

## Avon and Somerset Police and Crime Panel

26<sup>th</sup> June 2019

**Title:** Work Programme Report

### 1. Purpose of Report

The Panel is invited to consider and approve the draft Work Programme for 2019/2020.

### 2. Summary

This Work Programme is expected to take into account:-

- the Panel's statutory functions and responsibilities
- the Commissioner's priorities as defined in her Police and Crime Plan
- the views of Panel Members

It is essential that the work programme is proportionate to the resources available to support the Panel in its activities.

The duties and responsibilities of the Panel are set out in the Panel Arrangements document which was recently reviewed by the Panel and amended by the Constituent Authorities. There are some responsibilities which the Work Programme must accommodate at a specific time:-

- **consideration of the Commissioner's Annual Report** - as soon as practicable following the conclusion of the relevant financial year that it covers.
- **consideration of the Commissioner's precept proposal** - early February 2020  
The Panel is required to scrutinise the Commissioner's proposed Council Tax Precept (the money collected from council tax specifically for Policing). As part of this, the Panel has oversight of the overall draft Policing budget and its proposed allocation.

Schedule 5 of the Police Reform and Social Responsibility Act sets out the process for issuing a Precept, the Panel's role in reviewing the proposal, your ability to veto the Precept and the steps to be taken if you do. The Panel is entitled to see evidence that backs up the proposed Precept and this requires the Commissioner to consult with the Panel more than once before the formal scrutiny meeting and provide transparent reasoning for her decision - minimising the risk that a veto will be used.

To ensure that Members make a tangible, practical contribution to the budget and precept-setting process, consultation on the Budget starts each year with a briefing at Police and Fire Headquarters. This year it will take place on **15<sup>th</sup> November 2019 at 10am (already in your diaries) and all Members are required to attend this meeting.**

- **consideration of a revised Police and Crime Plan** prior to the proposed effective date for a new plan.

The Panel welcomed the Commissioner's development of a new Police and Crime Needs Assessment in 2018 as a solid evidence base for a new plan to cover the period 2019/21. The purpose was to provide a picture of the most significant issues, risks and threats shared by partner agencies and stakeholders across Avon and Somerset. The consultation included Councillor Craig who has been the Panel's Link Member for the Development of the Police and Crime Plan since 2016.

Sight of an early draft of the refresh of the PCC's Police and Crime Plan in January 2019 helped to prepare the Panel for a challenge session with the Commissioner at the Panel's meeting on Tuesday 5 February 2019.

There are other aspects that should be incorporated into an annual work programme where considered appropriate by the Panel:-

- **Scrutiny and review of the Commissioner's decisions/actions**

Under Section 28(6) of the Police Reform and Social Responsibility Act 2011, the Panel is obliged to review or scrutinise decisions made, or other action taken by the Commissioner in connection with the discharge of her functions and, where necessary make reports or recommendations to the Commissioner with respect to the discharge of those functions. The Commissioner is under a statutory obligation to publish details of decisions of significant public interest. In more general terms the Commissioner is obliged to ensure that the Panel is provided with any information that it might reasonably require.

The Commissioner presents an Update Report on key activities to each meeting. This includes an appendix in the form of a schedule of key decisions taken in the intervening period between meetings. Last year, the Panel also requested the OPCC to provide a forward plan of any key issues, processes or pieces of work the Commissioner will be addressing on which it may be appropriate for the Panel to receive a report, be consulted or hold a pre-decision scrutiny review.

- **Monitoring of arrangements for dealing with complaints against the Commissioner**

The Panel is required to consider and informally resolve complaints against the *personal conduct* of the Commissioner. In 2012, the Panel delegated the initial

complaints handling function to the Chief Executive Officer in the OPCC. The final arbiter however is the Panel, and complainants are made aware that complaints can be escalated to the Panel if they are not satisfied with the initial attempt at resolution. The Panel receives a standing summary report on complaints to each meeting and the Panel's Complaints Sub-Committee has delegated authority to consider individual complaints when they are escalated. The Panel's Lead Officer is responsible for the administration of the function and for providing the Panel with advice and officer support.

- **Other Panel responsibilities** relate to senior appointments (confirmation hearings) and matters such as the proposed removal of a Chief Constable, the suspension of a Commissioner or the appointment of an acting Commissioner. These responsibilities must be considered no more than ad hoc in nature, will only occur as circumstances dictate, and may necessitate the calling of "extraordinary" meetings of the Panel.

### **3. Link Member Roles**

The Panel has chosen to shape its scrutiny and review of the Commissioner's activities around the priorities contained in the Police and Crime Plan. This method of involvement can strengthen accountability and transparency by Link Members reporting back to the full Panel Membership on activities and key issues in their area of business. It will also provide opportunity for sharing performance and assurance information. Attached at Appendix A is a schedule of current roles which reflects future group briefings that will be held quarterly on specified dates in line with the PCC's 4 Strategic Priorities. Some roles have stand alone reporting mechanisms.

The membership of these roles will be reviewed in the light of the new membership of the Panel. Members are invited to consider any areas of interest in advance of the meeting and volunteers to the role can be firmed up at the Panel's pre-meeting. Please can you note that the work of the Panel is Member led and the role will require you to formulate your own lines of enquiry and provide updates on activity at Panel meetings or a final report at the end of the year depending on the nature of the work. The OPCC will provide agendas and papers in advance of the briefings and the Panel's Lead Office is available to provide officer support at the briefings and post briefing when required.

### **4. Chief Constable Presentation**

The Chief Constable has operational independence and reports to the Panel once a year. Last year, it was agreed that this should take place in December when the Panel considers the draft budget. The Home Office protocol suggests that, 'if the Panel seeks to scrutinise the PCC on an operational matter, the Chief Constable or other officers may need to attend alongside the PCC to offer factual accounts and clarity if needed for the actions and decisions of their officers and staff. The accountability of the Chief Constable remains firmly to the PCC and not to the Police and Crime Panel'.

## **5. Other reports/work emerging from 2018/19**

Outstanding actions from last year will be captured in the Commissioner's Update Report. There are no outstanding reports.

## **6. Training for new Members and in-depth Scrutiny topic**

It is proposed that a training session for new members takes place in September 2019 run by Frontline Consultancy. The OPCC has offered to participate in this, an approach which has proved helpful in previous years. In the meantime, the Lead Office has provided an induction session to new members in advance of the AGM.

## **7. In-depth Scrutiny Topic**

Last year, members chose Serious Violence and Knife Crime as a topic for detailed consideration following the release of a new Home Office strategy which placed additional responsibilities on Police and Crime Commissioners. If Members wish to choose another topic for in-depth scrutiny this year, it is proposed that this takes place in or around January 2020 for capacity reasons. The work programme is fluid and the Panel is not required to make a decision at the AGM.

## **8. Work Programme 2018/19**

Based on the above, a draft work programme has been drawn up which is attached at Appendix B to this report. This is a fluid document and a work planning meeting with the OPCC is taking place on 18<sup>th</sup> June 2019 and updates will be notified at the AGM.

The Committee on Standards in Public Life report "Tone from the Top", published in 2015, makes a recommendation in relation to Panel's work programmes that they should be both forward looking and clear about the information the Panel requires from the Commissioner to conduct its business and meet its statutory responsibilities. In this respect, it is proposed that the agreed work programme be a live document containing relevant notes and commitments alongside an indication of the information that will be required in support of the items. It will be refreshed as appropriate following meetings and submitted to all agenda briefings to assist both the Panel and OPCC.

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**Avon and Somerset Police and Crime Panel  
Link Member Roles  
2019-20**

<b>Police &amp; Crime Plan Priority</b>	<b>Topic</b>	<b>Mechanisms</b>	<b>Link Member</b>	<b>OPCC Contact</b>
<b>SP1: Protecting the most vulnerable people from harm</b>	Vulnerability: 1. Recommissioning victim services 2. Vulnerability Service Delivery Assurance 3. Mental Health	Quarterly Link Member Briefing  • Victim Services Recommissioning Board		Marc Hole
<b>SP2: Strengthening and improving local policing teams</b>	Neighbourhood Policing Review Cyber Crime Estates Update	Quarterly Link Member Briefing  • Visits / ad hoc meetings as required		John Smith
<b>SP3: Ensure A&amp;S Constabulary has the right people, right equipment and right culture</b>	Representative Workforce	Quarterly Link Member Briefing  • Engagement events as required		Rebecca Hehir
<b>SP 4: Working together effectively with other police forces and key partners to provide better services</b>	Collaboration / Analytics  Business Crime	Quarterly Link Member Briefing  • Business Crime Forum		John Smith/ Mark Simmonds  Mark Simmonds
<b>Police &amp; Crime Plan Development</b>	Police & Crime Plan Development	Strategic Planning Working Group		Karin Takel

## Panel Work Programme 2019/2020

Date	Business	Notes
26 <sup>th</sup> June	AGM Procedural Business PCC Annual Report Work Programme – draft for Panel consideration/approval	
September – new member training Date to be agreed at AGM		
8 <sup>th</sup> October	Panel Annual Report Review of Performance reporting mechanism	
15 <sup>th</sup> November - training (takes place at Police/Fire Headquarters)	First consultation on the Budget led by the OPCC Chief Financial Officer. It provides opportunity for the Panel to consider the OPCC's planning assumptions and forecasts ahead of the draft Medium Term Financial Plan presented to the Panel on 11 <sup>th</sup> December, and the final report to be presented on 4 <sup>th</sup> February. The session should be attended by all Panel Members.	
11 <sup>th</sup> December	Scrutiny of the Budget/Draft Medium Term Financial Plan	

	Chief Constable – Presentation Panel Budget and Costs report	
4 <sup>th</sup> February	Formal Review of the Budget and Precept Proposal	
25 <sup>th</sup> March		

#### Standing reports to each meeting:-

- Commissioner’s Update Report – report on PCC activities/key decisions. Standing updates on Fire Governance and Estates.
- Work Programme – fluid and presented for noting or approval following amendment
- Link Member reports – Scrutiny of performance against the Police and Crime Plan
- Complaints Report – Monitoring arrangements for dealing with complaints against the Commissioner

A review of the balanced appointment objective will also take place after each set of relevant elections.