

Avon and Somerset Police and Crime Panel

24th June 2021

Title: Work Programme Report

1. Purpose of Report

The Panel is invited to consider and approve the draft Work Programme for 2021/2022.

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 his 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. Members are reminded that the Annual Report presented at today's meeting is the concluding report of the former PCC.
- **consideration of the Commissioner's Precept proposal** – 3rd February 2022. 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 the proposal - 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 **25th November 2021 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 welcomes a new Police and Crime Needs Assessment which along with the Commissioner's manifesto will be used as a solid evidence base to develop a new plan to cover the period 2021/23. The purpose is to provide a picture of the most significant issues, risks and threats shared by partner agencies and stakeholders across Avon and Somerset. Sight of an early draft of the new plan will assist the Panel in its review.

The Commissioner has also formed a plan Programme Board to assist with its development and the first meeting will be held later today. The Panel appreciates the offer of a place on the board.

Also to 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 his 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 Panel has requested the OPCC to keep the Panel sighted across the year on key decisions and 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.

- **Arrangements for dealing with complaints against the Commissioner**

The Panel is required to consider and 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 and the delegation remains in place. 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 authority to consider individual complaints when they are escalated.

An individual Panel Lead Member also leads and maintain an overview on complaints that are escalated 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 sub-committee are only held when necessary. The complaints handling process and information supplied by the OPCC has been aligned for this purpose.

- **Other Panel responsibilities** relate to senior appointments (confirmation hearings) These responsibilities are usually ad-hoc in nature, occur as circumstances dictate and may necessitate the calling of "extraordinary" meetings of the Panel. However this year is exceptional and the following senior appointments will require endorsement from the Panel:-

Temporary Chief Constable
Deputy Police and Crime Commissioner
Chief Executive Officer
Chief Financial Officer
Chief Constable

3. Lead Member and other roles

The Panel has previously 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 enabling Link Members to report back to the full Panel Membership on activities and key issues in their area of business. It has also provided opportunity for sharing performance and assurance information.

This year the Strategic Priority Briefing mechanism will cease by consent but sharing of assurance reports will continue.

Members who have sufficient time and experience to contribute and report back to the main Panel are still required for the following areas of business:-

- Police and Crime Plan Programme Board set up by the Commissioner with the Constabulary and stakeholders to develop the plan. In addition to Julie Knight, a further volunteer is requested to ensure this work area is adequately covered.

- Complaints Sub-Committee – 3 Panel Members are required in accordance with the Terms of Reference. In addition, Gary Davies will take the lead member role for complaint son the basis of his skills and experience in this area.
- Joint Audit Committee – a volunteer is requested to observe two/three meetings a year. These meetings take place at Police Headquarters.
- The Commissioner is engaging a consultant to run the process of appointing a substantive Chief Executive Officer and has extended an invitation to the Panel to observe the process. Two volunteers preferably with recruitment experience are required.

4. In-depth Scrutiny Topics

In 2019, 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. There was no dedicated topic in 2020 during the pandemic.

In the absence of the Strategic Priority Briefings mechanism, it is proposed that the Panel considers the following 2 scrutiny topics in depth across the year as a whole Panel function.

- Integrated Offender Management
- Serious Violence (to include Violence Reduction Units, Rape and Serious Sexual Assaults and as a refresh to the Panel’s scrutiny of this topic in 2019)

The Panel is invited to consider and agree these topics.

5. Chief Constable Presentation

The Chief Constable has operational independence and reports to the Panel once a year. In previous years, this has taken place in December when the Panel considers the draft budget or alternatively in February when the Panel considers the Precept proposal. The year’s presentation is scheduled for 3rd February 2022.

The Home Office protocol states 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’

6. Training for new Members

It is proposed that a training session for new members takes place as soon as this can be arranged. In the meantime, the Lead Officer has provided an induction session to new members in advance of the AGM.

7. Work Programme 2018/19

Based on the above, a draft work programme has been drawn up which is attached at Appendix A to this report. This is a fluid document based on work planning meetings which took place with the OPCC following the PCC election.

Meetings will take place on the following dates and members have been sent corresponding meeting invitations:-

22nd September

25th November (Private meeting)

9th December

3rd February

18th February (Reserve Precept meeting date)

17th March

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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