

**Avon and Somerset Police and Crime Panel**

**Panel Annual Report**

**11<sup>th</sup> June 2014**

1. Attached is a first draft of the Panel's annual report. This is the first annual report the Panel has issues, and covers the eighteen months from its inception to June 2014.
2. **Panel members are requested to suggest any amendments or additions they wish to make.**  
Members particularly wanted the report to be used to make the Panel's role and responsibilities clear to the public , and it would be useful to check that this draft fills the bill in this respect.
3. Members might also clarify whether they would like the report to include photographs of individual Panel members or of the Panel at work, or any personal statements from Panel members.
4. **Format:** It would be possible to commission a corporate design team to design a format for the report. This would need to be paid for from the Panel's budget, but would mean that the report was more likely to catch the public's attention.
5. **Distribution:** It has been suggested that the report should be put up on the websites of the Avon and Somerset Councils, but should also be available in paper copy. The Panel will need to decide how far it wishes to commission printed copy and where this should be distributed.
6. **Publicity:** one aim of the annual report is to inform the public of the Panel's work. This might be achieved by press releasing the report. Members input as to local means of publicising would be useful

<p><b>Avon and Somerset Police and Crime Panel</b></p> <p><b>Annual Report 2012-14</b></p>
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This is the Annual Report of the Avon and Somerset Police and Crime Panel. It's the first annual report, because Police and Crime Panels have existed only since November 2012, and it covers the Panel's first 18 months. We hope it will give you a good idea of who we are, what we do, and how we do it.

If you want to know more, our contact details and web site address are given at the end.

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**What is Avon and Somerset Police and Crime Panel?**

Avon and Somerset Police and Crime Panel came into being in November 2012, at the same time as elections for Police and Crime Commissioners were held across the country. Both were part of the new police governance arrangements whereby Commissioners and Panels replaced the old Police Authority and took over respectively its governance and scrutiny functions under the Police and Social Responsibility Act 2011.

Police and Crime Panels are in effect joint scrutiny bodies of the local authorities in the police force area and are mainly composed of elected members from these authorities. All panels also have the right to co-opt independent members who are not local councillors. The upper membership limit is 20. Councillor membership of a Police and Crime Panel must be geographically and politically proportionate.

## **Panel Membership**

In Avon and Somerset the number of members from each authority and each political party was agreed by council leaders as follows:

- 2 members each from unitary authorities
- 1 member from each of the 2-tier authorities
- The Bristol mayor or his nominated representative
- 3 independent members

Current Panel members are:

North Somerset Council: Cllr. Nigel Ashton, Cllr. Roz Willis  
Somerset County Council: Cllr. Richard Brown  
West Somerset District Council: Cllr. Stuart Dowding  
Mendip District Council: Cllr. John Parham  
Bristol City Council: TBC  
Taunton Deane District Council: Cllr. Jane Warmington  
Sedgemoor District Council: Cllr. John Swayne  
South Somerset District Council: Cllr. Tony Lock  
Bath and North East Somerset Council: Cllr. Lisa Brett, Cllr. Francine Haerberling  
South Gloucestershire Council: Cllr. Mike Drew, Cllr. Heather Goddard  
Independent Members: Rosa Hui, Roger Kinsman, Andy Sharman

The following have also been members:

Cllr. William Wallace (Somerset) to June 2013  
Cllr. Mark Edwards (Taunton Deane)  
Cllr. Justin Howells (S. Glos) to March 2014  
Cllr. Pete Levy (Bristol) to Oct 2013  
Cllr. Jeff Lovell (Bristol) to June 2013  
Cllr. Peter Hammond (Bristol ) June 2013 – Dec 2013  
Brenda Steel (independent member) to Sept. 2013

## **Panel Role and Responsibilities**

The relative roles of the Police and Crime Panel and the Police and Crime Commissioners are as follows:

- The Police Commissioner provides strategic governance to the area police force and holds the Chief Constable to account

- The Police and Crime Panel scrutinises the decisions and policy making and the performance of the Commissioner, on behalf of local authorities in the area and the general public.

The Panel's primary role is to scrutinise the way the Police Commissioner exercises their statutory function of providing strategic direction in local policing.

Police and Crime Panels are often described as acting as a 'critical friend' – a supportive but independent voice seeking to investigate the PCC in the interests of recommending changes and improvements. The purpose of the Panel's recommendations is 'to add tangible value to the delivery of the Commissioner's policies across the force area', as well as to scrutinise her activities.

The Panel can require the Commissioner or her staff to attend Panel meetings. It can invite the Chief Constable or any other witness but can't require them to be there. The Panel should not scrutinise the Chief Constable or operational policing matters, and must maintain an awareness of the boundary between operational and strategic policing issues, which is not always easy.

One of the main challenges for all Panels in the inaugural year was to work out how to provide robust scrutiny whilst staying within its remit and avoiding duplicating research or consultation undertaken by the Commissioner or other scrutiny bodies. For example, in confirmatory hearings for a Chief Constable appointment, the Panel's role is to confirm that the candidate has both the professional competence and the personal independence to fulfil the role, without replicating the original selection process. The Panel has agreed working protocols with the Commissioner and with community safety partnerships via the Avon and Somerset Safer and Stronger Board, to address some of these issues.

### **The Panel's Core Programme**

The Panel has some statutory scrutiny responsibilities which it must deliver and these constitute its core work programme:

- Review annually the Commissioner's proposed council tax precept, with powers to veto once
- Review annually the Commissioner's Police and Crime Plan and her Annual Report
- Scrutinise the Commissioner's proposed appointment of a Chief Constable, with the power to veto once, and scrutinise the appointment of any deputy commissioner and the Commissioner's senior executive staff
- Consider non-criminal complaints against the Commissioner.

- In addition to the above, the Panel can engage on further scrutiny reviews on any topic relevant to its role

The Panel can also make reports and recommendations to the Commissioner over and above its core work programme, on any topic which falls within its remit, and it can carry out investigations as it sees fit into the Commissioner's decisions and delivery of her duties.

Apart from the two instances where the Panel has a veto (the level of the police precept and the appointment of a chief constable) it achieves its impact by influence, by examining reports and draft policy documents, questioning the Commissioner and/or external witnesses, and then making recommendations. These are communicated to the Commissioner in writing and are publicly recorded in the Panel's minutes.

In practice, the Panel has developed a strong working relationship with the Commissioner, a key feature of which is the opportunity to influence policy processes at an early stage, before policy documents are finalised: for example, two or three preparation sessions with the Commissioner's officers are held in the lead up to scrutiny of the Commissioner's police precept and budget, and members discussed an early draft of this year's Police and Crime Plan refresh.

All the above core responsibilities are undertaken by the Panel as a whole, including complaints against the Commissioner, although periodic dip-sampling of complaints is done by a sub-group.

#### **Achievements November 2012 – May 2014**

Avon and Somerset is one of the largest and most diverse police areas, including within its boundaries county, market and seaside towns, rural villages, agricultural and industrial complexes, a large conurbation, inner city neighbourhoods, tourist destinations and sparsely inhabited hill country. It spans 10 councils in total.

For its first year's work programme, the Panel decided to focus on:

##### **1. Delivering its core responsibilities effectively**

This was a difficult year for all Panels. Once up and running in November 2012, they were almost immediately faced with scrutiny of budgets and police precepts, and in Avon and Somerset, with a high-profile confirmatory hearing for an incoming Chief Constable in January 2013, within the budget/precept scrutiny period, and closely followed by Police and Crime Plan scrutiny.

The Panel had been meeting in shadow form since July 2012, and with its full membership including independent co-opted members since October 2012, and had held an induction and training session. However, there had been little time for members to settle into their role before addressing these major

responsibilities, and it is to the Panel's credit that their confirmatory hearing for the new Chief Constable was recognised in the local media and nationally as well-conducted, and that Budget and Police and Crime Plan scrutiny were discharged effectively.

## **2. Developing a productive working relationship with the Police Commissioner and her staff.**

The Panel recognises that its job is to hold the Commissioner to account, but also that scrutiny is most effective in the context of a good working relationship. It aims for a critical but supportive approach. The Panel holds a joint work planning session with the Commissioner at its annual business meeting in June. At this session, formal core reviews and preparation session for those reviews are timetabled in, and the Commissioner has an opportunity to identify any pieces of work where input from the Panel will add value.

The Panel receives a Commissioner's Update at each meeting, and these have been a key tool in enabling members to keep an overview of strategic direction, to monitor performance generally and implementation of the Police and Crime Plan priorities in particular, and to identify issues to question and explore on behalf of the public.

The Panel also receives a six-monthly report from the Chief Constable – this was generously offered by the Chief Constable and the Commissioner, as the Panel does not have the right to request the attendance of the Chief Constable.

## **3. In depth scrutiny of priorities**

For 2012-13, the Panel decided introduce some proactive scrutiny work outside its core programme, by examining areas of particular interest within the Commissioner's priorities. These were chosen from suggestions by Panel members and by the Commissioner. The Panel has addressed these areas by appointing Panel lead members who are involved in work undertaken by the Commissioner, and who report back to the Panel when appropriate – either by providing a companion report to the Commissioner's or in the Members' Reports item which is on all agendas.

Panel leads are as follows:

- Victim Services Commissioning: Cllr. Lisa Brett (Bath and NE Somerset)
- Relationship with the voluntary sector: Cllr. Roz Willis (North Somerset)
- Business crime: Cllr. John Swayne (Sedgemoor)

## Major Reviews

These are listed in the table below.

**Please note:** correspondence between the Panel and the Police Commissioner can be found on the Panel's website <http://www.bristol.gov.uk/page/council-and-democracy/avon-and-somerset-police-and-crime-panel>

This includes formal communication of the Panel's comments and recommendations on the Budget and Police and Crime Plan, and the Commissioner's response about how she has taken account of them.

The Panel also inquired into the following:

- The Commissioner's response to consultation on the privatisation of the Probation Service (6.2.13)
- Budget and running costs of the Commissioner's administrative office (6.2.13)
- The Commissioner's response to the draft Anti-Social Behaviour Bill

Panel Reviews and Outcomes		
Date	Review	Outcomes
27.10.12	Inaugural meeting	The Panel agreed its rules and working arrangements and membership
10.12.12	General business meeting	The Panel agreed its working relations arrangements with the Commissioner, including the complaints protocol
16.01.01	Appointment of Chief Constable Confirmatory hearing	The Panel unanimously endorsed the Commissioner's decision to appoint Nick Gargan as Chief Constable Avon and Somerset Police
06.02.13	Police Precept	The majority decision of the Panel was not to accept the Commissioner's proposal to freeze the Precept for a further year, although the majority was not sufficient to veto
15.03.13	Police and Crime Plan	A range of recommendations were made on the following issues:

		<ul style="list-style-type: none"> <li>• Consultation data</li> <li>• Basic policing data</li> <li>• Issues not considered a priority</li> <li>• Reduction of ASB</li> <li>• Developing good relationship with community leaders</li> <li>• Wording of domestic violence section</li> <li>• IT crime</li> <li>• Street Pastors</li> <li>• Hate crime</li> <li>• Collaborative approaches</li> <li>• Contact information for key PCC and constabulary staff</li> <li>• Reducing reoffending</li> <li>• Visual accessibility of Police and Crime Plan</li> </ul>
05.06.13	Commissioner's Annual report	The report was reviewed and approved, with discussion of the Commissioner's stated priorities
24.10.13	Commissioner's Police and Crime Plan priorities	The Panel monitored progress
	Crime Needs Assessment	
11.12.13	Integrated Victims' Strategy/ victim support services commissioning	The Panel reviewed work so far on the integrated victims' strategy
	Precept and budget preparation	The Commissioner's proposed precept increase was approved in principle
05.02.14	Formal scrutiny of the Commissioner's police precept and budget	The Commissioner's proposed precept increase was formally approved
21.03.14	Refresh of Police and Crime Plan	

## **Complaints against the Commissioner**

The Panel is responsible for handling non-criminal complaints against the Commissioner and criminal complaints and conduct matters that are referred back to the Panel by the Independent Police Complaints Commission (IPCC). Arrangements for the Panel's role in complaints handling are set out in the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 and accompanying Home Office Guidance.

The Panel has agreed to delegate responsibility for initial handling and recording functions to the OPCC Chief Executive and Monitoring Officer. The OPCC Chief Executive maintains records of all complaints which are available for inspection by the Panel. There is also a standing reports on all complaints to each meeting of the Panel. More detailed information on complaints handling can be found in the Panel's Complaints Protocol.

## **Public Involvement in the Police and Crime Panel**

### **Information about the Panel**

Avon and Somerset Police and Crime Panel has a web pages at

<http://www.bristol.gov.uk/page/council-and-democracy/avon-and-somerset-police-and-crime-panel>

Its meeting dates agendas and minutes can be found on Bristol City Council's website, via the Meeting Finder pages. The papers for each meeting include the Panel's work

programme [https://www.bristol.gov.uk/CommitteeMeetingFinder?year=2014&cmcode=OT048&Task=list\\_name#openitem](https://www.bristol.gov.uk/CommitteeMeetingFinder?year=2014&cmcode=OT048&Task=list_name#openitem)

There is also a link on the Panel's website above.

If you want any further information about the Panel or wish to email it for any other reason, you can do so by emailing [pccpanel@bristol.gov.uk](mailto:pccpanel@bristol.gov.uk) or writing to us c/o The Scrutiny Team, Bristol City Council, City Hall, College Green, BRISTOL BS1 5TR.

### **Attending Panel meetings**

All Panel meetings are open the public – dates are on the Bristol City Council Meetings Finder web pages, address above. Meetings generally take place at North Somerset Council Council's offices at Castlewood, Clevedon, but it's advisable to check the venue if you wish to attend.

## **Public Forum**

At each Panel meeting there is a Public Forum slot at the beginning of the agenda. This is for members of the public to make statements to or ask questions of the Panel on any matter which is within the function and responsibilities of the Panel (see section ? above)

Each question or statement is allowed a maximum of 3 minutes – this can be extended or decreased by the Chair depending on the volume of public forum statements, and the whole Public Forum slot cannot take more than 30 minutes.

Public Forum statements must be received by Bristol City Council no later than 12.00 noon on the working day before the Panel's meeting.

Public Forum questions must be received by Bristol City Council no later than 5 clear working days before the meeting, in order to give time for an answer to be formulated. Questions are limited to 2 per person/ organisation.

Responses to questions may be oral or in writing. A questioner will be entitled to ask one supplementary question per question submitted after receiving a response.

Public Forum statements and questions should be marked for the attention of Pat Jones and sent to:

Email: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

Postal: Avon and Somerset Police and Crime Panel, c/o The Democratic Services Team, Room 220, City Hall, College Green, Bristol BS1 5TR, and marked for the attention of Ian Hird.

## **Independent Co-opted Panel Members**

Members of the public with relevant skills and experience may also apply to be an independent co-optee member of the Panel. The Panel has three positions for independent members who are not local authority councillors. These are currently filled, but if posts fall vacant, the Panel will hold a recruitment campaign which will be advertised on its own and local authority websites and in the press and media.