

DURHAM COUNTY COUNCIL

At a Meeting of **Police and Crime Panel** held in **Council Chamber, County Hall, Durham** on **Thursday 27 June 2024** at **1.30 pm**

Present:

Durham County Council:

Councillors L Brown, L Hovvels, D Nicholls, R Potts, K Robson and A Savory

Darlington Borough Council:

Councillor G Lee

Independent Co-opted Members:

Mr N Hallam and Mr R Rodiss

1 Election of Chair

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

Moved by Councillor R Potts, **Seconded** by Councillor K Robson that Councillor L Brown be elected Chair of the Panel for the ensuing year.

Upon a vote being taken it was:

Resolved:

That Councillor L Brown be elected Chair of the Panel for the ensuing year.

Councillor L Brown in the Chair

2 Election of Vice-Chair

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

Moved by Councillor R Potts, **Seconded** by Councillor K Robson Councillor G Lee be elected Vice-Chair of the Panel for the ensuing year.

Upon a vote being taken it was:

Resolved:

That Councillor G Lee be elected Vice-Chair of the Panel for the ensuing year.

3 Apologies for Absence

Apologies for absence were received from Councillor N Johnson.

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 20 March 2024 were confirmed by the Panel as a correct record and signed by the Chair.

7 Independent Joint Audit Committee Annual Report 2023-24

The Panel received the Annual Report of the Joint Independent Audit Committee, presented by Joy Allen, Police and Crime Commissioner (PCC) and Rachel Alsop, Chief Finance Officer, Office of the Police and Crime Commissioner (OPCC) (for copy see file of Minutes).

The PCC reminded the Panel that the Joint Independent Audit Committee was an independent body which checked that both herself and Durham Constabulary were following national and local regulations, handling public finances in accordance with the law and not taking undue risk. She added that the Committee was accountable to the PCC and the Chief Constable and followed CIPFA's Practical Guidance for Local Authorities and Police Audit Committees and that formed the basis for the Annual Report.

The Chief Finance Officer reiterated the independent nature of the Joint Audit Committee and explained they had received 58 reports for review looking at issues such as: internal control and governance, risk management, internal and external audit, financial reporting, inspections and reviews and regulatory framework.

Councillor G Lee asked why the representative from Darlington Borough Council had not been in place. The Chief of Staff, OPCC, A Petty indicated that that the Darlington Councillor position on the Joint Audit Committee was awaiting a nomination from the Council and would be picked up for their next meeting.

Councillor L Hovvels asked as regards recruitment of the Independent Members and would forward correspondence she had received in that regard. The Chief of Staff noted that in addition to Independent Members, there were Councillor representatives on the Joint Audit Committee, with Councillor A Watson being the Durham County Council (DCC) representative.

Resolved:

That the report be noted.

8 Right Care Right Person

The Panel received a presentation on 'Right Care, Right Person' (RCRP), given by Chief inspector Laura Backhouse, Durham Constabulary (for copy see file of Minutes).

The PCC reminded the Panel that Right Care, Right Person was had been rolled out across the UK, involving all Forces, Health Care Providers and Local Government. She noted the roll out within County Durham and Darlington, and the need to ensure that the correct, highly skilled health professionals responded to incidents, allowing the Police to focus on their key role in keeping people safe. She added it would be important to communicate these messages to the public.

Chief Inspector L Backhouse reminded the Panel that RCRP was an operating model for Police and Partners to ensure health calls for service are responded to by those with the right skills and expertise to provide the best possible service. She referred to a report from HMICFRS in November 2018 entitled 'Policing and mental health: Picking up the pieces', which noted the increase in demand on the Police in terms of mental health calls and welfare checks and where crime was not usually a factor.

She explained that there had been a National Partner Agreement, between the Home Office, Department of Health and Social Care (DHSC), NHS England, the National Police Chiefs' Council (NPCC) and the College of Policing.

Chief Inspector L Backhouse noted that the core policing duties were to: Prevent and Detect Crime; Keep the King's Peace; and Protect Life and Property. She explained that legal duties to act arise on the Police in the following general circumstances: a real and immediate threat to life: Duty under Article 2 ECHR; a real and immediate threat of really serious harm/torture/inhumane or other conduct within Article 3 ECHR; Common law duties of care; and specific statutory duties, arrest, detain, restrain.

The Panel heard that there would be a phased approach to RCRP, with the phases being: Phase 1 – concern for welfare; Phase 2 – walk out of mental care facilities and absent without leave from mental health establishment; Phase 3 – transportation; and Phase 4 – Section 136 of the Mental Health Act and voluntary mental health patients.

Chief Inspector L Backhouse noted that this phased approach was across all partners, not just the Police, and all partners wanted to implement this approach. She added that working in partnership was key, and there would be implications for partners in terms of the new approach. She explained these would include more robust assessments that would take place in the Force Control Room at the first point of contact in relation to calls for service in the key areas. She added that toolkits would be followed to assist in decision making regarding Police resource deployment and the Force Control Room may request further information regarding those involved. She noted that the Force Control Room may make the decision not to deploy a Police resource for a concern raised and may signpost the caller to another agency who is more appropriate to deal with the concern. She noted that changes within a partner's service response may be required due to Police not deploying to concerns raised and there may therefore be a direct impact on practitioners contacting Police for a deployment.

Chief Inspector L Backhouse noted Durham Constabulary would aim to:

- Follow robust policies, procedures and toolkits when making decisions around deployments.
- Communicate clearly what those decisions are in a timely manner.
- Strive to achieve a consistent approach to decisions on deployments.
- Have a clear policy and procedure for appeals and escalation.
- Reassess decisions on receipt of new or different information.
- Deal with incidents of crime.
- Respond to incidents involving threat and risk to an individual and/or members of the public.

- Operate within policies and legal boundaries regarding responsibility and duty of care.
- Work with partner agencies to promote opportunities for feedback and continuous improvement.
- Promote a phased implementation to support partner agencies where changes may be required to their service.

Chief Inspector L Backhouse explained that the expectation from partners was that they would:

- Clearly communicate reasons for Police assistance.
- Communicate what/if any action you have taken so far.
- Communicate what the risks are and/or what crime you believe may have been committed.
- Provide up to date information regarding those involved.
- In cases where there is a decision not to deploy, re-contact Police should there be any significant changes that heighten risk or a crime becomes evident.

She added that expected outcomes would be that:

- Timely and consistent decisions to be made by the Force Control Room in relation to deployments.
- The right person/service to attend incidents.
- Improved services to members of the public.
- Improved partnership working through clear policies and procedures regarding Police deployments to partner agency requests.

Chief Inspector L Backhouse noted that Phase 1 went live 10 June 2024, and partners had been involved since the start and there had been positive feedback from partners in terms of the engagement, including from Tees, Esk and Wear Valley NHS Foundation Trust (TEWV), North East Ambulance Services (NEAS), the Adult Services and Education departments within Durham County Council (DCC) and Darlington Borough Council (DBC), County Durham and Darlington Fire and Rescue Service (CDDFRS) and many charities and voluntary sector organisations.

Chief Inspector L Backhouse emphasised that RCRP was not the Police 'shutting of the tap' and that where there was a real and immediate risk then Police would attend. She gave an example where a member of the Crisis Team had contacted the Force, with a person threatening to jump in front of a train. The call handler noted that Police should attend, they did and spoke to the person, deescalating the situation and preventing them from hurting themselves. The Police then handed off the individual to the appropriate mental health professionals to help with their issues. She gave a second example where a call had come through to the Police with concerns in relation to a drug user and their diabetes control and how that could impact on their health.

It was noted in that case that, as there was no immediate risk and no crime was being committed, that they were signposted to healthcare, in this case the Ambulance Service, and health care professionals attended the caller. Chief Inspector L Backhouse noted that in the past, such a call would have likely resulted in a Police attendance.

The Chair thanked Chief Inspector L Backhouse and asked the Panel for their comments and questions.

Councillor R Potts asked as regards incidents where the Police had attended an incident, who would transport individuals to a mental health facility, and would there be timely handover. Chief Inspector L Backhouse noted that element was within one of the later phases and that partners were aware of the upcoming changes, likely to be from September onwards.

Councillor L Hovvels noted the well documented issues in terms of under-resourcing in relation to TEWV and noted the good partnership approach being undertaken. She asked what was considered a timely manner, noting mental health issues were often very stressful for the individual and they needed a quick response. She asked how the new approach would be monitored and how feedback on RCRP could be given, and asked how information would be shared with partners agencies and oversight boards, such as the Health and Wellbeing Board, Safe Durham Partnership and Darlington' Community Safety Partnership.

Chief Inspector L Backhouse noted that in terms of monitoring, there would be a record of the calls coming into the Force Control Room and they would be looked at in terms of whether there was the right outcome, with continuous live-learning through Phase 1. She explained that 'in a timely manner' referred to the THRIVE priorities (threat, harm, risk, investigation, vulnerability, engagement) with a formula to give a response rating, which could be immediate, within the day, or a scheduled visit. In terms of sharing information on the RCRP approach, the Chief Inspector noted that at Gold Level meetings with partners, the information had been shared in terms of what was hoped to be achieved, adding that if other forums wanted further information, then Durham Constabulary was happy to share with those forums.

Councillor G Lee noted that the concept of RCRP was very sensible and logical, however, he asked whether the staff within the Force Control Room had the relevant experience in terms of mental health issues in order to ascertain the correct response. He added that in cases of very complex mental health needs, was there not a risk that a person may be signposted incorrectly. He noted a specific example he had faced in his role as a Councillor, where a Crisis Nurse had refused to attend an incident.

Chief Inspector L Backhouse noted that there would be robust questioning when a call handler took a call. She added that while they may not go into the finer details in respect of mental health, they would ascertain the required actions and Police would still attend if there was a risk to life. She added that the Police would listen to mental health experts to help understand the risks. She added that partner agencies had all agreed to the implementation dates regarding the phased approach, and the approach being taken allowed for gap analysis to be undertaken and for partners to look at their policies and amend as required. She reiterated that where any immediate risk was evident, the Police would attend, and involve the relevant partners in addition as required. She reiterated that the key to RCRP was in getting the best people involved to help the person concerned.

Councillor G Lee noted a recent tour of the Force Control Room and commended the staff on their professionalism, however, reminded that those staff need to be helped by providing them with the necessary training and skills to help them make the best decisions within their work. Chief Inspector L Backhouse noted the point.

Councillor D Nicholls noted the issues raised in relation to RCRP were very close to his heart and he agreed that in many cases that the right person was not in fact the Police. He noted that the worry of those on the Panel was that other organisations that may be struggling or failing had in the past perhaps been reliant in terms of the level of support the Police had offered. He added that the Panel would be very interested in terms of progress reports on RCRP. He added it would be interesting and useful to understand what training the Constabulary had in terms of dealing with individuals with mental health issues, special needs and learning difficulties, and other disabilities. He explained that would help the Panel understand how, when Officers did attend an incident, they were best equipped to keep a person safe, while also at the same time keeping themselves and the public safe.

Chief Inspector L Backhouse noted that in terms of partner organisation working alongside the Police, TEWV was a key partner and was lead on one sub-committee within the process and were well aware of the RCRP approach. She added that within the Police, there were Mental Health leads, with training being an issue that was taken very seriously, to help ensure people were treated with dignity, especially those in mental health crisis.

N Hallam noted that the Police was a 24 hour a day service and added that many partner organisations did not operate 24 hours a day. He asked whether there would be any impact upon the delivery of RCRP as a result of that, and whether there could be differences in service delivery when comparing 9.00am on a normal weekday as compared to 3.00am on a Bank Holiday.

Chief Inspector L Backhouse noted that mental health support services operated 24 hours a day, and the NEAS operated 24 hours a day. She reiterated that RCRP did not mean the Police would 'turn off the tap', and emphasised that the Police was a service that could be called upon 24 hours a day.

The Chair thanked Chief Inspector L Backhouse and noted that RCRP was an area the Panel would wish received an update on at a future meeting.

Resolved:

- (i) That the presentation be noted.
- (ii) That the Panel receive a further update in respect of 'Right Care, Right Person' at a future meeting.

9 Quarterly Performance Report Quarter Four 2023/24

The Police and Crime Commissioner (PCC), Joy Allen presented her Performance Report for Quarter Four, which covered the period January to March 2024 (for copy see file of minutes).

Councillor R Potts noted the information relating to the Force Control Room performance was very encouraging and moving in the right direction, noting the example of 999 calls that had previously been taking 14.4 seconds to answer, the third worst performance in the country, now down to 10 seconds which was much improved. He noted that 101 call abandonment had also reduced massively, and he hoped for continued improvement in that regard also. Councillor R Potts noted neighbourhood crime had increased and noted increases in robbery, theft and arson, with a total of increase of around 13 percent. He noted that while those missing from home had increased by around 240 percent compared to the baseline, the numbers appeared to have levelled out and while that was positive, he still had concerns in relation to missing children. He noted that since the IICSA report, measure now seemed to be working. Councillor R Potts asked therefore how the year-on-year increase in crime could be reduced, and for commitment in terms of justice for those referred to in the IICSAS report.

The PCC thanked Councillor R Potts for his comments and questions and noted that the quarter four report had seen a number of improvements to various areas of performance, and she hoped that the positive trends would continue. In terms of areas of neighbourhood crime that had seen increases, such as burglary and vehicle crime, they were areas where prevention could make and impact, with the Police and public able to help each other. She noted when she had been a Neighbourhood Watch Organiser and that investment in those types of preventative measures was important.

She added that CCTV was also very important and highlighted the work with Town and Parish Councils in terms of addressing crime at the local level. She explained that raising awareness in respect of crime prevention measures and messages was very important, such as Faraday pouches to prevent keyless entry card information being collected by criminals.

The PCC reminded the Panel that there had been targeted funding in relation to hotspot areas, and that many people were involved in spreading messages as regards prevention and safety, including Police Community Support Officers (PCSOs), Police Cadets, the Fire and Rescue Service and Neighbourhood Wardens. She explained that she, along with her team at the Office of the Police and Crime Commissioner (OPCC), held the Chief Constable to account in relation to performance, and while there were some good positive trends, it was important to keep those going. She noted the levels of neighbourhood crime nationally compared to those in County Durham and Darlington and reminded the Panel of the financial challenges and the reduced number of Police Officers when compared to 2010 numbers.

The Chair referred to a table within the report that set out staffing statistics and asked as regards an asterisk alongside 'Police Staff'. She also asked as regards further information in respect of 'Park Safe' as she had not heard as regards this scheme previously. The PCC noted the asterisk was to denote Force Staff, which had previously not included back-office staff, just frontline services.

Councillor G Lee noted page 71 of the agenda pack referred to road casualty data and that the data did not appear to total correctly. The Accountability and Scrutiny Officer, OPCC, Abbi Buchanan noted there was an error within the report, with the Quarter 1 to Quarter 4 baseline and Quarter 1 to Quarter 4 23/24 totals only adding up to Quarter 3. She noted that fatal incidents for 2022/23 had been 22, and for 2023/24 it had been 20, a reduction of 9.1 percent, and for serious injuries it was a similar trend year-on-year from 216 in 2022/23 to 212 in 2023/24, a 1.9 percent reduction. She noted for killed or seriously injured (KSI) it was the totals of the previous two statistics, being 238 for 2023/24 and 232 for 2024/25, a 2.5 percent reduction. She concluded by noting for slight it was 550 for 2022/23 and 470 for 2023/24 a 14.5 percent reduction, and the totals were 788 and 702 respectively, a reduction of 10.9 percent. The Head of Business, OPCC Sweety Sahani noted that an update would be circulated to the Panel accordingly.

Councillor G Lee noted the Countryside Alliance noted crime in rural areas had increased by 22 percent, with around 20 organised crime gangs operating in rural areas. He asked whether it was possible to have information breaking down the statistics in relation to urban and rural areas.

He noted the excellent work of the PSCO in his area, as well as the work of Farm Watch and the National Farmers Union (NFU) and explained that looking at statistics in terms of rural crime could help identify any need for specialised teams for rural crime. It was suggested that this could be included in the Panel's future work programme.

The PCC noted the NFU had produced figures which showed it was quite a bit lower in County Durham. She added that Safer Streets Round 5 had an allocation of £230,000 to help tackle rural crime, with initial work being in the Durham Dales, now rolled out to the wider Force area. She noted that it helped provide technology that could support rural volunteers. She noted as regards regional work that was ongoing, in terms of organised crime and increased use of technology including drones and automatic number plate recognition.

Councillor D Nicholls noted that all Members of the Panel understood that how quickly the public could get in touch with the Police was key, and the improvements reported were therefore very good. He asked as regards 101 call answering times, and noted whether they were a factor in terms of the abandonment rate. He noted that around one-third of the calls into the 101 service were not crime related, however, there would still be a number of calls that related to the Police, just not at an emergency or 999 level of urgency. He asked if the issue related to technology and whether it was at the correct capacity to cope with the number of calls received. He noted the positive work that had been undertaken in respect of the Constabulary website and online functionality, such as the use of live-chat and online forms and asked as regards what work had been done in terms of accessibility.

The PCC noted that when she has spoken to the Panel at the precept meeting in February, she had explained that the issue of the public being able to get in contact had been a priority, with the live chat now being accessible 24 hours a day. She added there had also been investment in switchboard technology, however, she noted a churn of staff having an impact, with recruitment having taken place to refill positions. She noted the soft relaunch of the website had taken place, with the new single online home and explained that there would now be the ability to drill down into information and understand demand upon services and abandonment issues. The PCC explained that there was a three second delay at the BT side that had not been taken into account when looking at call answering times, now being picked up. She added that new software, Salesforce, was helping to improve customer relationship management, providing a more interactive experience for the public, and helping to keep better records of all calls and queries. She explained that she would get further information as regards 101 calls for a future performance report. She noted that accessibility issues were important, and referred to text to speech technology that was available to use.

Councillor D Nicholls noted that the previous iteration of the Police website had included direct contact details for local Police teams, with the ability to input a postcode and get those contact details, however, this appeared to have gone from the new website. The PCC noted she would check as regards this after the meeting and come back with an answer, adding there would be some issues to resolve as part of the update to the website.

Resolved:

That the report be noted.

10 Complaints Update

The Panel considered a report of the Director of Legal and Democratic Services and Monitoring Officer which provided an update on complaints relating to the PCC or the Deputy PCC (for copy see file of Minutes).

It was noted that the last report the Panel received in relation to complaints was at its meeting on 20 March 2024, with no further complaints received since that meeting. The Senior Lawyer, Commercial and Corporate Governance, Jennifer Rogers explained that paragraph 12 to 18 of the report referred to consultation on proposed amendments to the Criminal Justice Bill, specifically in respect of how complaints Police and Crime Commissioners were handled. It was explained that the Monitoring Officer and Clerk to the Panel had responded including details of the procedure used and a summary in terms of complaints that had been received for the 2022/23 and 2023/24 periods. It was highlighted that as a result of the General Election the Criminal Justice Bill 2024 was not carried over and therefore the Bill would not progress any further.

Resolved:

That the report be noted.

11 Police and Crime Panel Annual Report 2023-24 and Work Programme 2024-25

The Panel considered a report of the Head of Legal and Democratic Services on the Durham Police and Crime Panel Annual Report 2023-24 and sought agreement to the Panel's Work Programme for 2024-25, presented by the Principal Overview and Scrutiny Officer, Stephen Gwilym (for copy see file of minutes).

The Principal Overview and Scrutiny Officer noted that Appendix 2 set out the Annual Report, in line with Home Office guidelines, setting out the role of the PCC, PCP, membership of the Panel, and including the activity of the Panel across the meetings held. He added reference was also made to informal development sessions, training and engagement activity. He noted that the PCP set its own Work Programme and reminded the Panel of the links to the PCC Annual Report and Police and Crime Plan, along with standard items considered at each meeting such as performance and complaints. The Principal Overview and Scrutiny Officer explained that the Council's Internal Audit Section had confirmed that the expenditure incurred by the Panel had been in accordance with the terms and conditions of the Home Office grant.

Members noted that Appendix 3 to the Annual Report gave further details in respect of future meetings of the Panel, with the Principal Overview and Scrutiny Officer noting that the issues raised earlier in the meeting today in respect of domestic violence, rural crime and the use of drones in the detection of crime and collection of evidence could be added as required. It was also suggested that the work programme be included as a standing item at each panel meeting.

Councillor D Nicholls asked as regards any site visits scheduled for the Panel, noting a previous visit to the Darlington CCTV Control Room which had been very useful, adding that a visit to the new Custody Suite would be beneficial. Councillor R Potts noted that the Independent Group had visited the suite in March 2024, and therefore asked that the Panel visit the site. The Principal Overview and Scrutiny Officer noted we would liaise with the OPCC as regards a site visit to the Custody Suite. Assistant Chief Constable, Richie Allen noted that the Constabulary would soon have the keys to the new facility and a visit could be arranged.

Resolved:

- (a) That the Durham Police and Crime Panel Annual Report be endorsed.
- (b) That the Work Programme for 2023/24 be agreed, with the inclusion of those additional items referenced above and a visit to the Investigative Hub.

12 Exclusion of the Public

Councillor R Potts explained that he felt the Investigative Hub Update item should be considered in public, and not in closed session. He added that the overspend of around £5.1 million as reported in the local press equated to 108 years' worth of a Police Officer's wage and noted the precept had been raised three times within recent years.

The Senior Lawyer Commercial and Corporate Governance noted that the report had been considered by the Monitoring Officer and she had held a firm view that there were commercial consideration and ongoing matters that could be prejudiced and therefore the report was listed under the exempt part of the agenda.

Councillor R Potts noted he did not feel there was any commercially sensitive information as far as he could see and felt the matter should be discussed in public. Mr R Rodiss seconded Councillor R Potts and noted he felt that the public had a right to have the information in terms of this huge project. Upon a vote being taken the motion was lost. The Chair noted that the meeting would move into closed session.

Resolved:

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 that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Act.

13 Investigative Hub Update

The Panel considered an update report of the Chief Constable in relation to the new Investigative Hub facility, presented by the Assistant Chief Constable, Richie Allen.

Resolved:

That the report be noted.