



## **Police and Crime Panel**

**Date**        **Tuesday 20 October 2015**  
**Time**        **10.00 am**  
**Venue**       **Committee Room 1A, County Hall, Durham**

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### **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. Declarations of interest, if any
4. Minutes of the meeting held on 22 June 2015 (Pages 1 - 8)
5. Police and Crime Plan 2015-17 - Mid-year Update - Report of Police and Crime Commissioner (Pages 9 - 18)
6. Q1 Performance Report 2015-16 - Report of Chief of Staff, Office of the Durham Police and Crime Commissioner (Pages 19 - 20)
7. Checkpoint Project Update - Report of Chief of Staff, Office of the Durham Police and Crime Commissioner (Pages 21 - 24)
8. Mental Health Update - Report of Supt Kevin Weir, Durham Constabulary (Pages 25 - 30)
9. Committee for Standards in Life Report 'Tone from the top - leadership, ethics and accountability in policing' - Report of Assistant Chief Executive (Pages 31 - 44)

10. Update on Victims Commissioning and Funding - Report of Head of Governance and Commissioning, Office of the Police and Crime Commissioner (Pages 45 - 50)
11. Update on Restorative Justice Activities - Report of Head of Governance and Commissioning, Office of the Police and Crime Commissioner (Pages 51 - 54)
12. PCC Decision Records - Report of Chief of Staff, Office of the Durham Police and Crime Commissioner (Pages 55 - 58)
13. HMIC inspections - Update by Chief Finance Officer, Office of the Police and Crime Commissioner
14. Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 - Report of Monitoring Officer (Pages 59 - 62)
15. 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)**

16. 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  
12 October 2015

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

#### **Durham County Council**

Councillors J Allen (Chairman), J Armstrong, D Boyes, P Brookes, S Forster, A Hopgood and P May

#### **Darlington Borough Council**

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

#### **Independent Co-opted Members**

Mr N J H Cooke and Mr D K G Dodwell



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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 22 June 2015 at 11.00 am**

**Present:**

**Durham County Council:**

Councillors J Allen, J Armstrong, D Boyes, P Brookes, S Forster, P May and D Stoker

**Darlington Borough Council:**

Councillors S Harker and H Scott

**Independent Co-opted Members:**

Mr N J H Cooke and Mr D K G Dodwell

**1 Election of Chairman**

**Moved** by Councillor Boyes, **Seconded** by Councillor Armstrong and

**Resolved:**

That Councillor J Allen be elected Chairman of the Panel for the ensuing year.

**2 Election of Vice-Chairman**

**Moved** by Councillor Scott, **Seconded** by Mr Dodwell that Councillor B Jones be elected Vice-Chairman of the Panel for the ensuing year.

**Moved** by Councillor Armstrong, **Seconded** by Councillor Boyes that Councillor S Harker be elected Vice-Chairman of the Panel for the ensuing year.

Upon a vote being taken it was

**Resolved:**

That Councillor S Harker be elected Vice-Chairman of the Panel for the ensuing year.

**3 Apologies for Absence**

Apologies for absence were received from Councillors Hopgood and Jones.

**4 Substitute Members**

Councillor D Stoker as substitute for Councillor Hopgood and Councillor H Scott as substitute for Councillor Jones.

## **5 Minutes**

The Minutes of the meeting held on 3 March 2015 were confirmed by the Panel as a correct record and signed by the Chairman.

## **6 Declarations of interest**

There were no declarations of interest.

## **7 Annual Report 2014-15**

The Panel considered a report of the Chief of Staff which contained the Durham Police and Crime Commissioner's Annual Report 2014-15 (for copy see file of Minutes).

Mr R Hogg, Police and Crime Commissioner, in presenting his Annual Report highlighted the following areas of the Report to the Panel:

- Performance overview and key performance headlines
- Delivering the Police and Crime Plan 2014-15, which focussed on the seven key priority areas of:
  - To reduce the impact of domestic abuse, particularly violence against women and girls
  - To reduce the impact of hate crime
  - To improve engagement with the local communities across the constabulary area
  - To tackle anti-social behaviour
  - To tackle the harm caused to individuals and communities by alcohol and drugs
  - To improve road safety
  - To make policing services visible at all times.
- Finance and resources
- Looking ahead to 2015-16

Councillor Armstrong informed the Panel that the Annual Report was a comprehensive and impressive document. Durham was the only Force to be rated as 'Outstanding' for detecting crime on 2014/15 and had also been rated as Outstanding for tackling anti-social behaviour, which was a good reflection of partnership working. The Commissioner's use of social media was to be commended and this was becoming an increasingly popular resource.

Councillor Boyes also praised the Force in being rated as Outstanding in crime detection and tackling anti-social behaviour, as well as increasing the number of PCSO's. However, Councillor Boyes expressed disappointment in the performance overview figures in the report which he expected would be better with the resources that had been put in to Neighbourhood Policing.

The PCC replied that satisfaction rates and confidence rates were high where people had experienced a first-hand contact with the police. He added that confidence was a key area of focus because other Forces did better in this regard.

Councillor Scott informed the Panel that she considered this to be a good Annual Report. She referred to the priority of tackling the harm caused to individuals and communities by alcohol and reported that Local Authorities and Public Health England were pushing for changes to licensing laws which she hoped the PCC would support. Councillor Scott also asked where the new PCSOs in Darlington were located. The PCC replied that he would report back to Councillor Scott after the meeting on the location of the PCSOs in Darlington. Referring to drugs and alcohol, the PCC informed the Panel that he would like to see changes to both licensing legislation and also legislation to reduce the harm caused by both legal and illegal drugs. One such change could be to give Local Authorities greater licensing powers when an area had reached a 'saturation point' in terms of alcohol licences. He added that he would be happy to work with Local Authorities to bring about changes to licensing legislation.

Councillor Brookes congratulated the Force on its crime detection and agreed that this was an excellent Annual Report. He expressed concern around the issue of alcohol in terms of both licensing and how alcohol targets and objectives could be strengthened. There was a need to find new ways of measuring alcohol-related crime.

G Ridley, PCC Chief Finance Officer replied that if alcohol did not exist, the work of the police would be reduced by at least 50%, especially in the night-time economy. Markers were attached to incident that the police attended and details of these could be reported back to the Panel. The police worked closely with licensing staff.

Mr Dodwell reported that PACT meetings were a good means of both reporting incidents to the police and also for the police to provide positive feedback to communities.

Councillor Forster agreed that this was an excellent Annual Report but expressed concern at the availability of alcohol being delivered by taxis and also the availability of legal 'highs'.

The PCC replied that he had spoken against legal 'highs', which had already been banned in Ireland. The Government had now introduced legislation into Parliament to outlaw such substances.

Councillor Forster reminded the PCC that some people did not use social media as a means of communication and there was therefore still a need to produce leaflets and handouts as well as attend meetings in person.

Councillor Harker referred to the launch of Clare's Law under which 83 disclosures had been given during 2014/15 and asked whether or not this had worked well. The PCC replied that he supported disclosure where this served a purpose but added that sometimes disclosure was sought to create stories where these did not exist.

Councillor May agreed that this was an excellent Annual Report. He expressed concern that the police received no support from the alcohol industry which

prompted cheap alcohol and special offers which had resulted in alcohol becoming cheaper. Although the government had mooted the idea of minimum pricing for alcohol, this had never been introduced.

The PCC replied that the alcohol industry was large and had many defences in current Licensing Act. He had worked with Balance North East in their quest for Minimum Unit Pricing and also had suggested reducing alcohol strength. Mr Cooke referred to the Freshers Weekend in Durham during which students consumed vast amounts of alcohol and the problems this brought. The PCC replied that he had been in discussion with the University about this issue and added that he considered that offending students should be subject to serious sanctions by the University. In Durham on a Wednesday night there was a culture of drinking 'shots and this needed to be addressed.

Councillor Stoker informed the Panel that the University neither encouraged nor condoned excessive drinking by students. He referred to the culture of drinking shots and the availability of quads where four shots were served as one drink and this showed a lack of support from partners to address the problem.

Councillor Allen referred to the increased reporting of incidents of domestic violence, which she considered to be positive because it showed that victims had confidence in the police to deal with such crimes. Councillor Allen asked whether re-offending in this category had reduced. The PCC replied that re-offending had reduced and Councillor Allen suggested that this should be mentioned in the Annual Report.

Councillor May referred to the consumption of wine in pubs which was rarely offered in the quantity of 125 ml but tended to be offered in larger measures. The PCC replied that he would raise this with the Alcohol Harm Reduction Unit.

**Resolved:**

That the comments of the Panel be fed back to the Police and Crime Commissioner.

**8 Update on Commissioning Activity**

The Panel considered a report of the Chief of Staff which provided details of the PCC's commissioning activity during the financial year 2015/16 (for copy see file of Minutes).

Councillor Allen was pleased that the administration of the community safety grant funding process for 2015/16 had been contracted to the County Durham Community Foundation (CDCF) as this may enable applicants to be directed to other sources of funding.

Councillor Boyes referred to the grant funding of Victim Support jointly with Cleveland PCC and asked whether this funding was subject to scrutiny and oversight. The Chief of Staff replied that there was a joint performance board with Victim Support which monitored performance on a quarterly basis, on which both he



and another officer from the PCC;s office sat. He added that half-yearly reports could be provided to the Panel to provide details on the performance of the service.

Mr Dodwell asked how the community safety grant fund would be publicised. The Chief of Staff replied that this would be undertaken by the CDCF although he was unsure of their marketing channels. A report on funding under the fund would be brought to a future Panel meeting.

**Resolved:**

- (i) That the report be noted
- (ii) That half-yearly reports on the performance of the Victim Support service be submitted to the Panel
- (iii) That details of funding under the community safety grant fund be submitted to the Panel.

**9 Delivering an Efficient Policing Service: Consideration of Medium Term Financial Plan**

The Panel received a presentation from the Chief of Staff and Chief Finance Officer, Office of the Police and Crime Commissioner, which provided details of the Medium Term Financial Plan (for copy of slides see file of Minutes).#

Councillor Allen thanked the Chief of Staff and Chief Finance Officer for their presentation. She informed the Panel that the force would face significant challenges in the years ahead adding that she had attended a recent Problem Orientated Partnerships event which highlighted the excellent work being done by the sharing of resources with partners.

Councillor Armstrong informed the Panel that the projected loss of officers over the period of the MTFP was disheartening and asked whether age profiling of serving officers had taken place. The Chief Finance Officer replied that the average police officer age in Durham was 43 years and that this was an ageing workforce. He informed the Panel there was a need for younger officers in the force, which currently had 15 officers under the age of 25.

Councillor Brookes referred to holiday pay and overtime pay and asked whether extra people could be employed which would reduce the need for this, or whether overtime hours could be incorporated into contracted hours. He also asked the proportion of senior staff to frontline staff in the proposed reduction in staff numbers. The Chief Finance Officer replied that due the nature of the service, including responding to major incidents and the reactive nature of the service, it was not possible to reduce the number of overtime hours, although expenditure on overtime had bene reduced. He was to meet with the PCC that afternoon to discuss alterations to the numbers of senior officers and senior staff.

In response to a question from Councillor Scott regarding IT costs, the Chief Finance Officer informed the Panel that the force did work with private sector providers to ensure best value for money was achieved.

Councillor Forster asked whether, with the proposal to reduce staff numbers, the use of volunteers would be encouraged, and also asked whether a cadet force still existed.

The Chief Finance Officer replied that the force had recently recruited an additional 55 Special Constables and Neighbourhood Watch volunteers and that volunteers were used in back office functions. However, Special Constables had a cost attached to them in terms of training, uniform and equipment. The Police Cadets scheme still operated and was run by the Durham Agency Against Crime.

Councillor May asked about officer deployment and the public desire to see officers on the street. He also asked what the force did to maintain officer fitness levels. The Chief Finance Officer replied that the deployment of officers was a decision for Sergeants, adding that this should depend upon priorities. Officers had to undertake annual fitness tests and there was a 2% failure rate in Durham. However, with the ageing profile of officers, this could increase in the coming years.

**Resolved:**

That the presentation be noted.

**10 Year End Performance for 2014-15**

The Panel received a presentation from the Chief of Staff of the interactive performance report which was available on the PCC's website.

Councillor Boyes asked whether comparisons with other forces and how Durham's performance compared nationally could be shown. The Chief of Staff replied that comparison figures for other forces were shown via a link on the performance web page, and this information could be circulated to Panel Members.

**Resolved:**

That the report be noted and comparison figures be circulated to Panel Members.

**11 PCC Decision Records**

The Panel considered a report of the Chief of Staff which provided an update on the Police and Crime Commissioner's decision register and forward plan (for copy see file of Minutes).

**Resolved:**

- (i) That the report be noted
- (ii) That the item become a standard agenda item at future Panel meetings.

**12 HMIC Feedback**

The Panel noted a report of the Chief Finance Officer which provided feedback received from the latest HMIC Inspection regarding efficiency (for copy see file of Minutes).

### **13 Police and Crime Panel Work Programme 2015/16**

The Panel considered a report of the Assistant Chief Executive which sought agreement to the Panel's Work Programme for 2015/16 (for copy see file of Minutes).

The Overview and Scrutiny Officer informed the Panel that a development session was to be arranged late summer 2015, and in response to a question from Councillor Scott, the Panel agreed that substitute Members be invited to the development session.

**Resolved:**

That the Work Programme for 2015/16 be approved and substitute Members be invited to the proposed development session.

### **14 Joint Audit Committee Minutes**

The Panel noted a report of the Chief of Staff which presented notes from meetings of the Joint Audit Committee held between March and May 2015 (for copy see file of Minutes).

### **15 Exclusion of the Public**

**Resolved:**

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information under paragraphs 3 and 7 of Part 1 of Schedule 12A to the Local Government Act 1972.

### **16 Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012**

The Panel considered a report of the Monitoring Officer which advised of the outcome of a referral under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (for copy see file of Minutes).

**Resolved:**

That the report be approved and the outcome of the IPCC referral be recorded.

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Police and Crime Panel

9<sup>th</sup> October 2015 (for meeting 20<sup>th</sup> October 2015)

Police and Crime Plan 2015-17 – Mid-year Update

Report of Police and Crime Commissioner



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**Purpose**

1. To provide Police and Crime Panel Members with a mid-year update on the progress on the delivery of the Police and Crime Plan 2015-17.

**Background**

2. At the Police and Crime Panel meeting on 3<sup>rd</sup> March 2015, members considered the draft of my refreshed Police and Crime Plan for 2015-17. It was published on 24<sup>th</sup> March 2015.
3. The plan was restructured and now includes the clear *vision* of ‘*Inspire confidence in policing by ensuring efficient and effective services are delivered to support victims and keep our communities safe*’. From this stems the four focused *objectives*:
  - *Inspire Confidence*
  - *Support Victims*
  - *Keep all our Communities safe*
  - *Deliver an efficient policing service.*
4. The objectives are underpinned by fourteen *key areas of focus*.

**Current Position**

5. The following is a brief synopsis of activity undertaken for each of the objectives in the Police and Crime Plan 2015-17.

**Objective 1: Inspire Confidence**

**Key area of focus:** Improve my **engagement** across the Constabulary area.

- I have introduced ‘**PCC Community Days**’. I have worked with elected Councillors, community leaders and Area Action Partnerships to deliver targeted engagement activity in a specific geographic area. Activity includes street walkabouts, visits to community centres and groups, surgery slots, visits to local schools and projects funded by the PCC. The first ‘Community

Day' was held in the East Durham Rural area on 7<sup>th</sup> October 2015. Other areas are planned for the coming months.

- I am hosting the '**PCC Celebration of Superheroes**' event which is a family fun day taking place on the 31<sup>ST</sup> October 2015 at Sedgefield Racecourse. Families are invited to come along to this free event to meet their 'local superheroes'. Partners include the Police, County Durham and Darlington Fire and Rescue, HM Coastguard, Durham Agency Against Crime, plus Voluntary and Community Sector Organisations.
- Undertaken information & awareness raising activity at community events, including:
  - Bikewise
  - County Durham Community Foundation Big Birthday Bash
  - Chester Le Street Activity Week
  - Wolsingham Show
  - Spennymoor Police and Fire Open Day
  - Hurworth Country Fair
  - AAP Meetings, Town and Parish Council Meetings, and other community based groups.
- **Social media:** on 7<sup>th</sup> October 2015 my official accounts had:
  - 2,999 Facebook followers .
  - 2,625 Twitter followers.

<b>Key area of focus:</b>	Make our policing service <b>visible and accessible</b> .
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- As of 7<sup>th</sup> October 2015 there are:
  - 1176 Police Officers.
  - 905 Police Staff.
  - 103 Special Constables.
- In addition to the 60 Police Officers the Constabulary have recruited in 2015, they have embarked on a **recruitment drive** for both Specials Constables and Police Constables. They hope to recruit 50 new Police Constables.
- The Constabulary are currently reviewing and updating their **Confidence Delivery Plan** to improve their performance management of actions taken across the force to build confidence in the police.
- Following a review there are **125 PACT** meetings across the Constabulary area per month. Work continues to ensure that the Constabulary engage with communities appropriately and in a way which best meets the needs of that particular community. Collaboration with Area Action Partnerships (AAPs) or the use of a 'Facebook PACT' are being explored in some areas.

- A **Mini Police** 'strategy' has been developed to roll out the initiative across the force area.
- Plans are underway to set up the next three areas for **Mutual Gain**. These include: Sacriston, Redhall (Darlington) & Shotton.
- A revised **Schools Programme** is to be rolled out to provide increased confidence and better engagement.

## Objective 2: Support Victims

**Key area of focus:** Commission effective, appropriate and efficient **services for victims**.

- The PCC has been responsible for the delivery of a service to support victims of crime since April 2015. Victim Support has been grant funded (jointly with Cleveland PCC) to provide the ongoing service for a period of one year ending 31<sup>st</sup> March 2016. A joint procurement exercise with the Cleveland PCC will formally commence on the 9<sup>th</sup> October to commission a victims needs assessment and referral service. The procurement exercise is expected to close in the middle of December with the announcement of the successful service provider. The new service will commence from the 1<sup>st</sup> April 2016.
- I have introduced a pilot, based in the Darlington, which involves two colleagues from Victim Support being housed at Darlington Police Station with access to victims' information held on police systems. The access to police information will facilitate a holistic needs assessment based on full information of each individual victim's circumstances and vulnerabilities. The pilot will also test the new working practices that will be introduced to ensure compliance with EU Directive legislation going live in November 2015 and compliance with the Victims Code. Even though it is early in the pilot, revisions to the working practice and more victims are being assessed and referred for specific support than under the current process.
- Panel members can find additional information in the Update on Victims Commissioning & Funding Report.

**Key area of focus:** Deliver the regional **Violence Against Women and Girls** Strategy.

- Work progresses well against the strategy at both a local and regional level. An event to celebrate the 2<sup>nd</sup> anniversary of the VAWG Strategy will be take place at Cleveland Police HQ on Friday 4<sup>th</sup> December 2015. The event will showcase achievements across the region with full partnership support and engagement. Moving forward we are developing an Accountability Framework for the 20 VAWG recommendations.
- The work of the **External Rape Scrutiny Panel** continues and is now fully embedded. A number of case files have been scrutinised which have failed to attain the requisite evidential level for prosecution or where a prosecution has

failed, to see what lessons can be learned. Strategic findings and recommendations will be available in November 2015.

- **Multi-Agency Training and Awareness** continues. The Multi-Agency Domestic Abuse and Sexual Abuse Training Strategy is being delivered. The HALO Project has been commissioned to deliver specialist training across the Constabulary and Partners for Honour-Based Violence, Forced Marriage and FGM. Briefings are undertaken for DVPOS and Clare's Law.

<b>Key area of focus:</b>	Reduce the incidence and impact of <b>domestic abuse</b> in all its forms.
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- I continue to monitor the implementation of the eight recommendations from HMIC following the 'Police response to domestic abuse' inspection in April 2014. The Inspection commended Durham as one of only eight forces who were deemed as doing a good job in this area.
- The Knowledge Transfer Partnership between Durham University and Durham Constabulary is rolling out drama-based training across the Constabulary. The aim of this training is to help improve frontline police response to domestic abuse, particularly the more subtle aspects of coercion and control. This is particularly important as a new law making coercive control illegal is due to be implemented in the near future (expected early 2016).

<b>Key area of focus:</b>	Reduce the impact of <b>hate crime</b> .
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- I continue to monitor the delivery plan of the **Durham and Darlington Joint Hate Crime Action Group**. Members include statutory partners and the voluntary and community sector who work collectively :
  - to increase victim and community confidence;
  - to try to increase the proportion of victims and witnesses of hate crime who report its occurrence;
  - to developing care and support pathways tailored to individual need. This includes involving victims in service design and policy development.
- A Joint Cleveland and Durham Hate Crime '**Improving Prosecutions**' Operational group led by the respective PCCs has been established to track the victim's journey from report to sentencing. The initial focus has been on 'First Response' where a detailed dip-sampling exercise is being carried out of ten reported incidents concentrating on five specific chosen strands- Race, Religion, Transphobic, Homophobic and Disability. The strategic findings and recommendations will be available in November 2015 and will be shared with panel members.
- Early discussions are underway with the Chief Executive of the Darlington Citizens Advice Bureau to introduce the first **Third Party Reporting Centre** for Hate Crime. This concept will enable clients to report hate incidents and/or report them on their behalf, offer advocacy and casework on behalf of clients; for



example, negotiation with the police, housing provider or transport provider to induce action and play an active or leading role in local multi-agency hate work.

- Stop Hate UK held a National **Hate Crime Awareness Week** during Monday 12<sup>th</sup> October to Sunday 18<sup>th</sup> October 2015. The regional campaign, supported by myself and my counterparts in Cleveland and Northumbria, included a number of successful events and activities throughout the week. The week focused on a different strand each day and showcased excellent partnership working amongst the Criminal Justice Agencies and the Voluntary and Community Sector.
- A review of the current Independent Advisory Group (IAG) structure and processes is currently being undertaken and recommendations will be put forward in December 2015.
- The Darlington IAG has recently celebrated its 30<sup>th</sup> Anniversary. This group is a huge success amongst Darlington communities and has been built upon a strong foundation of trust and confidence with the police. The group were recently shortlisted in the Community Organisation Award for Multi-Strand Category of the National Diversity Awards 2015.

### Objective 3: Keep all our communities safe

<b>Key area of focus:</b>	Deliver the <b>Strategic Policing Requirement</b> and understand and tackle <b>emerging threats</b> .
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- I continue to monitor the Constabulary's delivery of the **Strategic Policing Requirement (SPR)**. The SPR was published by the Home Secretary to ensure that when threats and harms to public safety assume national dimensions, the police can deliver an appropriately robust, national response.
- In 2015, Child Sex Abuse was added to the list of threats in the SPR. Specifically in Durham we have strong governance and procedures. The ERASE Branding has been embedded through the implementation of a Media and Marketing Plan, and training and awareness is being rolled out across the force area. It is recognised that robust research and analysis is needed along with dedicated staff in place to tackle this issue. Working together a 'Multi-Agency' toolkit has been developed which has improved links with other agencies.
- The results of the **National Rural Crime Survey** were released in September 2015. I have discussed the results with the Constabulary. I will work in partnership with the rural communities and the Constabulary to ensure that we address the issues and lessen their fear of crime through communication and reassurance by developing a plan for rural crime.
- The Constabulary are about to undertake their annual **Strategic Assessment** which identifies the current and emerging threats facing the organisation. I would intend to use this assessment to shape the draft Police and Crime Plan for 2016-2020.

<b>Key area of focus:</b>	Tackle the harm caused to individuals and communities by <b>alcohol and drugs</b> .
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#### Alcohol:

- I have signed the **North East Alcohol Declaration** with the other regional PCCs and Balance NE. The declaration is a commitment to tackle alcohol related harm. This includes the call for minimum unit pricing and a review of licencing legislation to improve health.
- The work of the Alcohol Harm Reduction Unit has received international recognition for initiatives which reduce underage drinking.
- I have and I will continue to support **campaigns to raise awareness** to tackle this issue of the harm caused to individuals and the community. This includes the work carried out by the City Safety Group.
- The Panel's development session linked to this objective will take place on Thursday 3<sup>rd</sup> December 2015 and will focus on crime prevention to reduce alcohol related harm and incidents.
- In recognition of the need to strengthen our collective approach to reduce alcohol harm I will be hosting an event in early 2016, to identify gaps and shape delivery.

#### Drugs:

- Alongside the Derbyshire PCC, I called on the government for a comprehensive review of current **UK drugs policy** after overwhelming support from delegates attending the multi-agency drugs conference in Derbyshire in June 2015. The petitions committee will decide on whether parliament will debate drugs policy in the autumn. This will impact on how we move forward with the drug reform agenda.
- In July I received media coverage on my stance on **decriminalisation** which prompted national and international debate on current UK drugs policy.
- I continue to support the both the County Durham and Darlington **Drugs Strategies**. Both strategies recently have been reviewed and will be focusing on tackling supply, reducing demand and recovery.
- I am committed to supporting the **recovery of addicts**. I have visited the Seaham Recovery Hub, where I saw the new delivery model for Lifeline in action. I have also visited HMP Durham Prison where I viewed their recovery programme. September was 'Celebrate Recovery Month', and I participated in the National Recovery Walk which Durham were honoured to host.

**Key area of focus:** Tackle **anti-social behaviour**.

- I continue to monitor and support the work of the **Safe Durham ASB Group** and the **ASB Strategic Group** in Darlington.
- The **Anti-Social Behaviour, Crime and Policing Act 2014**, created nine new powers for the police and partners, namely Community Trigger, Community Remedy, Civil Injunctions, Criminal Behaviour Orders, Dispersal Powers, Community Protection Notices, Public Space Protection Orders, Closure Powers and new Absolute Ground for Possession. Nominated leads were identified for each new power and several awareness sessions have been held for police, partners and members of each local Authority.
- Some of the powers have been used however I have asked the Constabulary to do more to promote their use. A marketing plan has been created and campaigns are being planned which will be delivered at a local level so the public see and experience a real difference where they live.
- I have produced a webcast which summarises the new legislation which is available on my website.

**Key area of focus:** Improve **Road Safety** by tackling careless and dangerous driving, speeding and other road safety issues.

- I support the **County Durham and Darlington Road Safety Partnership (CDDRSP)** Road Casualty Reduction Delivery Plan. Overall the plan strives to reduce the number of road casualties through education and awareness raising campaigns, improvement of the health and wellbeing of communities, and the delivery of a safer road environment.
- I am in support of **20mph** limits and zones outside of schools. These limits and zones were introduced at the beginning of October 2015. As this is a new initiative and subject to public interest I will continue to monitor the roll out of the scheme.
- I am aware that **inappropriate speed and speed perception** is viewed as a community concern across the Constabulary area. These concerns are being targeted as part of public confidence plans led by the Anti-Social Behaviour Thematic Group. There is now a standardised approach to Community Speed Watch which encourages greater community participation and supports PACT priorities.

**Key area of focus:** Work with partners to improve the service provided to those with poor **mental health**.

- Please see separate agenda item for update on mental health.

Cross cutting **Key area of focus:** **Reducing Reoffending**.

- I continue to support existing **partnership collaboration** including the County Durham and Darlington Reducing Reoffending Thematic Group, which is providing strategic coordination across the force area. The Reducing Reoffending Delivery Plan is being updated.
- Two Restorative Justice Coordinators, one in Darlington and one in Durham, were appointed in April 2015. Their role is to deliver a coordinated approach across the Constabulary area for the facilitation of restorative justice conferences. The practices established in Darlington are being extended to three areas in County Durham to test the effectiveness of the process. As developed in Darlington, the model of recruiting and training a core group of local community volunteers is being extended across the Durham area in order to support the restorative work of statutory and voluntary organisations.
- The **Restorative Justice Steering Group** continues to meet on monthly basis. Moving forward the group are:
  - Continuing to align their work with that of the Victim Commissioning Group to ensure that the potential benefits of Restorative Justice for victims is more widely understood.
  - Awareness raising campaign to be implemented.
  - A Strategic RJ group to be established for Darlington.
  - Recruitment of volunteers and development of training package.
- **CheckPoint** is in all four custody suites and the first completions began in August. The Randomised Control Trial will start by January.

#### Objective 4: Deliver an efficient policing service

Key area of focus:	Value for Money
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|---|--|
| <ul style="list-style-type: none"> <li>○ Whilst I am determined to continue to press the Government for a fair financial settlement for Durham Constabulary, I also want to continue to work hard to reduce the demands on police time and resources. Therefore I am continuing to work with the Constabulary and partners to reduce demand, through reducing crime, reducing reoffending, identifying and solving problems creatively, helping people to avoid becoming victims, and collaborating with other services and agencies.</li> <li>○ I have continued to develop opportunities to collaborate, in order to save money and improve services:           <ul style="list-style-type: none"> <li>○ I have joined an arrangement with Cleveland and North Yorkshire Police Forces (Evolve) to consider how we might collaborate in the delivery of all services except for local policing. I have agreed to develop advanced proposals to collaborate on the provision of the Dogs Section, and will consider other proposals as they come forward.</li> </ul> </li> </ul> |  |
|---|--|

- I continue to collaborate with Cleveland Police Force on the delivery of roads policing, firearms and tactical training.
- I have had many discussions with the Fire and Rescue Service to develop our collaboration, and am looking to develop this further to maximise opportunities – for instance on use of estates.
- Our efficiency is being improved through creative use of IT:
  - The Constabulary has developed its own advanced software package in-house – Red Sigma – which they are developing so that it meets their needs and can be a competitor on the national policing software market. Through this we are looking to increase our influence and generate income.
  - We are investing in mobile technology – including through issuing tablets to officers, through which they can access the full IT systems. This will mean, for instance, that they do not have to return to a station in order to upload information – potentially increasing their productivity by around 25%.
  - We have issued Body Worn Video cameras to every frontline police officer and PCSO – which enables 1) production and protection of evidence in prosecutions 2) production and protection of evidence in complaints against officers 3) de-escalates situations by modifying behaviour, particularly in potentially violent situations.
  - We have purchased 100 GPS tags to track offenders, which 1) enables offenders who break curfews to be re-arrested 2) enables the Constabulary to warn potential offenders to move away from their location 3) enables reluctant potential offenders to resist peer pressure to commit crime
- The Constabulary has a Medium Term Financial Plan in place, which spans until 2018-19. Due to the uncertainty of what funds will be received by police forces in the future, the plan includes projections for a number of different potential scenarios. I will need to review this once the consultation on the review of the funding formula, and the comprehensive spending review, have concluded.
- We have used voluntary severance for police officers which both enables recruitment of new officers and also saves money.
- The Constabulary has continued with workforce modernisation whereby officers in the back office are replaced with less costly police staff.
- The Constabulary have challenged our suppliers to reduce the costs of their goods and services to us.
- The Constabulary have continued with leadership and management training to improve the culture of the force.
- An efficiency inspection was carried out by HMIC and the report will be published towards the end of October 2015. I will report on this at the meeting.

<b>Key area of focus:</b>	<b>Robust Accountability and Performance Management.</b>
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- I hold monthly meetings with the Chief Constable and his Executive team, to hold him to account for the delivery of the Police and Crime Plan. In April 2015 we started to theme each of the meetings based on the Police and Crime Plan Objectives to ensure that each objective received appropriate and regular attention.
- The Panel will recall that at the beginning of 2015 I introduced a revised performance management framework document in the form of an interactive **Public Performance Report**. I use the framework on a monthly basis to hold the chief constable to account for performance, and on a quarterly basis I publish the information to the public.

### Conclusion

6. I will endeavour to answer any questions members may have.

Ron Hogg  
**Police and Crime Commissioner**

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### Police and Crime Panel

5<sup>th</sup> October 2015 (for meeting 20<sup>th</sup> October 2015)

### Q1 Performance Report 2015-16

### Report of Chief of Staff



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#### Purpose

1. To provide Police and Crime Panel Members with the quarter 1 Public Performance Report published by the Police and Crime Commissioner.

#### Background

2. A demonstration on the Police and Crime Commissioner's new interactive Public Performance Report was given to Panel Members at their meeting on the 3<sup>rd</sup> March 2015.
3. The report contains key performance information for the headline measures: Victim Based Crime, Public Confidence, and Victim Satisfaction, as set in the refreshed Police and Crime Plan 2015-17.
4. The report also includes performance information for each of the Key Areas of Focus in the Police and Crime Plan, including levels of anti-social behaviour in each of the 12 neighbourhood policing areas, and information on HMIC Inspections.
5. The interactive document has been updated to contain information and data for the first quarter of 2015-16. The report was published on the Police and Crime Commissioner's website on 21<sup>st</sup> September 2015.
6. The Police and Crime Commissioner, will be in attendance at the meeting to provide an overview of the report and respond to any questions that Panel Members may have.

#### Recommendation

7.
  - i) That Panel Members consider the information contained in this report, and the information provided within the meeting, and comment accordingly.
  - ii) That panel members consider how the panel could assist the Police and Crime Commissioner by promoting and raising awareness of the Public Performance Report.

**Alan Reiss**

Chief of Staff

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## Appendix 1: Risks and Implications

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### Finance

n/a

### 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

n/a

### Environment

n/a

### Collaboration and Partnerships

The performance report acknowledges that many of the Police and Crime Plan objectives can only be achieved by working together in partnership/ collaboration.

### Value for Money and Productivity

n/a

### Potential Impact on Police and Crime Plan Key Areas of Focus

The Performance Report shows the progress towards made towards the achievement of the Police and Crime Plan Key Areas of Focus.

### Commissioning

n/a.

### Other risks

n/a

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**Police and Crime Panel**

**Checkpoint Project Update**

**9<sup>th</sup> October 2015**



**Report of Alan Reiss- Chief of Staff, Office of the Durham Police and Crime Commissioner**

**Purpose of the Report**

1. To update members of the Police and Crime Panel on the progress of the Checkpoint project.

**Current position**

2. The programme is currently operating in all Durham Constabulary Custody hubs. We have 8 Navigators, comprising of 4 National Probation Service Support Officers, 3 Lifeline Recovery Staff and 1 NECA Navigator.
3. Current performance figures (correct as of 06.10.15) are included in the table below:

Checkpoint	Total	%	Male	%	Female	%
Active Cases	245	83.1%	156	63.7%	89	36.3%
Completed Cases	34	11.5%	23	67.6%	11	32.4%
Failed Cases	16	5.4%	11	68.8%	5	31.3%
<b>Total Cases</b>	<b>295</b>	<b>100%</b>	<b>190</b>	<b>64.4%</b>	<b>105</b>	<b>35.6%</b>

4. An analysis of offence types is included in [appendix1](#) . The types of failures generally fall into 3 broad categories: they reoffended, they didn't engage in the first place, or they disengaged during the programme. The Checkpoint team and the quality assurance group have completed an initial data review of referrals from custody sergeants and the type of

- offences being referred to Checkpoint, to ascertain whether there are currently any gaps.
5. The Governance Board has agreed to commence the Randomised Control Trial by January 2016, once the randomiser and the forecasting tool have been tested, to enable a period of time for any faults to be identified and resolved.
  6. The Cambridge randomiser is a tool which will be used to undertake an eligibility check to ensure that appropriate cases are included in the randomised control trial. It will also randomise all appropriate cases into either the Checkpoint cohort or the traditional disposals cohort, to enable a thorough evaluation of Checkpoint. This tool has been completed and tested.
  7. The forecasting model is currently under development by Professor Geoff Barnes and will be completed by the end of October. This will then be added to the current police custody system (NSPIS). This tool will be used to determine the risk of re-offending within two years of arrest and enable the randomiser to select appropriate cases.
  8. The Checkpoint Governance Board has agreed to include only “moderate” risk offenders in the randomised control trial, based on the forecasting tool. This means that only offenders who are eligible for Checkpoint and who are forecast to commit non-serious re-offending within two years of the presenting arrest will be including in the Checkpoint randomised control trial.
  9. A briefing for MPs was arranged for the 16th October, to ensure they all have the same understanding when dealing with public queries in relation to Checkpoint.
  10. The trial will be evaluated by Cambridge University. A Crime Pic questionnaire has been acquired in order to evaluate some of the outcomes within the Checkpoint programme. This questionnaire is undertaken during the custody interview as part of the Checkpoint referral assessment to map out the offender’s needs and attitudes towards their offending behaviour.
  11. A Checkpoint presentation will be provided at the Health and Wellbeing Board “Big Tent” engagement event on 4<sup>th</sup> November as part of the community safety workshop. Case studies and/or a lived experience of Checkpoint will be provided to participants, as part of a wider communications strategy.
  12. County Durham Safer Stronger Communities Overview & Scrutiny Committee will receive a presentation on Checkpoint on Tuesday 27<sup>th</sup> October 2015.

### **Recommendation**

13. The Police and Crime Panel is recommended to:

(a) Note the contents of the report, and provide any questions.

**Appendix 1:**

*Table showing total Checkpoint offence types. Figures correct as of 06.10.15*

Checkpoint Offence Types					
		%			%
Affray	0	0.00	Fraud or Forgery	4	1.19
Assault ABH	25	7.44	Found on Enclosed Premises	0	0.00
Assault Police	8	2.38	Going Equipped	0	0.00
Common Assault	32	9.52	Handling Stolen Goods	3	0.89
Burglary other	7	2.08	Making Off Without Payment	2	0.60
Burglary Dwelling	3	0.89	Offensive Weapon	6	1.79
Criminal Damage	25	7.44	S.4 Public Order	22	6.55
Criminal Damage-Threat	2	0.60	S.4a Public Order	1	0.30
Cruelty / Neglect children	19	5.65	S.5 Public Order	18	5.36
Drugs - Possession	32	9.52	Theft offences	58	17.26
Drunk & Disorderly	54	16.07	Theft from Vehicle	2	0.60
Drunk & Incapable	0	0.00	(TWOC)	1	0.30
			Vehicle Interference	1	0.30
			Other	11	3.27
<b>Total</b>				<b>336</b>	<b>100%</b>

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## Police and Crime Panel

### Mental Health Update

9<sup>th</sup> October 2015



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## Report of Supt Kevin Weir- Durham Constabulary

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### Purpose of the Report

1. To update members of the Police and Crime Panel on the progress of mental health as a key area of focus in the police and crime plan, following the request for a half year update at the meeting in March.

### Current position

2. This report covers:
  - Communication and Training
  - Reducing Demand
  - The Mental Health Crisis Care Concordat
  - Next Steps

### COMMUNICATION & TRAINING:

3. Keeping staff knowledge up to date promotes confidence and informed decision making, thereby reducing time taken to deal with incidents and freeing up resources.
4. Mental Health & Learning Difficulties Tile on the Force Intranet listing all local information as well as National Policy/Legislation Documents.
5. Force circulators are regularly sent to all staff reminding them of the existence of this Information Tile as well as updating them with any changes – processes in place, often responding to queries raised, or particular case studies.
6. In July last year we held an awareness event - over 130 people attended, half of whom were police colleagues from all departments and localities. Networking opportunities taken at this event have increased effective partnership working arrangements and are ongoing.
7. All police colleagues in supervisory roles have had training on the Mental Health Act legislation; multi-agency delivery by Tees, Esk and

Wear Valley MH Trust staff and a Police Sgt (Oct/Nov 2014), including Places of Safety roles and responsibilities. This has reduced police resources being utilised inappropriately for tasks such as welfare checks on behalf of MH colleagues. Supervisory ranks from Command & Control to Response, are much more robust in dealing with requests from MH partners because they have the knowledge and confidence in managing such matters.

8. 2 pilot courses of STOP with If U Care Share Foundation. This includes post-intervention training to support families bereaved by suicide.
9. Subject to funding, further training scheduled for Suicide/Attempted Suicide and for MH First Aid. This will be multi-agency delivery and a bespoke programme is currently being developed for roll out.
10. Pocket Book size MH Aide memoire issued to all operational officers, as a resource to have with them at all times with information/advice/contact telephone numbers etc.
11. MH colleagues involved in Detective training, Safeguarding for Children and working with the most vulnerable under special measures etc.
12. Selected officers are being trained in Neuro Linguistic Programming and some have completed Mindfulness training through County Durham Public Health Team.
13. 4 sessions of training/awareness with Command & Control Teams taking place throughout October including input from experts by experience.

## **REDUCING DEMAND**

14. Monitoring form for completion at Places of Safety across the Force Area, helps us address time spent waiting for service and evidences hand over risk management – includes A & E sites.
15. Tele-Triage process for officers to speak with Crisis Team members from the scene of an incident/location of call to share information and seek advice as to most appropriate action for potentially S136 patients, avoiding unnecessary detentions. Officers have the facility to dial direct from the scene using their pocket set.
16. We have a Children and Adolescents Mental Health Crisis Team (CAMHS) service covering police Custody sites and A & E at each of our two hospitals (Durham & Darlington).
17. Regular multi-agency meetings held trouble shooting incidents, sharing best practice and information attended by police, constantly developing relationships with MH partners to best serve the needs of those in Crisis we attend incidents for.

18. Bi-monthly meetings discussing frequent callers/users of A & E/ Crisis services. This addresses those people who suffer MH/LD identified by a range of agencies, who are also causing the most demand on resources. In a problem solving approach, options such as contracting their behaviours will be considered where appropriate to reduce their presentation in this manner (Commissioning for Quality and Innovation commended).
19. Liaison and Diversion staff from the Tees, Esk and Wear Valley Trust in our Police stations/Custody areas as of 13th of July in Durham and Darlington. Based primarily in Darlington and Durham police stations, they cover the whole Force area, including Voluntary Offenders, actively seeking to triage our “customers” with a prevailing MH condition, or, behaviour. They are commissioned to not only assess their MH needs, but also to assist them in recognising social and environmental factors having a negative impact upon their wellbeing and contributing to their offending behaviour. They are sign- posting on to services that can assist in ultimately reducing, if not eliminating their offending. They work closely with the Checkpoint team, sharing data and updating CP contracts with details of client engagement.
20. A bolstered Appropriate Adult service started with us on 1st August, in addition to current EDT provision. The aim is to reduce waiting times that unnecessarily prolong the Custody process. Their Service Level Agreement entails attendance within the hour, saving detainees wasted time in Police Custody Estates which subjects those most vulnerable to unnecessary delays and risk factors affecting their wellbeing. Again, there is an expectation that the new service staff will recognise the needs of those offenders requiring assistance, in order to sign post them on for appropriate support, thereby aiming to stop their offending behaviour and to help them manage their vulnerabilities.
21. Darlington EDT also acknowledged a shortfall in their provision and they made adjustments to staff contracts to cover the out of hours more effectively, some months ago.
22. We are 1 of 3 Forces nationwide involved in an Early Alert Suicide scheme, identifying potential needs for friends and family bereaved by suicide, and the fact that they often become high risk to suicide themselves, in order to support them through this difficult period. In addition we are linking with those who Attempt Suicide and need support with their Wellbeing and Coping Strategies. Effective Information Sharing has been key in managing this process and we have linked with Durham County Council in commissioning “If You Care Share” to deliver this support. Durham is continuing this process Post Pilot period as best practice.
23. We have been successful with the Tees, Esk and Wear Valley Trust, in securing the funding for a S136/Place of safety Co-ordinator role, which means that a member of the ward staff at each POS hospital will be the on call person to be relieved of their usual duties, in order

to meet officers at the POS suite. These new posts are finally phased in over the next few months, subject to recruitment and vetting, however, where staff have already been identified, we should start to see quicker hand-overs occurring. There is some creative thinking about ways in which these roles could develop.

24. New team being set up through Public Health: Suicide Action Response (SART)
25. with £80 000 worth of funding allocated to efforts in raising awareness, offering support Post Suicide as well as Suicide Prevention;
26. Papyrus telephone line for Young People to cover 7 days a week, 10am to 10pm.
27. Durham working towards the safer Suicide Communities Model for Zero Suicides, linking to a programme ongoing in Detroit, U.S.A.

### **Mental Health Crisis Care Concordat**

28. In summary for all points raised, the Mental Health Crisis Care Concordat (National Directive) has been signed up locally by all relevant partners and we are held to account through Governance arrangements led by the Commissioners of services.
29. This included the North East Ambulance Service at the outset, who have particular challenges in meeting the requirements of the Concordat. They have signed up in agreement to attendance at calls within 30 minutes, yet we have no evidence that this is working and we need them to reengage with meetings.
30. Commissioning arrangements are ongoing in finding solutions, possibly through alternative transport options. This gap in service has particular impact upon policing demands whilst it is being sorted out.
31. The Concordat has not yet met expectations in pulling together more effective working practices, and the accountability through MIND that was introduced with the Concordat has not materialised.

### **Next Steps**

32. Ongoing work with Custody Inspectors and Health partners, to further challenge the appropriateness of some S136 detainees coming into Police Stations. The HMIC directives in this respect appear to be somewhat conflicting with other messages from central Government. Of particular note in this respect, we have no under 18's through Police Custody this year to date.
33. With new PCC priorities under the Mental Health agenda, we look forward to working more closely in order to identify areas of the



business we can influence most effectively to deliver best service meeting the needs of those most vulnerable in our communities.

34. Work on identifying and addressing the demand of “Frequent Flyers” is in its infancy and progress to continue over coming months to bring all partner data to the fore, aiming to impact significantly upon the number of resources working often in tangent with one another with the same people.
35. MH partners being invited to POP Masterclass sessions, promoting the problem solving approach and working pro-actively to address unnecessary demand on resources, ultimate aim being to ensure best care for people at the earliest possible intervention opportunity.
36. The Regional MHCCC groups has taken on 3 priorities:  
  
TRAINING, INFORMATION SHARING and CONVEYANCE.
37. The training/awareness raising of staff to deal with incidents effectively, sensitively and confidently underpins all progress potential for all agencies involved. Roles and responsibilities need to be more defined so that expectations of one another are clear as well as promoting a desire to work as an integrated team. There is an appetite regionally to develop multi-agency training packages through the use of Hydra suites, JESIP (Joint Emergency Services Interoperability Principles) style workshops, Local Authority Contingency Planning and Stimulation settings.
38. Joint Command & Control rooms can assist in this respect also, being piloted at various sites across the country.
39. INFORMATION SHARING can vary from not only from Force to Force but also from department to person. In Durham and Darlington, we appear to manage better than elsewhere across the Region. However, we are waiting for a national directive which may be forthcoming.
40. CONVEYANCE brings us back to the Ambulance Service issues and TEWV manager for legislative matters (Mel Wilkinson) has asked that we share Ambulance waiting times with her, to take a Regional lead working with NEAS, North East Ambulance Service, who cover our entire region. The requirement we share is for sole purpose vehicle(s), equipped to transport solely those with mental health needs or crisis, able to meet the demands of Police, Social Services and MH Trust across the region.
41. We would like to see a TEWV member of staff Police Liaison post (as per Northumbria), and a TEWV staff in Comms (as per Cleveland).

### **Recommendation**

42. That the panel note the report, offer any questions, and make suggestions as to how they can continue to support the mental health agenda.

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## Durham Police and Crime Panel

20 October 2015

### Committee for Standards in Life Report 'Tone from the top - leadership, ethics and accountability in policing'

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#### Report of Lorraine O'Donnell, Assistant Chief Executive

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##### Purpose of the Report

1. To provide detail and seek agreement to a response from Members of the Police and Crime Panel (PCP) to a report 'Tone from the top - leadership, ethics and accountability in policing' published by the Committee for Standards in Public Life.

##### Background

2. Published in June 2015, the Committee for Standards in Life report details findings and recommendations from an inquiry considering whether the accountability model for local policing was effective in supporting and promoting high ethical standards. The report includes findings on four key areas of 'Leadership', 'Accountability', 'Integrity' and 'Openness' and identifies 20 recommendations for the Home Office, Police and Crime Commissioner's, Police and Crime Panel and Associations. Appendix 2 contains the report's Executive Summary and full copy is available from [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439208/Tone\\_from\\_the\\_top\\_-\\_CSPL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439208/Tone_from_the_top_-_CSPL.pdf).
3. Recommendations 9, 10 and 19 of the report are relevant to the Police and Crime Panel and the Committee for Standards in Public Life have requested a response to the recommendations from the Chair of the Police and Crime Panel be submitted by 29 November 2015. The table below lists these recommendations and provides information on activity undertaken by the Police and Crime Panel.

Recommendation	PCP Activity
<p><b>Recommendation 9</b> Police and Crime Panels should review the PCC's Annual Report in public session attended by the PCC as part of their annual scrutiny</p>	<p>Following presentation by the PCC, the Panel has considered and commented on the PCC's Annual Reports at its meetings in June 2013,</p>

Recommendation	PCP Activity
programme and make any recommendations as appropriate.	2014 and 2015.
<p><b>Recommendation 10</b></p> <p>As a matter of good practice:</p> <ul style="list-style-type: none"> <li>● PCCs should publish a forward plan of decisions identifying the subject matter of the decision, why it is key, the meeting at which the decision is due to be taken, who will be consulted before the decision is taken and what reports/papers will be available for inspection; and</li> <li>● Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out that work.</li> </ul>	<p>The PCP undertook review activity to enhance constructive challenge to the PCC as its critical friend to the PCC. An outcome from this review was a recommendation to include 'Decisions by the PCC' as a standard item on its agenda. The rationale for this was linked to the Home Affairs Committee report and was also supported by the PCC's Office.</p> <p>At its meeting in June 2015, the Panel considered a report containing the forward plan of decisions for the period June – August 2015. The report also informed the Panel of the criteria for a key decision and that information is also available from the PCC's website.</p> <p>From its outset in shadow form, in August 2012, the Panel has had in place a work programme and this has been reviewed and agreed by the Panel at its June meetings in 2013, 2014 and 2015. It is to be acknowledged that development of the work programme has been considered with the Office of the PCC and provides details of forthcoming topics to be considered throughout the year.</p>
<p><b>Recommendation 19</b></p> <p>The Committee endorses the Home Affairs Committee's recommendations that:</p> <ul style="list-style-type: none"> <li>● Police and Crime Panels inquire and report into the circumstances whenever a chief constable's service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged.</li> </ul>	<p>In March 2014, the Panel agreed a protocol between the Police and Crime Panel, Police and Crime Commissioner and the Chief Constable to ensure transparency and fairness and to set out a process and procedures which will be followed by the Commissioner in the event that he is contemplating the exercise of his power under section 38 of the Act.</p> <p>The protocol was further considered in June 2014 to take account of a national protocol on Section 38 of the Act that was agreed between the</p>

Recommendation	PCP Activity
	Association of Police & Crime Commissioners (APCC) and the Chief Police Officers' Staff Association (CPOSA). The Panel agreed that the national protocol be attached as an addendum to the Durham Protocol.

4. The Panel has a positive and constructive working relationship with the PCC and his office that has enabled the Panel to take proactive steps to constantly develop and deliver its activity in accordance with these recommendations and the Police Reform & Social Responsibility Act 2011.
5. Members are also asked to note recommendation 14 within Appendix 2 *“Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts: be made publicly available and regularly monitored by the Joint Audit Committee.”* Whilst this has not been specifically identified for the Panel, it is to acknowledge that the Panel considered this risk within the Chief Finance Officer confirmation hearing in December 2013. In addition, following an independent review by Durham County Council’s Internal Audit team and consideration by the Joint Audit Committee, the Panel considered a report titled *“Role of Joint Chief Finance Officer – Safeguards Protocol”* at its meeting in December 2014.

### **Conclusion**

6. The analysis carried out has identified the Panel is complying with identified recommendations within the report by the Committee for Standards in Public Life. It is therefore suggested that information within this report and comments from the Panel’s meeting be incorporated within a response from Cllr Allen, Chair of the Police and Crime Panel to the Committee for Standards in Public Life.

### **Recommendation**

7. That Members of the Police and Crime Panel consider information within this report and Appendix 2 to formulate a response to the Committee for Standards in Public Life.

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**Appendix 1: Implications**

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**Finance – None**

**Staffing – None**

**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 – None**

## **Executive summary**

# Executive summary

1. The public expects high ethical standards from the police that serve them. Trust in the police is vital – from the Chief Constable to the most junior police officer. Police ethics – their honesty, their integrity, their impartiality, their openness – should be beyond reproach. Above all, this requires effective accountability and leadership to create a culture where high standards of behaviour are the norm. High standards – of both conduct and accountability – also need to be demonstrated by those charged with holding the police to account.
2. The Police Reform and Social Responsibility Act 2011 (the Act) created elected Police and Crime Commissioners (PCCs) to “ensure the police respond to local priorities and are directly accountable to the public.”<sup>1</sup> PCCs set the strategic direction and aims of the police force and have responsibility for delivering community safety and reducing crime and delivering value for money. PCCs control over £12bn of police force funding.<sup>2</sup> They have the statutory responsibility to appoint a Chief Constable as well as for their removal. In addition to the PCCs’ local role, they have a regional and national role to ensure cross border resilience and capability and to meet national threats such as terrorism or organised crime. PCCs can and have entered into collaboration agreements with other PCCs and organisations to improve the efficiency or effectiveness of policing, for example by sharing back office functions. The Act also provided for the establishment of local Police and Crime Panels who have a dual scrutiny and support role in respect of the PCC and have some powers of veto on budgets and on the appointment of a Chief Constable.
3. PCCs represent a deliberate and substantial strengthening of the locally elected element of the tripartite arrangements for policing accountability. The model is one of democratic accountability “replacing bureaucratic accountability with democratic accountability” where “the public will have elected Police and Crime Commissioners and will be holding them to account for how policing is delivered through their force.”<sup>3</sup> The model is primarily reliant on the cycle of elections as the main means of holding PCCs to account. The average turnout for the PCC election in 2012 was 15.1%. The Committee’s public research has found that knowledge of the policing accountability arrangements is not very high<sup>4</sup> and there is a very low level of public interest in policing – 60% of respondents said they were not interested in finding out about policing issues in their local area<sup>5</sup>. Rather, for the public, the key accountability mechanism is the ability to question or challenge “their” local beat team or commander on specific areas of concern.
4. The statutory Policing Protocol,<sup>6</sup> which sets out to all PCCs, Chief Constables and Police and Crime Panels how their functions will be exercised in relation to each other, makes clear that all parties will abide by the Seven Principles of Public Life – Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

1 Home Office. White Paper Policing in the 21st Century: Reconnecting police and the people. Cm 7925. July 2010

2 National Audit Office. Police accountability: landscape review. HC 963 Session 2013-14. 22 January 2014. p.4

3 Ibid

4 Ipsos MORI. Public Awareness of Police Accountability. December 2014. Analysed in Public Awareness of Police Accountability prepared for the Committee on Standards in Public Life by Chris Prosser and the Committee’s Research Advisory Board, using data collected by Ipsos MORI through the Capibus OmniBus survey, 2015

5 Ibid

6 The Policing Protocol Order. 2011



5. The Committee believes that any accountability and governance framework for policing should similarly reflect the Seven Principles of Public Life, and operate in a way which is capable of ensuring ethical behaviour, reducing ethical risks and providing effective accountability in order to command public confidence.
6. This matters because our policing system relies on policing by consent in a way that meets the differing needs and priorities of communities. It also relies on the operational independence of the police. But operational independence does not mean that there can be exceptionalism for the police – the public is clear on what the ethical standards should be and is consistent in its expectation that those in public life should abide by them. Year on year the public has affirmed that the definition of standards set out in the Seven Principles is still relevant and should continue to apply to public office holders and all those delivering public services.
7. The Committee recognises that the role of police officer is a unique and valuable one. It does not underestimate the challenging and often unexpected situations the police face every day. “Police officers are expected to make quick but finely-calibrated judgements about when, how and how much of their power it is justified to use”<sup>7</sup> and the vast majority of police officers do so with integrity. They are operating in a fast moving landscape with changing demands of crime where increased accountability, professionalisation and ethical behaviour will be key to ensuring public confidence.
8. The Committee’s surveys tell us that public experience of core policing values is generally positive. They show that the majority of respondents thought senior police officers could be trusted to tell the truth and the large majority of respondents thought they would be treated fairly as a victim of crime reporting it to the police.<sup>8</sup> This view is reinforced by other surveys which showed that 65% of respondents thought police officers could be trusted to tell the truth,<sup>9</sup> and 63% of adults gave positive ratings of local police.<sup>10</sup> Research carried out specifically for this inquiry showed that the majority of respondents believed that the police are held to account for their actions and that police deal with crime and anti-social behaviour issues that matter in their local area<sup>11</sup>.
9. The democratic accountability of the PCC must not negate oversight of those who hold public office. As the government acknowledged:
 

*“the public need to have the right information to judge the Commissioner’s performance and they need to know the Commissioner can be called to account with effective scrutiny and appropriate checks and balances, in particular at a local level.”*<sup>12</sup>
10. Accountability should be tested between elections by demonstrable compliance with standards of conduct, propriety and performance. It should be tested and verified by independent scrutiny, with failure addressed with appropriate and timely sanctions.
11. The Committee is conscious that all those involved in the new local accountability arrangements have had to adapt to new relationships and ways of working, with relatively little guidance and support from central Government. PCCs in particular faced a huge task to develop their Police and Crime Plans setting out their priorities and establish their offices in a short space of time after delayed elections. The Committee has borne this in mind throughout the course of the inquiry.

7 London Policing Ethics Panel. Ethical challenges of Policing in London. 2014. <https://www.london.gov.uk/sites/default/files/LPEP%20-%20Ethical%20Challenges%20of%20Policing%20in%20London%20October%202014.pdf>

8 Committee on Standards in Public Life. Survey of public attitudes towards conduct in public life. 2012-2013

9 Ipsos MORI. Trust in Professions. 2013

10 Office for National Statistics. Crime Statistics, Focus on Public Perceptions of Crime and the Police, and the Personal Well-being of Victims. 2013 – 2014. <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-public-perceptions-of-crime-and-the-police--and-the-personal-well-being-of-victims--2013-to-2014/index.html>

11 Ipsos MORI. Public Awareness of Police Accountability. December 2014. Analysed in Public Awareness of Police Accountability prepared for the Committee on Standards in Public Life by Chris Prosser and the Committee’s Research Advisory Board, using data collected by Ipsos MORI through the Capibus Omnibus survey. 2015

12 Home Office. White Paper Policing in the 21st Century: Reconnecting police and the people. Cm 7925. July 2010. para 2.25

- 12.** The Committee has found evidence of:
- a. recognition of the importance of the College of Policing’s Code of Ethics and core policing values and diverse good practice in implementing and embedding the Code within police forces;
  - b. increased professionalism that is ethically based and an acknowledgement of the importance of leadership in policing to support high ethical standards;
  - c. increased visibility, greater focus on victim support and local public engagement by PCCs in comparison to the Police Authorities they replaced, but questions around the wider impact of that engagement;
  - d. the existence of various mechanisms, of varying effectiveness, to support high standards of behaviour and propriety such as information transparency, audit committees, ethical frameworks, scrutiny plans, controls to manage conflicts of interests and arrangements to engage, promote and monitor best practice – these arrangements will need to be consistently and actively implemented with regular monitoring of compliance and impact.
- 13.** The Committee has also identified significant standards risks including:
- a. confusion amongst the public and the participants about roles and responsibilities, especially in relation to where operational independence and governance oversight begin and end;
  - b. a significant absence of a clear process to take action against a PCC whose conduct falls below the standards expected of public office holders, resulting in that behaviour going unchallenged and uncensured;
  - c. concerns about the robustness of current selection processes for chief officers;
  - d. PCCs not encountering sufficient constructive challenge or active support in exercising decision making powers;
  - e. barriers to the effective operation of Police and Crime Panels as scrutinisers including support, resources and the consistency and credibility of representative membership;
  - f. a lack of timely and accessible information being provided to Police and Crime Panels by PCCs affecting Police and Crime Panels’ ability to scrutinise and support the PCC;
  - g. potential for high risk conflict of interests in roles jointly appointed by PCCs and Chief Constables (which although relatively rare, may increase in number) and risks inherent in the combined role of Chief Executive and Monitoring Officer to the PCC;
  - h. confusion between, and inherent tensions in the current police complaints system and the complaints system attaching to PCCs, and a gap in the expectations of the public in how complaints against PCCs would be resolved, especially when this involved unethical but not criminal behaviour.
- 14.** Combined, these factors impact on the ability of Police and Crime Panels to ensure, “that decisions of PCCs are tested on behalf of the public on a regular basis.”<sup>13</sup> There are benefits for PCCs in active engagement with Police and Crime Panels as a source of local knowledge, political support and leverage. PCCs need to play their part in sustaining open and trusting relationships. There is also scope for Police and Crime Panels to develop a more strategic future focus with better forward planning.

<sup>13</sup> Stuart Lister. Scrutinising the role of the Police and Crime Panel in the new era of police governance in England and Wales. SAFER COMMUNITIES. 2014. 13 (1), p. 22-31

15. The operational and strategic roles of the Chief Constable and PCC respectively are not clearly defined and this has created confusion in the minds of the public which has fed into the complaints system. The evidence has also shown that success or failure in the current framework depends not only on the skills and experience but also on the personalities of and the relationship between the Chief Constable and the PCC. Whilst this is not a substantially new issue – constructive relationships were an important factor when Chief Constables were accountable to Police Authorities – it becomes critical when it is a one-on-one relationship.
16. The risk that the balance of power will become asymmetric or dysfunctional argues for transparency in working relationships and appropriate checks and balances. The Committee is not convinced that the existing safeguards in the framework are sufficient, given that the PCC as a single individual directly controls local policing, crime strategy and a significant budget. This matters because policing in times of austerity may mean that Chief Constables will increasingly be making difficult operational decisions which may not be supported by the public or the PCC.
17. The Committee considers a minimum code of conduct for PCCs an essential component in ensuring there is clarity as to the standards of conduct and behaviour expected from the individuals concerned and in providing the public with certainty as to what is and is not acceptable conduct. This will in turn increase transparency in the complaints system and produce a common standard of conduct which could be relied upon in any future power of recall.
18. The Committee noted the establishment of Ethics Committees in some areas, but considers they are an adjunct to, not an answer to, embedding a standards culture. Nor are they part of the formal accountability for holding Chief Constables to account. The Committee believes the remit of Ethics Committees needs to be sharply focussed and clearly differentiated from other groups such as Independent Advisory Groups. As new bodies in an already crowded landscape, their effectiveness should be regularly reviewed.
19. The Committee has concluded that to provide assurance that high ethical standards of behaviour are capable of being upheld and to sustain core policing values<sup>14</sup> there needs to be a strong and continuing focus on:
  - **clarity of responsibility and accountability;**
  - **developing a sustainable culture of embedding high ethical standards; and**
  - **robust effective ethical leadership.**
20. The Committee's key recommendations in summary are:

### **For the Home Office:**

- **The Home Secretary should conduct an urgent review of whether there are sufficient powers available to take action against a PCC whose conduct falls below the standards expected of public office holders.**

### **For Police and Crime Commissioners:**

- **PCCs' responsibility for holding Chief Constables to account on behalf of the public should explicitly include holding the Chief Constable to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics. Each PCC's Police and Crime Plan should set out how they intend to do this, and their Annual Report should show delivery against the objectives set out in the plan.**

<sup>14</sup> See recommendation to Committee on Standards in Public Life from Public Administration Select Committee – Caught red-handed: Why we can't count on Police Recorded Crime statistics. Thirteenth Report of Session 2013-14. HC 760. 9 April 2014. Para 91

- PCCs and their Deputies should be subject to a mandatory national minimum code of conduct.
- PCCs' appointment procedures should comply with open and transparent appointment processes including:
  - a requirement for there to be an independent member on the appointment panel set up to oversee the appointments process for Chief Constables and senior Office of PCC staff;
  - a requirement that a criterion for selection be that the panel are satisfied that the candidates can meet the standards of the Seven Principles of Public Life; and
  - details of the independent panel member should be published.

### **For the Police and Crime Panel:**

- Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out their work.

### **For the Associations:**

- The Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives, the National Police Chiefs' Council and Local Government Association should work collaboratively to produce a model Memorandum of Understanding between the PCC and Chief Constable to include working arrangements, recognition of the role of statutory officers and a supporting statutory officer protocol.
- Drawing on existing good practice and experience, the Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives and the Local Government Association should work together to develop national guidance on the meaning of a decision of 'significant public interest', so that it is better understood when PCCs should publish records of such decisions.

21. In particular, the Committee has considered how best to harness democratic accountability as a means of encouraging all current and future PCCs to adopt and take seriously the best practice that lies at the heart of all the recommendations in this report. The Committee has produced an Ethical Checklist, set out overleaf, to be used at PCC elections starting with the forthcoming elections in April 2016. This checklist will inform the public about the ethical approach of all candidates seeking election to the post of PCC. If the tone and culture of policing is set by those at the top, then the public is entitled to know that the person they vote for will promote, support and sustain high standards.

## Ethical Checklist

1. Will your Police and Crime Plan for 2016-7 include a commitment to hold the Chief Constable explicitly to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics?
2. Will you publicly commit to abide by a code of conduct once that has been adopted by the Association of Police and Crime Commissioners?
3. Will you require the same of any Deputy you appoint?
4. When making appointments of Chief Constable, Deputy PCC or senior staff to your office will you ensure open and transparent appointment processes and include an independent external member on the appointing panel?
5. Will you publish, in an easily accessible format, details of your pay and rewards, gifts and hospitality received, your business interests and notifiable memberships?

## Our recommendations in full:

Number	Recommendation
1	The Association of Police and Crime Commissioners, working with the Association of Policing and Crime Chief Executives should develop a nationally agreed minimum code of conduct by the end of 2015, which all current PCCs should publicly sign up to by then, and all future PCCs on taking up office.
2	PCCs and their Deputies should receive an ethical component as an essential part of their induction. While this should be locally tailored and delivered it should cover the Seven Principles of Public Life, the Association of Police and Crime Commissioners Ethical Framework and the College of Policing's Code of Ethics. This is to provide an understanding of ethics in practice and the role of PCCs as ethical leaders, promoting and modelling the high standards of conduct for which they hold others to account.
3	A Deputy PCC should be subject to the same mandatory national minimum code of conduct as PCCs and publicly available protocols should be in place for their relationships with other employees of the PCC.
4	The Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives, the National Police Chiefs' Council and Local Government Association should work collaboratively to produce a model Memorandum of Understanding between the PCC and Chief Constable to include working arrangements, recognition of the role of statutory officers and a supporting statutory officer protocol.
5	Joint Audit Committees should publish an Annual Report in a form that is easily accessible to the public.
6	PCCs' responsibility for holding Chief Constables to account on behalf of the public should explicitly include holding the Chief Constable to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics. Each PCC's Police and Crime Plan should set out how they intend to do this, and their Annual Report should show delivery against the objectives set out in the plan.

Number	Recommendation
7	The Police and Crime Commissioner Elections Order should be amended so that all candidates for the post of PCC should be required to publish their responses to the Committee's Ethical Checklist. For the May 2016 elections all candidates should be asked to consider and answer the Checklist and the Committee will be encouraging relevant media outlets to play their part in seeking out and publicising their responses.
8	Drawing on existing good practice and experience, the Association of Police and Crime Commissioners, Association of Policing and Crime Chief Executives and the Local Government Association should work together to develop national guidance on the meaning of a decision of 'significant public interest', so that it is better understood when PCCs should publish records of such decisions.
9	Police and Crime Panels should review the PCC's Annual Report in public session attended by the PCC as part of their annual scrutiny programme and make any recommendations as appropriate.
10	<p>As a matter of good practice:</p> <ul style="list-style-type: none"> <li>■ PCCs should publish a forward plan of decisions identifying the subject matter of the decision, why it is key, the meeting at which the decision is due to be taken, who will be consulted before the decision is taken and what reports/papers will be available for inspection; and</li> <li>■ Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out that work.</li> </ul>
11	The Home Secretary should conduct an urgent review of whether there are sufficient powers available to take action against a PCC whose conduct falls below the standards expected of public office holders.
12	To demonstrate an equivalent level of transparency and accountability to the Chief Constables that they oversee, the Association of Police and Crime Commissioners and Association of Policing and Crime Chief Executives should work together to host and make publicly available a list of PCCs' pay and rewards, gifts and hospitality and outside business interests, including notifiable memberships, in an easily accessible format.
13	Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.
14	Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.
15	Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.
16	The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.

Number	Recommendation
17	<p>PCCs and their Deputies should publish a register of meetings with external stakeholders and routinely publish information about all significant meetings involving external attempts to influence a public policy decision. The published information should include dates of meetings, details of attendances and meaningful descriptors of subject matter. It should normally be published within one month on their website in an easily accessible format.</p>
18	<p>All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end.</p> <p>The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC.</p> <p>Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.</p> <p>The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.</p>
19	<p>The Committee endorses the Home Affairs Committee’s recommendations that:</p> <ul style="list-style-type: none"> <li>■ the Home Office bring forward proposals to amend the powers of commissioners to suspend or remove chief constables under Section 38(2) and 38(3) of the Police Reform and Social Responsibility Act 2011 by stipulating the grounds on which they may do so.</li> <li>■ the Home Office should also provide guidance to commissioners on the use of their powers in both respects. In the case of a suspension there should also be a clear system of safeguards similar to those which guide suspension in respect of conduct.</li> <li>■ Police and Crime Panels inquire and report into the circumstances whenever a chief constable’s service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged.</li> <li>■ the Home Office bring forward proposals to extend the Schedule 8 process to include scrutiny by the police and crime panel where a commissioner chooses not to agree to an extension of the chief constables’ contract to bring it in line with the process for the removal of a chief constable.</li> </ul>

Number	Recommendation
20	<p>PCCs' appointment procedures should comply with open and transparent appointment processes including:</p> <ul style="list-style-type: none"><li>■ a requirement for there to be an independent member on the appointment panel set up to oversee the appointments process for Chief Constables and senior Office of PCC staff; and</li><li>■ a requirement that a criterion for selection be that the panel is satisfied that the candidates can meet the standards of the Seven Principles of Public Life.</li><li>■ details of the independent panel member should be published.</li></ul> <p>Where a PCC intends to appoint a deputy PCC the PCC should disclose that fact and the intended Deputy (if known) at the time of the election.</p> <p>A decision to suspend or accept a resignation of a Chief Constable or to appoint a Deputy PCC should be regarded as a decision of 'significant public interest'.</p>



**Police and Crime Panel**

**20<sup>th</sup> October 2015**

**Update on Victims Commissioning & Funding**

**Report of Head of Governance & Commissioning**



**Purpose**

1. To update the Police & Crime Panel regarding the application of victims commissioning and restorative justice funds in 2015/16 and the process for the procurement of victims services in 2016/17.

**Background**

2. From April 2014 Ministry of Justice (MoJ) passed responsibility for the provision of victims' services (along with some funding) to the Police and Crime Commissioner.
3. The victims' funding included some provision for the development of local restorative justice practices.
4. For 2015/16 each PCC received a full year of funding to develop and deliver victims services. The next section of this report will describe how the funding received has been applied in 2015/16.

**Application of Funding for 2015/16**

5. The Durham Police and Crime Commissioner has received £691,692 of funding from the Ministry of Justice for the financial year 2015/16. That funding has been provided from four discrete sources and will all be directed at supporting victims of crime.

<b>Fund</b>	<b>Amount</b>
Victims Services	£525,752
Restorative Justice	£140,200
SV/DV (Sexual Violence/Domestic Violence)	£14,787
PEA (Prisoner Earnings Act)	£10,953
<b>Grant Allocation</b>	<b>£691,692</b>

6. Monies awarded (in the table in this section) so far this year include:
  - Funding of two Restorative Justice Coordinators posts, one each in County Durham and Darlington;

**NOT PROTECTIVELY MARKED**

- Contribution towards salary of a strategic advisor on re-offending based in the PCC office, on secondment from County Durham and Tees Probation CRC (£30,000);
- Extension of restorative justice in County Durham (£30,000);
- Support for the provision of counselling services to victims of sexual violence (£36,000);
- Delivery of emotional and practical support to victims of crime (£290,000);
- Strategic planning to develop future victims services (£27,000);
- Extension of grant to Victim Support to provide additional support to victims who suffer from poor mental health (£42,000);
- A pilot at Darlington Police Station to co-locate a multi-agency team working from a single information source (VICMAN) and sharing a decision making process that will assess victim needs on their individual circumstances, risks and vulnerabilities, as opposed to service eligibility based on the Home Office automated crime category process currently in use (£59,000).

<b>Organisation</b>	<b>Project</b>	<b>Grant Award</b>
Funding to Durham PCC		£691,692
Funding Awarded by PCC		£600,796
Balance to be Awarded by PCC		£90,896
<b>Funding Awarded by Project</b>		
County Durham & Darlington MBC	RJ Coordinators Posts	£80,171
Durham Tees Valley CRC	Strategic Adviser Re-offending	£30,000
	Peterlee, Chester-le Street and Bishop Auckland RJ Pilots	£30,370
RSACC	Funding from MoJ Victim & Witness Fund	£36,030
Victim Support	Victims Support Service	£290,000
Victim Support	Victims Strategic Planning	£27,000
Victim Support	Mental Health & Wellbeing Support Service	£42,000
Victim Support	Victim Support Darlington Pilot	£59,225
Spragg Consulting	Supporting Market Development for Victim Support Service	£6,000

7. Planned application of the balance of the monies (£90,000) include:

- Contribution to the development of a Victim module in the Red Sigma system to host a single version of information that will be available to police, partners and successful service provider to place the victim at the centre of the decision making process.

**NOT PROTECTIVELY MARKED**

- A number of alternative applications in the priority areas of supporting victims with mental health conditions, victims of domestic abuse or young victims are being developed.

**Commissioning of Victim Assessment & Referral Service**

8. The procurement service specification and subsequent exercise is being commissioned in collaboration with the Cleveland PCC to achieve better outcomes for the victims and value for money.
9. Placing the victim's individual circumstances, risks and vulnerabilities at the centre of any needs assessment is another core principle that is enshrined in the Victims Code of Practice and an EU Directive that becomes law in November 2015.
10. The Darlington Pilot is proceeding well, highlighting interesting opportunities for process improvement and informing the development of the service specification.
11. An event to invite prospective suppliers of the victim services was held on 8<sup>th</sup> September. It was attended by both PCCs and was well received by the potential suppliers. The event included the provision of key information to potential suppliers, a panel session for the suppliers to ask direct questions of the PCCs and their teams, and an independently facilitated session to enable potential suppliers to explore opportunities for collaboration.
12. A specific risk relating to a potential lack of tenders for the victim assessment and referral service has been mitigated by engaging with an independent organisation. This organisation has recently supported the Staffordshire PCC to a successful conclusion by independently supporting organisations interested in tendering for the service. The Staffordshire PCC awarded the contract to a collaboration of Citizen Advice Bureaux. There were three decent tenders returned for evaluation as a result the independent support.
13. The formal procurement exercise is planned to commence in early October 2015. That will give sufficient time to evaluate and appoint a service provider and mobilise the service by 1<sup>st</sup> April 2016. The attached table provides a high level time line.

<b>Description</b>	<b>Complete By</b>
PIN Notice (before Soft Market Testing)	N/A
OJEU Notice	16/10/2015
Issue of ITT (Must be available at same time as OJEU published)	16/10/2015
Tender Closing Date	20/11/2015
Evaluation and Report Complete	04/12/2015
Decision Record Forms	07/12/2015
Alcatel (Standstill Period) 10 days	08/12/2015
Contract Signing	18/12/2015

**Recommendation**

14. To note the application of restorative and victims' capacity building funding in 2015/16 and the commissioning process for 2016/17.

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**Appendix 1: Risks and Implications**

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**Finance**

This is included in the main body of the report.

**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**

The Durham & Darlington Victim and Witness Planning Group is reviewing and advising this service development.

**Environment**

n/a

**Collaboration and Partnerships**

This service will be commissioned in collaboration with the Cleveland PCC.

**Value for Money and Productivity**

The joint commissioning will increase the opportunity to deliver value for money.

**Potential Impact on Police and Crime Plan Priorities**

This is consistent with objectives in the Police and Crime Plan.

**Commissioning**

This service will be commissioned in collaboration with the Cleveland PCC.

**Other risks**

n/a

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**Police and Crime Panel**

**20<sup>th</sup> October 2015**

**Update on Restorative Justice Activities**

**Report of Head of Governance & Commissioning**



**Purpose of the Report**

- 1 To provide members of the Police & Crime Panel with an update on Restorative Justice (RJ) activities to date and share our future intentions for the extension of RJ in County Durham and Darlington.

**Background**

- 2 As part of the Ministry of Justice commitment to Restorative Justice £6.25million was identified to be distributed to Police and Crime Commissioners in 2014/15.
- 3 A further £14million is available in 2015/16 as part of the wider victim services commissioning budget. The funding allocated to the PCC for County Durham and Darlington was £68,000 in 2014/15 and £140,000 in 2015/16.
- 4 The funding is available for PCCs to ensure:
  - RJ is of a good quality and focused on victims' needs;
  - Victims can make informed choices, know how to access services and have RJ delivered by appropriately trained facilitators.

**Current Position**

- 5 The PCC agreed to provide funding in order to appoint two Restorative Justice (RJ) Coordinators across the Force area.
- 6 In November 2014 the Safe Durham Partnership Board supported the proposal to appoint a Restorative Justice (RJ) Coordinator. Derek Robson was appointed into that role with effect from April 2015. Derek has been seconded from the County Durham Youth Offending Service.
- 7 The activities in County Durham to date include:
  - Mapping of all local RJ provision;
  - Liaison with Criminal Justice partners;
  - Development of the current proposals for extending the RJ provision across the area.
- 8 A similar role was provided via the Darlington Community Safety Partnership and Andrew Hancock was appointed into that role.

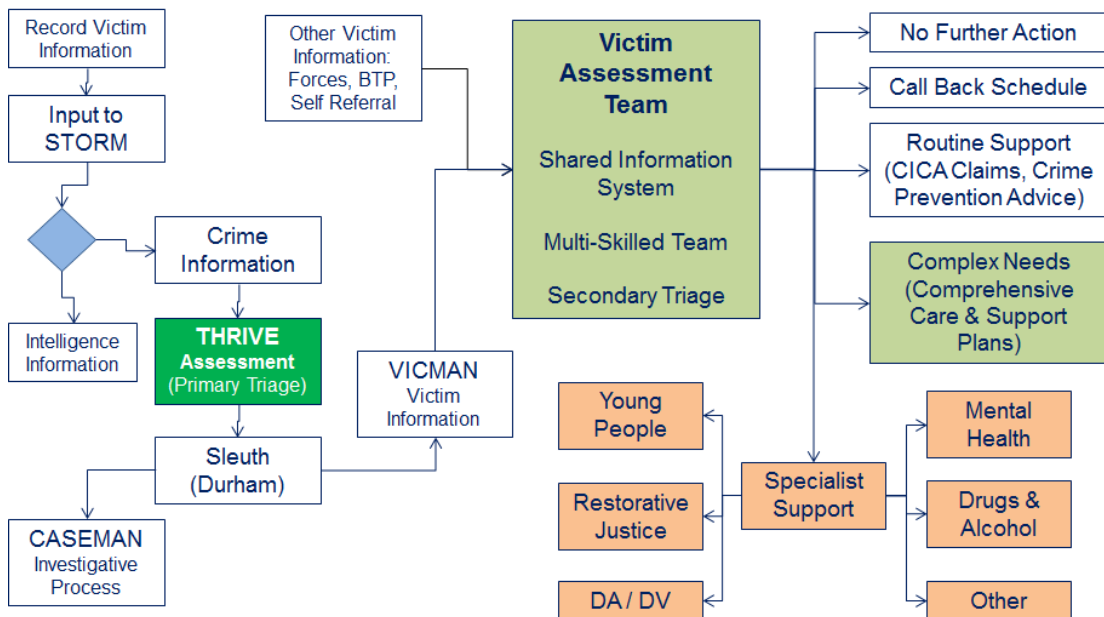
- 9 The role in Darlington includes:
- Development and coordination of consistent Restorative Justice (RJ) programmes, alongside existing and planned restorative practice, within County Durham and Darlington;
  - Working with partners to increase victim involvement in quality restorative processes, and increase victim satisfaction;
  - Developing and implementing robust Restorative Justice pathways across existing services;
  - Monitoring effectiveness of Restorative Justice pathways and impact on re-offending;
  - Responsibility for recruiting, training and deploying community volunteers to support the RJ pathways
- 10 Both RJ Coordinators have worked closely to enhance the coordination and use of RJ across the Force area.
- 11 The Restorative Justice Group, chaired by the OPCC, has pulled together partners from across County Durham and Darlington to map existing Restorative Justice Work and identify any gaps in provision.
- 12 The Group has representation from all Criminal Justice Agencies including Police, Courts, National Probation Service, YOS and the Community Rehabilitation Company. Restorative Solutions are also represented as funders of the pre-sentence pilot currently being delivered at Durham Crown Court and being progressed into the Magistrates Courts.
- 13 The Group is working alongside the RJ Coordinators to identify the ways in which local community volunteers can assist RJ provision and development, as well as ensuring the PCC can meet his responsibilities towards victims.
- 14 An assessment of current RJ provision by the Coordinators strongly indicates there would be benefit in developing a consistent style of RJ provision across the Force area.
- 15 The RJ Coordinators, supported by the OPCC, have developed a proposal to extend the current Darlington Model across County Durham.
- 16 The proposal is to recruit, train and support a team of local community volunteers and deploy them to three pilot areas within County Durham (Newton Aycliffe, Peterlee and Chester Le Street).
- 17 The RJ Coordinators will be working with the police in these pilot areas to test the effectiveness of the approach in different environments and subsequently develop a high quality, sustainable, RJ delivery model for County Durham and Darlington.
- 18 The intention is to build on the learning from previous activities to embed RJ via the Neighbourhood Justice projects in Woodhouse Close, Bishop Auckland and Peterlee, whilst building capacity across the CJS and extending the range of RJ interventions.
- 19 Marketing is currently underway to recruit up to 80 volunteers for the pilots across County Durham and Darlington. Training will be given as part of the Facilitator Development Programme, which is accredited to Level 3 with the One Award and is now being assessed by the Restorative Justice Council for



validated practice. The training was developed and funded by Neighbourhood Resolutions in Darlington and is being freely shared across County Durham.

- 20 In order to fund the project the PCC will contribute a further £30,000 from Ministry of Justice monies to extend administration and case worker hours to support RJ development in County Durham and also cover the cost of recruitment, training and ongoing expenses for volunteers. This will be achieved by extending the hours of the current provision within Neighbourhood Resolutions.
- 21 The work of the RJ Coordinators is being closely aligned with the development of a Durham and Cleveland service specification for the appointment of an independent service provider of a Victim Assessment & Referral Service from April 2016. The service provider will assist with the promotion of Restorative Approaches to victims in addition to the assessment and coordination process.
- 22 Victims' needs will be assessed based upon vulnerability rather than crime type, and a pilot delivering this model is currently being undertaken in the Darlington area. The team involved in the pilot have made links with the RJ Coordinator to ensure an appropriate referral route as needed. The attachment shows the link between the victim assessment and support.

### Durham Pilot – Integrated Support for Victims This is just the start of the journey of cope and recovery for Victims



Objective is to commission a service that helps a person to **cope and recover** from the impact of victimisation but also taking account of any existing mental or physical condition

### Recommendations

- 23 The Police & Crime Panel is recommended to:
- Note the contents of the report;
  - Support the proposal to extend the Darlington Model across the Durham area, initially in Newton Aycliffe, Peterlee and Chester Le Street.

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## Appendix 1: Risks and Implications

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### Finance

This is included in the main body of the report.

### 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

The Durham & Darlington Victim and Witness Planning Group is reviewing and advising this service development.

### Environment

n/a

### Collaboration and Partnerships

This service will be commissioned in collaboration with the Safe Durham Partnership and Darlington Community Safety Partnership.

### Value for Money and Productivity

n/a

### Potential Impact on Police and Crime Plan Priorities

This is consistent with objectives in the Police and Crime Plan.

### Commissioning

n/a

### Other risks

n/a

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**Police and Crime Panel**20<sup>th</sup> October 2015**PCC Decision Records****Report of Chief of Staff**

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**Purpose**

1. To update Panel Members on the Police and Crime Commissioner's decision register (from June – September 2015) and forward plan.

**Background****Decision Making Process**

2. Key decisions are made at an Executive Board comprising of the PCC, the PCC's Chief of Staff, the Chief Constable and the Joint Chief Finance Officer. Other officers of the PCC or the Chief Constable will attend as and when required. On occasion it is necessary to take decisions outside of this process for reasons of expediency, but all relevant parties are consulted and informed.
3. All key decisions are supported by a report setting out the decision required, all relevant factors to be considered, the outcome of any consultation undertaken and the risks and implications of the course of action being recommended.
4. An online record is maintained of all key decisions taken by the OPCC. This includes a link to any documents which are disclosable under FOI. This record includes decisions taken by the PCC or any person to whom delegated powers have been granted.
5. The PCC will consider holding public meetings when this will provide a means of consultation on decisions (i.e. precept consultation) where there is a clear interest in actively seeking views of the community.
6. The PCC may choose to delegate powers to any deputy appointed, his statutory officers or a senior member of police staff.
7. A record is kept of all decisions made under delegated powers detailing the factors taken into consideration, including any consultation carried out.

**NOT PROTECTIVELY MARKED**

8. Decisions to be made by the PCC will relate in the main to his statutory functions and financial responsibilities. A Forward Plan for key decisions to be taken over a 3 month period will be published on the PCC's website.

Generally Key decisions are likely to include:

- The preparation, drafting and issuing of the Police and Crime Plan
- Issuing the precept
- Adopting a Medium Term Financial Plan
- Commissioning of Services
- Preparation and issue of the Annual Report
- Any decision which is considered to be of significant public interest or impact either generally or on a particular locality
- Any decision which will incur revenue expenditure in excess of £100,000
- Any decision which will incur capital expenditure in excess of £100,000
- The approval of or adoption of strategies/policies
- Key procurement decisions
- Significant changes to the police estate
- Allocation of grants

Details of the Police and Crime Commissioner's Decision Register 2015 and Forward Plan (June to August) can be found in Appendix 2.

**Recommendation**

That Panel Members note the contents of the report.

**Alan Reiss**

Chief of Staff

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**Appendix 1: Risks and Implications**

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**Finance**

**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**

n/a

**Environment**

n/a

**Collaboration and Partnerships**

n/a

**Value for Money and Productivity**

n/a

**Potential Impact on Police and Crime Plan Priorities**

n/a

**Commissioning**

n/a

**Other risks**

n/a

<b>Contact Officer:</b>	<b>Alan Reiss</b>
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**Appendix 2****Police and Crime Commissioner****Key Decisions**

<b><u>Date of Meeting</u></b>	<b><u>No.</u></b>	<b><u>Decision</u></b>
June	1	County Durham Coroners Support Service- The PCC agrees to the appointment of the CCSS as the service provider.
	2	Precept Increase
	3	Sale of former police house- 1 Dryburn Hill
	4	Renewal of a Tenancy Agreement for Embedded Officer
	5	License agreement to Ethicare
July	1	Office Staffing Changes: PCC Approval to create 2 posts to be employed by the Police and Crime Commissioner
	2	Asset Depreciation- PCC approval to use £2.8m of reserves to depreciate midlife assets in order to generate an ongoing revenue saving of £0.2m
	3	The Police Arboretum Memorial Trust- The Trust was established to build a memorial and maintain it in perpetuity for the nation. Each PCC was asked to pledge £5,000 over 5 years, which is £1,000 for each of the next five years commencing this financial year.
	4	Darlington Integrated Support for Victims Pilot- The PCC funds Victim Support to deliver the pilot in collaboration with the police and partner agencies and in conjunction with the improvement projects set out in the main grant agreement (with Victim Support).
August	1	Outcome of complaint against Chief Constable
	2	Transfer of Land Comprising Part of The Barns
September	1	Northern Powergrid to install a power supply on the all-weather pitch for Airwaves temporary mast relocation

Forward look:

The major upcoming decisions include: procurement of victims' services for 2016-17; consultation on the precept; and revision of medium term financial plan following the settlement.



## **Durham Police and Crime Panel**

**20 October 2015**

### **Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012**

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#### **Report of Colette Longbottom, Monitoring Officer of the Panel**

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##### **Purpose of the Report**

- 1 To advise the Panel of the outcome of a referral under the “Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (“The Regulations”).

##### **Background**

- 2 On the 17<sup>th</sup> September 2013, the Panel considered a referral to it by “Operation Sacristy”. “Operation Sacristy” was a criminal investigation into alleged offences of corruption, fraud and misconduct in public office relating to senior members of the Cleveland Police and former Police Authority.
- 3 The Police and Crime Commissioner was the Deputy Chief Constable at the force until 2008 when he retired, being replaced by the now dismissed former Deputy.
- 4 The Panel decided to treat the referral as a conduct matter and having done so, it was necessary, under the regulations for the matter to be recorded and referred to the IPCC. The referral to the IPCC was made on the 17<sup>th</sup> September, the date of the Panel meeting.
- 5 On the 23 September 2014, the IPCC advised that it was to carry out an investigation and would keep the decision under review. Regular updates have been provided since then, in essence advising that an investigation was still proceeding. Letters in September, October and December advised that the investigation final report was with the legal department for review which involved the taking of counsel’s advice. On 22<sup>nd</sup> January, an update advised that the final report was with the case commissioner who would decide whether there should be a reference to the Department of Public Prosecutions. On 30<sup>th</sup> January 2015, the IPCC advised that the final report had been submitted to the CPS.

- 6 On the 19<sup>th</sup> February, a letter addressed to the Chairman of the Panel advised that the CPS had decided not to prosecute. The report was, however, subject to consultation about redactions and was not released until the 15<sup>th</sup> September 2015.
- 7 A link to the report is attached. Members will note that the investigation has found no evidence to justify criminal charges.  
  
<https://www.ipcc.gov.uk/news/ipcc-publishes-report-investigation-allegations-against-durham-pcc>
- 8 The Panel's role in terms of complaint handling has now reached its conclusion. Under the regulations, a complaint which is a conduct matter (as this was), or a serious complaint, are dealt with by the IPCC and not the Panel. The recommendation to the Panel is therefore to receive the report and agree that the outcome of the IPCC investigation be recorded.

### **Recommendations and reasons**

- 9 It is recommended that the Panel receives the report and agrees that the outcome of the IPCC referral be recorded.

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**Contact: Colette Longbottom Tel: 03000 269 732**

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## **Appendix 1: Implications**

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**Finance – None specific within this report.**

**Staffing - None specific within this report.**

**Risk - None specific within this report.**

**Equality and Diversity / Public Sector Equality Duty - None specific within this report.**

**Accommodation - None specific within this report.**

**Crime and Disorder - None specific within this report.**

**Human Rights - None specific within this report.**

**Consultation - None specific within this report.**

**Procurement - None specific within this report.**

**Disability Issues - None specific within this report.**

**Legal Implications – Within the body of the report**

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