



## **Durham Police and Crime Panel**

**19 July 2021**

### **Police and Crime Panel Annual Report 2020/21 and Work Programme 2021/22**

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#### **Report of Helen Lynch, Head of Legal and Democratic Services**

##### **Electoral division(s) affected:**

None

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

- 1 To present the Durham Police and Crime Panel Annual report 2020/21 and consider development of the Panel's Work Programme for 2021/22.

##### **Executive summary**

- 2 The Panel's Annual report provides details of activity undertaken by the Panel in 2020/21 and development of a work programme for 2021/22 in accordance with the panel's arrangements and requirements within the Police Reform and Social Responsibility Act 2011.

##### **Recommendation**

- 3 The Police and Crime Panel are asked to
  - (a) Endorse the Durham Police and Crime Panel Annual Report 2020/21 as attached in appendix 2, and
  - (b) To provide comment on development of the panel's work programme for 2021/22
  - (c) Agree that a report on the panel's work programme for 2021/22 be presented to the panel's next meeting.

## **Background**

- 4 The Durham Police and Crime Panel Annual Report presents the Panel's activity during 2020/21. The report, attached in Appendix 2 provides detail on the role and responsibilities of the Police, Crime and Victims' Commissioner (PCVC), the Police and Crime Panel, the Panel's Membership, activity through panel meetings, panel development, complaints, engagement with public and the Office of the PCVC and panel support. It is to note that the Annual Report is to be submitted to the Home Office as an element of the Panel's Grant Agreement by the 31 July 2021.
- 5 In summary, 2020/21 has been another challenging and unprecedented year for the Panel. The impact of coronavirus restrictions and regulations within the Coronavirus Act 2020 required the panel to be flexible and accommodate new ways of working, this included successfully holding all its meetings through a virtual platform.
- 6 During this period, the Panel has continued to deliver its work programme and duties within the Police, Reform and Social Responsibility Act 2011. Panel activity has included a confirmation hearing, consideration of the Acting Police Crime and Victims' Commissioner's (PCVC) annual report, precept and delivery of priorities within the PCVC Plan.
- 7 The Panel has also held two development sessions, were represented at the LGA's webinar in September 2020 and provided an overview of our role to students at Darlington College in December 2020.
- 8 The Coronavirus Act also postponed PCC elections in May 2020, this enabled the Acting PCVC, Steve White to continue within the role until the election was held in May 2021 and Joy Allen was elected as the Durham Police and Crime Commissioner.

## **Work Programme 2021/22**

- 9 The Panel's rules of procedure state that the PCP will be responsible for setting its own work programme taking into account the priorities defined by the Police and Crime Commissioner (PCC) within the context of the Police and Crime Plan and Annual Report. The work programme must also include the functions described in the terms of reference for the panel.
- 10 The work programme will enable the PCP to plan and focus on how it will effectively provide challenge to the PCC and deliver its responsibilities within the context of the terms of reference and rules of procedure namely:

- (a) Review and comment on the Draft Police and Crime Plan and Precept
  - (b) Reviewing the PCC's Annual Report
  - (c) Holding confirmation hearings following a proposed appointment by the PCC to the posts of Chief Constable, Deputy Police and Crime Commissioner, Chief Executive Officer and Chief Finance Officer within the Commissioner's Office.
- 11 In addition, the Panel's meetings have included the following areas as standard agenda items:
- (a) Media Articles
  - (b) PCC Quarterly Performance Report
  - (c) PCC Commissioning Activity
  - (d) PCC Decisions
  - (e) HMICFRS Inspection Reports
- 12 The Panel can also establish 'Sub Committees and Task Groups' to undertake specific task based work on issues it deems necessary in line with its remit.
- 13 In addition, in March 2021, the Home Office announced initial recommendations from Stage 1 of their review of PCCs that included mandating the appointment of deputy PCCs and to also undertake public consultation to mandate the transfer of Fire and Rescue Authority functions to PCCs in England. This will be part of a Fire Reform White Paper and is scheduled to be launched in 2021. It is suggested that progress on these areas be included within the Panel's work programme for 2021/22.
- 14 Panel Members are also asked to identify any potential areas for consideration within the work programme. It is to note that legislation expired in May 2021 for remote meetings and for compliance with COVID regulations, arrangements for future panel meeting dates are to be confirmed. The work programme is therefore to be flexible to manage this impact and that an update report on development of the work programme be presented to the panel's next meeting. .

## **Main implications**

### *Crime & Disorder*

- 15 Activity within the Panel's Annual report and work programme aims to contribute to reducing crime and disorder within County Durham & Darlington.

### **Conclusion**

- 16 The Annual report provides Members with an overview of activity undertaken by the panel during 2020/21 and development of the panel's work programme for 2021/22.

### **Background papers**

- None

### **Other useful documents**

- None

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## **Appendix 1: Implications**

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### **Legal Implications**

The Panel's Annual Report includes Panel activity in accordance with the Police Reform and Social Responsibility Act 2011 and requirements within the Home Office Grant Agreement 2020/21.

The Panel's work programme is to be delivered in accordance with the Police Reform and Social Responsibility Act 2011

### **Finance**

The Panel's Annual report includes panel support within the Home Office Grant Agreement and activity through precept consultation and consideration of the Acting PCVC's precept

The Panel's work programme includes precept consultation and consideration of the Acting PCVC's precept.

### **Consultation**

None.

### **Equality and Diversity / Public Sector Equality Duty**

None

### **Climate Change**

None.

### **Human Rights**

None

### **Crime and Disorder**

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

### **Staffing**

None

### **Accommodation**

None

### **Risk**

None

**Procurement**

None.

# **Durham Police and Crime Panel Annual Report 2020/21**

## Chair's Foreword

Welcome to the Durham Police and Crime Panel Annual Report for 2020/21 and provides detail on our activity throughout the past year.

In summary, 2020/21 has been another challenging and unprecedented year for the Panel. The impact of coronavirus restrictions and regulations within the Coronavirus Act 2020 required the panel to be flexible and accommodate new ways of working, this included holding all its meetings through a virtual platform.



During this period, the panel's activity has included a confirmation hearing, consideration of the Acting Police Crime and Victims' Commissioner's (PCVC) annual report, precept and delivery of priorities within the PCVC Plan. The Panel has also held two development sessions, were represented at the LGA's webinar in September 2020 and provided an overview of our role to students at Darlington College in December 2020.

The Act also postponed PCC elections in May 2020 and enabled the Acting PCVC, Steve White to continue within the role until the election was held in May 2021 and Joy Allen was elected as the Durham Police and Crime Commissioner. I would like to take this opportunity, on behalf of panel members to thank Steve for undertaking this role during this challenging time and we look forward to working with Joy as the newly elected PCC.

Within these challenging times, the Panel has continued to deliver its work programme and duties within the Police, Reform and Social Responsibility Act 2011. Looking ahead to 2021/22, in addition to responsibilities within the Act, the panel's work programme will also include outcomes of the Home Office Review of PCCs that includes consultation on governance of fire services to be a responsibility of PCCs.

To conclude, I would like to thank the office of the Durham PCVC for their continued support and to all Panel and substitute Members for their valued and dedicated commitment to the work of the Durham Police and Crime Panel.

Cllr Lucy Hovvels MBE  
Chair of Durham Police and Crime Panel 2020/21



## Background

The Police Reform and Social Responsibility Act 2011 introduced arrangements for elected Police and Crime Commissioners who are to be the voice of the people and have responsibility for holding their chief constable to account for policing in their force area. The Act also required the establishment of a Police and Crime Panels who are required to scrutinise and support the work of the Police and Crime Commissioner.

Elections for Police and Crime Commissioners take place every four years. The first election in November 2012 elected Mr Ron Hogg as the Durham Police and Crime Commissioner and following re-election in May 2016, Mr Hogg included victims within his title to be known as the Durham Police, Crime and Victims' Commissioner (PCVC).

Sadly, in December 2019, Mr Hogg passed away following a short illness. Prior to the passing of Mr Hogg, Steve White, Chief Executive, Office of the Durham PCVC, was appointed into the role of acting PCVC in September 2019, by the Police and Crime Panel.

Elections for Police and Crime Commissioners were scheduled to take place in May 2020. Following the outbreak of coronavirus, the government announced in March 2020 that the elections for the Police and Crime Commissioners in May 2020 were postponed and was subsequently held in May 2021 and elected Joy Allen as the Durham PCC.

Legislation for this announcement was included within the Coronavirus Act 2020 and enabled Steve White to continue as Acting PCVC until the election was held. The Act also provided legislation for Police and Crime Panel meetings to be held via a virtual platform to which all panel meetings during 2020/21 were held on Microsoft Teams and broadcasted live on youtube. This legislation expired on 6 May 2021 and with current legislation, the panel will be required to return to in person meetings during 2021/22.

In March 2021, the Home Office announced initial recommendations from Stage 1 of their review of PCCs that included mandating the appointment of deputy PCCs to ensure continuity in unforeseen circumstances. The announcement stated that the government will also undertake public consultation to mandate the transfer of Fire and Rescue Authority functions to PCCs in England. This will be part of a Fire Reform White Paper and is scheduled to be launched in 2021.

These announcements will be included within the Panel's activity and work programme for 2021/22.

# Police, Crime and Victims' Commissioner

The role of the PCVC is to be the voice of the people and hold the police to account. They are responsible for the totality of policing.



The PCVC is elected by the public to hold the Chief Constable and the force to account, thus making the police answerable to the communities they serve. The PCVC is to ensure community needs are met as effectively as possible and are improving local relationships through building confidence and restoring trust. The PCVC works in partnership across a range of agencies at local and national level to ensure there is a unified approach to preventing and reducing crime.

The PCVC has the mandate for ensuring the effectiveness and efficiency of policing services across County Durham and Darlington. As well as holding the Chief Constable to account on behalf of local people, the role will also involve:

- represent and engage with all those who live and work in the force area, including the vulnerable and victims;
- set the police and crime objectives for their area through a police and crime plan;
- set the force budget and determine the precept;
- appoint the Chief Constable, hold them to account for running the force, and if necessary dismiss them;
- contribute to the national and international policing capabilities set out by the Home Secretary; and
- bring together community safety and criminal justice partners, to make sure local priorities are joined up
- Publishing an Annual Report;
- Securing the maintenance of an efficient and effective police force for the area;
- Responsibility for holding community safety budgets and commissioning services

# Police and Crime Panels

The Durham PCVC and Constabulary area covers the local authorities of Durham County Council and Darlington Borough Council. The Police and Social Responsibility Act 2011 required the two constituent authorities within Durham Constabulary area have a statutory duty to create a Police and Crime Panel.



This led to the establishment of the Durham Police and Crime Panel holding its inaugural meeting in October 2012 and the Panel is hosted by Durham County Council. A web page containing information on the panel including the panel arrangements can be accessed from the following link:

<https://www.durham.gov.uk/policeandcrimepanel>

The Panel's membership consists of 10 elected members for the constituent authorities and two co-opted independent members.

The Durham Police, Crime and Victims' Commissioner is held to account by the Durham Police and Crime Panel. The role of the Durham Police and Crime Panel is to provide scrutiny of the Commissioner, but also has decision making powers and are also required to provide support to the PCVC in pursuit of objectives within the Police, Crime and Victims Plan.

*Within the Police Reform and Social Responsibility Act, the Panel's key responsibilities are:*

- to review the draft Police and Crime Plan;
- to publicly scrutinise the Police and Crime Commissioner's (PCC's) Annual Report;
- to review and scrutinise decisions and actions by the PCC;
- to review the PCC's proposed precept levels;
- to review the PCC's Conduct;
- to review and confirm the PCC's proposed appointments of Chief Constable, Chief Executive, Chief Finance Officer, and Deputy Police and Crime Commissioner

The Act also includes procedures and processes for undertaking the above responsibilities and the panel are required to publish reports following reviewing the PCC's Annual report, police, crime and victims' plan, precept and confirmation hearings. The panel also has a power of veto on the PCC's precept and proposed appointment of Chief Constable.

## Panel Membership

The Panel is politically balanced and consists of 12 members, seven elected members from Durham County Council, three elected members from Darlington Borough Council and two independent co-opted members. In addition, each elected Member has a nominated substitute member. The Panel's Membership for 2020/21 is illustrated in the following table with their nominated substitute members listed in underneath.

<b>Durham County Council</b>	<b>Darlington Borough Council</b>	<b>Independent Co-Opted Members</b>
Cllr D Boyes (Cllr H Liddle)	Cllr J Dulston (Cllr Jamie Bartch)	Mr NJH Cooke
Cllr P Crathorne (Cllr H Smith)	Cllr B Jones (Vice Chair) (Cllr R Mills)	Mr DKG Dodwell
Cllr L Hovvels (Chair) (Cllr A Laing)	Cllr N Wallis (Cllr E Heslop)	
Cllr J Nicholson (Cllr A Shield)		
Cllr S Quinn (Cllr K Hopper)		
Cllr A Savoury (Cllr A Bell)		
Cllr M Simmons (Cllr E Brown)		

# Police and Crime Panel Activity 2020/21

This section highlights the Panel's activity in relation to:

- Panel Meetings
- Panel Development
- Complaints
- Engagement with public and Office of the PCVC

## Panel meetings

### Coronavirus Act 2020

Section 78 of the Coronavirus Act 2020 included the provision for persons to attend, speak, vote and participate in panel meetings without all of the persons, or without any of the persons, being together in the same place. Significant work was undertaken to develop governance arrangements, IT capability and Members training was undertaken to ensure this provision could be achieved. In accordance with the Act, all panel meetings during 2020/21 were held through a virtual platform (Microsoft Teams) and broadcasted live on youtube.

### 15 June 2020 – Microsoft Teams

- Proposed Appointment of Temporary Chief Executive for the Office of the Police, Crime and Victims' Commissioner

Link to agenda and minutes

<https://democracy.durham.gov.uk/ieListDocuments.aspx?CId=872&MId=12353&Ver=4>

### 16 October 2020 – Microsoft Teams

- Media Report
- Police Crime and Victims' Commissioner Annual Report
- Quarterly Performance Report
- Commissioning Update
- PCVC Decision Records
- HMICFRS Inspections
- Police and Crime Panel Annual Report 2019/20 and Work Programme 2020/21
- Review of Complaints Procedure
- Concerning complaints about the Acting PCVC

Link to agenda and minutes

<https://democracy.durham.gov.uk/ieListDocuments.aspx?CId=872&MId=12172&Ver=4>

#### **4 February 2021 – Microsoft Teams**

- Media Articles
- PCVC Proposed Precept 2021/22
- Quarterly Performance Report
- Commissioning Activity
- APCVC Decisions
- Joint Audit Committee Report
- Complaints Update
- HMICFRS Inspection reports

Link to agenda and minutes

<https://democracy.durham.gov.uk/ieListDocuments.aspx?CIId=872&MIId=12174&Ver=4>

#### **12 March 2021 – Microsoft Teams**

- Media Report
- 2021/22 Revenue and Capital Budgets
- Office of the PCVC Restructure
- Delivery of Priorities in the Police, Crime and Victims Plan 2018-21
- Quarterly Performance Report
- APCVC Decisions
- HMICFRS Inspections
- Complaints Update

Link to agenda and minutes

<https://democracy.durham.gov.uk/ieListDocuments.aspx?CIId=872&MIId=12175&Ver=4>

### **Panel Development**

#### **Centralised Custody Suite – 19 November 2020**

Following consideration of the agenda item on PCVC Decisions at the Panel's meeting in October 2020, the panel requested further information on the proposed development of centralised custody suite. The session held on 19 November 2020, with the Acting PCVC, Chief Constable and Assistant Chief Officer enabled panel members to have a greater insight to the proposal and how this contributes to Force's Estates Strategy.

#### **Checkpoint, Crime Recording and Force Control Room – 5 March 2021**

At its meeting in February 2021, the panel requested to receive information on Checkpoint and Crime Recording. In addition, during consideration of the

precept report, the Office of the PCVC offered to provide further information on the Force Control Room to panel members

On 5 March 2021, the Panel held a briefing session on Reducing re-offending through the checkpoint programme, crime recording and Force Control Room. The session was supported by the Office of the PCVC and officers from Durham Constabulary and enabled Panel Members to have an increased knowledge of these areas and how they contribute to both priorities within the Police and Crime Plan and commitments that were provided within the precept report.

### **LGA Webinar – 22 September 2020**

The panel was represented at the LGA webinar held on 22 September 2020. The webinar provided knowledge that included Police Complaints and Discipline Reforms and an overview presentation from the Association of Police and Crime Commissioners on key priorities, constructive working and key messages on panels for the Home Office PCC review.

## **Complaints**

The Panel has responsibilities within the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 to record and consider non-criminal complaints made against the PCVC.

At its meeting in October the Panel, agreed a revised complaints procedure and requested that a report on complaints received would be presented as a standard item at each panel meeting.

During 2020/21 the Panel considered four complaints against the Acting PCVC which were considered collectively as they largely related to the same facts. The Panel resolved that there was no wrongdoing on the part of the acting PCVC and recommended no further action in respect of the complaints. The Panel determined that it would be disproportionate for the complaints to be made subject to publication given the outcome of no further action.

## **Engagement with the work of the Panel by members of the public and the Police, Crime and Victims' Commissioner for Durham Constabulary**

Activity from Police and Crime Panel meetings has received coverage within local newspapers and their websites. The following are outcomes of promotion of the panel's activity:

- A press release from the PCP following appointment of the Acting Chief Executive in June 2020. The press release was posted on social media through facebook and twitter, to which there were 3,150 impressions on twitter and reached 9,371 people on facebook. The press release was also published on local media websites including the Hartlepool Mail and Sunderland Echo.
- A press release following consideration of the Acting PCVC's precept by the Panel was published by the Office of the PCVC. The press release included a statement from the Chair of the panel that supported the planned investment required to deliver an efficient and effective police service to residents of County Durham and Darlington. The statement also included that panel members understand the current financial pressures experienced by communities and, in order to hold the PCVC to account, the panel will receive progress reports from the Office of the PCVC on the delivery of investment proposals.

### **Darlington College**

The Panel was invited to present at a virtual conference to Foundation Degree students studying Public Services at Darlington College in December 2020. The focus of the presentation was on panel activity in line with legislation contained within the Police, Reform and Social Responsibility Act 2011.

The presentation and question and answer session provided detail on Police, Crime and Victims' Plan, Confirmation Hearings, precept and budget and scrutiny of the commissioner's annual report. The conference also provided an opportunity to share with students panel reports on counter terrorism and how legislation through the Coronavirus Act 2020 had enabled Panel meetings to be held on a virtual platform and were accessible to view live or on youtube.

### **Engagement with the Office of the PCVC**

The Panel through both members and officers have regular and open contact to which has forged and maintained a professional and positive relationship



with the Office of the Police, Crime and Victims' Commissioner. Throughout 2020/21, in what has been an extremely challenging year, engagement with the Office of the PCVC has included arrangements and preparations for the PCP's Work programme, development sessions, consideration of the PCVC's Annual Report and precept, undertaking Confirmation Hearings for the Acting Chief Executive for the Office of the PCVC and the Panel's scheduled meetings.

Member of the panel also receive all press releases that are issued by the Office of the PCVC.

## Panel Support

The Panel receives financial support through grant funding from the Home Office. The grant enables the host to claim up to £64,340 for administration and members expenses.

Total panel expenditure for 2020/21 was £84,693.79 with £64,340 to be recovered from the central government grant and the variance met by the Host Authority. A breakdown of expenditure is listed in the table below.

<b>Breakdown of expenditure (items)</b>	<b>£ (0,000s)</b>
<b>Director of Resources advice/ support</b>	<b>13,401.92</b>
<b>Legal Advice /Support</b>	<b>39,715.62</b>
<b>Overview and Scrutiny Support</b>	<b>12,242.33</b>
<b>Democratic Services Support</b>	<b>7,082.76</b>
<b>HR/ICT/Finance/Accommodation costs</b>	<b>11,641.03</b>
<b>Printing and distribution</b>	<b>50.10</b>
<b>Travelling Expenses</b>	<b>NIL</b>
<b>Dedicated Data base</b>	<b>560.00</b>
<b>Subtotal Total:</b>	<b>84,693.79</b>

It is to note that elected member expenses for panel activity are borne by their respective authority.

The Panel's expenditure has been reviewed in May 2021 by Durham County Council's Internal Audit and Risk Management Division, who concluded that *"The review confirmed that expenditure incurred had been in accordance with the terms and conditions of the grant."*