

Avon and Somerset Police and Crime Panel

27th June 2023

Title: Work Programme Report

1. Purpose of Report

The Panel is invited to:-

- Discuss and agree a Work Programme for 2023/24 (attached as Appendix 1 to this report), including a mechanism for a Public Confidence Sub-Committee and Budget Task Group
- Agree the membership for the Complaints Sub-Committee, Budget Task Group and Public Confidence Sub-Committee
- Approve the Panel meeting dates set out in the Work Programme

2. Summary

The Work Programme is expected to take into account:-

- a) the Panel's statutory functions and responsibilities
- b) the Commissioner's priorities as defined in his Police and Crime Plan
- c) 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.

3. Panel Core duties

- **Consideration of the Commissioner's Annual Report** - as soon as practicable following the conclusion of the relevant financial year that it covers – 27th June 2023.
- **Consideration of the Commissioner's Precept proposal** – 1st February 2024. 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, the 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 at stages before the formal scrutiny meeting and provide transparent reasoning for the proposal, minimising the risk that a veto will be used.

- **Consideration of the Police and Crime Plan 21/25** – the Commissioner submitted a draft plan for the Panel's review, and this was finalised on 9th December 2021. The Commissioner is required to submit any variations he wishes to make to the plan.

- **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 on or hold a pre-decision scrutiny review.

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

The Panel is required to consider and resolve complaints that relate to 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 OPCC initial attempt at resolution. There is day to day communication between the Panel's Lead Officer and the OPCC, 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 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 absolutely necessary. The complaints handling process and information supplied by the OPCC has been aligned for this purpose. Gary Davies will continue to undertake the lead member role for complaints on the basis of his skills and experience in this area.

Three volunteers are requested for the Complaints Sub-Committee to support the Lead Member when necessary.

- **Confirmatory Hearings** - these responsibilities are ad-hoc in nature, occur as circumstances dictate and may necessitate an extraordinary meeting of the Panel.

4. Proactive Scrutiny

This work has taken place in a variety of ways since 2012. It can take place outside of the core meeting cycle by an individual member or as a whole Panel function by dedicating a meeting to a particular topic. Proactive scrutiny provides opportunity for greater insight and can inform the broader role of a Panel Member. It can also enable members to draw on their knowledge and expertise and contribute to the work of the Commissioner in key areas of business.

Sub-Committees and Task Groups

The Panel's Rules of Procedures provide for the formation of a sub-Committee or Task Group. The primary difference is that one may take delegated decisions on behalf of the wider Panel, for example the Complaints Sub-Committee, whereas the role of a task group is to undertake time-limited investigations into particular issues. They are informal working groups and must report back upon the completion of their work with a report and recommendations to the wider Panel.

In 2023/24, it is proposed that the Panels forms the following:-

Budget Task Group

In addition to its Precept responsibilities, the Panel has oversight of the overall draft Policing budget and its proposed allocation. Following the Precept meeting on 1st February 2023, the Panel made the following recommendation:

Transparency is a key factor in the Panel's ability to hold you to account and to make an assessment of the effectiveness of your Budget and Forward Plan in the longer term. The development of a regular mechanism is requested to enable the Panel to make an assessment throughout the year of the effectiveness of the investment/budget by means of the opportunity to review quarterly budget outturn reports.

To ensure that the Panel makes a tangible and practical contribution to the budget and precept-setting process, it is proposed that the Panel forms a Budget Task Group that meets on 3 occasions before the Precept meeting on 1st February 2024. The Budget Task Group will review the budget outturn reports across the year and make a recommendation to the wider Panel in advance of the Panel's Precept decision.

If agreed, the Budget Task Group will consist of the Chair, Councillor Hucker and Councillor Wait. A further volunteer is requested.

The Panel is invited to discuss their expectations and the OPCC is invited to assist the Panel with a suitable mechanism for receipt of relevant information.

Public Confidence Sub-Committee

Recent high profile cases affecting policing are an important contextual factor in declining public confidence, but do not provide an explanation for what can be viewed as a long-term decline. It is the Panel's view that the erosion in neighbourhood policing and the ability of the Police to deliver core services due to demand and financial constraints, are contributory factors.

Following discussion at various stages across the year and following the recent inspection of Avon and Somerset by His Majesty's Inspectorate of Constabularies, the Panel and the Commissioner are in agreement that public confidence is a key concern and poses a serious challenge for him in holding the Constabulary to account. In his annual inspection report, Andy Cooke HM Inspector of Constabularies, has called for major reform of policing and talks about "Public trust hanging by a thread".

The Panel welcomes the assurances provided by the OPCC and his Chief of Staff in respect of the strategy that is being developed to hold the Constabulary to account at key stages. The Panel also welcomes the appointment of an OPCC Communications and Engagement Officer and the Constabulary's appointment of a Director of Strategic Communications. The Panel looks forward to receiving further information around the strategy and purpose of the 2 appointments.

It is proposed that the Panel forms a Public Confidence Sub-Committee to enable the Panel to support and challenge the Commissioner as he works with the Constabulary to tackle the areas highlighted for improvement in the report.

If agreed, the Public Confidence Sub-Committee will consist of Julie Knight and Gary Davies. Two more volunteers from the Panel are requested.

The Panel is invited to discuss its expectations.

Prevention

In the Police and Crime Plan, the Commissioner states "My vision is to lead Avon and Somerset Police to reassure our communities by building a culture that puts the emphasis of policing back on the prevention of crime." The Chief Constable states "The prevention of crime is at the core of this plan, and we're committed to pursuing those who commit the most crime, present the most significant harm and are the most corrosive to our communities".

The Panel recognises that prevention and problem solving are the responsibility of a number of partner agencies and looks for assurance that partnership working is working as well as it can, as this can significantly reduce demands for service, increase trust and confidence and improve public safety.

In the context of the Neighbourhood Policing Teams, the Panel aims to get an understanding of their core duties and whether the reassignment of neighbourhood officers to manage demands for service has now ceased – as was anticipated last year.

For the September meeting, the Panel requests an assurance report on crime prevention detailing the strategies and measures in place in support of this priority and progress achieved since the implementation of the plan in 2021.

5. Chief Constable Presentation

The Chief Constable has operational independence and routinely 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 1st February 2024.

The Panel should note however that 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. Work Programme 2023/24

Based on the above, a draft work programme has been drawn up which is attached at Appendix 1 to this report.

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 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. A work planning meeting will take place with the Commissioner and his staff on 18th July 2023 for the purposes of finalising the work programme.

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Avon and Somerset Police and Crime Panel

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Date PCP Meeting	Business (does not include standing items, see end of document)	Notes
<p><u>Annual General Meeting</u></p> <p>27th June Deane House</p>	<p>PCC Annual Report Host Authority/Membership Report Work Programme Report – for Panel discussion/approval</p>	
<p>28th September Deane House</p>	<p>Crime Prevention Assurance Report</p>	
<p>22nd November at 12.30pm (Private briefing Police Headquarters)</p>	<p>Consultation on the Budget led by the OPCC Chief Finance Officer Paul Butler in the form of a presentation followed by member questions.</p>	<p>The Budget briefing must be attended by all Panel Members. It provides opportunity for the Panel to consider the OPCC's planning assumptions and forecasts ahead of the draft Medium-Term Financial Plan which will be presented to the Panel on 8th December. Final report/Precept Proposal 1st February.</p>

8 th December Deane House	Scrutiny of the Budget/Draft Medium Term Financial Plan	
1 st February Deane House	Formal Review of the Budget and Precept Proposal Chief Constable Presentation	
15 th February (back-up Precept date) Deane House		If there is a veto, the Commissioner must respond to the Panel and publish his response, including the revised precept, by 15th February. The Panel must review the revised precept and make a second report to the Commissioner by 22nd February
20 th March Deane House	Estates Strategy	

Standing reports to each meeting:-

- Commissioner's Update Report – report on PCC activities/key decisions. Standing updates on Fire Governance, Estates, and Recruitment/Retention including Staff wellbeing.
- Work Programme – fluid and presented for noting or approval following amendment
- Performance Monitoring Reports - the Specified Information Order places a duty on PCCs to publish certain information within specified timeframes, to ensure the public have the information they need to hold their Commissioner to account

at the ballot box. The Home Office has amended the Specified Information Order to require PCCs to provide a narrative on force performance against the Government's crime measures and HMICFRS force performance reports. The Panel has been receiving reports since December 2021.

- Complaints Report – Monitoring arrangements for dealing with complaints against the Commissioner

Reports of the Budget Task Group and Public Confidence Sub-Committee – dates TBC