

K Wright provided Members with an overview of the performance achieved throughout April to June 2020.

Councillor Steinke referred to under-reporting of hate crime during the quarter and the discussion that had taken place at the recent Public Accountability Board with regards to initiatives that could be used to improve under-reporting of Hate Crime in communities.

He added that the Panel should be feeding into the Sheffield Race Equality Commission and other similar Council bodies. He asked how the Commissioner envisaged the Public Accountability Board and the OPCC feeding into this work.

K Wright replied that the rise in hate crime reporting could be viewed as a positive. He explained that people now had the confidence to report a hate crime, knowing that the Force would take it seriously and that it would be investigated.

The Commissioner stated that he would produce a note for the Panel setting out the work he had been undertaking in relation to hate crime.

Councillor Otten commented that the section in the report relating to 'Treating People Fairly' did not report on the Black Lives Matter movement. He asked if the Commissioner could provide details of the scope he was looking for in the Force's response.

Councillor Otten also thanked the Commissioner for providing a response to his email around Stop and Search, but highlighted that the data was quite old and possibly needed to be looked at again in light of recent events. Additionally, Councillor Otten asked if the Force were employing enough officers from black and ethnic minorities.

The Commissioner replied that he had met with representatives of Black Lives Matter (at their request) to address issues which are important to them and they were supportive of the work which the Force was undertaking.

The Commissioner commented that the Force had experienced difficulty in recruiting people from the black and ethnic minority community. This had led to questions being asked around the pressures of training and once officers were recruited and trained how did the Force retain them. Furthermore, the Force had been looking at a range of issues to evaluate whether people feel that they have generally joined an organisation which welcomes and values them.

The Commissioner confirmed that issues in relation to Stop and Search were regularly examined by the Independent Ethics Panel and this is where he received his assurance that the Force were behaving ethically with regard to Stop and Search.

Councillor Otten asked if the Force were challenged on their performance and responses to Hate Crime.

The Commissioner replied that there were some groups where there was no disproportionality and others where the Force had identified BME disproportionality around Stop and Search.

Councillor Wilkinson noted that there had been an increase in domestic abuse reports to June 2019 totalling 19,957 and 22,569 to June 2020. She asked if there had been a gradual increase across all 4 quarters and how Quarter 1 2019/20, compared with Quarter 1 2020/21.

Additionally, Councillor Wilkinson asked if reporting during Quarter 1 2020/21 had been made by victims or by a 3rd party. She also asked if any work had been undertaken to determine whether there had been an actual increase in domestic abuse because of enforced tension during lockdown or if people had been more aware of their neighbours during lockdown and therefore had not noticed any issues.

The Commissioner replied that during lockdown, there had been a surge in phone calls to national Domestic Abuse helplines. However, in South Yorkshire reporting had been low during the period of lockdown. He explained that this could have been due to likely offenders keeping victims indoors and them being unable to report abuse to the Police.

The Commissioner asked K Wright to provide answers to Councillor Wilkinson's performance related questions outlined above.

In response to a question from Councillor Wilkinson regarding how the "silent solution" works, the Commissioner informed the Panel that the "silent solution" was a further channel for reporting Domestic Abuse. Victims could call 999 and then press 55 whilst on the call to allow the Police to listen in without the need for the victim to speak.

Professor James commented that, with regards to disproportionality, the figures presented in the dashboard showed that there had been a threefold increase in the number of Stop and Searches. He stated that he was pleased to note that Stop and Search data was available by district, age, gender and ethnicity, which he anticipated would be presented to the Panel, either directly, or through the Performance Lead Member meetings.

The Commissioner replied that the increase in the number of Stop and Search was partly due to the receipt of Central Government Grant Funding to increase activity in Stop and Search.

The Commissioner also acknowledged the request for Stop and Search data to be presented to either the Panel or through the Performance Lead Member meetings.

Professor James also wished to congratulate the Force for the efforts which had been made to improve the 101 call wait time. As suggested previously, Professor James stated that it would be helpful if 101 data could show both the median and mode.

The Commissioner agreed to undertake a review in relation to how 101 data is presented to the Panel.

Councillor Grocutt asked if Special Constables and Volunteers had been working throughout the Covid-19 pandemic. If so, she asked that special thanks be passed onto them.

The Commissioner stated that he would ascertain with the Force if Special Constables and Volunteers had been working throughout the Covid-19 pandemic. He would also pass on Councillor Grocutt's thanks to them.

Councillor Grocutt asked the Commissioner to comment on the discussions he was having with the Force to deal with the rises in both residential burglaries and crime and anti-social behaviour.

The Commissioner replied that there had always been an issue around residential burglaries in South Yorkshire; he was determined to try and understand why this should be and what the Force were going to do about it.

He added that the Force were currently setting up a Specialist Burglaries Team in the Eastern Sheffield District to investigate why residential burglaries were taking place.

In relation to crime and anti-social behaviour, the Commissioner commented that the rise was largely linked to Government Restrictions in place during the Covid-19 lockdown. For example, people gathering and the Force dealing with breaches of the restrictions.

Councillor Grocutt asked how effective the Domestic Violence Protection Notices and Protection Orders were. Additionally, she asked whether or not the Force were using the Notices and Orders as a means of dealing with domestic violence instead of actually dealing with any potential crimes.

The Commissioner replied that the Force had a specialist team who dealt with Domestic Violence Protection Orders and Protection Notices. The Force's whole approach to domestic abuse during lockdown had increased and improved.

K Wright added that every Domestic Violence Protection Order and Protection Notice were signed-off by a Superintendent who would check that there was no other possibility of charging and prosecuting a perpetrator.

A Carter asked if the Force's Community Alerts could be produced in a different format for school children and for people with a learning disability. He also asked if Community Alerts could be produced in alternative languages.

The Commissioner agreed to discuss A Carter's questions with the Force and provide a response after today's meeting.

Councillor Nevett asked if there was a reason why call volumes to 101 had increased significantly during the May to June period. Furthermore, he asked if the recommendations from the review of Atlas Court had been fully implemented.

The Commissioner replied that the Force had received a large variety of requests from people using the 101 system. He added that, although there were a number of options in place to contact the Force, a large majority of people still preferred to call 101.

It was noted that the recommendations from the review of Altas Court was yet to be fully implemented and would be embedded over the next 6 to 12 months. The Force had recruited extra switchboard operators who were set to commence in post later this month.

Councillor Steinke commented that the Force's Community Alerts system was invaluable in terms of publicising information on a local level. He added that, the real challenge was the publication of misinformation through social media, which had occurred several times in his ward area.

The Commissioner acknowledged that this was a very important issue and commented that he had discussed options with the Force. Unfortunately, officers were limited as to what they could do, as they did not wish to do anything which could prejudice a subsequent trial.

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 produce a note for the Panel setting out the work he had been undertaking in relation to Hate Crime.
- iii) Noted that K Wright would provide answers to Councillor Wilkinson's performance related questions in relation to Domestic Abuse.
- iv) Noted that the Commissioner had acknowledged the request for Stop and Search data to be presented either directly to the Panel or through the Performance Lead Member meetings.
- v) Noted that the Commissioner had agreed to undertake a review in relation to how 101 data is presented to the Panel.
- vi) Noted that the Commissioner would ascertain with the Force if Special Constables and Volunteers had been working throughout the Covid-19 pandemic.
- vii) Noted that the Commissioner would pass on Councillor Grocutt's thanks to the Force's Special Constables and Volunteers.
- viii) Noted that the Commissioner would ascertain if the Force's Community Alerts could be produced in a different format for school children and for people with a learning disability and also if Community Alerts could be produced in alternative languages.

The Commissioner introduced a report to provide Panel Members with information on the draft financial position based on the period 1st April 2020 to 30th June 2020.

The report provided Members with a consolidated position on the budget managed by the Chief Constable of South Yorkshire Police force and budgets managed by the Office of the Police and Crime Commissioner

Members noted that, based on current assumptions, the forecast outturn position for the revenue budget was an overspend of £2.484k.

As at 30th June 2020, the projected year end outturn position was a £2.558m overspend on the Chief Constable's budget, net of external funding.

Based on information as at 30th June 2020, the PCC and OPCC budget forecast year end position was an underspend of £74k. The main reasons for the underspend were presented within the report for Members' information.

As at the end of June 2020, the Capital Programme reflected the PCC's approved programme of £22.2m, which did not include the unapproved capital slippage of £6.1m from 2019/20.

Paragraph 7 of the report set out a number of risks and uncertainties in the reported financial position in addition to Covid-19 expenditure. Members noted that the Government had indicated that the Comprehensive Spending Review would go ahead in 2020/21, and regular meetings were being held with the Home Office to ensure that the Commissioner is fully sighted on the issues arising within policing in South Yorkshire.

Councillor Garbutt asked if the Violence Reduction Unit (VRU) would continue beyond March 2021.

S Abbott replied that the Commissioner had not received notification to suggest otherwise. The Commissioner was currently making an assumption that the Force would receive a £1.6m Home Office grant to continue the VRU in South Yorkshire.

The Force's Budget Monitoring report provided Members with a detailed update on Covid-19 expenditure. It was noted that expenditure of £1.46m had been incurred to the end of June 2020, with expenditure of £2.59m being forecast to the end of the year.

Councillor Steinke asked if the Force needed to clarify its financial position in terms of committed Covid-19 expenditure in order to plan for any future developments within the epidemic.

The Commissioner replied that he was having regular meetings with Ministers around Covid-19 expenditure. However, there had been no guarantee of funding to cover expenses. Returns were being submitted to the Home Office on a monthly basis, who in turn were in negotiation with HM Treasury.

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

12 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.

Councillor Nevett queried why the Commissioner had approved a decision to obtain an additional ten Call Back Assist Licenses, instead of just purchasing one license.

M Buttery explained that there had been an uplift in staff at Atlas Court and each operator who was using Call Back Assist would require a license. The additional ten Call Back Assist Licenses was the optimum number of licenses currently required.

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

13 AMENDMENTS TO RULES OF PROCEDURE

Following discussion, the Panel agreed that the report be withdrawn from today's agenda to enable officers to undertake further amendments to the Panel's Rules of Procedure.

The amended Rules of Procedure would be presented at the December Panel meeting.

14 LEAD MEMBER: RACE RELATIONS - DISCUSSION PAPER

A discussion paper was presented which reminded Members' that, at the Police and Crime Panel meeting held on 8th June 2020 there had been a discussion around the current Lead Member arrangements.

At the meeting, Councillor Otten had raised the issue of the Panel introducing an additional Lead Member to cover Race Relations. The Panel's Support officer provided a response which was included on the Action log for the Panel meeting of 20th July 2020.

The response suggested that any Lead Member role should cover all nine protected characteristics set out in the Equality Act 2010 – age, disability, gender re-assignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity. The Commissioner also reminded the Panel that the Independent Ethics Panel (IEP) considers all such characteristics in providing him with assurance around the Force's activities.

The Panel agreed at the meeting on 20th July 2020 that further research should be undertaken by the Support Officer into Lead Member arrangements (or similar) in this area across other Police, (Fire) and Crime Panels, and provide a report back to the September meeting.

The report submitted provided a summary of those findings for discussion / consideration. It was noted that, due to the fact that almost all Panel Support staff are working from home, and the increased workload and priorities to support the pandemic, not all Police, (Fire) and Crime Panels have been contacted. That said, Frontline Consulting – who support all Police, (Fire) and Crime Panels, together with the LGA – have provided their views, as well as the Chair of the National Association of Police, Fire and Crime Panels (NAPFCP).

Paragraph 14 of the report presented four options for the Panel's consideration.

M Buttery requested that, prior to discussion around Option 3, she wished to remind Members that the Commissioner and the Chief Constable had statutory responsibilities around the Equality Act 2010.

The Commissioner had implemented an assurance framework and a set of assurance arrangements to ensure that he is discharging his statutory responsibilities around equality and inclusion. The Chief Constable was held to account via the Independent Ethics Panel. In addition, the Chief Constable chaired a Diversity Board at which the Commissioner is represented. There was also a Trust and Confidence Group that sometimes had involvement in these issues.

M Buttery highlighted that there were concerns for the OPCC and Commissioner around Option 3, due to there being a danger that, if this was the favoured option and the Commissioner was asked to consider her advice, this would lead to confusion in governance terms and assurance activity could be inaccurate. There could also be a situation arising around resources at the expense of covering off the Commissioner's statutory responsibilities and the Chief Constable would, in effect, be reporting to the Panel on arrangements which the Panel had asked the OPCC to undertake.

After a lengthy discussion and consideration of the four options, the Panel agreed to obtain assurance from the Commissioner's Independent Ethics Panel (IEP) via a report to the Panel setting out its role and remit and the work it was undertaking with regards to Hate Crime (and wider equality and inclusion).

Prior to the request being submitted to the Independent Ethics Panel (via the OPCC), Councillor Nevett requested L Noble liaise with Councillor Otten around the areas he would wish to see included in the report to enable the IEP to provide their comments, and to ensure the report satisfies Councillor Otten's concerns.

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

- i) Considered the information provided.
- ii) Requested that assurance be obtained from the Commissioner's Independent Ethics Panel via a report to the Panel setting out the role and remit of the Independent Ethics Panel and the work it was undertaking with regards to Hate Crime (and wider equality and inclusion).

- iii) Noted that L Noble would liaise with Councillor Otten around the areas he would wish to see included in the report to enable the IEP to provide their comments, and to ensure the report satisfies Councillor Otten's concerns.

15 HOME OFFICE GRANT - POLICE & CRIME PANEL

A report of the Service Director, Legal and Governance was submitted to remind Members that, Police and Crime Panels receive a Grant from the Home Office, reimbursed retrospectively, to cover the administration of the Panel and Member expenses etc.

For 2019/20 the Panel was allocated a Grant of £64,340. This included £11,040 for general Member Expenses (£920.00 per member basic allowance), and £8,072 for Special Responsibility Allowances for the Chair and Vice-Chair which were agreed following an Independent Review in December 2018.

Appendix A to the report provided further information on the final 2019/20 year claim submitted to the Home Office by the required deadline of 31st July 2020.

As in previous years, the Panel's expenditure has been published on the PCP website to comply with openness and transparency.

The Grant Agreement for 2020/21 was received on 15th June 2020 and the acceptance form signed and returned. The amount available remained the same – £64,030.

L Noble wished to place on record her thanks to Audrey Winstanley from Barnsley MBC's Finance Team for keeping track of the Panel's expenditure, and ensuring that returns were completed for submission to the Home Office.

RESOLVED – That Members of the Police and Crime Panel noted the Panel's expenditure for 2019-20.

16 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. Given the current circumstances and restrictions on physical meetings, updates within the report were provided in red.

L Noble reported that a virtual interim session with Frontline Consulting, the Chair, Vice-Chair, Lead and Deputy Lead Performance Members and representatives from the OPCC would take place on 11th September 2020.

The session would cover scrutiny of performance and how this is being developed, along with work programming and how topics are selected.

In relation to the Panel session with Leads from the four District Community Safety Partnerships. L Noble reported that an email had been sent out on behalf of the Chair, with positive responses received from all. Sheffield Community Safety

Partnership had advised that they would make a nomination shortly for a representative to join the session.

A Carter commented that he had been concerned for some considerable time that there had been inadequate links and representation from the Police and Crime Panel and the Sheffield Safer Communities Partnership. He urged Elected Members from Sheffield City Council to use their influence to ensure that the most appropriate representative from the Sheffield Safer Communities Partnership attends the session.

Councillor Steinke made a commitment to the Panel that he would follow-up A Carter's concerns around representation with the Sheffield Safer Communities Partnership.

The Panel noted that the Ninth Annual Conference for Police, Fire and Crime Panels organised by Frontline Consulting would be held on 23rd to 24th November 2020.

Frontline Consulting had confirmed that it was the intention for the conference to be a physical event, however, Government advice and local authority advice regarding Member travel and attendance at meeting would need to be ascertained before travel arrangements are made and expenditure incurred.

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

- i) Noted the update.
- ii) Agreed to provide suggestions for future learning and development.
- iii) Noted that Councillor Steinke had made a commitment to the Panel that he would follow-up A Carter's concerns around representation with the Sheffield Safer Communities Partnership.

17 WORK PROGRAMME / PAB DATES

Members considered the 2020/21 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 scrutinising the Commissioner.

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 the meetings of the Commissioner's Public Accountability Board (PAB) to increase their operational knowledge. These are currently being held virtually and Members can obtain details to 'dial in' to the meeting.

Councillor Steinke informed the Panel that he had 'dialled into' the August PAB meeting.

A Carter reported that he was very appreciative of an email he had received from the Commissioner stating that, he was now able to advocate monies being allocated from the Proceeds of Crime Fund to assist community led developments across South Yorkshire.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the 2020/21 Work Programme.

18 DATE AND TIME OF THE NEXT MEETING

RESOLVED – That the next meeting of the Police and Crime Panel be held on Monday 14th December 2020 and Members notified of the arrangements for this meeting nearer the time.

CHAIR