

Devon and Cornwall Police and Crime Panel

Wednesday 2 April 2014

PRESENT:

Councillor Croad, in the Chair.

Councillor Rule, Vice Chair.

Councillors Barker, Batters, Boyd, Eddowes, Excell, Parsons (substitute for Councillor James), Penberthy, Saltern, Sanders, Toms (substitute for Councillor Brown) and Wright.

Independent Members: Ms Atkinson and Rev Firbank.

Apologies for absence: Councillors Brown, Hare-Scott, Haywood and Williams.

Also in attendance: Peter Aley (Head of Safer Communities), Sarah Hopkins (Community Safety Partnership Manager), Tony Hogg (Police and Crime Commissioner), David Shepperd (Head of Legal Services), Bernadette Smith (Senior HR Adviser), Jan Stanhope (Senior Advisor OPCC), Duncan Walton (Treasurer OPCC), Andrew White (Interim Chief Executive OPCC) and Nicola Kirby (Senior Democratic Support Officer)

The meeting started at 10.30 am and finished at 12.50 pm.

Note: At a future meeting, the Panel will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

40. **MINUTES**

As members had not had an opportunity to review the minutes of the last meeting,

Agreed that the minutes are submitted to the meeting of the panel in June 2014.

41. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by members in respect of the items under consideration at the meeting.

42. **PUBLIC QUESTIONS**

Two questions had been received from a member of the public. Although the questions were not relevant to the panel's function, the Chair had allowed the questions to be submitted today and had asked the Police and Crime Commissioner to respond to them.

Mr Chris Boarland attended the meeting to put his questions and the Police and Crime Commissioner (PCC) responded as follows (a copy of the response had been sent to Mr Boarland in advance of the meeting) –

Question By	Subject
Mr Chris Boarland	Police and Crime Plan
<p>1. Police and Crime Plan. Could the PCC please explain what public consultation has been undertaken in respect of the proposed revision to the plan. I was notified in August 2013 of the intention to review the plan, a process which started in September of last year - therefore time was surely not an issue. The OPCC website refers to consultation with partners, but there is no reference to public consultation on which so much store was (rightly) placed when the original plan was published. I can find no reference to the draft (revised) plan on the OPCC website.</p> <p>2. Could the panel please ask the PCC again whether he could instruct the Chief Constable to publish his delivery plan, this being the mechanism by which we determine how the police will deliver the Commissioner's Police & Crime plan. . Without this, and a meaningful performance measurement regime, the plan is just a document of laudable statements of the PCC's intentions.</p> <p>(This was raised by members at the last PCP meeting and may be answered through the minutes and actions, however these have not been made public yet. The panel should also be aware that the PCC wrote to me on this issue on 20th February 2014, stating that the publication of the Chief Constable's delivery plan was not a matter for the PCC, rather the police. I strongly disagree.)</p>	
<p>Response from Mr Tony Hogg, the Police and Crime Commissioner:</p> <p>I write in response to the questions you have put to the Police and Crime Panel ahead of its meeting on 2 April. The questions have been passed to me and I have been asked by the panel to put my responses to you in writing.</p> <p>Turning first to your question regarding consultation on the Plan. As you acknowledge, over recent months I have been reviewing the Police and Crime Plan. In particular I wanted to reflect on experiences during my first year in office and ensure that the Plan meets the needs of our communities and suitably addresses emerging threats and challenges.</p>	

This review, which commenced slightly later than originally intended in October 2013. The review drew heavily on the experience gained from my first year in office the feedback I have received throughout the past sixteen months. The Police and Crime Panel and the Chief Constable were kept abreast of developments as the review progressed.

The review found that a central foundation of the inaugural Police and Crime Plan 'communities playing their part' did not need significant change. Equally, it found that the core priorities (a community partnership approach to tackling crime and anti-social behaviour, victim focus, strong leadership, listening to the public and investment for the future) remained relevant. However, it became clear that the Plan needed a sharper focus to drive progress and that it needed to better distinguish between the respective roles of the OPCC and the police force.

As in the first Plan, I am committed to retain the close linkages to the Peninsula Strategic Assessment. The PSA is a good body of work, constructed by our partners and drawing on a wide range of evidence and data sources to set out the most pressing community safety issues faced in Devon and Cornwall.

Early in the New Year, we consulted our statutory partners and community groups on the revised Plan priorities. This was not a closed process but the decision was taken not to undertake additional targeted consultation with the public, for several reasons.

Firstly, the key priorities in the revised Police and Crime Plan did not significantly alter from those originally published. Although there has been substantial change to the length and detail in the Plan, largely it does not divert from the original intentions published. These were subject to public consultation when we developed the Plan and have received strong support from the public over the last twelve months. It was not considered a wise use of public money to consult the public again for their views on these specific priorities for a second time within twelve months.

Secondly, my consultation with the public on priorities for the area is a continual process. During the course of the year, my team and I have met with many members of the public, individually through public surgeries and in one-to-one meetings. We have also engaged extensively through community and neighbourhood groups, public open meetings and radio phone-ins. These provide me and my team the opportunity to hear first-hand the experiences and expectations of the public and any concerns they may have. I have regularly reported upon this diverse range of engagement to the Police and Crime Panel and via the OPCC website. This is an improvement upon what the Police Authority did.

Since November 2012, my office has engaged with approaching 3,500 people. This is in addition to 1,900 public surveys completed and 1,200 pieces of correspondence received. I have also participated in numerous television and radio interviews and discussions. The breadth of this engagement was commended by CoPaCCI in the PCC and Public Engagement awards in March 2014. It has become evident from this wide engagement activity that the public wish to see local policing protected as far as possible with greater efforts to reduce bureaucracy and red tape. There are also calls for greater cross-agency working to sustain and improve services wherever possible.

Turning now to your second question. The Chief Constable's Delivery Plan does not form part of the Police and Crime Plan and technically speaking there is no obligation for it to be published. However I am fully committed to openness and transparency and see this as a core part of the role of the PCC. I publish all PCC information. As you acknowledge, we have exchanged correspondence on the subject of the publication of the Chief Constable's Delivery Plan before. When I wrote to you on this matter last month, I explained that the Chief Constable's Delivery Plan was part of a wider delivery plan for the force and therefore its publication is a matter for the Chief Constable, not the PCC. I have asked the Chief Constable to consider this matter and the Chief Constable advises me that he will give this consideration and in the meantime he will be in contact with you.

I accept that the performance mechanisms we adopted in the first year did not provide sufficient opportunity for the public to monitor progress and hold me to account. However, it is important that we move on.

For 2014 we have developed a more mature approach to performance monitoring. We will be establishing a series of delivery boards aligned to each of the priorities in the Police and Crime Plan. These will be jointly managed by the OPCC and the force and report directly to me and the Chief Constable. We will publish high level delivery plans for these boards and will provide regular progress updates on the OPCC website as well as reporting formally to the Police and Crime Panel regularly.

I hope that you will agree this is a big step forward in the continued drive for more meaningful openness and accountability.

Thank you for your continued interest and constructive challenge to the work of the OPCC.

The PCC added that he was committed to transparency although there may be some issues which were operationally sensitive. However he hoped that the delivery plan could be shared even if some of the information had to be redacted.

Mr Boarland asked a supplementary question emphasising the need for transparency on the Police and Crime Plan. The Interim Chief Executive indicated that the plan would be published on their website tomorrow and updates on the priorities would be published during the year.

43. **REVIEW AND CONFIRMATION HEARING OF THE PROPOSED APPOINTMENT OF THE POLICE AND CRIME COMMISSIONER'S CHIEF EXECUTIVE AND MONITORING OFFICER**

The Community Safety Partnership Manager submitted a report -

- (a) on the procedure for conducting a confirmation hearing to consider the Police and Crime Commissioner's proposed appointment to the position of Chief Executive and Monitoring Officer (as head of the Commissioner's staff);
- (b) indicating that the Police and Crime Commissioner (PCC) had notified the Chair of his proposed appointment of Mr Andrew White for the post;
- (c) appending additional information that the PCC was required to provide to the panel about the recruitment process, the candidate, the criteria used to assess the candidate, how the candidate satisfied that criteria and the terms and conditions of their employment.

The Chair welcomed Mr Andrew White (the preferred candidate) to the meeting and outlined the procedure for the confirmation hearing. After the hearing, the Panel would adjourn to consider the appointment, in private. The PCC would then be advised of the panel's decision and the PCP would seek to agree with the PCC how and when an announcement would be made.

In order to gain further information from Mr White on how he met the criteria for the post and his suitability for the role, with particular reference to personal independence and professional competence, Mr White responded to questions by members on –

- (d) the relationship between the PCC and the Chief Constable;
- (e) dealing with differing views between an elected representative and a senior professional;
- (f) difference of opinions between the panel and the PCC;
- (g) equality, diversity and human rights;
- (h) Improving poor performance in a large organisation;
- (i) improving police staff survey results on the knowledge of staff on

the PCC's priorities;

- (j) support to the PCC to meet budget cuts whilst keeping crime down;
- (k) working with partners and agencies;
- (l) implementation of the recommendations of the Centre for Public Scrutiny;
- (m) information exchange between the panel and the PCC;
- (n) the issuing of OPCC reports and comments (without having regard to the wider picture);
- (o) the role of the post in mediating between elected representatives and the OPCC.

At the end of the session, the Chair provided Mr White with the opportunity to add anything further and Mr White responded that this was a wonderful opportunity to work to improve community safety.

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public are excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

The panel adjourned to consider the suitability of the candidate for the post of the Chief Executive and Monitoring Officer.

Following the adjournment, the panel reconvened and the Chair advised that the panel had had the opportunity, in private session, to consider and review:

- the Police and Crime Commissioner's recruitment and selection process;
- details about the candidate;
- the criteria used to assess the candidate;
- how the candidate satisfied that criteria and their terms and conditions of employment;

in order to satisfy themselves as to whether or not Mr White was a suitable appointment.

The panel had reached a decision in respect of the Police and Crime Commissioner's proposed appointment of Mr Andrew White as Chief Executive and Monitoring Officer, and the PCC had been informed.

Following a vote,

Agreed that the panel confirms and recommends to the Police and Crime Commissioner that Mr Andrew White is appointed as Chief Executive and Monitoring Officer.

44. **REFRESH OF THE POLICE AND CRIME PLAN - 2014-2017: UPDATE**

The Interim Chief Executive submitted a report updating the panel on the Police and Crime Panel. He reported that -

- (a) following the recent scrutiny of the plan, some issues needed to be amplified and amendments recommended by this panel had also been made;
- (b) delivery of the six priorities would be through five delivery boards working jointly with the Chief Constable, and it was hoped that a level of independence would be achieved on each board;
- (c) one of the performance measures would relate to the staff awareness of the priorities and the overall direction of the police force;
- (d) he intended to work closer with the Health and Wellbeing Board in the future;
- (e) he had provided a copy of the plan to the Chair of the panel and would provide copies of the plan and the letter sent to the Chair, to all members of the panel. A summary document was also available and both documents would be available on the website;
- (f) the website needed to be reviewed for improvement.

Following a request by a member, the Chair undertook to incorporate the PCC's letter to the Chair (referred to in (e) above) into the papers for the meeting to enable public access.

The panel noted the report.

45. **REPORT FROM THE OFFICE OF THE POLICE AND CRIME COMMISSIONER IN RESPECT OF ANY NON-CRIMINAL COMPLAINTS ABOUT THE POLICE AND CRIME COMMISSIONER**

The Interim Chief Executive submitted a report indicating that no complaints had been made against the PCC under the Police Reform and Social Responsibility Act 2011 during the period 19 January to 12 March 2014.

The report also set out the number of complaints received and handled since the PCC's election on 15 November 2012.

46. **FUTURE MEETING DATES**

The panel noted the dates of the panel meeting for 2014/15 as follows and thanked Katey Johns (Democratic Support) for her work liaising on the proposed dates –

- 20 June 2014
- 17 October 2014
- 19 December 2014
- 6 February 2015 (Precept)
- 20 February 2015 (Only required if Precept veto'd)
- 10 April 2015 (Provisional)