



# Avon and Somerset Police and Crime Panel

Hosted by Somerset County Council Democratic Services



# Annual Report

April 2020–  
March 2021

*Providing effective Scrutiny and Support to the  
Avon and Somerset Police and Crime Commissioner*



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## Members of the Panel

There are 9 Local Authorities in the Avon and Somerset Force area, each of which must be represented on the Panel by an elected member. It is the responsibility of each authority to ensure that the member appointed has the appropriate skills, knowledge and experience for their role on the Panel. The overall composition of all Police and Crime Panels should form a "balanced appointment" objective which takes account of, as far as is practical, both political and geographical proportionality. Reaching the balanced appointment objective is a collective responsibility of the component authorities and the Panel itself.

Somerset County Council and the Somerset District Councils each have 1 seat. The former Avon Unitary Councils (Bristol, North Somerset, South Gloucestershire and Bath and North East Somerset) were allocated 2 seats. Bristol was allocated an additional third seat based on the city's population size and comparatively high crime levels.

They are joined by three Independent Co-opted Members, recruited through a competitive selection process, who have the same voting rights as the Local Authority Panel Members. In total there were 17 Panel Members in 2020/21:-

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

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## Chair's Introduction

I am pleased to introduce the Avon and Somerset Police and Crime Panel Report for 2020/21 and reflect on the Panel's challenges and achievements over the last year. Policing has undergone much change in recent years and a recent review conducted by the Home Secretary suggests there is more change to come as the powers and responsibilities of Police and Crime Commissioners expand at pace.



COVID-19 is the biggest challenge this country has faced in decades and the Government sent a very clear message to stop the rapid transmission of the virus. Over the last year, it has been incumbent upon all of us to do the right thing, protect the most vulnerable people in our communities and lessen the impact of this crisis on our frontline NHS colleagues. Governance and support and scrutiny of the Police and Crime Commissioner has continued and virtual meetings of the Panel were held which were accessible to the public. The Panel has been kept routinely informed of the PCC's efforts to keep our communities safe and support NHS colleagues in the fight against the pandemic.

Breaches of the Covid Regulations affect our communities on their doorstep and how they are enforced can affect public confidence. The Police have been able to deal with the vast majority of breaches proportionately by providing advice and guidance. However, the last minute nature of mass gatherings with multiple groups of protesters has made operational Policing and maintaining the safety of the public a real challenge.

The Panel needed assurance that the Commissioner was retaining appropriate oversight of the Constabulary and she responded to the Panel's request for briefings on the allocation of resources, the procedures in place for emergencies and the measures in place to serve as deterrents for unlicensed music events. We were further reassured by the subsequent launch of a dedicated and rapid response team to prevent and disrupt large gatherings which successfully disrupted several events across the force area every weekend during its operation.

Bristol has a history of peaceful protests and constructive dissent and the strength of feeling around the Police Crime Sentencing and Courts was evident in the city on 21<sup>st</sup> March 2021. However, violence of any description has no place in today's society and opposition to the Bill should not be used as an opportunity to disrupt public order.

A comprehensive post incident investigation, involving the review of CCTV, body worn cameras and mobile phone video has resulted in 58 people so far charged with offences related to the disorder. This clearly underlines the resolve of the Constabulary to keep our streets safe and leave no stone unturned in bringing offenders to justice. The Panel would also like to recognise the courage shown by all officers faced with such serious and violent disorder, the crucial role of neighbourhood officer in engaging and reassuring communities and quickly restoring normality, as well as the Constabulary's resolve to learn the lessons from the event.

One of the Panel's core duties is to annually scrutinise the Commissioner's proposed Council Tax precept - the money collected from council tax specifically for Policing. As representatives of the tax payers of Avon and Somerset, the Panel's focus must be value for money to deliver outstanding performance whilst recognizing the continuing financial pressures faced by our residents following years of austerity and the significant impact of the pandemic.

The financial constraints in recent years have acted as a catalyst for a fundamental re-think of how public services can be provided and it has been necessary for all public organisations to make changes. Over time, there has also been a substantial impact on households and the cumulative impact of financial constraints has seen residents in our communities making similar adjustments. The pandemic served to emphasise the predicament of many households, affecting not just spending habits but the ability of some households to meet basic needs.

Having approved all Precept rises in previous years, this year presented the Panel with an exceptional set of circumstances. We were required to balance the impact of an increased council tax burden on households, against the Constabulary's desire to invest and and become an outstanding force. The Commissioner's proposal was to increase the precept by the maximum amount possible and the overwhelming majority view of the Panel was that the proposal could not be supported at this very challenging time. The Panel voted against the maximum increase but recommended a comparatively lower Precept.

The Panel was reassured by the Commissioner that she values and acknowledges the Panel's democratic role in the Precept process. We were encouraged by her balanced response that met our concerns but also sought to protect the vital investments in local Policing at a time of great uncertainty. The Panel voted in favour of the Commissioners revised proposal for an average increase of £13.39 per annum per band D property.

There has to be constructive tension between the Commissioner and an appropriate level of challenge and support. The Precept process this year was a good example of this. The Panel continues to recognise the outstanding work that Police Officers, Special Constables and support staff carry out every day to support communities and would like to take the opportunity to formally record our thanks to all those that strive to make our communities safer.

Richard Brown

A handwritten signature in black ink that reads "Richard Brown". The signature is written in a cursive style and is underlined with a single horizontal line.

Chair

## Roles and Responsibilities

In each Police force area, there is an elected Police and Crime Commissioner. The role of the Commissioner is to be the voice of the public and to hold the Chief Constable to

account. The Commissioner is responsible for setting the strategic objectives of the Police force and deciding how funding for local policing and crime reduction activity is allocated. The term of office for Independent Commissioner Sue Mountstevens was extended in 2020 for a further year due to the pandemic and she stood down on 13<sup>th</sup> May 2021.

The purpose of the Police and Crime Panel is to support and challenge the Commissioner's work and the decisions he/she takes. The Panel is made up of Councillors from the 9 Local Authorities in the force area and 3 Independent Panel Members who bring a variety of skills and experience to the role. Somerset County Council currently acts as the Host Authority for the Panel and is responsible for its administrative and officer support arrangements.

The Commissioner's plans and objectives are set out in a document called the Police and Crime Plan. This is the most important document any Police and Crime Commissioner will produce during their term of office. The Commissioner is required by law to consult the Panel on the plan and other duties connected to her role. A summary of the Panel's core responsibilities is set out below :-

- **Review the objectives set out in the Commissioner's Police and Crime Plan**
- **Scrutinise and vote on the Commissioner's proposed Council Tax Precept**
- **Hold a Confirmatory Hearing for the Commissioner's proposed appointment of a Chief Constable and other senior officers. The Panel has the ability to veto the Chief Constable appointment if this is considered necessary**
- **Consider and resolve complaints in relation to the Commissioner's conduct**

The Panel's primary function is to hold the Commissioner to account but it is important to remember that the Panel does not hold the Chief Constable to account. If the Panel has a particular issue of concern, for example an increase in violent crime, the Panel's role is to establish how the Commissioner is addressing this at a strategic level for the benefit of the public. In turn, the Chief Constable has responsibility for implementation of the Police and Crime Plan and day to day operational matters in our communities. He is accountable to the Commissioner.

In carrying out the above duties, it is essential for the Panel to stay well informed on policy and issues affecting Policing and the Panel has dedicated officer support and appropriate developmental training to assist with this.

## Key Activities

In order for the Panel to carry out its role, there must be some consideration of operational outcomes and performance. This will help establish whether resources have



been allocated appropriately which is critical when it comes to looking at the following year's budget and Precept proposal.

### **Operation Remedy**

Operation Remedy was set up to proactively tackle residential burglary, county lines, knife crime, and to underpin the vital recruitment of 100 new officers as an extra resource to tackle this type of criminality. Investment in the operation was the basis for the Precept proposal and over the last 2 years the Panel has monitored outcomes and tangible improvements in order to justify the increase to residents.

Additional officers and a strategy built around prevention, protection, and pursuing offenders brought about a significant improvement in burglary outcomes in the first month (from 6% to 13.9%). This was not sustainable unfortunately and in 2020, the relative growth in positive outcomes for Burglary put the Constabulary in 16th place nationally. The Panel has shared its concern in relation to the investigation and detection of Burglary offences at various stages in recent years, expressing concern that low detection rates will impact on public confidence and act as a deterrent to reporting. We welcome assurances that improving performance in relation to Burglary is a key focus but clearly there is significant work to do.

The positive outcome rate for drug trafficking/county lines has seen a reduction and outcomes for knife crime have improved.

We felt performance reports could be more meaningful and asked for the publication of force level data and the positive outcome rate for the top ten forces upon which comparisons might be made. Given the significant increase in funding from the Government and Precept increases, the transparent publication of force level data is a clear way in which the promised step change from Operation Remedy can be tracked against public expectations.

### **Recruitment**

The Panel continues to retain oversight of officer and PCSO numbers by way of a timeline report to each Panel meeting on recruitment progress and levels achieved. Last year, the Government's commitment to increase Police officer numbers was welcomed and it is accepted that the process will take time to fully deliver. Notwithstanding, officer recruitment is healthy, ongoing and increasing the establishment despite the COVID 19 position. The reduced precept will not affect the recruitment process, which remains on track.

However, the funding of this Constabulary remains adrift of national averages because of the uneven treatment of some Police forces by the Government's funding formula - a situation that requires national support to resolve and one which we recognise the Commissioner has sought to address throughout her term of office.

The Panel will continue to support efforts to achieve better funding support from the Government in order to maintain a strong and responsive Policing presence in our communities.

### **Confirmatory Hearings**

The appointment of senior staff in the Commissioner's Office requires the endorsement of the Panel in the form of a confirmatory hearing.

#### **Deputy Police and Crime Commissioner – John Smith**

The appointment of a Deputy Police and Crime Commissioner is one of significant public interest and organised and fair proceedings are key to the ability of the Panel to uphold its confirmatory duties. This appointment was not an easy journey, however the Commissioner reflected on her desire to appoint directly to the role and took on the Panels recommendations of best practice and held a transparent and open recruitment process in line with the recommendations of the Parliamentary Committee on Standards in Public Life. The Panel also welcomed the opportunity to observe the selection process.

Given this was the first time a Deputy Police and Crime Commissioner had been appointed, it was imperative that members ensured that the business case for the position had been made out and the requisite key lines of enquiry were pursued at the hearing. The appointment of John Smith was duly confirmed on 23<sup>rd</sup> April 2020, providing the PCC with the requisite support to deal with the emerging Covid 19 pandemic and doubling the capacity to carry out community and policy based direct engagement.

#### **Interim CEO – Sally Fox**

The Panel conducted a Confirmatory Hearing for Sally Fox on 31st March 2021 following notification that she was the Commissioner's preferred candidate for the position of Interim Chief Executive Officer.

Given the proximity of the next PCC elections, the Panel understood the rationale for advertising the position on a six month interim basis. We welcomed the opportunity for a Panel Member to take part in the selection process. At the subsequent Confirmatory Hearing, the Panel was unanimous in endorsing the selection panel's decision and

concluding Sally Fox met the required professional competence to deliver the role and the personal independence that is necessary to exercise the role.

## Complaints

The Panel is required to resolve complaints from the public that relate to the Commissioner's personal conduct. An individual Panel Member leads and maintains an overview on complaints to the Panel with advice, guidance and support provided by the Lead Officer. This provides a filter for the less serious complaints and ensures that meetings of the complaints sub-committee are only held when necessary. The complaints handling process and background information the Panel requires from the Office of the Police and Crime Commissioner has been aligned for this purpose

The reform of the Police Complaints system has resulted in the Commissioner having an explicit statutory duty to hold the Chief Constable to account for the performance of the complaints system locally. She has been required to take on responsibility for handling appeals by members of the public which were previously dealt with by the Chief Constable. These are called complaint reviews.

Assurances have been provided by the Home Office that there is no policy intent for Panels to take on any additional responsibilities, either as a further appellate body for the public, or to hold the Commissioner to account on any wider issues than currently fall within a Panel's remit. However, the reform introduces a duty for the Panel to retain oversight of how the Commissioner is delivering this function. Given the enhanced role of the Commissioner, the Panel will inevitably see a rise in the number of complaints it receives against the Commissioner. For example, from individuals who are not content with the outcome of their review through a genuine belief that it has been dealt with improperly. As a Panel, we are required to decide which complaints we accept as legitimate complaints about the Commissioner's conduct, rather than dissatisfaction with the decision reached on their review.

## Strategic Priority Briefings

These meetings which operate outside of the core meeting cycle are intended to be an informal opportunity for Members to carry out proactive scrutiny work, and bring greater depth and insight to inform the broader role as Panel Members. By structuring the roles under the following four Police and Crime Plan priorities, it enables members to draw on their knowledge, expertise and interests and contribute to and influence the work of

the PCC in key areas of business. It also provides opportunity for sharing performance and assurance information in the form of assurance reports commissioned by the PCC from the Constabulary.

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



## SP1 Protecting the most vulnerable from harm

### Mental Health

#### Cllr Heather Shearer and Cllr Roz Willis

In 2017, partner agencies in Avon and Somerset joined forces to ensure that those with mental health problems get the care they need. The Control Room Triage service was launched, bringing together local police forces, fire brigades and the local NHS. It places experienced mental health professionals in the Force Communications Centre and Bridgewater Custody Suite to offer real time advice and guidance to support Police and Fire Service officers who respond to incidents relating to mental ill-health.

The Panel welcomed involvement in this and Councillor Willis took part in visits to ascertain the progress of the initiative and to identify the challenges and successes of the service and its impact on the Constabulary. The Strategic Priority Briefing mechanism has provided further opportunity for Councillor Shearer and Councillor Willis to take another look at progress and developments in this work area and this included a visit to the Lighthouse Safeguarding Unit (LSU) at Bridgwater. The main issues covered in their resulting report are:

1. The status of the Mental Health Control Room Triage for Police officers attending.
2. The work to reduce the backlog of cases at the LSU with a focus on the multi-agency

team including domestic abuse that meets daily to assess and allocate the cases.

3. The review into the handling of Rape and Serious Sexual Offences (RASSO) cases.

The follow up action for the Panel next year is the scrutiny of the LSU performance statistics and visits to other safeguarding units to see how others are managing these issues (when visits are allowed). The Panel would like to review the support in place for Police Officers dealing with mental health-related issues both from the call centre Triage operation and in their general duties, and to understand how mental health support is provided at the custody suites.

The Panel would like to understand when the research into the Control Room Mental Health Triage will be available for consideration and in the same context, how the Mental Health Coordinator will help address the lack of mental health referral pathways experienced at LSUs. The Panel's full report can be found here :-

[Cllr Shearer SP1 MH report June 2020](#)

Due to the pandemic, the Panel's briefings have been held in abeyance over the last year but we have remained sighted on performance through the following assurance reports and presentations at our meetings:-

- Mental Health
- Domestic Abuse
- Equality and Disproportionality
- Safeguarding/Adults at risk

Over all the Panel found the audit reports to be refreshingly honest and were impressed with the answers given by all of the force leads, and actions planned to improve in every area.

## Reflections of Panel Members

### **Cllr Martin Wale (South Somerset)**

I'm Councillor Martin Wale, a former Police officer with a background in Police misconduct cases. I lead on complaints against the Commissioner. It's very important for the Panel to make the distinction between a legitimate complaint (one which directly relates to the PCC's conduct) and an expression of discontent with a decision that she has taken. Sometimes this can be difficult for a complainant to understand and accept. Complaints can be time-consuming and complex and as a Panel we have been required to make full use of our powers in order to resolve the complaints that have been brought to our attention. The PCC's responsibilities in the Police complaints

regime are set to increase further in the future and this will inevitably impact on the Panel and our complaints handling function.



**Cllrs Alastair Singelton and Andy Wait (Bath and North East Somerset)**

The first two years on the Police and Crime Panel have been an odd mix of interesting, challenging and also frustrating.

Covid, of course, has disrupted the last year – both from the perspective of putting the Constabulary under particular pressure, but also as we have struggled to make technology work for us. The ability to have remote meetings has been a boon in terms of efficient use of time, but the IT challenge in getting representatives of nine different Local Authorities, Independent Members, the OPCC, the Police and guests to communicate effectively through a single platform has been real. There is a lesson to be learned for the future for local government around standardising IT systems and platforms.

The Panel is a strange, hybrid beast, and as we meet rarely and come from different geographic regions with very different issues, it can feel less united and collegiate than other scrutiny panels one may serve on. Some members appear to take its role seriously, others may see it as a platform for self-promotion, and one or two rarely attend.

The frustration can arise because our role is to hold the PCC to account, and not the Police themselves. Senior Police officers are generous with their time and their briefings, but to delve too deep or to question too acutely has all too often been met by a block from the OPCC that the Panel is straying into operational matters, and that these are of no legitimate business of ours.

The Panel’s powers, indeed, are woefully dilute. We comment on the PCC’s Police and Crime Plan, and confirm senior appointments, but our only real teeth are a power to veto the appointment of a new Chief Constable and a solitary veto on the PCC’s proposed annual Precept. In 2021, we felt the initial proposal was too high and vetoed. It was then open to the PCC, in theory at least, to return with a derisively modest reduction. In such a case the Panel is powerless to do anything but meekly nod it through.

There is a critical lesson looking back. Successfully balancing the three-legged stool of the Constabulary, the PCC and the Panel depends on trust and mutual respect. With a newly-elected PCC, who understands the Panel from past membership, and a new Chief Constable due to be recruited later in the year, there is a very welcome opportunity to re-set that balance and create a positive path for the future. We very much look forward to it, and to playing a very full part in its success.

**Cllr Franklin Owusu-Antwi (South Gloucestershire)**



The Commissioner's role is challenging and spans across a spectrum of community issues—from being the voice of the people and holding the police to account among others. There is always a need to have a "check and balance" in place when dealing with such challenges within our diverse society. And this is exactly what the Panel has done during the most challenging reporting year in our generation and will continue to do so in the years ahead. Holding the Commissioner to account requires a variety of expertise and this is what Panel members bring. As an Elected Councillor and Veteran of the British Armed Forces with vast experience from the Defence, Industry and Voluntary sector, I have been fortunate to be involved in helping to cut crime and in delivering an effective and efficient police service within the Avon and Somerset Police area through my role as a Panel Member.



**Cllr Heather Shearer (Mendip)**

I was appointed to the Police and Crime Panel by Mendip District Council and was chosen because I have responsibility for Community Health Services. Being on the Panel has been a great way to understand more about the challenges facing the Police and our communities and how they can work together to improve lives and keep people safe. The Panel role is to support and scrutinise the work of the PCC and to me that means ensuring the voice of public is heard and understood and that their interests are kept front and centre. This is especially important for those who are most vulnerable and whose voice is often lost. When Panel members work together, using their varied skills and experiences, we can bring a lot of focus on to those issues and help to make real changes.

## Challenges ahead and looking to the future

**Work Programme**

As the Commissioner's primary "checks and balance" in between elections, the Panel is aware of its important role in challenging and supporting the Commissioner on your behalf. Our shared objective for the future is to influence and impact positively on the decisions that matter. There are still improvements to make in the area of proactive scrutiny, but we have worked constructively with the Commissioner in recent years and supported her in the implementation of strategic priorities.

The Panel has a work programme that is reviewed every 4-6 weeks as part of the agenda planning process with the Commissioner. As would be expected the programme covers the statutory responsibilities of the Panel, alongside other key issues which the Panel wish to scrutinise. The Chief Constable also attends Panel at least once each year to provide an update on key issues

This coming year we hope to take a detailed look at:-

- Mental Health (referenced earlier in the report)
- Serious Violence – this will refresh the detailed work the Panel carried out as part of a dedicated Development Day in January 2019. It will be considered in the context of the Police and Crime Plan, Violence Reduction Units and Rape and Serious Sexual Offences (RASSO) Action Plan
- Integrated Offender Management (IOM). This is where public agencies come together to identify the most persistent and problematic offenders and respond to the threats posed to local communities. After deciding the current practice has lost its way, HMICFRS has tasked PCCs with ensuring relevant partners and services are actively involved in the delivery of IOM. The Panel has been provided with the outcome document of a review funded by the Commissioner and there are plans to design a new way of IOM delivery for Avon and Somerset. We would like to dedicate a stand alone meeting to this topic next year and report back.
- Review the PCC's Annual Report
- Hold Confirmation Hearings for the appointment of a Deputy PCC, a new Chief Constable, Chief Executive Officer and Chief Financial Officer.
- Work with the Office of the Police and Crime Commissioner (OPCC) to receive meaningful performance reports and data
- Support and scrutinise the PCC for the delivery of precept commitments
- Undertake proactive scrutiny where there is value in doing so
- Ensure that the Police and Crime Commissioner and Chief Constable recruit, retain and progress a workforce which reflects the communities it serves

### **Home Secretary Review**

The Home Secretary is part way through a review of Police and Crime Commissioners, looking specifically at raising standards and improving accountability to ensure all members of the public are getting a good service. The second part of the review is scheduled to take place after the PCC elections in May 2021 and will focus on longer-term reform. It will assess what extra powers PCCs need to better tackle crime in their areas and how to increase the number of mayors with responsibility for Policing. This review is likely to shape Police governance over the next ten years.



The Home Office has committed to working with the LGA to develop a good governance training package for Police and Crime Panels and this is welcomed. However without increased funding, the ability of Panels to keep pace with PCC functions and responsibilities and carry out the appropriate scrutiny will continue to be a challenge.

### **Fire Governance**

Some PCCs have taken on the governance of their local Fire and Rescue Service and this has resulted in the Panels in those areas becoming Police Fire and Crime Panels.

There are two routes for a PCC to have a direct role in the governance of fire and rescue services – either by taking on one of two governance models or by taking a voting seat on the existing fire authorities. Avon Fire Authority and Devon and Somerset Fire Authority are the two services that fall within the Avon and Somerset PCC area. However Devon and Somerset Fire Authority also covers an area that falls under the jurisdiction of another PCC. Essentially, this means that the service boundaries are not coterminous with the Avon and Somerset force area and this would need to be resolved before the PCC could make a business case for taking over the governance of the FA.

The Home Secretary's review is looking to consult on making the transfer of fire and rescue functions to the "Police, Fire and Crime Commissioner model" obligatory where boundaries are coterminous, unless there is an option to transfer fire governance directly to an elected Mayor. The review will also seek to address the specific coterminosity challenges in the South West referred to above.