



Police and Crime Panel

Date Monday 3 March 2014
Time 11.45 am
Venue Committee Room 1B, County Hall, Durham

Business

Part A

**[Items during which the Press and Public are welcome to attend.
Members of the Public can ask questions with the Chairman's
agreement]**

1. Apologies for Absence
2. Substitute Members
3. Minutes of the meeting held on 3 February 2014 (Pages 1 - 6)
4. Declarations of interest, if any
5. Police and Crime Plan (Pages 7 - 26)
6. Draft Protocol on Exercise of the PCC's Power under Section 38 of the Police Reform and Social Responsibility Act 2011 (Pages 27 - 34)
7. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Part B

Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information)

8. Such other business as, in the opinion of the Chairman, is of sufficient urgency to warrant consideration

Colette Longbottom
Monitoring Officer

County Hall
Durham
21 February 2014

To: **The Members of the Police and Crime Panel**

Durham County Council

Councillors J Armstrong, D Boyes, P Brookes, S Forster, L Howvels (Chair),
D Stoker and A Willis

Darlington Borough Council

Councillors I Haszeldine, S Harker and B Jones

Independent Co-opted Members

K Larkin-Bramley and N Vaulks

Contact: Ian Croft

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DURHAM COUNTY COUNCIL

At a Meeting of **Police and Crime Panel** held in Committee Room 1B, County Hall, Durham on **Monday 3 February 2014 at 11.30 am**

Present:

Councillor L Hovvels (Chair)

Durham County Council:

Councillors J Armstrong, D Boyes, S Forster, A Willis and M Dixon

Darlington Borough Council:

Councillors S Harker and B Jones

Independent Co-opted Members:

K Larkin-Bramley and N Vaulks

1 Apologies for Absence

Apologies for absence were received from Councillors P Brookes and I Haszeldine.

2 Substitute Members

Councillor M Dixon as named substitute for Councillor P Brookes.

3 Declarations of interest

There were no declarations of interest.

4 Minutes

The Minutes of the meeting held on 5 December 2013 were confirmed by the Panel as a correct record and signed by the Chairman.

5 Precept Determination 2014/15

The Panel considered a report of the Police and Crime Commissioner which advised of the proposed level of precept for 2014/2015 (for copy see file of Minutes).

The Commissioner presented the proposals put forward by the Chief Finance Officer and the Chief Constable and outlined budgetary pressures facing the Police over the forthcoming years.

The report gave details of the budget and savings proposed in 2014/2015 together with the precept to be levied in the financial year. The Commissioner also highlighted key proposals for expenditure from the Capital Budgets for 2013/2014 and 2014/2015. The Chief Finance Officer informed the Panel that while the report recommended a 2% precept increase, the Council Tax capping criteria for 2014/15 had not yet been announced, and Appendices 5(a) and 5(b) showed the relevant figures for a 1.5% and 1% increase.

Mr N Vaulks, while recognising the good financial management which was in place in the force, asked why the capital receipts from the sale of the Aykley Heads site were not included in the budget figures, as these could have an impact on the revenue budget. He asked that the Commissioner consider these capital receipts prior to considering a precept for 2014/15. Mr Vaulks also referred to the consultation on the precept carried out by the Commissioner which showed that a majority of people who took part in the online consultation felt that Council Tax levels should remain the same, while accepting that there had been a consensus that a 2% increase would be acceptable from attendees at meetings. The force remained in a strong position with its reserves and Mr Vaulks requested that the Commissioner reconsider his proposed precept increase.

The Chief Finance Officer, referring to capital receipts from the sale of the Aykley Heads site, informed the Panel that although a preferred developer for the site had been identified, no legal contract had yet been completed. Payments for the site would be on a staged basis, with the first stage of payments not expected until the 2015/2016 financial year. Once the payment amounts were known, these would be reflected in the MTFP.

The Commissioner replied that there had been unanimity from attendees at consultation meetings to accept a 2% rise in precept for 2014/2015 when it had been explained that Durham had a very low Council Tax base. This meant that cuts in central government grant had a greater impact on Durham than on other forces because Durham raised only approximately 23% of its budget from Council Tax, whereas other forces such as North Yorkshire raised 45% of their budget from Council Tax and Surrey 49%. Therefore, any reduction on grant from central government affected over 75% of Durham's budget. Additionally, as well as reductions in government grant, some money from the budget was top-sliced. In 2013/14 £¹/₄m of the police budget had been top sliced to the IPCC, and in 2014/15 this figure would increase to £¹/₂m. The force was committed to maintaining front line services, whereas some forces had withdrawn from neighbourhood policing. The budget of the Commissioner's office had been reduced from £1.2m when elected to around £1m and staff numbers had reduced from 10 fte staff to 6.5 fte staff. It was prudent to maintain reserves at around the 4% to 5% level. Although some Commissioners had started to use reserves to employ staff, this funding was not sustainable.

Ms K Larkin-Bramley referred to page 9 of the report and asked how cost improvements were managed and risks identified, adding that as the budget became more challenging, more information on risks would be required.

The Chief Finance Officer replied that Commanders had been given a target to reduce head count by 10% over a period of 3 years. Consideration would then be given to what the service would look like with a 10% head count reduction while maintaining neighbourhood policing. There were increases in service demand and changes in types of crime which also needed to be considered.

Councillor Harker referred to the year on year budget reductions and the inability to make police officers redundant and expressed concern that the force seemed to be relying on officers retiring to make reductions in officer numbers. He asked whether any representation had been made to the Home Office to allow forces greater flexibility to make officers redundant.

The Chief Finance Officer informed the Panel that the Windsor report, which considered police officer and staff remuneration and conditions published in 2011, had recommended the ability to make police officers redundant. However, the Police Federation had objected to this and the matter had been referred to the Police Arbitration Tribunal which had recommended to the Home Secretary that forces not be given this ability. Although there was a scheme on place to allow for voluntary redundancies, this was very expensive. Regulation A19 of the Police Pensions Regulations allowed forces to make officers redundant once they had reached 30 years' service, however this would result in the force losing officers at a faster rate.

Councillor Harker asked that if the capping increase was restricted to 1.5%, where the necessary additional savings would be made. The Chief Finance Officer replied that this 0.5% difference equated to approximately £125,000 and this was within tolerances which could be achieved through budget management throughout the year.

Councillor Armstrong informed the Panel that most Local Authorities would not be taking the Government Freeze Grant for the forthcoming year, and the amount of the Freeze Grant was not yet known. There was a need to provide an efficient police service which operated within communities and also a need to protect the public.

Councillor Boyes asked whether there were any recommendations for the level of reserves which should be maintained. The Chief Finance Officer replied that CIPFA provided guidance on this, and for a force the size of Durham, this level should be 4% to 5%. Durham's reserves were at the top end of this level at 5% and the Auditors were content with this level.

In reply to a question from Councillor Jones regarding the income from the sale of the Aykley Heads site, the Chief Finance Officer replied that the force was aware of the approximate amount which would be received. Councillor Jones referred to PCSO's in Darlington who spent one shift each month in charity shops in the town and suggested that this may not be the best use of their time. The Commissioner

replied that he would follow up on this following the meeting and would provide feedback to Councillor Jones.

Resolved:

That the proposed precept for 2014/2015 as outlined in the report be accepted.

6 Public Confidence

The Chairman informed the Panel that this Item was to be considered along with Agenda Item No. 9 which related to the recording of crime.

The Panel considered a report of the Police and Crime Commissioner which provided information in relation to the current performance research and activity to improve public confidence and noted a letter dated 10 January 2014 from the Home Secretary regarding the recording of crime figures (for copy see file of Minutes).

The Commissioner informed the Panel that Confidence was a key measure in the Police and Crime Plan. He referred to Agenda Item No. 9 and circulated a copy of a letter dated 3 February 2014 sent to The Rt Hon Keith Vaz MP which outlined Durham's approach to crime data (for copy see file of Minutes).

Members of the Panel expressed disappointment that the public confidence figures did not reflect the work that the Constabulary did, and that the levels of fear of crime did not reflect that County Durham and Darlington were some of the safest places to live.

Resolved:

That the report be noted

7 Review of Police and Crime Commissioner and Police and Crime Panel - Memorandum of Understanding/Partnership Working Agreement

The Panel considered a report of the Assistant Chief Executive which sought agreement on a Memorandum of Understanding/Partnership Working agreement between the Durham Police and Crime Commissioner and the Panel (for copy see file of Minutes).

Resolved:

- 1) That the Memorandum of Understanding/Partnership Working Agreement between the PCC and the PCP be agreed.
- 2) That the Memorandum of Understanding/Partnership Agreement be reviewed on an annual basis.

8 Joint working arrangements between the Police and Crime Panel and Overview and Scrutiny Committees

The Panel considered a report of the Assistant Chief Executive which sought agreement to continue joint working arrangements between the Durham Police and Crime Panel (PCP) and Overview and Scrutiny arrangements at Durham County Council and Darlington Borough Council.

Resolved:

- 1) That the continued approach for joint working between the Police and Crime Panel, Durham County Council's Safer and Stronger Communities OSC and Darlington Borough Council's Monitoring and Co-ordinating Group be approved.
- 2) That the joint working arrangements be reviewed in 12 months.

9 Home Secretary Letter - Recording of Crime

This item had been considered at Agenda Item No. 6.

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Durham Police and Crime Panel

3rd March 2014

Police and Crime Plan

Report of Lorraine O'Donnell, Assistant Chief Executive

Purpose of the Report

- 1 To consider the Durham Police and Crime Commissioner's revised Police and Crime Plan 2013-17.

Background

- 2 Section 5 of the Police Reform and Social Responsibility Act 2011 requires the Police and Crime Commissioner (PCC) to produce a Police and Crime Plan within the financial year of taking office.
- 3 The Police and Crime Plan is a critical document for the PCC in determining, directing and communicating priorities during their period of office. The Act requires that the plan must set out for the period of issue:-
 - the Commissioner's police and crime objectives for the area;
 - the policing of the police area which the chief officer of police is to provide;
 - the financial and other resources which the Commissioner is to provide to the chief officer of police;
 - the means by which the chief officer of police will report to the Commissioner on the chief officer's provision of policing;
 - the means by which the chief officer of police's performance in providing policing will be measured; and
 - the crime and disorder reduction grants which the Commissioner is to make, and the conditions (if any) of those grants.
- 5 The Act also requires that any variances to the plans is to be reviewed by the Police and Crime Panel and the PCC must have regard and respond to any report or recommendations by the Panel.
- 6 At its meeting on 5 March 2013, the Panel considered and responded to the draft Police and Crime Plan for 2013-17 and received a progress update at its meeting on 29 October 2013. Guidance suggests an annual refresh in line with wider business and planning processes is considered good practice and the Act states that before issuing or varying a police and crime plan, a police and crime commissioner must -
 - prepare a draft of the plan or variation,

- consult the relevant chief constable in preparing the draft plan or variation,
- send the draft plan or variation to the relevant police and crime panel,
- have regard to any report or recommendations made by the panel in relation to the draft plan or variation
- give the panel a response to any such report or recommendations, and
- publish any such response.

7 Appendix 2 of this report contains the Durham Police and Crime Commissioner's revised Police and Crime Plan for 2013-17 for consideration by the Police and Crime Panel.

Recommendation

That the Police and Crime Panel consider information contained within the Police and Crime Commissioner's Police and Crime Plan for 2013-17 and comment accordingly.

Contact: Jonathan Slee Tel: 03000 268139

Appendix 1: Implications

Finance – The Police and Crime Plan identifies resources which the Commissioner is to provide to the chief officer of police

Staffing – None

Risk – None

Equality and Diversity / Public Sector Equality Duty – None

Accommodation – None

Crime and Disorder – The Police and Crime Plan is a critical document for the Police and Crime Commissioner and will aim to contribute to reducing Crime & Disorder within the Force area.

Human Rights – None

Consultation – The Police and Crime Panel are being asked to provide comment for the revised Police and Crime Plan.

Procurement – None

Disability Issues – None

Legal Implications – The report is required in accordance with the Police Reform and Social Responsibility Act 2011.

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Office of the Durham Police and Crime Commissioner

Police and Crime Plan 2013-17

2014 Refresh

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Introduction



As Durham's first ever elected Police and Crime Commissioner I take enormous pride in my role in representing the people of County Durham and Darlington. My first Police and Crime Plan set out the commitments I made in my manifesto. I have now been in office for over a year and feel that it is time to refresh this Police and Crime Plan and build upon those original commitments.

This refreshed plan sets out my vision and commitments and the objectives which I believe will help to achieve this. This plan provides strategic direction for the Chief Constable, who has responsibility for day to day operational policing. A key responsibility of my role is to hold the Chief Constable to account for delivery of this plan on behalf of local people.

My vision for County Durham and Darlington remains unchanged and it is **“to achieve excellence in local policing and the highest levels of public confidence by working alongside communities and partners to address what matters locally”**.

There are many challenges to face in my quest to achieve my vision, the biggest of all being the increasing financial challenge which is upon us as the austerity period continues. Initially it was indicated that the austerity period would be drawing to an end at this time. However the Government now report that it is likely to continue until at least 2020. The funding we receive from the Government has reduced year on year, and for 2014-15 a further cut of £4.2 million has been made. The force has responded well by delivering huge efficiency saving exercises and will have to deliver more over the next few years. It is going to be a challenge and things will get tough but it is a storm that we have to weather.

Despite these difficult times, I am very proud to report that County Durham and Darlington remain among the safest places in the country to live. We have below average crime rates, above average detection/ outcome rates, above average victim satisfaction coupled with below average levels of council tax. This performance puts us in an excellent starting position for the period of continued austerity.

In my first plan I set my objectives in the form of my personal and community based priorities. These priorities are designed to aid the achievement of my vision. During my time in office good progress has been made towards the achievement of my priorities and I do not propose to change these for this refreshed plan.

I have endeavoured to get out into the community and meet with the people that I represent and I plan to build upon what I have already done and engage with even more of our citizens as this is the only way I can fulfil my role by ensuring that I listen to you. I have established Community Panels across the force area and I regularly engage with these valuable groups and plan to use them and other engagement mechanisms to ensure that I am driving business in the right direction and achieving what the people want.

I am thankful for the ongoing commitment of officers, staff and PCSOs alike. However, the police alone cannot fight crime. Therefore I am grateful to our partners and communities across County Durham and Darlington for working together in partnership to achieve our priorities and improve our communities. Together we can make a difference.

My Vision, Commitment and Values

My vision for County Durham and Darlington is “**to achieve excellence in local policing and the highest levels of public confidence by working alongside communities and partners to address what matters locally**”.

As part of that vision, I still want to achieve the following outcomes of:

- **making local communities and the victims of crime feel empowered**
- **maximising the benefits of partnerships**
- **using our resources intelligently**

My objectives for achieving these outcomes, which remain unchanged from my original plan published in 2013, are:

- My **personal priorities** drawn from my election manifesto, which are:
 - **To reduce the impact of domestic abuse, particularly violence against women and girls.**
 - **To reduce the impact of hate crime.** This is when someone becomes a victim of a crime because of who they are and includes disability, gender, race, religion, bullying and cyber bullying.
 - **To improve engagement with local communities across the constabulary area.**
- My **community priorities** are:
 - **To tackle anti-social behaviour.** This is any selfish activity which is a nuisance, intimidating, destructive or affects someone else’s quality of life.
 - **To tackle the harm caused to individuals and communities by alcohol and drugs.** This includes underage drinking, excessive alcohol consumption, licencing issues and irresponsible retailing, drug taking, drug dealing etc.
 - **To improve road safety.** This includes tackling careless and dangerous driving, speeding, illegal or inconsiderate parking, mobile phone use when driving and other inappropriate behaviour.
 - **To make our policing services visible at all times.**

The Community Priorities were founded on a range of evidence bases when developed in 2013. To ensure that these are still valid, I have again considered a series of up to date evidence bases, which verify that they are still the right things to focus upon. The evidence bases I have utilised are:

- The Strategic Policing Requirement issued by the Home Office
- The Strategic Assessment prepared by the force December 2013
- Community Consultation with my community panels January 2014
- The needs assessments prepared by both our community safety partnerships November 2013
- The opinion of the Chief Constable
- The views of the Police and Crime Panel

Although I have set my personal and community priorities as a focus and steer this does not of course mean that I or the force will neglect the other areas of policing. Policing today involves a vast range of services and issues that need to be addressed. Research rightly so tells us that the public expects us to deal with these issues as well as the chosen priorities.

For example, the evidence I have consulted when reviewing the priorities has given a clear indication that we need to be aware of the impact that mental health issues have on our services. We will be looking into how we can mitigate these impacts and how we can work with our partners to address this over the plan period. I am part of a national working group looking into mental health issues as part of the Association of Police and Crime Commissioners, will help to shape local and national policing development.

I am also committed to supporting the Integrated Offender Management Units (IOMUs) across both Durham and Darlington, as changes progress in relation to the transforming rehabilitation agenda. I welcome the extension of supervision to those serving 12 months or less as this group has disproportionately impacted on our reoffending figures, however like many others I am concerned at the possible threat to partnership working as supervision of a significant number of local offenders moves into a commercial setting. The IOMU units have been developed to identify those individuals who commit the largest number of offences in our area and work in partnership in order to offer speedy but appropriately assessed support as well as fast tracked catch and convict where needed. The IOMUs are managed as part of the Safer Durham and Darlington partnerships and have dedicated staff from across the criminal justice agencies as well as support from housing, health, employment and drug and alcohol treatment services. Assessments are based upon local evidence which identifies the priority offending pathways at any one time and securing resources in the local area to meet this need. Both Durham and Darlington IOMs have consistently achieved approximately 60% reductions in their cohort reoffending rates over the last two years and I intend to work closely with the Ministry of Justice to ensure that this quality of service is replicated in any commercial contract.

I have also been involved in cyberbullying campaigns with young people across County Durham and Darlington. This area of work links to my personal priorities of hate crime and improving engagement with communities.

I have developed a 'plan on a page' which is a summary of this document. It shows my vision, desired outcomes, my objectives, what will help me to achieve my objectives, how I will align and use my resources and the relationships they all have with each other, this can be found in appendix 1.

Support of the Chief Constable

This refreshed Police and Crime Plan provides strategic direction the Chief Constable who is charged by law with the impartial direction and control of the police force which in effect is the responsibility for the day to day operational policing that will deliver this plan.

The Durham Constabulary area covers the local authority areas of Darlington Borough Council and Durham County Council which covers a total of approximately 2,460 square kilometers with a population of 618,200 (Census 2011). Darlington lies in the South, and is our largest town. In the east we have Durham City and the larger industrial and commercial towns which are a contrast to the west which is predominantly rural and is sparsely populated.

The Chief Constable and his senior staff have been closely involved in the development of this plan and the consultation processes used to establish the community priorities. The constabulary has used this Police and Crime Plan to develop their strategic plan for 2014-15 and any associated delivery plans.

The force's leadership team is committed to ensuring that County Durham and Darlington remain among the safest places to live and work in the UK. The Chief Constable is committed to leading a

force which delivers excellent policing to the people of County Durham and Darlington, inspiring confidence in victims and our communities, by:

- protecting neighbourhoods
- tackling criminals, and
- solving problems

The Constabulary’s strategic plan includes the priorities set in this plan, and is divided into five key delivery areas:

- What they want to achieve
- What they need to be good at
- What will help them to do it
- How they will align their resources; and
- How they will deliver value for money.

Successful delivery of the objectives will ensure that together we achieve the outcomes of increased confidence and high levels of satisfaction.

A copy of the force’s strategic plan on a page will be available on their website at:

<https://www.durham.police.uk>

Use of Resources

Finance

Budget

I am responsible for setting the police budget, and I face significant challenges ahead, due to the continuing austerity measures imposed by Central Government. I am committed to ensuring the communities receive value for money by ensuring that the budget available to us is used in the most effective way which is essential in these challenging times.

Again I have set a robust budget for 2014-15 that is balanced, does not rely on the use of reserves and aims to protect the quality of policing in County Durham and Darlington. The budget is made up of two elements, the revenue budget which covers day to day expenditure, and the capacity budget which covers improvements to buildings and the purchase of new vehicles and equipment.

<u>Revenue Budget</u>		£ m
Pay		98.1
Non Pay		17.9
Total		116
Council Tax		90.6
Government Grant		25.4
Total		116

<u>Capital Budget</u>		£ m
Buildings		6.1
Vehicles		1.1
ICT/ Equipment		2.3
Total		9.5
Grant		2.9
Reserves		0.4
Borrowing		6.2
Total		9.5

Further details about the budget can be found on my website at:

<http://www.durham-pcc.gov.uk/Finance/Financial-documents-and-reports.aspx>

Government Grant

For 2014-15 there have been further reductions in the amount of grant we receive from the Home Office. This reduction totals just over £4.2 million for 2014-15. Initially austerity was only expected to last until 2015, however it is now expected to last until 2020.

Precept (Council Tax)

I am very appreciative of the financial pressures with which every household is faced in the current economic climate. However, for us to maintain an efficient and effective police force, slight increases in precept for 2014-15 are necessary. I will always consult with the community on the precept via online consultation and with my community panels. The consultation for 2014-15 sought views on a precept increase 2% which overall was supported, and agreed by the Police and Crime Panel in February 2014. I took the decision to increase, it by 1.99%. In real terms this means an increase of 4p per week for a Band A property or £2.07 per year, or 6p per week for a band D property or £3.10 per year. Across the force area over half of households are in a Band A.

Medium Term Financial Plan (MTFP)

I have worked with the Constabulary to update our MTFP which projects our financial position over a five year period. The projections in the plan will require some difficult decisions. However, the past practice of trying to 'keep ahead of the curve' in terms of delivering savings puts our budget in a relatively strong position as a basis for planning ahead.

Collaboration

Providing better public services with less money was a key theme of the Government's Comprehensive Spending Review. This included a requirement upon Police and Crime Commissioners and forces to deliver greater value for money policing services, while at the same time maintaining or improving upon current performance. One of the solutions encouraged by the Government was enhanced collaborative working between forces and other public sector or private sector partners.

The force is currently an active partner in more than 80 separate initiatives for collaborative working with partners. These initiatives range from legally binding contracts to ad-hoc arrangements between managers on a regional or local level on functions such as intelligence, firearms and roads policing and serious and organised crime. There are also a number of national collaborative initiatives where the force is an active partner, the most notable being Operation Tornado, which is the national response to the issue of metal theft.

I have agreed with the Chief Constable that collaboration with one or more partners within clusters, other than for local policing, will be considered in all areas of business as part of a range of options to address the threats identified across County Durham and Darlington. This is to ensure that we deliver excellent policing to inspire confidence in victims and our communities by protecting neighbourhoods, tackling criminals, and solving problems around the clock. Currently around 9% of our overall expenditure is spent in connection with collaborative initiatives and we are working with more than 40 strategic partners.

Value for Money (VFM)

Value for Money is important to each of us and is considered when we make decisions that will impact on the lives of ourselves, our families and our community. VFM has the same level of importance to the police service when it is delivering services to the community of County Durham and Darlington. It is the way that we consider what services are needed by our communities and measure the outcomes from that service delivery. VFM drives the process that ensures the appropriate resources are applied to each service area, enabling the Force to respond promptly and effectively to emerging priorities. Governance arrangements exist with the Force to ensure that VFM is monitored and delivered across the breadth of the Constabulary's services.

Assets

In 2013 I approved the Estates Capital Programme for the force area as set out in the 2013/14 Medium Term Financial Plan (Budget Book), which can be found on my website at: <http://www.durham-pcc.gov.uk/Finance/Financial-documents-and-reports.aspx>

During the summer of 2014 the Constabulary will move into the new police headquarters on the Aykley Heads site. This new building is estimated to save over £750,000 per year in running costs, as it will have a much smaller footprint and will be more efficient. In 2013 we also saw our Newton Aycliffe station co-locate with the fire service, which will save over £70,000 per year. We are currently working with our partners to identify other co-location options.

People

Staff

During 2013 I undertook a staffing review of my office and have reduced the number of staff in my office to the equivalent of 5.6 full time staff. This along with other savings, has reduced my spending by £0.2million. I am committed to having a lean structure with multi-skilled personnel. In addition to the staff employed within my office, I am using seconded staff from partner organisations to carry out specialist roles and I plan to offer internships to graduates.

From the 1st April 2014 the staff within my office will remain employed by me, as Police and Crime Commissioner. The rest of the support staff within the Constabulary will transfer to the employment of the Chief Constable, as the stage 2 staff transfer will have been completed. A copy of the staffing structure is available on my website: <http://www.durham-pcc.gov.uk/Document-Library/ODPCC-Structure-Chart-from-1-Nov-2013.pdf>.

In addition, with a view to using our combined resources effectively, the Chief Constable and I have entered into a 'Shared Services Agreement' whereby I will have access to the Constabulary's professional and technical resources to assist me in carrying out my functions to avoid the need to take on additional staff for this purpose.

Volunteers

I am encouraged by the increasing number of volunteers across the Constabulary, ranging from the Special Constabulary, volunteers from the community and the Neighbourhood Watch Network. This extended 'police family' enables the force to work effectively at all levels in local communities, tailoring the service to match local needs and finding long term solutions to local issues.

Within the force I have supported a recruitment campaign which successfully recruited a further 29 special constables. In total the force now has over 100 specials who all play a vital role and enable us to enhance the number of visible officers we have out in neighbourhoods. I am also championing neighbourhood watch and the vital role those volunteers play within our local communities and the reassurance they help to provide. We are very lucky to have over a third of all our households in County Durham and Darlington covered by a neighbourhood watch scheme. This is one of the highest coverages in the country.

Independent Custody Visitors

I am responsible for maintaining an Independent Custody Visiting Scheme which is a very well established scheme within the Durham Constabulary area. The scheme sees trained volunteers visit police stations to check on the welfare and treatment of detainees and to ensure that their rights and entitlements are being correctly observed. It offers protection to both detainees and the police, and reassurance to the community at large. There are currently twenty six custody visitors who fulfil this role.

The Chief Constable and I fully support the work of the Independent Custody Visiting Scheme throughout County Durham and Darlington. It is essential in this age of 'policing by consent' that local communities have the utmost trust and confidence in their police service. The Independent Custody Visiting Scheme is an important element in building and maintaining this trust. Further details of the scheme can be found on my website at: <http://www.durham-pcc.gov.uk/Get-Involved/Independent-Custody-Visitors.aspx>

I have also provided some funding to Durham Agency Against Crime to establish a 'Volunteer Police Cadet Scheme' which was launched in Darlington for young people aged 13-17yrs old to take part in an action packed programme covering education workshops, community support and help, problem solving local issues and activities including the Duke of Edinburgh Award Scheme.

Partnerships and Cooperation

Effective partnership working is essential in helping me to achieve my objectives/ priorities as set out in this plan, as many areas of policing and crime cannot be tackled by a single agency, for example anti-social behaviour, which needs a coordinated partnership approach from a variety of partners to ensure that effective and sustainable solutions can be found.

During 2013 we developed some excellent partnership working in relation to Hate Crime, Domestic Abuse and the Violence Against Women and Girls Strategy that I developed with the other two Police and Crime Commissioners in the region.

My aim is to continue to encourage and assist partners to work more closely together and to bridge gaps in service delivery throughout County Durham and Darlington. I expect this work to continue throughout 2014 to maximise the opportunities and develop the outcomes.

Commissioning

In my role as Police and Crime Commissioner I am responsible for commissioning a range of community safety services utilising funding streams which were previously directed to local authorities and other agencies.

I have developed a commissioning framework for onward investment and distribution of Community Safety Grants. For 2014-15 I decided to award a proportion of the funding to the Community Safety Partnerships, Youth Offending Teams and the Drug and Alcohol Action Teams. I have awarded the funding on the condition that these partnerships ensure that the funding is used towards the achievement of my priorities. This national funding has been reduced by 25% compared to the funding I allocated to these partners last year, however I do expect these partners to challenge themselves and achieve or even exceed current performance and identify areas where savings could be made next year.

After allocating a proportion of the funding to the partners, the remaining proportion of the fund will be used to create a 'Community Safety Fund Pot' to which organisations including those in the voluntary and community sector can bid for funding where they think that they can give added value and help to achieve my personal and community priorities.

From 2014 I will be in receipt of funding to commission victim and witness services. I have established a mechanism to ensure that this funding is spent in line with government guidelines.

For further information about the funding available and the process for applying please contact my office or details can be found on my website. <http://www.durham-pcc.gov.uk/Finance/Commissioning.aspx>

The Chief Constable is charged by law with the impartial direction and control of the police force. My role in holding the Chief Constable to account does not impinge on the legal authority of the Chief Constable and his force to maintain the Queen's Peace without fear or favour and without improper political interference. All operational policing decisions will therefore continue to be made by the Chief Constable and his officers.

Executive Board

In order to 'hold to account' I have established an Executive Board with the Chief Constable and our respective statutory officers, through which I will make key decisions relating to the police service. The Executive Board meets on a monthly basis and receives written reports and updates on the performance of the Constabulary, including budget monitoring at regular intervals. Any Key decisions which I make are included on the 'Decision Register' which is available on the website. <http://www.durham-pcc.gov.uk/Transparency/Decision-Register.aspx>

I am required to publish certain information as a means of improving accountability in line with national requirements and this is available on my website at <http://www.durham-pcc.gov.uk/Transparency/Who-We-Are--What-We-Do.aspx>

Force performance information will be published in my on the on my website. <http://www.durham-pcc.gov.uk/Your-Police/Performance/Police-Performance.aspx>

Audit Committee

The Audit Committee comprises 6 members who are independent of my office and Durham Constabulary and the Police and Crime Panel. The Committee meets at least 4 times per year. The Audit Committee is responsible for enhancing public trust and confidence in the governance of my office and Durham Constabulary. It also assists me in discharging statutory responsibilities in holding the Police Force to account. This is achieved by:

- Advising the me and Chief Constable according to good governance principles
- Providing independent assurance on the adequacy and effectiveness of my office and Durham Constabulary internal control environment and risk management framework.
- Overseeing the effectiveness of the framework in place for ensuring compliance with statutory requirements
- Independently scrutinising financial and non-financial performance with a view to advising both me and the Chief Constable of potential exposure to risks and weaknesses that might impact upon the internal control environment

Police and Crime Panel

The Police and Crime Panel will also monitor my progress towards the achievement of the objectives in this plan. The key role of the Police and Crime Panel (PCP) is to provide checks and balances on how I carry out my functions. They will do this by scrutinising my decisions and how I exercise my powers, including my progress towards the achievement of this plan. While the Panel is there to constructively challenge me, it also has a key role in supporting me in my role in enhancing public accountability of the police force. Further details of the PCP can be found at on Durham County Council's website at:

<http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=8901>

Public Accountability

As an elected body I am ultimately accountable to you the community and I value all feedback from the public and stakeholders about the performance of achieving the priorities set out in this plan. Therefore to communicate progress to you:

- I will publish an Annual report which details my progress towards the achievement of the priorities.
- I will provide regular newsletters to my Community panels and meet with them at least twice per year.
- I will endeavour to ensure that my website is up to date with current performance information and utilise social media
- I will attend community meetings and meet with the public whenever possible.

Performance Management Framework

The performance management framework by means of which I will monitor the Chief Constable's achievement of the priorities and outcomes of this plan is set out below.

Policing is complex, and the aim must be to do the right thing for victims and communities without slavishly adhering to indicators and targets where there is a danger of chasing a target and missing the point.

For this reason I have set three primary measures (indicators) which will allow me to monitor these and which ultimately underpin all of my personal and community priorities:

Indicator	Measure	Desired Outcome
Crime	Victim based police recorded crime	Fewer victims of crime
Public Confidence	<p>The percentage of the public who believe that the police are dealing with issues that matter. This is measured by the percentage of respondents who state they 'agree' or 'strongly agree' with the following statement in the CSEW* 'The police and local council are dealing with the anti-social behaviour and crime issues that matter in this area.'</p> <p>The percentage of people who think the police do a good job. This is measured by the percentage of respondents who say 'good' or 'excellent' when asked the following in the CSEW* 'Taking everything into account, how good a job do you think the police in this area are doing?'</p> <p>The percentage of the public who have overall confidence in the police. This is measured by the percentage of respondents who state they 'agree' or 'strongly agree' with the following statement in the CSEW* 'Taking everything into account I have confidence in the police in this area.'</p>	Improved percentage of people who agree with these statements
Victim Satisfaction	Overall crime victim satisfaction. This is measured by the number of victims who stated they were satisfied with the 'whole experience'	Increased levels of victim satisfaction

CSEW* is the Crime Survey for England and Wales.

All of my priorities should ultimately ensure you are being served by one of the very best forces in the country; therefore, I aim for top quartile performance in as many areas as possible. You should have confidence in the force to reduce crime, to do a good job and to tackle the issues that matter to you.

Achieving top quartile performance in some areas is going to be a major challenge in the face of continuing financial cutbacks. However despite experiencing rises in recorded crime, they are still below average levels. Confidence is our greatest area of challenge as despite having over 75% confidence we are not one of the top performers therefore we are exploring how we can increase confidence and improve our performance against this indicator. However satisfaction levels compare favourably with other forces.

In addition I will continue to monitor other areas of policing as I receive weekly force performance updates. If something concerns me then I will challenge the Chief Constable at the Executive Board meetings.

Equality and Diversity

As your PCC I take equality, diversity and human rights matters in policing seriously and want to ensure that residents within County Durham and Darlington are delivered a policing service which is equal and inclusive to all, as every person has a right to feel safe in their own environment and live free from crime.

As well as my own equality and diversity duties in complying with the Equality Act 2010, I am also responsible for the monitoring of equality and diversity matters within Durham Constabulary, both internal for staff (e.g. recruitment, employment monitoring, human rights etc.) as well as ensuring that Durham Constabulary adheres to the Act as part of its own duty to serve the public.

Getting Involved - How to Contact Us

Community Panels

I have established a series of community panels based on the 7 parliamentary constituency areas across County Durham and Darlington. My vision for the panels is that they would consist of approximately 50 people who will be consulted on an ongoing basis regarding a range of key policing issues. Throughout this plan period I will be using the panels more and will look to them to assist in:

- identifying local police and crime concerns
- evaluating and provide feedback on the effectiveness of local policing services
- reviewing performance against the Police and Crime Plan
- representing the diverse community safety needs of the localities
- acting as a channel of communication in wider public consultation activities

There are always seats available on the panels and I actively encourage people to apply as we would like as many people as possible to ensure that we have a diverse mix of people. Therefore if you would like further information or to express an interest in applying to be on a Panel, please visit my website or contact my office. <http://www.durham-pcc.gov.uk/Get-Involved/Join-the-Citizens-Panel.aspx>

PACT – Police and Communities Together

Where possible and if particular issues arise or hot spots appear I try to attend PACT meetings. I actively encourage people to attend PACT meetings as I believe that the PACT model is an excellent tool for engaging local people in problem solving, as PACT deals with local issues, in local areas and involves local people. You can find details of your local PACT meeting by looking up your local neighbourhood on the Constabulary website <https://www.durham.police.uk/Your-Neighbourhood/Pages/default.aspx>

Your Police, Your Say - Liaison with your Local Councillor

I meet regularly with local Councillors from County Durham and Darlington and I have already established surgeries prior to full council meetings in Durham, as well as having a regular 'slot' at the beginning of each Darlington Borough Council meeting.

These meetings will give your local councillor the opportunity to discuss policing issues and priorities with both myself and the Chief Constable on a regular basis. This will provide an extra link into communities and contribute to tackling crime at a local level.

MP Surgeries

I am keen to meet and listen to as many people as possible and I have been joining up with the seven MPs of County Durham and Darlington to co-host surgeries for people who want to discuss issues associated with policing and crime in their area. I will work with relevant partner agencies to respond to any concerns raised by members of the public.

Street surgeries

I regularly attend street surgeries with local councillors and MPs throughout different neighbourhoods within County Durham and Darlington. I see this as an excellent way for me to get to know directly from local people what their concerns are. I can then ensure these are addressed by the Constabulary which in turn helps increase public confidence and satisfaction levels.

Live online surgeries

Through the use of technology I host online surgeries, during which members of the public can post questions, comments, pictures or remarks to which I can then respond, to steer the debate about either general or specific topics on policing and crime.

Once the debate has concluded it remains online for the public to review as an archived record and computer software enables people to interact from the comfort of their living room or place of work; as long as they have internet access they can participate in the meeting. The meetings can be held at varying times with no overhead costs, such as room hire or transportation etc. By using technology in innovative ways and having online chat surgeries in the evening, for example, I can interact with people I would not normally meet during the day (busy parents or fulltime workers, for example).

Social media

I actively engage with local residents and partners through social media sites Twitter and Facebook. Using my personal Facebook and Twitter accounts I engage in two way personal conversations about my day-to-day activities as part of my role. Additionally, the organisation's business Facebook and Twitter accounts provide up-to-date communications about press releases and regular news events and activities that my office is involved in. To follow my activity as Police and Crime Commissioner, please refer to the contact details provided below.

Contact Details of the Office of the Durham Police and Crime Commissioner

Postal address:

Office of the Durham Police and Crime Commissioner,
County Hall,
Durham,
DH1 5UL

Telephone number: 03000 264632

Fax number: 0191 3834206

Email address: enquiries@durham-pcc.gov.uk

Website: www.durham-pcc.gov.uk

Business:



<http://twitter.com/DurhamPCC>



www.facebook.com/durhampcc



<http://www.youtube.com/user/DurhamPCC>



<http://www.flickr.com/photos/durhampcc/>

Personal:



<https://twitter.com/RonaldHogg1>



www.facebook.com/ronald.hogg.9

Appendix One – Plan on a page

Vision: To achieve excellence in local policing and the highest levels of public confidence by working alongside communities and partners to address what matters locally

Desired outcomes

Empowered Local Communities & Victims of Crime

- Effective engagement
- Listening to feedback
- Defining policing services

Effective Partnerships

- Shared working arrangements
- Encourage partner contribution to delivery of priorities

Intelligent Use of Resources

- Ensure an efficient and effective police service

Use of Resources

My objectives for achieving these outcomes:

Community Priorities

- Tackle anti-social behaviour
- Tackle the harm caused to individuals & communities by alcohol & drugs
- To improve road safety by tackling careless and dangerous driving, speeding, illegal or inconsiderate parking, mobile phone use when driving and other inappropriate behaviour.
- To make our policing services visible and accessible at all

Personal Priorities

- Reduce the impact of domestic abuse, particularly violence against women and girls
- Reduce the impact of hate crime
- Improve engagement with local communities across County Durham and Darlington

Value for Money

- Set the police precept and budget, ensuring community needs are balanced against availability of resources
- Produce an effective commissioning strategy and monitoring arrangements
- Develop appropriate collaboration

What will help me to achieve my objectives:

High Quality Policing

- Monitoring of police performance to ensure Durham Constabulary:
- Protect Neighbourhoods (particularly the vulnerable & victims)
 - Tackle

Effective Communication and Engagement

- Establish community and victim panels
- Communication & Engagement strategy & Action Plan
- Equality & Diversity

Working with others

- Community safety
- Drug & Alcohol services
- Youth Offending / Safeguarding children
- Criminal justice services
- Victim services

Effective commissioning

- Develop an appropriate commissioning strategy
- Consider joint commissioning with partners
- Involve

How I will align our resources:

People

- Effective staffing resource for the office of Police & Crime Commissioner
- Provide appropriate levels of staffing resources to enable the Chief Constable to deliver high quality policing services
- Monitoring of force compliance with Public Sector

Resources

- Ensure effective management of assets e.g. Estate Strategy
- Ensure effective ICT capability
- Maximise opportunities for collaborative working with commissioned agencies where appropriate
- Develop shared use arrangements with partners



Durham Police and Crime Panel

3rd March 2014

Draft Protocol on Exercise of the PCC's Power under Section 38 of the Police Reform and Social Responsibility Act, 2011

Report of Lorraine O'Donnell, Assistant Chief Executive

Purpose of the Report

- 1 To consider a draft protocol between the Police and Crime Commissioner, Police and Crime Panel and the Chief Constable on Exercise of the PCC's Power under Section 38 of the Police Reform and Social Responsibility Act, 2011.

Background

- 2 Section 38 of the Police Reform and Social Responsibility Act 2011 includes powers for the Police and Crime Commissioner to call upon the chief constable of the police force for that area to resign or retire. Schedule 8 of the Act requires the PCC inform the Panel of the reasons to call upon the resignation or retirement of the chief constable.
- 3 The purpose of the protocol is to ensure transparency and fairness and sets out the process and procedures which will be followed by the PCC in the event that he is contemplating the exercise of his power under section 38 of the Act.
- 4 In addition, as supporting information to panel, Appendix 3 contains a letter from the Rt. Hon. Damian Green, MP, Minister of State for Policing and Criminal Justice to Police and Crime Panel Chairs on the Governments response to the Home Affairs Committee on 'Police and Crime Commissioners; powers to remove Chief Constables'.

Recommendations

- 5 Members are asked to approve the draft protocol and that it be signed off by the Chair of the Panel, the Police and Crime Commissioner and Chief Constable.

Background papers

None

Contact: Jonathan Slee Tel: 03000 268142

Appendix 1: Implications

Finance – None

Staffing – The report includes information on the role of the Panel should the PCC call upon the Chief Constable to resign or retire.

Risk – None

Equality and Diversity / Public Sector Equality Duty – None

Accommodation – None

Crime and Disorder – None

Human Rights – None

Consultation – None

Procurement – None

Disability Issues – None

Legal Implications – The report is required in accordance with the Police Reform and Social Responsibility Act 2011.

**DURHAM POLICE AND CRIME
COMMISSIONER**

AND

DURHAM POLICE AND CRIME PANEL

AND

CHIEF CONSTABLE OF DURHAM

PROTOCOL

**Regarding the Exercise of the PCC's Power under Section 38 of the
Police Reform and Social Responsibility Act, 2011**

Introduction

The Police Reform and Social Responsibility Act, 2011 (PRSRA) introduced new governance arrangements for policing and policing accountability. Principal among these changes is the election of the Police and Crime Commissioner (PCC) and the appointment of the Durham Police and Crime Panel (PCP). The role of the PCP is to scrutinise the decisions and activities of the PCC. In turn the PCC will hold the Chief Constable to account for the delivery of policing services and the achievement of the PCC's objectives.

The PCC and the PCP have already signed up to a Memorandum of Understanding setting out the broad principles of working together to build and nurture an effective partnership in the delivery of the shared and individual responsibilities of the commissioner and the panel.

It was specifically envisaged by the original Memorandum of Understanding that it may be necessary over time to develop and agree additional protocols and procedures to deal with specific issues.

Purpose

In order to ensure transparency and fairness, this protocol sets out the process and procedures which will be followed by the PCC in the event that he is contemplating the exercise of his power under section 38 of the PRSRA, to call upon the Chief Constable to retire or resign.

The provisions set out in this protocol represent statements of intention only and are not legally binding. They may be withdrawn, reviewed or amended at any time by the relevant party.

Policing Protocol

The PCC fully acknowledges the independence of the Chief Constable in operational policing matters as set out in the Policing Protocol (the Protocol).

This is underpinned by the statement in the PCC's Oath of Office that he will not interfere with the Chief Constable's operational independence. Indeed, the PCC and the Chief Constable are required by the Protocol to work together to safeguard the principle of operational independence.

The Police (Conduct) Regulations, 2012 (the Conduct Regulations)

It is acknowledged by the PCC that the existence of the new statutory powers in Section 38 of the PRSRA does not affect the application to Chief Constable of the existing statutory regime for disciplining constables as set out in the Conduct Regulations. The Conduct Regulations contain detailed procedures and incorporate a number of safeguards to ensure that the relevant officer receives a fair hearing.

It is also acknowledged that in enacting Section 38 of the PRSRA, Parliament did not intend that the power contained in that provision should be exercised in a way that would defeat the intent and purpose of the Conduct Regulations.

Accordingly, the PCC undertakes to follow the process and procedures laid down by the Conduct Regulations in respect of any allegations of misconduct by the Chief Constable.

Performance Failure

The PCC intends, subject to exceptional and unforeseen circumstances, to use his power under Section 38 of the PRSRA only in a case of serious failure in the Chief Constable's performance of his duties and functions which could jeopardise the achievement of the PCC's local policing priorities or the effective delivery of local policing needs.

All parties to this protocol agree that the PCC, as the local elected community representative, has a discretion to determine whether the Chief Constable's performance has been so unacceptable, by reference to local needs and priorities, as to compromise the efficiency and effectiveness of the police force and therefore justify his dismissal. However, it is also agreed that the PCC should reach any such

conclusion in good faith and have a reasonable basis for doing so, by reference to the ordinary public law principles of rationality.

The PCC recognises that the use of the power to call upon the Chief Constable to retire or resign should be a matter of last resort and exercised only, where appropriate, after full and frank discussion with the Chief Constable and after a reasonable opportunity has been provided to enable the failure of performance to be rectified.

Process and Procedures

Without prejudice to the statutory process which the PCC is required to follow by virtue of part 2 of schedule 8 to the PRSRA and regulation 11A of the Police Regulations 2003, the PCC will consult with Her Majesty's Chief Inspector of Constabulary at an early stage and shall take account of his/her views in formulating any proposal to call for the Chief Constable's retirement or resignation.

The PCP will permit the Chief Constable to be accompanied by a friend or legal representative at any scrutiny meeting which is held in pursuance of paragraph 15 of schedule 8 to the PRSRA. The PCP will determine the procedure to be followed at the scrutiny meeting. At the meeting the Chief Constable and the PCC will answer on their own behalf any questions put to them by or on behalf of the Panel.

Before making any recommendation in pursuance of the said paragraph 15, the PCP will consult Her Majesty's Chief Inspector of Constabulary and take account of his/her views.

In the event that the PCP recommends that the PCC should not call for the retirement or resignation of the Chief Constable, the PCP will provide the PCC with the full written reasons for the recommendation. The PCC will not reject the recommendation until he has notified the Chief Constable and PCP in writing why he is minded to reject it.



Rt Hon Damian Green MP
MINISTER OF STATE FOR POLICING AND CRIMINAL JUSTICE
2 Marsham Street, London SW1P 4DF
www.homeoffice.gov.uk

All Police and Crime Panel Chairs

03 DEC 2013

THE GOVERNMENT RESPONSE TO THE HOME AFFAIRS SELECT COMMITTEE REPORT, POLICE AND CRIME COMMISSIONERS: POWER TO REMOVE CHIEF CONSTABLES

The Government published a response to the Home Affairs Select Committee report *Police and Crime Commissioners powers: power to remove chief constables* on 3 December.

The Committee's report stated that it is right that PCCs should have the initiative in removing a chief constable, but recommended that police and crime panels (PCPs) should fully exercise their powers of scrutiny in examining and deciding whether the proposed removal of a chief constable is justified. Such decisions, once made, should be accompanied by all the reasons arrived at in the case.

The Government agrees with the Committee that PCPs should fully exercise their powers of scrutiny in such cases.

Transparency is a vital element of the reforms which brought in PCCs and it is important that information is readily available to the public to help them in holding their PCCs to account. In support of this, PCPs were introduced in every police force area to scrutinise the actions and decisions of each PCC.

In the Police Reform and Social Responsibility Act 2011, Parliament gave PCPs a wide remit to review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the commissioner's functions. This is to ensure there are appropriate checks and balances on the PCC.

This of course applies in situations where a PCC decides to suspend a chief constable, or calls upon a chief constable to resign or retire. In such instances, the PCP has the power to summon the PCC to answer questions, and allow them to establish and challenge the reasons for the suspension or removal.

You have a vitally important role to play in making sure the work of PCCs is scrutinised and information is available for the public. Many of you will have already been involved in the appointment of chief constables and will be aware of the need to not only scrutinise the process of the appointment, but also the decisions taken. I am confident you will continue to use the full range of your powers as set out in legislation.

Yours sincerely,
Damian Green

The Rt Hon Damian Green MP