

DURHAM COUNTY COUNCIL

At a Meeting of Police and Crime Panel held in Committee Room 2, County Hall, Durham on Thursday 23 June 2022 at 1.30 pm

Present:

Durham County Council:

Councillors D Boyes, L Hovvels, D Nicholls, J Nicholson and R Potts

Darlington Borough Council:

Councillor B Jones and M Renton

Independent Co-opted Members:

Mr R Rodiss

1 Election of Chair

Moved by Councillor R Potts, **Seconded** by Councillor J Nicholson that Councillor B Jones be elected Chair of the Panel for the ensuing year.

Moved by Councillor D Boyes, **Seconded** by Councillor D Nicholls that Councillor L Hovvels be elected Chair of the Panel for the ensuing year.

Upon a vote being taken it was:

Resolved:

That Councillor B Jones be elected Chair of the Panel for the ensuing year.

Councillor B Jones in the Chair

The Chair thanked the Members and welcomed Mr R Rodiss, newly appointed Independent Co-opted Member to the Panel.

2 Election of Vice-Chair

Moved by Councillor R Potts, **Seconded** by Councillor B Jones that Councillor J Nicholson be elected Vice-Chair of the Panel for the ensuing year.

Moved by Councillor L Hovvels, **Seconded** by Councillor D Nicholls that Councillor D Boyes be elected Vice-Chair of the Panel for the ensuing year.

Upon a vote being taken it was:

Resolved:

That Councillor J Nicholson be elected Vice-Chair of the Panel for the ensuing year.

The Chair commended Councillor J Nicholson for her work and support over the last year.

3 Apologies for Absence

Apologies for absence were received from Councillors A Savory and M Simmons.

4 Substitute Members

There were no Substitute Members.

5 Declarations of Interest

There were no Declarations of Interest.

6 Minutes

The Minutes of the meeting held on 7 March 2022 were confirmed by the Panel as a correct record and signed by the Chair.

7 Joint Independent Audit Committee Annual Report 2021-22

The Panel considered report of the Police and Crime Commissioner which shared the Annual Report 2021-22 of the Joint Independent Audit Committee (JIAC) with the Panel (for copy see file of Minutes).

The Chief Finance Officer noted the report included information on the makeup of the JIAC, the work that had been undertaken, and self-assessment of good practice.

Councillor L Hovvels noted the independence of the JIAC was good and from the report she was confident as regards the robust arrangements in place.

Following questions from Councillor R Potts relating to appointments and costs, the Chief Finance Officer explained that the positions were via an open advertisement for applications. He added that the Chair of the Committee, Chief Executive Officer of the Office of the Police and Crime Commissioner, himself and a representative from HR would sit in terms of those appointments. The Chief Finance Officer noted that there were set fees for those on the JIAC, and he could obtain figures for Members. Councillor D Nicholls asked if the JIAC Members were effectively reimbursed for their time rather than a fixed wage, the Chief Finance Officer noted that was correct, with fees being reviewed annually and benchmarked against other PCC's JIACs.

Resolved:

That the content of the report be noted.

8 Media Report

The Panel considered a report of the Office of the Police and Crime Commissioner which provided an update on press and social media coverage concerning the work of the Police and Crime Commissioner since the previous meeting (for copy of report see file of Minutes).

Councillor D Nicholls noted the reference to £20 million boost to help support survivors of domestic abuse and sexual violence, adding that it was massively welcomed, as was the appointment of the new Assistant Chief Constable who brought a wealth of expertise in that area.

Resolved:

That the report be noted.

9 Quarterly Performance Report

The Panel considered a report of the Police and Crime Commissioner which provided an update on performance for Quarter Four, January to March 2022, including headline work around holding the Chief Constable to account and wider partnership work being undertaken (for copy see file of Minutes).

Councillor D Nicholls referred to the work liaising with Durham University and asked as regards costs.

The Chief Finance Officer noted that a previously lapsed arrangement for what effectively was a dedicated PCSO had been around £30,000, with the cost being just less than one full-time equivalent. He added there was consultation in terms of extending for a further three years. Councillor D Nicholls noted the value of such support and suggested that the PCC speak with the University in terms of funding. He also asked as regards the issue of drinks being spiked, noting students were often a vulnerable group in that regard. The PCC noted the points raised and explained that her office had raised the issue of more funding, as student numbers continued to increase. She added that in relation to 'walkabout' activities with County and Town and Parish Councillors she would encourage sign up to 'Keep in the know' and noted funds of £10,000 per Neighbourhood Team for problem-solving.

Councillor D Nicholls welcomed the information relating to bids to the Home Office 'Safer Streets' funding and noted the PCC had spoken at Select Committee on the issue of spiking. The PCC welcomed the support and noted that spiking was originally considered as being an alcohol issue, however, it was now looked at in terms of violence against women. She added she had regular meetings with the Government lead on the issue and hoped that work with Durham University would help in terms of prevention.

Councillor L Hovvels noted the issues with anti-social behaviour all Members faced in their areas and welcomed the work with Durham County Council (DCC) and Darlington Brough Council (DBC) in that regard, adding that she felt the use of community trigger would help. She added that gambling was an issue that was a hidden harm for families and given the current crisis in terms of the cost of living she thanked the PCC for her work. The PCC noted the £100,000 with the County Durham Foundation, where local community groups could apply for funding on issues such as anti-social behaviour, substance misuse and fly-tipping. She added there was an additional £50,000 and £30,000 for Town and Parish Council and therefore she would want to know about hotspots to be able to target anti-social behaviour where it was at higher than average levels. Councillor L Hovvels asked for further information to come back to the Panel, the PCC noted further information would come back to the next meeting.

Councillor D Boyes noted he hoped policies would help tackle anti-social behaviour and referred to the emphasis that was placed on selective licensing. He noted that selective licensing had been in effect from 2009 through to 2014 in his area and explained that it had taken until 2013 to get 75 percent of landlords signed up to the scheme. He added that scheme had only operated across 100 properties and that if the new scheme was for 25,000 properties, he felt that was a tall order with landlords being very savvy.

Councillor D Boyes referred to Criminal Behaviour Orders (CBOs) and asked how many had been issued and whether they were more effective and streamlined when compared to Anti-social Behaviour Orders (ASBOs) which had been seen by many that were given the orders as a 'badge of honour'. He added there were two closure orders in his area and noted the amount of time taken in court relating to the order, with a PC having to attend for six weeks. He noted that the public wanted Police visible in their communities as evidenced by 76 percent of those responding to the precept consultation wanting greater investment in neighbourhood policing and 46 percent wanting improved response times. He added he felt that it was important to get back to seeing PCs and PCSOs back on the street. The PCC noted there were 33 'live' CBOs and noted she would get the other information for Councillor D Boyes.

Councillor R Potts asked how the PCC held the Chief Constable to account. The PCC explained there were a number of ways, including one-to-one meetings, executive meetings and engagement meetings relating to the delivery of the Police and Crime Plan. She added that there were also actions within the Plan that held the Chief Constable to account. She noted she had a one-to-one meeting with the Chief Constable earlier in the day and had used the opportunity to raise issues that had been brought forward from the public.

Councillor R Potts referred to paragraph 28.1 of the report which noted an uplift in Officer numbers of 226 and Government grant and noted the Durham had the highest dropout rate in terms of those joining. The Chief Finance Officer noted that of the 226, 40 were experienced transfers. He added that reports on social media were incorrect and the Force in fact had the sixth lowest attrition rate, adding that Durham had very high standards for its Officers. He added from around 100 applications the Force would usually recruit around seven to ten of those applicants. He emphasised it was important to recruit the right people and reiterated there was the commitment for new Officers in terms of going to University. He highlighted that in terms of those leaving the Force annually the numbers were only in single figures. Councillor R Potts noted that the public wanted Neighbourhood Policing and asked of the 226, where they would go within the Force, for example would they all go into the Response Team. The Chief Finance Officer noted that 70 would be within the new shift pattern arrangements, with more Officers effectively on 'night-shift', noting good performance data following these changes. He added that around one-third would go on to become Detectives, reminding the Panel there was a national shortage of Detectives, and noted that exams were required and there was also a five week period shadowing within CID. He added the remainder would be allocated to Neighbourhood Policing, with some going to specialist teams, such as Road Policing.

The PCC noted that in terms of PCSOs, 27 additional PCSOs had been trained, giving 146 in total. She noted that some of the PCSOs that had become PCs were now in the process of introducing new PCSOs to the neighbourhoods they themselves had started in. She added she hoped this would be something replicated across communities in County Durham and Darlington. She added these types of handovers to new PCSOs was important in terms of helping with continued community intelligence.

Councillor R Potts asked if it was 27 new PCSOs or 27 replacements for those that had moved on, noting issues within his local area in terms of the turnover of PCSOs. The Chief Finance Officer noted the 27 replaced those that went on to become PCs and explained that the 146 PCSOs that Durham had was around 50 above the national average. He noted that there was a lot of recruitment, however it took time and that it was often a cycle, adding that the 10 to 15 percent that were lost were primarily those becoming PCs with Durham or neighbouring Forces. The PCC noted that similarly some control room staff would move and become PCSOs and there would then be a process in terms of recruiting staff for the control room.

Councillor D Boyes asked if there was a policy in terms of where PCSOs become PCs, were they moved to other areas of the County or was there the opportunity for them to stay in their previous PCSO area. The Chief Finance Officer noted the PCs were moved to where there were gaps, noting that a typical staff would be a Sergeant and six PCs with a mix of experienced and new PCs, however, new PCs would likely be placed to fill gaps. Councillor D Boyes noted it would be a shame to lose PCSOs to becoming PCs elsewhere, where they have a good level of local knowledge and experience already. The PCC noted that last week was Response Policing Week and it had been noted that Peterlee was a challenging area. She noted that half of those responding were from the area, with others from other areas. She added it was important that PCs gained experience from a variety of different areas, as issues in one area may not be the same as those in another area.

Councillor D Nicholls asked for an update in terms of the national shortage of Detectives. The Chief Finance Officer noted that in terms of the 226 Officers for Durham, it would be for the Chief Constable to decide on the number of those to be Detectives, with a desire for around 60 in the next two to three years. He reminded the Panel the candidates would have to pass an exam and practical application with a five week CID course, once passed they would be assigned to a team with then a 12 month period to demonstrate competence, given a total of around 18 months to fully become a Detective. He noted that the pass rate in Durham was very good compared to national rate. Councillor D Nicholls noted that the route to, and role of, Detective should be encouraged as a career choice for those wishing to join the Force.

The Chief Finance Officer noted that around 50 percent of recruits were graduates and he noted they were actively targeted in terms of becoming Detectives.

Mr R Rodiss noted issues in the past in terms of pay, overtime and pressures that had discouraged Officers looking to become a Detective. He noted previous training was 13 weeks, with a six month probationary period and that Detective posts had proven very difficult to fill. The Chief Finance Officer noted that Officers working ‘unsocial hours’ would have a 10 percent increase in pay and moving to Detective would mean they would be on national terms and conditions. The PCC noted she would give feedback to the Chief Constable on these points.

Mr R Rodiss noted the identification of ‘hotspots’ previously referred to and asked if, once identified, the Victims’ Champion would then take charge on issues. The PCC noted that there was the Victims’ Champion in terms of the victims of anti-social behaviour, and the Anti-social Behaviour Champion in terms of delivering against The Police and Crime Plan. She added there was other ongoing operational actions and areas identified nationally by the Victims’ Commissioner, noting a response for victims from the Home Office was expected in the next few months. She noted that signposting as regards anti-social behaviour issues was important, especially from the DCC and DBC websites in terms of where issues related to the Local Authority, citing the example of noise nuisance being an area for the Local Authority to address. She reiterated that there were the three Champions for County Durham and Darlington and noted that the community trigger would be different for different areas.

Mr R Rodiss noted anti-social behaviour issues in his local area and added he had met the Anti-Social Behaviour Champion. He noted that many people did not have clarity in terms of the role of the Champion. He added that in his area there had been an increase in incidents, including two arson attacks, however, there did not appear to have been any larger response to this, including from the Police. The Chair noted that Members should not stray into operational issues. The PCC noted that Levelling Up bids would be one per constituency area, and she had spoken to the local MP, Paul Howell as regards issues in the area and the bids for mobile cameras. She added that in that area there was problem solving meetings and work with communities to look to invest in additional support.

Councillor D Boyes noted that Members wished for clarity in terms of who to contact, noting that the Head of Community Protection Services had tried to raise the profile of the Council’s Anti-social Behaviour Officer. He noted there were the new Champions, Police, Council Officers and added that he felt that the PCC should be at the apex of control. He noted that a single point of contact on issues was what people would want.

The PCC noted that a review of existing systems would be useful, noting the reference to the Police on the DCC website relating to anti-social behaviour. She added that there would be a review of community safety partners and a Home Office review that Members could get involved.

Councillor D Boyes noted there did not seem to be any change and reiterated that people wanted a single point of contact. Councillor D Nicholls noted the statutory responsibilities of DCC and DBC in terms of issues such as noise nuisance and suggested that what was being asked was to review the whole scheme nationally as it seemed that a number of people were undertaking the same work. The PCC noted she would take the feedback to strategic partners, noting she had recently spoken to Karbon Homes as regards the work of their Tenancy Officers as they can often deal with issues of anti-social behaviour, and it was not always just the Police and Local Authorities.

Resolved:

That the report be noted.

10 PCC Decision Records

The Panel considered a report of the Police and Crime Commissioner which provided an update on the Police and Crime Commissioner's Decision Register for 2022 and addressed the forward plan (for copy see file of Minutes).

The Chief Finance Officer noted a typographical error in the report stating the extension to the Chief Constable's contract for two years, adding it should have read for three years. Councillor R Potts asked as regards the package cost for the Chief Constable. The Chief Finance Officer noted a package of approximately £550,000 in terms of salary and National Insurance costs, adding that Chief Constable salaries were set nationally.

Councillor R Potts noted that a number of recent reports including those relating to: PEEL Inspections; the likelihood of being a repeat victim of domestic violence being four times greater in Durham than the national average; £21,000 spend on custody suites; a high percentage of abandoned calls to the 101 number; HMICFRS Inspection into CSE noting those at risk; and the IICSA report. He noted those involved and added that no one was being held to account on those issues and also referred to the investigations into lockdown parties. He noted that the £550,000 extension to the Chief Constable's contract may not be perceived by the public as being very good.

The PCC noted she had covered the HMICFRS Inspection and had referred to league tables as regards performance, with Durham for 2021/22 being 'good', adding that was under the new inspection regime. She added that Durham was the only Force with seven 'good' ratings and also had the fewest number of ratings below good.

The PCC noted the focus on those areas, including victims, and emphasised that she looked at all reports, national work and work in other regions to learn from other Forces. She added that she was holding the Chief Constable to account within the Force Management Statement and noted that she and her Team were working to reduce anti-social behaviour and domestic violence and that Durham was performing well, punching above its weight.

The PCC noted that in terms of appointments, the Chief Constable's salary was standard, adding that in some areas Assistant Chief Constables were paid more than Durham's Chief Constable. She added that Durham was held in high regard and many areas looked to Durham for best practice. The PCC explained that the Chief Constable, since 2019, had been an inspirational leader especially during the challenges of COVID-19 and was respected locally, regionally and nationally noting a number of national roles that she held. She reiterated the quality of the Chief Constable and added it was very important for stability in her role, referring to the extension to her contract, and concluded by noting Durham was in a very good position moving forward.

The Chair agreed that there could be an item on IICSA could be an issue on the agenda for the September meeting. The Monitoring Officer and Clerk to the Police and Crime Panel clarified that the item would need to cover the PCC's oversight of the implementation of actions/recommendations arising out of IICSA so as not to stray beyond the Panel's remit.

Councillor D Boyes noted he had been willing to give the Chief Constable the benefit of the doubt during the pandemic, however, he felt there could have been Police attendance at Parish Council meetings since May 2021 as communities wanted face-to-face meetings to be able to hold them to account. He added that he understood the Chief Constable had discouraged Officers attending Parish Council meetings and there were still issues in terms of people getting through on calls to the 101 number. He emphasised that Members wanted results and referred to Graham Morris MP speaking at a Parliamentary Select Committee, noting reference to figures relating to confidence in the Police having dropped from 70 percent to 40 percent. He explained that people needed help in terms of issues such as off-road bikes, citing an example where bikes had performed wheelies past a Police car at Peterlee.

The PCC noted she would feed back issues to the Chief Constable and noted she felt the figures relating to confidence as stated were not correct and she would look to find the accurate figures. She explained that a number of calls that came through to the control room did not relate to Police, rather related to mental health issues and other matters. She added that Durham operated a 'buddy' system with Northumbria Police whereby if they failed to respond to a 999 call, Durham would respond.

The PCC noted the Chief Constable had spoken as regards the demands on her call centre and the demand on Durham when comparing nationally. Councillor L Hovvells noted that the role of the Police had widened, akin to a social worker, through the pandemic and moving into the financial crisis. She added those issues had impacted upon the Police and DCC, adding as a Councillor for 30 years she had seen a change in her role too. She added that she agreed with the Chair to invite the Chief Constable to the next meeting if appropriate. The Monitoring Officer and Clerk to the Police and Crime Panel noted that on occasion the Chief Constable had attended the Panel and noted she felt the Chief Constable would be happy to attend if invited. However, the Panel needed to be mindful that it is not their role to hold the Chief Constable to account.

Councillor D Boyes referred to his previous statement relating to figures quoted at a Select Committee with a reduction in the percentage of the public confident in the Police nationally from 47 percent to 43 percent. The PCC noted she would obtain the figures for Durham, explaining she recalled them being within a few percent of national figures. She added she would also obtain response times and satisfaction data relating to the 101 number for the Panel.

Councillor D Nicholls noted issues of anti-social behaviour across the many impoverished communities across the county. He noted the increase in the use of food banks adding he had heard of some attending refusing root vegetables as they would not be able to afford the gas to cook them. He added that was a failure of national Government. He noted the Panel would do what it could in terms of supporting the PCC, however, he added that with high inflation people were struggling and issues were only likely to get worse. Councillor D Nicholls noted he found it staggering that the PCC had not been consulted on Levelling Up Fund bids, and that the total Levelling Up pot was less than half that of the cost of PPE that had not been usable during the pandemic.

The PCC noted Government expectations and added she was looking at those 'left behind' areas.

She noted she would ask questions of Paul Howell MP, Co-Chair of the All-Party Parliamentary Group for 'left behind' neighbourhoods and added that she was meeting with the DCC Chief Executive and DCC Officers working on the Levelling Up bids to look at opportunities to allocated any underspends quickly. She added she would also help provide any information that could help support bids and look at opportunities in terms of consultation with communities.

The PCC noted she had information on the percentages in relation to satisfaction, as previously referred to by Councillor D Boyes, and noted 76 percent satisfaction for Durham, down from 78 percent.

Resolved:

That the report be noted.

11 PCC Commissioning Update

The Panel considered a report of the Police and Crime Commissioner which provided an update on the decisions taken at the Commissioning Board in February, April and May 2022 (for copy see file of Minutes).

Resolved:

That the report be noted.

12 HMICFRS inspections

The Panel considered a report of the Police and Crime Commissioner which outlined the findings of the recent inspections conducted by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) that have required a Police and Crime Commissioner (PCC) comment as follows:

- A joint thematic inspection of the police and Crown Prosecution Service's response to rape - Phase two: Post-charge.

The Head of Private Office noted that, going forward, the PCC had sought further assurance in terms of victims communications, the Police role in terms of 'bad character' evidence and enabling victims to give their personal statements at the earliest opportunity.

Councillor R Potts noted the report was not Durham-specific, the Head of Private Office confirmed that was correct.

Resolved:

That the report be noted.

13 Home Office - White Paper Consultation 'Reforming Our Fire and Rescue Service'

The Panel considered a report of the Monitoring Officer and Clerk to the Police and Crime Panel which set out information relating to the Home Office White Paper consultation 'Reforming our Fire and Rescue Service' (for copy see file of minutes).

The Chair noted the recommendation to hold a workshop session to formulate the Panel's response to the consultation. Councillor L Hovvels noted she agreed a workshop would be helpful, with the views of the Chief Fire Officer and Chief Constable also being useful. The Monitoring Officer and Clerk to the Police and Crime Panel noted the Fire and Rescue Authority was also having a workshop on the consultation and information could be shared.

Resolved:

- (a) That the report be noted.
- (b) Agree to hold a workshop to formulate a panel response to the Government's consultation.
- (c) To delegate authority to the Clerk to the Panel in consultation with the Chair and Vice-Chair of the Panel to prepare, finalise and submit the consultation response on behalf of the Panel following the workshop.

14 Police and Crime Panel Annual Report 2021/22 and Work Programme 2022/23

The Panel considered a report of the Monitoring Officer and Clerk to the Police and Crime Panel which presented the Durham Police and Crime Panel Annual Report 2021/22 and sought agreement to the Panel's Work Programme for 2022/23 (for copy see file of minutes).

Councillor R Potts noted the number of reports considered at each meeting and asked as regards more frequent meetings in order to reduce the amount at each meeting. The Monitoring Officer and Clerk to the Police and Crime Panel noted the number of meetings scheduled was standard for the Panel, however, it may be possible to have more frequent meetings and she would speak with Committee Services to see where additional meetings may fit within the Committee Diary.

Resolved:

- (a) That the Durham Police and Crime Panel Annual Report be endorsed
- (b) That the Work Programme for 2021/22 be agreed.

15 Complaints Update

The Panel considered a report of the Monitoring Officer and Clerk to the Police and Crime Panel which provided an update on complaints relating to the Police and Crime Commissioner or the Deputy Police and Crime Commissioner (for copy see file of Minutes). It was noted that between 24 February 2022 and 15 June 2022 there have been one formal complaint received in accordance with the procedure which was for consideration by the Panel later on the agenda during the closed part of the meeting.

Resolved:

That the report be noted.

16 Review of Procedure for dealing with Complaints and Conduct matters against the Police and Crime Commissioner

The Panel considered a report of the Monitoring Officer and Clerk to the Police and Crime Panel which reviewed the procedure for dealing with complaints and conduct matters against the Police and Crime Commissioner (for copy see file of Minutes).

The Monitoring Officer and Clerk to the Police and Crime Panel noted that the Panel would recall the workshop session held 6 May 2022 and the report brought together the amendments that had been proposed by Members. She added that the appendices set out the existing procedure with changes and the amended procedure for the Panel's consideration.

Councillor M Renton left the meeting at 3.20pm

Resolved:

- (a) That the amended Procedure be approved and implemented and applied to any complaint received after 23 June 2022.
- (b) That the Clerk of the Panel, in consultation with the Chair and Vice-Chair of the Panel be given delegated authority to make minor amendments to the Procedure and to ensure that it is in an accessible format.

17 Exclusion of the Public

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds it would involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

The Panel agreed that Agenda Item No. 20 be considered as the next item to allow Councillor R Potts to remain during the consideration thereof.

18 Independent Co-opted Member Appointment

The Panel considered a report of the Monitoring Officer and Clerk to the Police and Crime Panel regarding the appointment of an independent co-opted Member (for copy see file of Minutes).

Resolved:

- (a) To note the resignation of Nick Cooke and agree that the Chair of the Panel writes to him on behalf of the Panel to thank him for his service since November 2014;
- (b) That the proposed appointment of Neville Hallam (subject to satisfactory references) as an independent co-opted Member to take affect from 1 May 2022 with a term of office until 30 April 2026 be agreed;
- (c) To delegate authority to the Clerk in consultation with Appointments Panel to take up references and confirm that they are satisfactory.

Councillor R Potts left the meeting at 3.36pm

19 Complaint against the Police and Crime Commissioner

The Panel considered a report of the Monitoring Officer and Clerk to the Police and Crime Panel relation to a complaint against the Police and Crime Commissioner. In accordance with Reg 28 (13) of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, the Panel resolved not to publish the outcome of the complaint.