



Avon and Somerset Police and Crime Panel

Hosted by Somerset County Council Democratic Services



Minutes of the Police and Crime Panel

13th October 2020 (11:00) ('Remote' meeting held under the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

Present:

Local Authority and Independent Member Representatives:

Peter Abraham (Bristol City Council), Chris Booth (Somerset West and Taunton Council), Richard Brown (Chair/Independent Member), Asher Craig (Bristol City Council), Janet Keen (Sedgemoor District Council), Joseph Mullis (Independent Member), Franklin Owusu-Antwi (South Gloucestershire Council), Afzal Shah (Bristol City Council), Andrew Sharman (Vice-Chair/Independent Member), Heather Shearer (Mendip Council), Alastair Singleton (Bath and North East Somerset), Pat Trull (South Gloucestershire Council), Andy Wait (Bath and North East Somerset Council), Martin Wale (South Somerset Council), Richard Westwood (North Somerset Council), Josh Williams (South Somerset Council) and Roz Willis (North Somerset Council).

Host Authority Support Staff:

Scott Wooldridge - Monitoring Officer
Jamie Jackson - Strategic Manager, Democratic Services
Andrew Randell - Senior Democratic Services Officer
Kait Harvey – Senior Democratic Services Officer
Laura Rose – Democratic Services Officer

Police and Crime Commissioner and Support Staff:

Sue Mountstevens - Police and Crime Commissioner
Mark Simmonds - OPCC Interim Chief Executive Officer
Ben Valentine – OPCC Performance Officer
Sally Fox – Head of Contacts and Conduct Policy
Steve Crouch – Complaint Reviews (OPCC)

1. Apologies for absence

No apologies were received in advance.

2. Public Question Time

There were no Public Questions

3. Declarations of Interest

An additional Declaration of Interest was made by Councillor Roz Willis as a trustee and director of the Mankind initiative which had recently received funding from the Ministry of Justice Covid-19 funding.

4. Minutes of the meeting held on 11th March 2020, AGM 23rd June 2020 and Confirmation Hearing 23rd June 2020.

The minutes of 11th March and 23rd June were approved as an accurate record.

A request was made for the Lammy report to be an item at the next meeting.
An action point on Licensing from Councillor Afzal Shah was requested to be followed up. The Constabulary continued to engage with the licensing authorities. This would be picked up outside of the meeting.

5. Independent Member Appointment Review

The Panel has reviewed its Operating Arrangements and the amendments proposed are required to be endorsed by the Constituent Authorities. Panel Members are aware that the proposed extensions to the term of office of both Councillor Willis and Andrew Sharman to 31st March 2021 have now been agreed by all 9 authorities in the light of COVID 19 and in line with the PCC's extended term.

Additional amendments proposed by the Panel included a "review" of Independent Member appointments after 4 years and the flexibility for Independent Members to reapply after the second 4 year term subject to a formal recruitment process. The Panel was yet to receive the endorsement of South Gloucestershire Council to these other amendments and members are sighted on the correspondence to date.

The Panel is currently compliant with its Operating Arrangements given JM is eligible for a second term and the balanced appointment objective continues to be met. However, it is considered prudent to invite the Panel to review the appointment at this stage. This is in the spirit of the proposed amendment and may be a formal requirement if South Gloucestershire Council provided endorsement to the amendments before this meeting.

RESOLVED that the Panel appointed Joseph Mullis as an independent panel member for a further year.

6. Chairs Business

The Chair reminded the panel of a budget briefing scheduled at 10am on 15th October

The Chair formally raised concerns in respect of campaigning and the views around the appointment of the Deputy PCC. Whilst not in a purdah period the Chair requested that the panel be mindful of the activities that panel members undertake and how this may be perceived by others. This was extended to the PCC office in their capacity with the use of Facebook Live and a word of caution in managing this appropriately.

Assurance was given that any engagement activity with Sue and her office was thoroughly documented with Johns engagements and the purpose aligning to the responsibilities. There was rigor around Johns role as the DPCC and any engagement undertaken.

RESOLVED that the Chairs Business be noted

7. Commissioners Update Report

The Commissioner presented the briefing, providing an update for Panel Members on key activities since the last Panel meeting on 23 June 2020. This report reflects the position as at 29 September 2020. Budget Timeline OPCC and Constabulary colleagues have commenced work on the budget for 2021/22 and the refreshed Medium-Term Financial Plan.

The level of uncertainty created by the Covid pandemic, particularly in relation to its impact on local authority revenue, is probably unique, and especially challenging where we are committed to maintaining continued service improvements. This work will continue over the coming months, including a training session with Panel members on 16th October, culminating in the presentation of the final MTFP to the Police and Crime Panel on 4th February 2021.

The Commissioner highlighted the oversight to the Constabulary response to the Covid-19 pandemic, the demand and context for the Service and the fines and enforcement that had been issued as a result. The work of the Local Resilience Forum in handling the pandemic and the handling of instances of unlicensed music events were reported.

During the discussion the following points and questions were raised:-

- The increase of workload over the Covid-19 period was highlighted in addition to the impact of staff morale

- Local Resilience Forum meetings were Chaired by leaders of local authorities. The Police and Crime Commissioner attended them. Area Commanders attended in some instances.
- Information around areas receiving funding/grants for town councils to apply for was considered. The Panel requested information around the geographical spread of grants awarded. Analysis would be provided at Dec meeting in PCC's update
- Community engagement and gaps in rural areas and those that could not engage online, work was ongoing in addressing this so community's input was heard.
- The Ministry of Justice timetable for the pressures of deadlines had received high demand and delays during the challenging time of the Covid-19 lockdown period. Their flexibility in exchange of information had been positive.
- Concerns of future funding would continue around VRU's. PCP questioned if policy was made up "on the hoof" and what would be the Legacy. The possible funding cliff edge and the uncertainty around this was noted. There was agreement to focus on young people, therefore continuity of funding was required to ensure the right agencies around the table, it was agreed that the DPCC update PCP in DEC.
- The Impact on the health and wellbeing of the team was a concern, flexible working had been put in place with SLT, discretionary time had been worked to address impacts of the peak period.
- Cancellation of rest days of police officers had increased over lockdown; overall sickness had decreased uncertainty remained from cancellation of holidays and days off which was a concern and had a mental impact
- The increase of police officers being assaulted and the impact on staff was a clear concern.
- It was acknowledged that communities needed to be worked with to engage with to report honour-based violence.
- Instances of domestic violence had increased due in some instances to victims being locked down with perpetrators of domestic violence.
- Keeping politics out of policing was recognised at both a local and national level and the sensitivities of this was recognised from the PCC and all staff.
- The impact of public confidence over BLM protest continued to be measured, there was varied opinion over the handling of the protests but there were many positive sentiments of how these protests were handled.
- The differential between campaigning and business as usual was considered, all MP's were involved in visits by the police and crime commissioner, in contact with all 16 MP's.
- Legitimacy and enforcement of Covid-19 restrictions were considered - PCC asked PCP members to feedback on their networks/community views re police enforcement of covid regulations, noting that people's concerns balanced between money, health, mental health and fairness. Further discussion at end of meeting – councils found letters from AM/Sue very useful. PCP agreed to feed community views to OPCC and asked about plans for further joint media approach?

RESOLVED that the update be noted

8. Work Programme 2020/21

The Work Programme for 2021/21 was considered by the committee

During the discussion the following points and questions were raised:-

- The Panel raised a previous action for Desmond to update PCP at some stage in relation to the Lammy Review.
- PCP to let MOS know which assurance reports are required for PCP in 2021 after December (where we have already agreed Mental Health)
- The Chair, Mark and Pat to agree which reports would be considered on the forward plan.
- PCP asked for sight of the RSM report. MOS agreed to request this via the November Resolve board. If/when agreed MOS will issue the report to PCP between meetings.

RESOLVED that the workplan be noted

9. Performance Summary – Quarter 1

The Avon and Somerset Police and crime plan had four priorities and within each of these a number of objectives to deliver in achieving that priority.

- Priority 1 – Protect the most vulnerable from harm
- Priority 2 – Strengthen and improve your local communities
- Priority 3 – Ensure Avon and Somerset Constabulary has the right people, the right capability and the right culture.
- Priority 4 – Work together effectively with other police forces and key partners to provide better services to local people

The performance summary provided data on the following five outcomes:

1. People are safe
 2. Vulnerable people/victims are protected and supported
 3. Offenders are brought to justice
 4. People trust the police
 5. People feel safe
- This performance report seeks to provide a picture of performance against the Police and Crime Plan and will be reported on a quarterly basis. The report examines a wide array of differing measures that have been put into two categories.

Performance measures and a full breakdown of metrics were set out in detail in the report and set out to the panel.

During the discussion the following points and questions were raised:-

- Incidents of theft and burglary were still down.
- ASB, domestic abuse and hate crime had increased in volume. Mental health incidents had also increase. The service was Working with CCG around mental health bed provision.
- Since the lifting of lockdown, demand and crime levels had increased to normal levels, the response time was not as good as in quarter 1.
- Crime figures and categories remained stable. Clarification was requested relating to criteria, correlation to visualise if the trend if it is increasing or reducing in the long term.
- Knife crime and burglary were requested in separate categories along with a comparison between previous years included in future reports.
- In relation to shoplifting offences, PCP asked if any changes had been made to the value threshold for ASC attendance – MOS will check with ASC and update in next PCC's update.
- The panel made a further request for a display of data within a table for Operation Remedy.

RESOLVED that the report be noted

10. Standing Complaints Report

Sally Fox and Steve Crouch introduced and presented the item.

The purpose of the report provided members of Avon and Somerset Police and Crime Panel with oversight of all complaints made against Avon and Somerset Police and Crime Commissioner and Deputy, for scrutiny of the initial handling by the Chief Executive of Avon and Somerset Police and Crime Commissioner's Office.

There had been 8 new complaints since the last Police and Crime Panel with one resulting in a non-recording decision as the complaint did not relate to the actual conduct of the Police and Crime Commissioner ('conduct' including acts, omissions, statements and decisions (whether actual, alleged or inferred)).

4 of the 7 recorded complaints in this period related to the policing response to the Black Lives Matter protest and a perception that the Police and Crime Commissioner had failed to instruct an appropriate police response. Explanatory responses were issued to try and provide reassurance and service recovery where appropriate. There had been 1 complaint against the Deputy Police and Crime Commissioner in

this period.

All complaints to date had Panel oversight, including those solely handled by the PCC's Chief Executive Officer.

All electronic complaint files were available at the PCC's office for viewing by the Panel, if requested. The document retention period was in accordance with the published Record Retention Policy set at eight years.

The new Review process carried a potential risk of increased complaints to the Police and Crime Panel regarding the PCC's handling of these reviews, there was no further right of appeal once the review process is complete. A process had been discussed for management of these and submitted to the complaint's subcommittee for their approval.

The OPCC had received 2 expressions of dissatisfaction in direct relation to the review outcome. Explanatory responses have been provided advising that a complaint is not the appropriate way to challenge a review outcome and directing the complainant to seek independent legal advice.

During the discussion the following points and questions were raised:-

- There were examples of how the OPCC had made a positive change as a result of a review.
- Following new legislation PCC handled appeals and reviews in accordance with this.
- The majority of complaints were usually low-level quality of service complaints, these wouldn't normally result in formal sanction and words of advice given to support individual departmental performance.
- The PCC officer were mindful of how complaints are dealt with and perceived which were culturally important.
- Complaints were assessed by the professional standards department, IOPC investigated matters of misconduct.
- Quality of service matters review responsibility fell to PCC.
- Complaints against PCC, alongside outcomes of complaints against PCC were considered by the panel.

RESOLVED that the panel reviewed complaints report and to advise of any recommendations or requests for informal resolution through the statutory process of escalating complaints against the PCC to the Panel.

11. Enforcement Approaches

The Assistant Chief Inspector presented the Enforcement Approaches over the Covid-19 pandemic, alongside recent instances of illegal raves and the measures used to address these by enforcement measures.

During the discussion the following points and questions were raised:-

- The number of raves and unlicensed music events since lockdown over the summer were set out
- 348 fixed penalty notices had been issued over the original lockdown restriction period.
- 26 fixed penalty notices had been issued under the most recent rule of 6 or self-isolation after travelling abroad restrictions.
- The notices were disproportionate in terms of public opinion and interest generated following media reports. There remained largely small amounts of breaches of restrictions.
- There was a large amount of trust in the local police for enforcing of restrictions where necessary, it was a recognised fine balance working collaboratively with partners. Enforcement was only used where needed and as a last resort.
- The Penal thanked Nikki Watson. The Chief Constable was booked to attend the meeting on 21st February 2021.

RESOLVED that the Panel noted the Enforcement Approach update.

12. Host Authority Arrangements 2021/2025

The item was Introduced and presented by Scott Wooldridge

The initial set up arrangements for the Avon and Somerset Police and Crime Panel were overseen by a Joint Selection Committee of all Avon and Somerset Council Leaders (LJSC). Following various discussions between the component authorities leading up to the Panel's establishment, the LJSC confirmed Bristol City Council as the Host Authority in April 2012. This arrangement included the provision of administrative and other specialist support to the Panel, and the related Home Office funding was drawn down and administered by Bristol City Council during this period. From the outset there was general agreement between the authorities that the direct costs of the Panel would be contained within the Home Office funding allocation (initially £53,000).

However, if at any time Panel costs exceeded the funding available, it was also agreed that the shortfall would be met by the 9 councils through an indemnity arrangement. This was subsequently incorporated in the Panel Arrangements document and agreed by the Panel on 31st October 2012. From 2017 till present, Somerset County Council has been providing the Host Authority services, support to the Panel and a coordination role with the OPCC. Host Authority services include:

- Governance advice
- Policy development
- Complaints coordination
- Meetings and administrative support
- Monitoring Officer support
- Human Resources support (if necessary)
- Legal Services support (if necessary)
- Financial support for Home Office grant administration

During the discussion the following points and questions were raised:-

- It was questioned if hosting could be migrating to another authority? It had been determined that all other partners were happy with the existing host authority arrangements from 2021-25. No other authority was bidding to host this, and it was determined no drive to change the arrangements.
- Further working with the media was encouraged, to emphasise a more positive story around police and health professionals. The panel requested for a Discussion with the media to be undertaken to hold a greater input over the work of the force.
- A reference was made to Trevor Mealham document previously circulated around the Lloyds victims group. As these documents hadn't been circulated with sufficient notice of the meeting the Chair committee to have discussion around this outside of the meeting.
- A reminder was given in relation to the budget training session on Thursday

RESOLVED that that the Panel noted the need for Host Authority arrangements for 2021-2025 to be agreed and in place by April 2021 and requests that the Monitoring Officer to the Panel reports back in due course.

13. Date of Next Meeting

The next meeting was scheduled for 8th December 2020.

(The meeting ended at 13.41)

Chair