



Police and Crime Panel

Date **Tuesday 3 February 2015**
Time **10.00 am**
Venue **Committee Room 1A, 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 4 December 2014 (Pages 1 - 6)
4. Declarations of interest, if any
5. Consultation on Council Tax Police Precept 2015/16 - Report of the Police and Crime Commissioner (Pages 7 - 14)
6. Mutual Gain - Presentation by Chief Superintendent Graham Hall
7. Update on Commissioning Activity - Report of Chief of Staff, Office of the Police and Crime Commissioner (Pages 15 - 20)
8. Review of Police and Crime Commissioner and Police and Crime Panel - Memorandum of Understanding/Partnership Working Agreement - Report of Assistant Chief Executive, Durham County Council (Pages 21 - 30)
9. Joint working arrangements between the Police and Crime Panel and Overview and Scrutiny Committees - Report of Assistant Chief Executive, Durham County Council (Pages 31 - 34)

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

Colette Longbottom
Monitoring Officer

County Hall
Durham
26 January 2015

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

Durham County Council

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

Darlington Borough Council

Councillors I Haszeldine, S Harker and B Jones (Vice-Chair)

Independent Co-opted Members

Mr N J H Cooke and Mr N K G Dodwell

Contact: Ian Croft

Tel: 03000 269702

DURHAM COUNTY COUNCIL

At a Meeting of **Police and Crime Panel** held in Committee Room 1A, County Hall, Durham on **Thursday 4 December 2014 at 1.00 pm**

Present:

Councillor L Hovvels (Chair)

Durham County Council:

Councillors J Armstrong, D Boyes and M Dixon

Darlington Borough Council:

Councillors S Harker and B Jones

Independent Co-opted Members:

Mr N J H Cooke

1 Apologies for Absence

Apologies for absence were received from Councillors P Brookes, S Forster, D Stoker and A Willis and Mr D Dodwell.

2 Substitute Members

Councillor M Dixon as substitute Member for Councillor P Brookes.

3 Minutes

The Minutes of the meeting held on 28 October 2014 were confirmed by the Panel as a correct record and signed by the Chairman.

With reference to Minute No. 5, the Panel conveyed their congratulations to PC Amanda Holland on winning the WOW! You Changed My Life award.

4 Declarations of interest

There were no declarations of interest.

5 Draft Refreshed Police and Crime Plan and Precept 2015-17

The Panel considered a report of the Police and Crime Commissioner (PCC) which presented the draft of the refreshed Police and Crime Plan in advance of its launch for consultation (for copy see file of Minutes).

The PCC informed the Panel that consultation on the draft Plan would commence on 15 December and sought the comments of the Panel on the draft Plan by 10 December, in advance of the consultation.

Councillor Armstrong referred to the establishment of a Rape Scrutiny Panel as mentioned on page 27 of the Plan and sought further details of the membership of the Panel. Sweety Sahani, Staff Officer to the PCC replied that the Panel consisted of 10 independent members who had all shown knowledge of or had experience in dealing with this area of crime. The Panel had first met on 10 November which was as a training session around cases where no further action was recorded, and the next meeting would focus on an individual case to enhance the Panel's understanding of issues. The PCC informed the Panel that an update on the work of the Rape Scrutiny Panel would be brought in six months' time.

Councillor Armstrong then referred to the PCC's views on the decriminalisation of drug addiction as set out on page 19 of the draft Plan and asked whether the PCC had received responses from MPs or other police forces on this. The PCC replied that MPs had been invited to attend a recent drugs symposium he had hosted on 27 November 2014 but none had attended. Support had been received from a couple of PCC's and a further report on this would be brought back to the Panel.

Councillor Boyes referred to the 'Violence Against Women and Girls Strategy' which was mentioned under the 'And Everything Else' section of the Plan and considered the inclusion of the Strategy under this section may provide an inappropriate perception. The PCC agreed that reference to the Strategy should be included elsewhere in the Plan and not under this section.

Councillor Boyes referred to Accountability and Performance Management and asked whether a direction of travel of performance of the force since the election of the PCC could be included in the Plan. Alan Reiss, Chief of Staff for the PCC replied that while this information could be included, the PCC's Annual Report already included past performance data.

Councillor Hovvells informed the PCC that discussions were ongoing around drugs strategy within both the Darlington and the Durham Safety Partnership Boards and the Health and Wellbeing Board and there was a need for these organisations to be part of the PCC's drugs debate.

Resolved:

That the draft Police and Crime Plan be noted.

6 Update on Priority Item "To tackle the harm caused by alcohol and drugs to individuals and communities"

The Panel considered a report of the Police and Crime Commissioner which provided an update on the priority item 'To tackle the harm caused by alcohol and drugs to individuals and communities' (for copy see file of Minutes).

The Staff Officer to the PCC informed the Panel that statistics relating to alcohol-related crime were available and would be circulated to Panel Members.

Councillor Dixon referred to the increase in licensed premises mentioned within the report and asked whether there was now a reduction in the number of pubs closing. The PCC replied that although there were still a number of licensed premises closing in rural and remote communities, the night time economy in Durham City remained vibrant. There was a presumption that alcohol licence applications would be granted unless it could be proved disorder would arise as a consequence, and this was difficult to prove. Additionally, the community voice to object to such applications was not being activated.

Councillor Boyes informed the Panel that he had attended a drugs conference in the summer which had made reference to the diminishing problems of traditional drugs such as cocaine and heroin compared to the increasing problem of legal highs. Councillor Boyes also referred to Operation A.R.I.E.S which was being carried out in partnership with supermarkets, yet some supermarkets sold alcohol to underage customers. The PCC replied that the outlets for legal highs needed to be closed, including shops and websites, as had been done in Ireland. Referring to Operation A.R.I.E.S. the PCC informed the Panel that the Alcohol Harm Reduction Unit worked with supermarkets to address underage purchases, and one supermarket in Durham City had amended the way it sold alcohol in a bid to prevent underage sales. However, young people were being supplied with alcohol from home by their parents, and this needed to be addressed.

Councillor Jones supported challenges to license applications, particularly those for 24 hours licenses, which had an effect on the night time economy and policing and requested an update for the Panel on the Night Time Levy. He added that the drugs symposium recently organised by the PCC provided useful information and he praised the quality of the speakers.

The PCC informed the Panel that he was supporting the work of Tony Hogg, PCC for Devon, who was seeking a change to Licensing legislation, and work which had been undertaken with balance in the North East had been provided to Tony Hogg.

Resolved:

That the report be noted

7 Role of Joint Chief Finance Officer - Safeguards Protocol

The Panel considered a joint report of the Chief of Staff of the PCC and Head of Internal Audit, Durham County Council regarding the drafting of a Joint Chief Finance Officer Safeguards Protocol at the request of the Joint Audit Committee (for copy see file of Minutes).

Resolved:

That the Protocol be approved.

8 Commissioning Activity relating to Priority Areas

The Panel received an update from Alan Reiss, Chief of Staff, Office of the Durham Police and Crime Commissioner on commissioning activity relating to priority areas.

The Chief of Staff informed the Panel that there were four commissioning budgets, these being Community Safety Grant, Restorative Justice, Victim Services and Community Safety Fund and provided the following update to the Panel:

- Community Safety Partnerships – meetings had taken place with both Durham and Darlington Community Safety Partnerships and funding to both CSPs would be reduced by 5% in the next financial year.
- Restorative Justice – a lot of work was taking place regarding restorative justice and a restorative justice co-ordinator was co-ordinating work in Durham and Darlington.
- Victim Services – work was taking place with both Northumbria and Cleveland to identify what existed around specialist services and any gaps that existed.
- Community Safety Fund (CSF) – consideration was being given to how the CSF would operate in the next financial year. Last year there were two bidding rounds for the fund and bids of £1m were made for the £100,000 available. Next year it was likely there would be a biddable fund for the whole year and some funding may be ring fenced specifically for innovative projects.

Resolved:

That the report be noted.

9 HMIC Inspection Report

The Panel received an update from the Chief Finance Officer on the HMIC first Annual Assessment of Policing in England and Wales 2014 (PEEL) assessment in terms of effectiveness, efficiency and legitimacy

The Chief Finance Officer informed the Panel that Durham Constabulary had been graded as the top performing police force in the country at tackling crime. The evidence from inspections, together with the context within which force operated, allowed HMIC to make an assessment of each of the 43 police forces in England and Wales.

In the effectiveness strand of the assessment, Durham was the only force in the country judged to be outstanding at investigating offending. The force was also rated as outstanding at tackling anti-social behaviour and good at reducing crime and preventing offending and received a good efficiency rating.

The report stated that the Constabulary was effective at preventing and investigating crime and provided appropriate support to victims, delivered positive outcomes for victims and engaged effectively with its communities.

The Chief Finance Officer informed the Panel that requests had been received from two other forces to undertake a peer review. He added that a challenge for the force was how to balance current demand with future demand, as well as meet historic demand, for example, from Operation Seabrook.

Councillor Boyes informed the Panel that the report was a fantastic result for the force and urged Panel Members to ensure it was widely publicised, for example, into Parish Newsletters.

Councillor Jones referred to Operation Seabrook and asked whether any funding would be provided from government to offset the costs of the investigation. The Chief Finance Officer replied that the Prime Minister, during Prime Minister Questions, had said that funding would be provided, but certain criteria would need to be met and there would be a cost ceiling. The costs of the Operation were being closely monitored.

Councillor Armstrong asked whether any income could be generated by the force undertaking the two peer reviews mentioned. The Chief Finance Officer replied that the possibility of this was being investigated,

Mr Cooke informed the Panel that with the role of police officers changing, and in light of funding cuts, this was a commendable Inspection report. He asked what impact on morale future cuts may have and also the impact of longer serving officers, together with their knowledge and experience, leaving the force. The PCC replied that the Inspection report was silent around the issue of funding cuts. The force had employed former police officers on the Operation Seabrook investigation and was to recruit 16 new police officers over the next two years. Collaboration with other forces and blue light services would continue to make efficiency savings.

Resolved:

That the update be noted.

10 Structure of the Office of the Police and Crime Commissioner

The Panel received an update from Alan Reiss, Chief of Staff, Office of the Police and Crime Commissioner (OPCC) on the current staffing structure of the Office of the Police and Crime Commissioner. The Chief of Staff circulated an organisation diagram to Panel Members (for copy see file of Minutes).

The Chief of Staff informed the Panel that when he commenced work in the OPCC he had identified some capacity gaps in the office around commissioning and accountability. He had undertaken a review of the capacity, functions and methods of working in the Office and considered that there was insufficient capacity, some of which was due to unclear reporting lines and functions. The Chief of Staff provided the Panel with details of the roles and functions of staff within the OPCC and new ways of working which would result in greater teamwork and accountability, with all staff reporting either directly or indirectly to the Chief of Staff rather than the PCC. More members of OPCC staff had access to the Force systems, and the public face of the PCC was being expanded through the use of social media.

Resolved:

That the update be noted.

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Police and Crime Panel

3rd February 2015
(produced 22nd January 2015)

Consultation on Council Tax Police Precept 2015/16

Report of the Police and Crime Commissioner

Purpose of report

1. The purpose of this report is to advise members of the Police and Crime Panel of my proposal for the policing element of the Council Tax Precept 2015/16. Under Schedule 5 of the Police Reform and Social Responsibility Act 2011, the Police and Crime Panel is required to review the proposed precept, and to make a report on it (the panel are to determine the manner of this report). The report can include recommendations on the level of the precept. The panel has the power to veto the proposed precept, which requires a two-thirds majority in favour of a veto.
2. The report will provide an update in relation to the consultation on my proposal, presenting a summary of responses received so far and the expected outcome based on the feedback received. The papers for this meeting have been issued prior to the end of the consultation period but final results will be given at the meeting itself.

Background

3. The police budget continues to be affected by cuts from the Government. This means the Council Tax contribution to policing paid by residents of County Durham and Darlington (precept) is a vital contribution. As part of my role it is my responsibility to set this precept.
4. The Government has imposed a cap whereby increases of 2% or above require a referendum to take place. This would cost around £768,000.

Precept Proposal

5. Durham Constabulary works hard to provide value for money for the people it serves, and in order to maintain the excellent service they deliver I have proposed a modest precept increase of 1.98%. At the time of writing, this proposal is open for public consultation.
6. A 1.98% increase will cost the average home (a Band D property) an additional 6p per week, which is £3.16 for a year (see Appendix 2 for a full breakdown of costs). This in turn will generate circa £500,000 for Durham Constabulary, which equates to the approximate cost of keeping 10 police officers on the street.
7. An increase of less than 1.98% or remaining at the current level would result in a lower baseline for any increase in subsequent years, meaning the budget would also be

restricted over the forthcoming years. To increase by more than my proposed level would mean increasing by more than 5% to recoup the costs spent on the referendum.

Consultation

8. Details of the precept consultation have been widely circulated across partnership organisations, boards and panel members. I have attended AAPs across County Durham, held a forum for all Town and Parish Councils and held a Voluntary and Community Sector Forum. At these events the room was questioned as a whole to gauge overall opinion rather than to elicit individual survey responses. I am also conducting a walkabout in Darlington's Cornmill shopping centre to talk to members of the public and will be doing the same in Durham City Centre. The online consultation has been promoted through social media.
9. The online survey sets out my proposal and the alternative options, then asks respondents to select a statement from a multiple choice list: a) To increase the precept by more than 2%, b) To increase the precept by 1.98%, c) To increase by less than 1.98%, and d) To maintain the precept at its current level or reduce it. Respondents are also given the chance to enter any comments.
10. The public consultation opened on 8th January and will close at noon on Monday 26th January.

Responses

11. At the time of writing, there have been 157 respondents to the online survey. They have spanned across all twelve neighbourhood policing teams and all age groups from 16 – 75+ years (see Appendix 3). Through my personal attendance at events I have also reached approximately 352 people to date, with more scheduled for the coming days.
12. The responses received to date are strongly in support of my proposed increase. Through the online survey, 63.1% agree that the precept should be increased by 1.98% (see Appendix 4). The majority of free text comments written by those completing the online survey also convey a belief that the increase is justified and they are happy to pay slightly more to continue to ensure a safe place to live.
13. The general consensus from those who attended the forums I held and the AAPs I visited is that they agree with my proposed increase. There were no objections raised.
14. A number of respondents who agree with my proposed increase have stressed that they do so on the condition that the money goes towards neighbourhood policing and having police officers visibly out on the streets.

Outcome

15. Based on the consultation results so far, I intend to apply a 1.98% increase to the precept as proposed. A full breakdown of what this means for each housing band is included in Appendix 2.
16. As aforementioned, approximately £500,000 will be generated by the increase in the precept. This will contribute towards ensuring the service they provide is not adversely affected by the cuts to funding imposed by the Government.

Recommendations

17. The Panel is recommended to:
Note the current position of the consultation and the expected outcome;
Consider my proposal for a 1.98% precept increase.

[This is with the understanding that the consultation is not yet complete, however, the consultation and responses will be finalised by the time of the panel meeting and I will be able to present them to you in full then.]

18. I intend to bring a report on the police budget to the next meeting of the panel on 3rd March 2015.

Ron Hogg
Police and Crime Commissioner

Appendix 1: Risks and Implications

Finance: The Council Tax Precept 2015-16 is to rise by 1.98% (as per main body of the report).

Staffing: No specific implications.

Equality and Diversity: No specific implications.

Accommodation: No specific implications

Crime and Disorder: The money received through the increase will be put towards reducing crime and disorder and ensuring matters are dealt with as efficiently as possible.

Children's Act 2004: No specific implications

Stakeholder/Community Engagement: Feedback on the proposed increase has been sought from the community.

Environment: No specific implications

Collaboration and Partnerships: No specific implications

Value for Money and Productivity: The precept increase proposed is the largest it can be without holding a costly referendum.

Potential Impact on Police and Crime Plan Priorities: No specific implications

Commissioning: No specific implications

Other risks: No specific implications

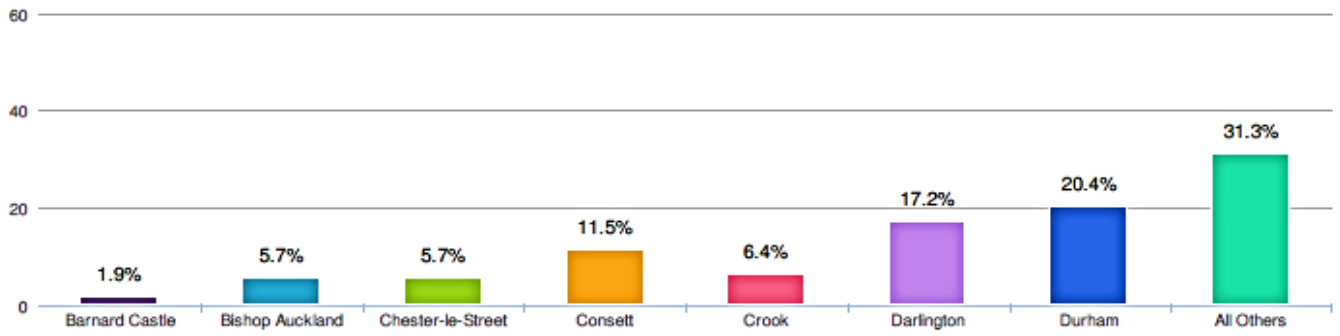
Contact Officer:	Roma Watterson
Job Title:	Research & Policy Officer
Telephone:	03000 266550
Email:	roma.watterson@durham-pcc.gov.uk

Appendix 2: Table Showing the Impact of the 1.98% Precept Increase per Council Tax Band

	Council Tax 2014/15	Council Tax 2015/16	Increase per Week	Increase per Year
Band A	£106.38	£108.49	£0.04	£2.11
Band B	£124.11	£126.57	£0.05	£2.46
Band C	£141.84	£144.65	£0.05	£2.81
Band D	£159.57	£162.73	£0.06	£3.16
Band E	£195.03	£198.89	£0.07	£3.86
Band F	£230.49	£235.05	£0.09	£4.56
Band G	£265.95	£271.22	£0.10	£5.27
Band H	£319.14	£325.46	£0.12	£6.32

Appendix 3: Summary of Online Consultation Respondent's Demographics

3. Which area do you live in, or live or closest to?

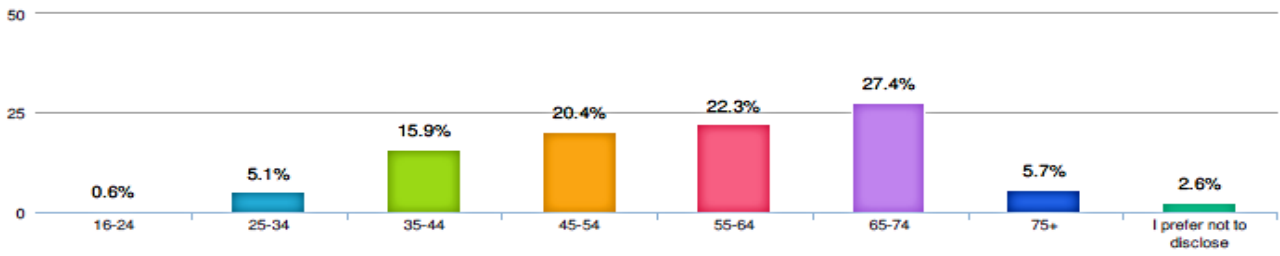


Statistics

Total Responses 157

Barnard Castle	1.9%	3
Bishop Auckland	5.7%	9
Chester-le-Street	5.7%	9
Consett	11.5%	18
Crook	6.4%	10
Darlington	17.2%	27
Durham	20.4%	32
Newton Aycliffe	2.6%	4
Peterlee	2.6%	4
Seaham	1.9%	3
Spennymoor	10.8%	17
Stanley	13.4%	21
Total		157

4. Age Group (years):

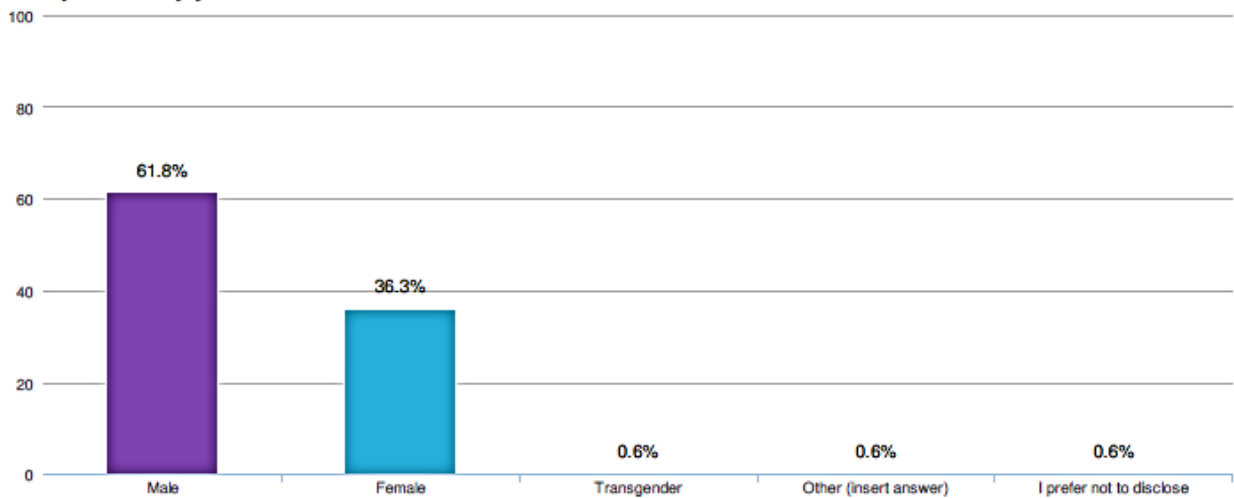


Statistics

Total Responses 157

Under 16	0.0%		0
16-24	0.6%		1
25-34	5.1%		8
35-44	15.9%		25
45-54	20.4%		32
55-64	22.3%		35
65-74	27.4%		43
75+	5.7%		9
I prefer not to disclose	2.6%		4
Total			157

5. Do you identify yourself as:



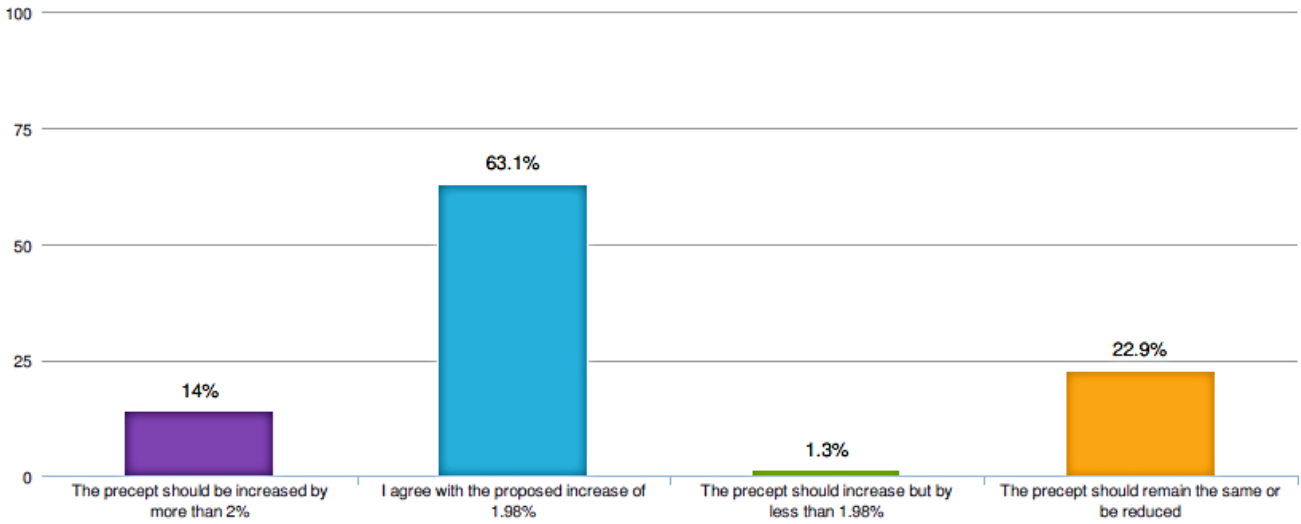
Statistics

Total Responses 157

Male	61.8%		97
Female	36.3%		57
Transgender	0.6%		1
Other (insert answer)	0.6%		1
I prefer not to disclose	0.6%		1
Total			157

A

1. Which of the statements below best describes your opinion?



The precept should be increased by more than 2%	14.0%		22
I agree with the proposed increase of 1.98%	63.1%		99
The precept should increase but by less than 1.98%	1.3%		2
The precept should remain the same or be reduced	22.9%		36
Total			157

Statistics

Total Responses 157

Police and Crime Panel**3rd February 2015****Update on Commissioning Activity****Report of Chief of Staff****Purpose**

1. To update the Panel on the PCC's commissioning activity ahead of the 2015-16 financial year.

Background

2. At the meeting of the Panel on 4th December, we gave members a verbal update on commissioning activity. This report provides a fuller update on the current position and plans.
3. Alongside a reduction in the Police Grant from the Home Office, the PCC has received additional money from the Ministry of Justice for 2015-16 for Victims' Services and for Restorative Justice.

Summary of Current Position

4. Broadly, there are four funding streams that the PCC has identified to commission services:

A	Community Safety Grant	Total: £606,550 (Safe Durham Partnership: £473,395 (Darlington CSP: £133,155)	Money that previously went directly to Community Safety Partnerships but which now comes to PCCs.
B	Victims' Services	£525,000	Two streams: one for the victims' referral and assessment service, which was previously funded directly by the MoJ through Victim Support; and one for specialist Victims' Services.
C	Restorative Justice	£140,000	Money from the Ministry of Justice to support the delivery of restorative justice in the force area
D	"Community Safety Fund" (working title)	TBD	A remaining pot of money which the PCC is likely to use to provide funding to the Voluntary and Community Sector.

Detailed Current Position

A	Community Safety Grant	Total: £606,550 (Safe Durham Partnership: £473,395 (Darlington CSP: £133,155)	Money that previously went directly to Community Safety Partnerships but which now comes to PCCs.
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5. The PCC has again decided to allocate this funding to the two Community Safety Partnerships for projects that support his priorities.
6. Both Partnerships will receive monies representing a 5% reduction on the allocation in 2014-15, roughly to mirror the reduction to the Police Budget.

Durham Community Safety Grant Projects	2015-16 allocation (£485,577)*
Anti-Social Behaviour Officers	131,883
4Real Service and Drug Intervention Programme (in 2015/16 this will be a contribution to the County Durham Drug and Alcohol Service not specifically these two services)	177,790
Prolific and Priority Offender Mentoring	30,000
Fully Integrated Pre Court System (Out of Court Disposals)	105,872
County Durham Positive Futures Programme	55,000
Total	500,545

* There will also be £27,150 rolled forward from 2014/15 into 2015/16, hence the total spend equalling more than the allocation

7. The Darlington Community Safety Grant projects are still to be decided. A planning day is being held on 23rd January which the OPCC is attending.
8. We are developing formal arrangements for performance management of the Community Safety Grant, to ensure they provide outcomes and value for money. This will be taken into account when deciding how to allocate this funding in the future.

B	Victims' Services	£525,000	Two streams: one for the victims' referral and assessment service, which was previously funded directly by the MoJ through Victim Support; and one for specialist Victims' Services.
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9. Responsibility and funding for Victims' Services passed to Police & Crime Commissioners with effect from 1st October 2014
10. The Victims Code focuses on making sure that criminal justice agencies - such as the police and the courts – give victims the service that they are entitled to. That includes the areas of providing support and information on: what help a victim can expect; reporting the crime; being kept informed about

the investigation; going to court; being a witness; response to a guilty verdict (Victim Personal Statement); and Restorative Justice.

11. **We are intending to commission Victim Support to provide the referral and assessment service in 2015-16**, jointly with Cleveland PCC. The service will provide the first point of contact for practical support for a victim of crime and the gateway to further specialist support for the more complex and serious cases.
12. **We are also commissioning specialist services.** First, there are some services we will continue from 2014/15. These services are for those victims that have the most need. They may have suffered from domestic or sexual abuse (or violence) and will need the most support that will vary in need and complexity.
13. Second, we will further develop services based on identified need. We are working with specialist providers to understand fully the scope of the service requirement. In addition, discrete research projects such as in mental health will be commissioned to identify need where services are not provided or where there is limited service provision.
14. Our default position is that all victims' services will be commissioned on a collaborative basis, in order to enhance the possibility of getting a wider and deeper service offer for victims, and increase the value for money from the funds available.

C	Restorative Justice	£140,000	Money from the Ministry of Justice to support the delivery of restorative justice in the force area
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15. Since 2013 the MoJ have allocated money to the PCC in order to establish the provision of RJ for those victims who want it or to improve the services which are currently in place.
16. Restorative approaches are well established in the Durham and Darlington area and have been for some time. The Safer Durham Partnership has a strategic group looking to develop restorative practices throughout all agencies and Darlington have recently committed to setting up a similar group. Darlington has a nationally recognised neighbourhood resolutions team with some of the highest take-up of this service across the country.
17. Our police have all been trained in Restorative Approaches and the Chief Constable is a strong advocate, actively promoting the use of Restorative approaches wherever possible.
18. The PCC therefore intends to use the additional funding to appoint Restorative Justice Coordinators – one for Durham and one for Darlington – with the responsibility of bringing together all the Restorative Justice activity in order to ensure good coordination, information sharing and learning.
19. The focus will be engagement with the victim to ensure that they understand the purpose of the approach, the possible benefits for them, the processes in place to ensure that a restorative meeting can take place at any point through

NOT PROTECTIVELY MARKED

the criminal justice process should they wish for this and appropriate support for all those involved.

D	Community Safety Fund” (working title)	TBD	A remaining pot of money which the PCC is likely to use to provide funding to the Voluntary and Community Sector.
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20. The Commissioner would like to allocate some funding to the Voluntary and Community Sector in order to support his, and partner, priorities.
21. In 2014-15 he allocated this fund in two rounds via a bid/ application process. We are currently deciding how to distribute this fund in 2015-16, including how the fund is managed, allocated and monitored – and its size (we have only been able to determine in early January that a fund of this type is possible, following receipt of the Police Settlement just before Christmas).
22. The fund will need to:
 - Support PCC and partner objectives
 - Provide measurable community based outcomes
 - Provide value for money.
23. Last year’s process of allocation was disproportionately burdensome and resulted in unrealistic expectations from the sector, with total bids exceeding the amount available by a factor of ten.
24. In order to secure best value for money, and to provide an efficient allocation process, we are considering allocating the money to a fund administrator who can provide both a management service and match funding, but still give the PCC input into the decision-making. We are considering whether a procurement exercise for this service is necessary.

Recommendation

25. To consider the report and provide any questions.

Alan Reiss
Chief of Staff

Appendix 1: Risks and Implications

Finance

All funding is available within the 2015-16 budget. The balancing item is the “Community Safety Fund”, the precise level of which is to be determined.

Staffing

n/a

Equality and Diversity

n/a

Accommodation

n/a

Crime and Disorder

n/a

Children's Act 2004

n/a

Stakeholder/Community Engagement

Information about the PCC’s funding streams is set out in the draft Police and Crime Plan which is currently out for consultation.

Environment

n/a

Collaboration and Partnerships

n/a

Value for Money and Productivity

Value for Money is a key consideration in the allocation of all budgets.

Potential Impact on Police and Crime Plan Priorities

All funding to have a positive impact on priorities

Commissioning

As per the report.

Other risks

n/a

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Durham Police and Crime Panel

3 February 2015

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

Report of Lorraine O'Donnell, Assistant Chief Executive, Durham County Council

Purpose of the Report

- 1 To seek agreement on a Memorandum of Understanding/Partnership Working agreement between the Durham Police and Crime Commissioner (PCC) and the Police and Crime Panel (PCP).

Detail

2. At its meeting on 4 February 2013, the Police and Crime Panel agreed a Memorandum of Understanding/Partnership Agreement (Appendix 2) as a statement of the PCC's and PCP's commitment to build and nurture an effective partnership based on the principles set out in the agreement. The panel reviewed this agreement in February 2014 and agreed to review on an annual basis.
3. The Agreement sets out expectations to support a positive and constructive relationship between the PCC and PCP. It also provides a framework for the development and agreement of additional protocols/procedures to deal with specific issues including procedures for dealing with complaints against the PCC or Deputy PCC, Confirmation Hearings for Chief Constable and Statutory Officer posts and Information Sharing.
4. The Agreement is used as a means of promoting and encouraging appropriate values and behaviours in partnership working, constructive mutual challenge and reviewing progress.
5. Following consultation with the PCC Commissioner and the Chair of the Police and Crime Panel, it is suggested that this agreement remain in place and be reviewed on an annual basis.

Recommendations

- 1) That the Police and Crime Panel agree to the Memorandum of Understanding/Partnership Working Agreement between the PCC and the PCP.

- 2) That the Memorandum of Understanding/Partnership Agreement be reviewed on annual basis.

Contact: Jonathan Slee, Overview and Scrutiny Officer Tel: 03000 268060
Jonathan.slee@durham.gov.uk

Appendix 1: Implications

Finance

None

Staffing

None

Risk

None

Equality and Diversity / Public Sector Equality Duty

None

Accommodation

None

Crime and Disorder

This is a key focus of the work of the Police and Crime Commissioner and Police and Crime Panel.

Human Rights

None

Consultation

None

Procurement

None

Disability Issues

None

Legal Implications

The Agreement includes responsibilities of the Police and Crime Commissioner and Police and Crime Panel within the Police Reform and Social Responsibility Act 2011

DURHAM

Police and Crime

Commissioner

and

Police and Crime Panel

**Memorandum of
Understanding/Partnership Agreement**

Introduction

The Police Reform and Social Responsibility Act 2011 brings in 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 Police and Crime Panel will scrutinise the decisions and activities of the Police and Crime Commissioner. In turn the Police and Crime Commissioner will hold the Chief Constable to account for the delivery of policing services and the achievement of the Commissioner's objectives.

This work is being delivered in a changing and challenging environment which requires flexibility and a pragmatic approach, high levels of cooperation and joint working, as well as a commitment to supporting each other in the delivery of shared and individual responsibilities.

Our overriding aims are to keep people safe and to provide the very best service that we can to the diverse communities of County Durham and Darlington.

This Memorandum of Understanding/Partnership Agreement is a statement of the Police and Crime Commissioner and Police and Crime Panel's (our) commitment to build and nurture an effective partnership based on the principles set out in this agreement.

Purpose

The Agreement sets out the broad principles and processes which will guide our work together. It sets out our expectations to support a positive and constructive relationship. It also provides a framework for the development and agreement of additional protocols/procedures to deal with specific issues these could include procedures for dealing with complaints against the PCC or Deputy PCC, Confirmation Hearings for Chief Constable and Statutory Officer posts and Information Sharing.

We will use the Agreement as a means of:

- promoting and encouraging appropriate values and behaviours in partnership working
- constructive mutual challenge and
- reviewing progress

Our key statutory roles and responsibilities

The PCC is responsible for:

- Securing an efficient and effective police force for the Durham Police Area
- Producing, and consulting on, a five year police and crime plan, in consultation with the chief constable, which sets the police and crime objectives for the area.
- Holding to account the chief constable including the power to appoint and dismiss

- Publishing information/data including an annual report
- Setting the annual force budget and police precept
- Requiring the chief constable to prepare reports on police matters

The PCP is responsible for:

- Scrutinising the PCC, to promote openness in the transaction of police business and also to support the PCC in the effective exercise of their functions
- Contributing to the development of the PCC's police and crime plan
- Reviewing the PCC's proposed precept
- Reviewing the PCC's Annual Report
- Reviewing the proposed appointments of chief constable, chief executive, chief finance officer and deputy police and crime commissioner (if proposed) and holding public confirmation hearings for these posts
- Making reports and recommendations on matters relating to the PCC
- Investigating complaints about non criminal behaviour of the PCC

Our principles for successful partnership working

Shared objectives

Our shared objective is to tackle local crime and disorder, creating safer communities throughout all of County Durham and Darlington and increasing public confidence.

Community safety is the protection of everyone's right to live without fear for their own or other people's safety. It is about impacting on crime, fear of crime and victimisation. It means the empowerment and involvement of all in the community to tackle inequalities, address the underlying causes of crime and create environments in which all people feel safe. It is about quality of life.

We will co-operate with each other, and the other responsible authorities, to reduce crime and anti social behaviour and support an efficient and effective criminal justice system.

Shared values and behaviours

At the heart of successful partnership working is **trust**. Building trust takes time, but it only takes an instance to damage it. Agreeing shared values and behaviours, which are interrelated and impact on each other, are critical to successful partnership working and developing trust. We have set out below our shared values and how we will behave to demonstrate them. We will hold each other to account and measure ourselves against these principles.

Taking an evidence led approach

Priorities are evidence based and decision making transparent. Effective action is reality based and solution focussed.

We will:

- Ensure that decision making is informed, consistent and transparent

- Be committed to continuous improvement
- Ensure that claims about performance are evidence based
- Actively encourage ideas and innovation
- Manage risk
- Monitor, evaluate and review our work to ensure we respond to changing needs and can demonstrate we are making a difference

Valuing and respecting each other

Respect and value everyone's contribution.

We will:

- Respect each other's mandates, obligations and independence
- Recognise each other's constraints and commitments
- Build effective working relationships with each other
- Recognise the value of everyone's contribution
- Make accountability real in a constructive way

Public interest

Act in the interest of the public and demonstrate value.

We will:

- Take a balanced and multi-faceted approach to issues
- Focus on long term as well as short term problems, responses and solutions
- Act in the interests of the public good over individual interests
- Demonstrate to the community how we are achieving publicly valued outcomes
- Carry out our work responsibly, with integrity and in a relevant and appropriate way

Building capacity

Build capacity in our partnership.

We will:

- Develop skills, knowledge and experience in order to carry out our roles and responsibilities effectively
- Ensure meaningful dialogue through early consultation and early information sharing of data and analysis
- Tackle difficult and controversial issues

Acting ethically

Act ethically with integrity and build trust. Be honest, open and objective and encourage constructive challenge.

We will:

- Ensure that our dialogue is open and transparent
- Agree how we will achieve democratic accountability
- Declare conflicts of interest and address them
- Use appropriate and simple language
- Be honest and objective
- Encourage questions and constructive challenges
- Agree a mechanism for whistleblowing

Aligning objectives

Harness our collective efforts.

We will:

- Allow sufficient time and capacity to be given to understand an issue and to reflect on its impact
- Establish accountability and give each other constructive feedback
- Make sure that actions are clear, time limited and task oriented
- Ensure that agreed actions are carried out
- Build on our comparative advantages and complement each others contributions
- Share a collective understanding of our partnership and promote the values of our partnership

Specific protocols and procedures

As detailed earlier in the Agreement it may be necessary, over time, to develop and agree additional protocols and procedures to deal with specific issues. This partnership agreement provides the framework for doing this. These protocols may include procedures for dealing with complaints against the PCC or Deputy PCC, Confirmation Hearings for Chief Constable and Statutory Officer posts and Information Sharing

The following procedure is proposed in relation to meetings of the Panel:

Meeting Schedule and Work Programme

The Police and Crime Panel will meet at least four times per year with extraordinary meetings called as and when necessary. It is proposed that the Panel Secretariat (comprising of officers from Durham County Council Legal and Democratic Services and Overview and Scrutiny) will work with the Office of the Police and Crime Commissioner (OPCC) to determine suitable dates bearing in mind the statutory dates laid down for the Police and Crime Plan, precept and budget, annual report etc. The work programme will also take into account the Panel's duty to review/ scrutinise PCC decisions and actions.

In considering potential meeting dates to which the PCC or a member of his staff is required to attend the Panel Secretariat will wherever possible consult with the OPCC to determine suitable dates. In any event the Chair of the Panel, via the Panel Secretariat, will inform the PCC or staff member in writing giving, where practical, 15 days notice. Such a notice to state the nature of the item on which he or she is required to attend to give account and whether the Panel require any papers to be produced. Where a report is required sufficient time will be allowed for this to be produced.

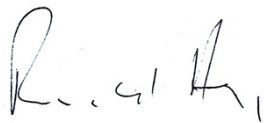
Where, in exceptional circumstances, the PCC is unable to attend on the required date, then an alternative date for attendance may be arranged following consultation with the Chairman of the Panel. If the Panel require the PCC to attend a meeting, the Panel may (at reasonable notice) request the Chief Constable to attend on the same occasion to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions

Resolving Differences

In any new arrangements there will inevitably be differences of opinion on issues. We will take a positive and constructive approach to resolving any issues in accordance with the arrangements set out in the relevant Protocol or Procedure. In general officers will attempt to resolve an issue in consultation with the Chair of the PCP and the PCC before referring the matter to the full PCP.

Summary

This Memorandum of Understanding/Partnership Agreement is work in progress. We recognise that these are new and different arrangements and there will be issues to work through and resolve. The quality of our relationship will be more important than any written agreements. If we invest time and energy in maintaining a good partnership working relationship, together we can make a huge difference. We are committed to doing that in a constructive and positive way, remembering always that our shared priority and the reason why we exist is to serve the people of County Durham and Darlington by creating safer communities. It is acknowledged that the relationship between the PCC and the PCP will develop over time. It is agreed that this Agreement be reviewed on an annual basis.



Mr Ron Hogg

**Durham
Police and Crime
Commissioner**



Cllr Lucy Hovvels

**Chair
Durham Police and
Crime Panel**

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Durham Police and Crime Panel

3 February 2015

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

Report of Lorraine O'Donnell, Assistant Chief Executive, Durham County Council

Purpose of the Report

1. To seek 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.

Background

2. At its meeting on 22 October 2012 and 3 February 2014, the Panel agreed a report outlining joint working arrangements between the Police and Crime Panel and Overview and Scrutiny and Darlington Borough Council and that this be reviewed after 12 months. The working arrangements are detailed in paragraphs 3 – 11, with regard to the responsibilities of the Police and Crime Commissioner, Police and Crime Panel and Overview and Scrutiny arrangements and how the arrangements are to work in practice.

Detail

3. **Police and Crime Commissioner and Police and Crime Panel**
Elected Police and Crime Commissioners (PCCs) and PCPs were introduced by the Police Reform and Social Responsibility Act 2011. Under the Act, the PCC is responsible for holding the Chief Constable to account, securing an efficient and effective local police force and carrying out functions in relation to community safety and crime prevention. Within the Durham Constabulary area, the Durham PCP is responsible for publicly scrutinising the actions and decisions of the PCC and its responsibilities include:
 - Review and comment on the Draft Police and Crime Plan and Precept;
 - Review the Commissioner's Annual Report;
 - Holding confirmation hearings for the Panels two Independent Members and senior appointments of the PCC;
 - Overseeing all complaints against the PCC, informally resolving non-criminal;
 - Powers of veto on setting the precept and appointment of Chief Constable

Overview and Scrutiny Arrangements

4. Section 19 of the Police and Justice Act 2006 requires local authorities to have a crime and disorder committee with the power to review or scrutinise decisions taken in connection with the discharge by the Responsible Authorities of their Crime and Disorder Functions. The Crime and Disorder (Overview and Scrutiny) Regulations 2009 complement the provisions under Section 19. Within the constituent local authorities, this responsibility lies with Durham County Council's Safer and Stronger Communities Overview and Scrutiny Committee (SSC OSC) and Darlington Borough Council's Monitoring and Co-ordinating Group (MCG). It is to note that both the Chairs of SSC OSC and MCG are members of the PCP and therefore strengthens the communication links between the PCP and Overview and Scrutiny within both Councils.

Joint Working Arrangements

5. Within this context, there are common aims of local authority scrutiny and the PCP to scrutinise the delivery and effectiveness of measures aimed at reducing crime and disorder and enhance public safety. The Centre for Public Scrutiny and the Local Government Association produced a document '*Police and crime panels, A guide for scrutiny*' that includes an emphasis for communication between the PCP and scrutiny arrangements within their respective local authorities. It is therefore essential that they:
 - Work in a climate of mutual respect and courtesy;
 - Have a shared understanding of their respective roles, responsibilities and priorities;
 - Promote and foster an open relationship where issues of common interest and concern are shared in a constructive and mutually supportive way;
 - Share work programmes, information or data they have obtained to avoid the unnecessary duplication of effort;
 - Have communication through the SSC OSC and MCG to have the PCP as standard item on their agendas and the PCP to have Overview and Scrutiny on its agenda.
6. Whilst recognising the common aims and the need for closer working it is important to remember that both scrutiny functions and the PCP are independent bodies and have autonomy over their work programmes, methods of working and any views or conclusions they may reach. These arrangements would not preclude either body from working with any other local, regional or national organisation to deliver their aims.

What this will mean in Practice

7. **PCP → Scrutiny**
The PCP shall, in discharging its responsibility for commenting on the draft Police and Crime Plan or any variation thereto, seek the views of the SSC OSC and MCG. The SSC OSC and MCG may, if it so wishes, submit written comments to the Police and Crime Panel.
8. The PCP shall, in discharging its responsibility for commenting on the Police and Crime Commissioner's Annual Report, seek the views of the SSC OSC and MCG. The SSC OSC and MCG may, if it so wishes, submit written

comments or questions it considers merit raising with the PCC to the Police and Crime Panel.

9. Scrutiny → PCP

The local authority scrutiny functions may, in discharging its responsibility for reviewing and scrutinising the Annual Report of the local Community Safety Partnership, draw to the attention of the PCP any issues which would merit a discussion with the PCC.

10. PCP ↔ Scrutiny

Where either the PCP or the relevant scrutiny body considers that a particular issue (related to crime and disorder) would merit in depth investigation either by the relevant scrutiny body /Panel or by a task and finish group this should be discussed by the Chairmen and Secretariat of both bodies to determine the scope of such a review and agree to which body would take lead responsibility. The aim is to avoid duplication of effort and resources.

11. Review of Working Arrangements

Since agreement of this arrangement, reports containing activity from the Panel's meeting have been shared with Overview and Scrutiny at both constituent authorities.

12. Within this context, the joint working arrangements have provided communication between the Panel and Overview and Scrutiny and it is suggested that this remains in place and reviewed on an annual basis.

Recommendations

- 1) That the Panel agree to continue the 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.
- 2) That the joint working arrangements are reviewed in 12 months.

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Appendix 1: Implications

Finance

None

Staffing

None

Risk

None

Equality and Diversity / Public Sector Equality Duty

None

Accommodation

None

Crime and Disorder

This is a key focus of the work of the Panel and activity within Overview and Scrutiny arrangements at Darlington Borough Council and Durham County Council.

Human Rights

None

Consultation

None

Procurement

None

Disability Issues

None

Legal Implications

None