

# Public Document Pack

## Police & Crime Panel for Lancashire

Monday, 11th March, 2019

6.30 pm

Meeting Room A - Old Town Hall, Blackburn

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### AGENDA

1. Welcome and Apologies
2. Minutes of the Meetings held on 10th December 2018  
and 21st January 2019  
Police and Crime Panel for Lancashire Minutes December 2018 3 - 11  
Police and Crime Panel for Lancashire Minutes January 2019
3. Declarations of Interest
4. Public Questions
5. Presentation on the Lancashire Volunteer Partnership  
and Our Lancashire by Ian Sewart, LVP Manager
6. Performance Monitoring Report  
performance report 12 - 16
7. Police and Crime Commissioner Decisions  
Decision Report 17 - 19
8. Allowances and Expenses  
Members Allowances and Expenses 20 - 23
9. Verbal Updates from Task and Finish Groups
10. Draft Timetable of Meetings 2019-2020  
Timetable of Meetings 2019-2020 24 - 26
11. Monitoring of Complaints  
PCP Complaints Update 27 - 28

**12. Urgent Business**

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the Item should be considered at the meeting as a matter of urgency. Wherever possible, the Secretary of the Panel should be given advance warning of any Members intention to raise a matter under this heading.

**13. Date of Next Meeting**

The next scheduled meeting of the Police and Crime Panel (Annual General Meeting) will be held at 10am in Blackburn Town Hall, Blackburn, Lancs BB1 7DY on 1<sup>st</sup> July 2019.

Date Published: 1<sup>st</sup> March 2019

## **Police and Crime Panel for Lancashire**

### **Minutes of the meeting held on Monday 10<sup>th</sup> December 2018**

#### **Present:**

##### **Chair**

Councillor Alistair Bradley, Chorley Borough Council

##### **Committee Members**

Councillor Andy Kay, Blackburn with Darwen Borough Council

Councillor Ben Aitken, Fylde Borough Council

Councillor Geoff Driver, Lancashire County Council

Councillor Munsif Dad, Hyndburn Borough Council

Councillor David Whipp, Pendle Borough Council

Councillor Brian Rollo, Preston City Council

Councillor Roger Berry, Wyre Borough Council

##### **Also in attendance**

- Clive Grunshaw, Police and Crime Commissioner
- Andy Rhodes, Chief Constable
- Chris Graham?
- Angela Harrison, Office of the Police and Crime Commissioner
- David Fairclough, Secretary
- Asad Laher, Head of Governance

### **1. Welcome and Apologies**

The Chair welcomed all to the meeting. Apologies were received from Councillors Ivan Taylor, Liz Oades, Tony Martin, Adrian Lythgoe, Brendan Hughes, Caroline Moon, Ken Hind, Ged Mirfin, Kevin Wright and Independent Co-opted Members Altaf Baghdadi and Abdul Mulla.

### **2. Minutes of the meetings held on 10<sup>th</sup> December 2018**

**RESOLVED** - The Minutes of the meeting held on 19<sup>th</sup> September were agreed as a correct record.

### **3. Declaration of interests**

Councillor Geoff Driver declared an interest in Agenda Item 12 – Monitoring of Complaints.

#### **4. Public Questions**

No public questions had been received.

#### **5. Presentation by Chief Constable Andy Rhodes**

The Chief Constable for Lancashire, Andy Rhodes, delivered a presentation which focussed on:

- Current Position
- Core Services Purpose
- Changing Demand, Risk and Prioritisation
- Crime Recording Changes
- Contact and Response
- Serious Crime & Investigation
- Local Policing
- Place Based Approach
- Transforming for the Future

During the presentation, CC Rhodes received a number of questions, comments and observations and provided responses, with the key areas of enquiry for members of the Panel relating to Neighbourhood Policing, Fracking, Place based Policing, Response Times, and Recruitment Issues.

The Chief Constable advised that whilst acknowledging that improvements could and would still be made, he was personally very proud of what the Force was achieving, and he made reference to successful HMICFRS PEEL Inspection results – 3 ‘Good’ grades for Efficiency, Effectiveness and Legitimacy.

It was agreed that the Secretary would circulate the slides from the Presentation after the meeting.

**RESOLVED** – That the presentation be noted.

#### **6. Performance Monitoring Report**

The Commissioner updated the Panel on the latest performance monitoring information for the second quarter which covered 1<sup>st</sup> July 2018 to 30<sup>th</sup> September 2018.

In moving the report, the Commissioner referred to the delay in the local government finance settlement and the subsequent impact, and advised of the key budget pressures and on the consultation process timescales ahead of the setting of the proposed Precept for 2018/19.

The Commissioner received a number of questions and comments on the report, including comments on the make-up of the Pan Lancashire Anti-Slavery Partnership, the effect of County Lines focussed work, which the Commissioner advised was

showing good results, and the effect of £8million taken out of Neighbourhood Policing budgets and the subsequent impact on the visibility of local police. In terms of Neighbourhood Policing, the Commissioner advised that he was hopeful that there would be more flexibility in the use of the Precept to allow recruitment of more police officers, although there was currently a national issue relating to police pensions and a concern was that funding may be diverted to meet the pensions deficit.

Angela Harrison agreed to provide Cllr Roger Berry with details of a recent successful bid relating to Refugee Provision.

**RESOLVED** – That the report be noted.

## **7. Police and Crime Commissioner Decisions**

A report was submitted which highlighted decisions made by the Commissioner and Director since the last Panel meeting on 19<sup>th</sup> September 2018.

**RESOLVED-** That report be noted.

## **8. Review of Police Complaints Procedures**

A report was submitted which set out the current position with regard to the changes to be introduced to the Police Complaints regime as a result of the Police and Act 2017 and the likely timeframe for change.

The changes to the police complaints regime had been introduced in order to increase public confidence and to simplify the system, and the changes were outlined in the report submitted.

There were three options available to PCCs – Option 1, Reviews – Mandatory, with the PCC having an express duty in relation to the oversight of the complaints process, Option 2 – Customer Service approach for low level complaints, and Option 3 – Single Point of Contact with Complainants. The PCC had opted for Option 1, but would keep Options 2 and 3 under review.

The timetable for introduction was currently unclear, but it looked likely to be post March 2019.

**RESOLVED** – That the report be noted and that a further report be presented when the date for introduction of the changes is confirmed in 2019.

## **9. Members Expenses and Allowances**

Further to discussions at recent meetings, a report was submitted in terms of the latest position relating to the potential payment of allowances and which advised of the need for further advice to be received.

This matter has been regularly considered by the Panel and most recently, on 19<sup>th</sup> September 2018. .

As was noted at the last meeting, there was no requirement to pay allowances to co-opted members and it was left to authorities to decide if they should be paid.

In respect of expenses it was clear from the Grant Claim Schedule that it was acknowledged that there would be some expenses incurred by Panel members. The grant Claim for Lancashire provided for up to £920 per member i.e. up to £16,560 per annum. To date the Panel had regularly underspent on this budget as it had primarily been used to reimburse attendance at external training events.

As reported in July 2018, since the earlier considerations of this matter by the Police & Crime Panel, a survey was undertaken by Frontline Consulting Associates. The result of their survey completed in January 2018 highlighted a practice that some Panels were clearly funding the payment of at least some allowances/expenses from the Home Office Grant whereas others were not. Payment from the grant for elected Panel Members would be 'at odds' however with the Guidance produced by the LGA in May 2012.

In November 2018, the Vice Chair and Panel Support Officer attended the Annual NAPFCP Conference and made enquiries as regards the current position and it was clear from discussions with colleagues and academics that clarification was required from the Home Office. Enquiries had been made of the Home Office and a response was awaited.

It was proposed that pending confirmation that any payments could be reimbursed from the Home Office Grant any proposals for changes to the Panel's existing practice for the payment of expenses/allowances be deferred until a future meeting.

**RESOLVED** – That the current position be noted and that a final decision be deferred until advice had been received from the Home Office.

## **10. Updates from Task and Finish Groups**

A report was submitted on the progress of the four Task and Finish Groups established to report during 2018/19.

The Chairs of each Group updated the Panel on progress to date. For the Contact Centre Task and Finish Group, David Whipp acknowledged the efforts made to organise meetings, but that due to unavailability of members the full group had not got together, but that work was progressing in the background and it was hoped the group would be able to focus more on this topic in the coming months. Roger Berry reported a similar position for the Frontline Policing group, and that renewed efforts would be made to meet in the New Year. Brian Rollo updated on the Victim Services group, and the Chair agreed to join the group and would attend the next meeting. Finally, in the absence of any members of the Mental Health group being in attendance, it was noted that a meeting would be arranged in due course.

**RESOLVED** – That the update be noted.

## **11. Update from the Annual PCP Conference and AGM of Police, Fire and Crime Panels November 2018**

The Vice Chair, Councillor Andy Kay, reported on the the Annual Conference of Police, Fire and Crime Panels held at Warwick University, which he attended along with Phil Llewellyn.

The Conference had been a really good opportunity to discuss issues shared in common with other Panels, and to share good practice. Much of the discussion at the Conference centred around the use of the Home Office Grant for funding membership of the LGA Special Interest Group and also payment of allowances, but there was also the opportunity to hear from a Senior Police representative and others about the national picture in terms of organised crime and changing trends and patterns, funding arrangements, Neighbourhood Policing and the critical friend relationship between PCCs and Chief Constables.

Councillor Kay also provided an update on discussions at the AGM of the Special Interest Group, where the issue of funding was discussed along with debates about political balance and appointments were made to key positions.

The Secretary agreed to circulate the slides from the various presentations at the Conference.

**RESOLVED** – That the update be noted.

## **12. Monitoring of Complaints**

A report was submitted which set out the current position with regard to communications relating to potential complaints and complaints received up to 28<sup>th</sup> November 2018 in relation to the Police and Crime Commissioner.

**RESOLVED** – That the update in relation to Complaints be noted.

## **13. Urgent Business**

There were no items of urgent business.

## **14. Date of next meeting**

The next meeting of the Panel would be held on Monday, 21<sup>st</sup> January 2019 at 6.30pm at County Hall, Preston.

Signed.....Chair  
2019

## **Police and Crime Panel for Lancashire**

### **Minutes of the meeting held on Monday 21<sup>st</sup> January 2019**

#### **Present:**

##### **Chair**

Councillor Alistair Bradley, Chorley Borough Council

##### **Committee Members**

Councillor Andy Kay, Blackburn with Darwen Borough Council

Councillor Alistair Humphreys, Blackpool Borough Council

Councillor Ben Aitken, Fylde Borough Council

Councillor Liz Oades, Fylde Borough Council

Councillor Geoff Driver, Lancashire County Council

Councillor Gareth Mullineux, Hyndburn Borough Council

Councillor Margaret Pattinson, Lancaster County Council

Councillor David Whipp, Pendle Borough Council

Councillor Brian Rollo, Preston City Council

Councillor Ged Mirfin, Ribble Valley Borough Council

Councillor Rupert Swarbrick, Ribble Valley Borough Council

Councillor Catherine Moon, South Ribble Borough Council

Councillor Kevin Wright, West Lancs Borough Council

Councillor Roger Berry, Wyre Borough Council

##### **Also in attendance**

- Clive Grunshaw, Police and Crime Commissioner
- Steve Freeman, Office of the Police and Crime Commissioner
- Sian Roxborough, Council Solicitor
- Phil Llewellyn, Governance and Democratic Services Manager

#### **1. Welcome and Apologies**

The Chair welcomed all to the meeting. Apologies were received from Councillors Ivan Taylor, Munsif Dad, Brendan Hughes and Margaret Foxley.

#### **2. Declaration of interests**

Cllr Moon declared a non-pecuniary interest (relative of a Police Officer).



### **3. Police and Crime Commissioner's Budget 2019/20**

The Commissioner presented a report and delivered a presentation which set out the latest financial position for the Police and Crime budgets in Lancashire for 2019/20 and proposals in relation to the Council Tax Precept.

The report identified the current provisional funding position for 2019/20. It also identified the cost pressures that had emerged, savings that had been delivered and investment to be made in policing in Lancashire. The impact of the proposals for the 2019/20 budget were identified in an updated MTFS detailed in the report.

The budget for 2019/20 reflected the funding announcement made by the Police and Fire Minister in his Provisional Settlement statement made on 13<sup>th</sup> December 2018. The statement acknowledged that the Police Service needed to invest in additional resource to meet the significant increase in demand the service faced. The Minister also recognised that PCCs were also facing a major cost pressure relating to the cost of pensions for police officers.

The Minister made it clear in his statement that additional funding for policing needed to be delivered through additional grant from government and an increase to Council Tax by PCCs. The Home Office had set out a funding position that required PCCs to increase Council Tax for a Band D property by £24 in 2019/20 to deliver the additional investment needed to meet some of the increased demand faced by forces.

The provisional financial settlement for Lancashire was published on 13<sup>th</sup> December 2018 and included an increase in core grant of £3.721m giving Lancashire a total Police Grant of £193.745m for 2019/20. An additional specific grant had also been provided of £3.104m towards the additional costs of employer contributions to the police officer pension scheme.

The additional grant funding provided to Lancashire in 2019/20 did not meet the full additional cost of pensions so savings would be identified elsewhere in the budget to meet the remaining cost.

The Commissioner outlined the budgetary pressures that had been identified that related to the cost to the Constabulary of dealing with additional demand for the service and supporting the front line in meeting the increased demand.

A key element of the Commissioner's financial management strategy was the ongoing review of the organisation's activity and the identification of additional cost reductions and savings that could be made. This work was undertaken in conjunction with the Constabulary's 'Futures Team' and has identified further savings that would be delivered in 2019/20.

Additionally, a number of risks and uncertainties had been identified which would impact upon the final position for 2019/20 and the MTFS for future years which were outlined in the report submitted.

The Commissioner also reported on the position in terms of general reserves and earmarked reserves.

A funding gap of nearly £6m existed if the Commissioner's precept proposals were not accepted. The Commissioner proposed an increase Council Tax in 2019/20 by £24, giving a Council tax charge of £201.45 for a Band D property, providing additional income of £10.533m. This income would enable some investment to be made in policing services in Lancashire at a time when both costs and demand pressures were rising at a significant rate. This increase would therefore meet the funding gap of £5.899m and provide £4.634m for investment in policing services in Lancashire.

The Commissioner reported that following consultation, the results showed that 63% of people were willing to pay more Council Tax to support policing.

In the presentation delivered, the Commissioner gave examples of a Place based approach for each area of Lancashire, highlighting the extra resources available if the Precept proposals were accepted, which included a dedicated drone team, and extra police resources across Lancashire.

Members of the Panel then asked a number of questions and made comments on the Commissioner's proposals, in particular on the deployment of drones in comparison to the use of a police helicopter, the practicalities of the sharing of resources across neighbouring areas and how these would be deployed, the potential locating of police officers in Council Offices (ie. Ribble Valley) where front counters had recently been closed, and the potential for further changes to accommodation/estates.

Additionally, the Commissioner received detailed questions on the Capital and Revenue budgets, MTFS and use of Reserves and several panel members were critical of the way the Government had reduced funding for policing whilst expecting Council Tax payers to fund the gap, with panel members highlighting a north/south divide.

The Commissioner, supported by Steve Freeman, provided responses to the questions and comments arising. The Commissioner also agreed to circulate the slides from his presentation as appropriate, after checking what content could be shared.

The Chair then asked the Panel to consider the recommendations in the report.

Several Panel Members were critical of the Commissioner's budget proposals, indicating that they felt that the proposals should be looked at again, particularly in terms of the increases to back office staff proposed and the Capital Budget proposals. Panel Members also commented on the need to support frontline policing and whilst being reluctant to put the burden on Council Tax payers, felt that there was no other alternative, given the direction indicated by the Government. Panel Members also wanted to see more detail on the allocation of resources going forward as highlighted by the Commissioner in terms of the extent of resources for each area and how these would be allocated, prioritised and deployed.

The Panel then moved to the vote and the recommendations were carried.

## **RESOLVED -**

That the Police and Crime Panel:

- Note the details of the 2019/20 provisional police finance settlement and the overall impact on Lancashire's budget;
- Note the report on the public consultation undertaken in respect of the proposed precept level;
- Agree the Commissioner's proposal to increase the council tax precept for a Band 'D' property by £24 in 2019/20;
- Make arrangements to ensure that a formal written response to the proposals is sent to the Commissioner by 8<sup>th</sup> February 2019.
- Note the draft capital investment programme for the period 2019/20 to 2023/24 and the financing available;
- Note the proposed use of the Commissioner's reserves in 2019/20 and future years.

## **4. Urgent Business**

There were no items of urgent business.

## **5. Date of next meeting**

The next meeting of the Panel would be held on Monday 11th March 2019 at 6.30pm in Meeting Room 'A' at the Town Hall, King William Street, Blackburn.

Signed.....Chair  
2019

## **POLICE AND CRIME PANEL**

**Meeting to be held on 11 March 2019**

### **Police & Crime Plan Performance Monitoring Report**

Contact for further information Ian Dickinson, 01772 533587, Office of the Police and Crime Commissioner, [ian.dickinson@lancashire-pcc.gov.uk](mailto:ian.dickinson@lancashire-pcc.gov.uk)

#### **EXECUTIVE SUMMARY**

The Purpose of this report is to provide Members of the Panel with an update on progress in delivering the current Police and Crime Plan (the Plan) for Lancashire 2016-2021.

This report covers the '3rd quarter' from the 1 October 2018 to 31 December 2018

#### **RECOMMENDATION**

The Panel is asked to consider the report.

#### **Background**

1. The Police and Crime Commissioner has a responsibility to hold the Chief Constable to account for the Constabulary's performance as against the police and crime plan priorities by means of the quarterly Strategic Scrutiny meeting.
2. This link <https://www.lancashire-pcc.gov.uk/meetings-and-decisions/meetings-and-reports/strategic-scrutiny-meetings/> details the Scrutiny papers received from the Chief Constable and the note of the meeting records the PCC holding the Chief Constable to account.
3. The Panel are therefore referred to that Scrutiny meeting and may through today's meeting ask the Police and Crime Commissioner issues they feel relevant to that Scrutiny.

#### **Performance Headlines**

4. As members are aware, the Police and Crime Commissioner has a statutory duty to set an annual Police and Crime budget and, as part of that process, to consult with the Police and Crime Panel regarding any proposals in relation to the council tax precept. Following receipt of the Police and Crime Panel's response to the Commissioner's proposals for the precept for 2019/20 considered at the meeting on the 21 January 2019 the Police and Crime Commissioner has now:-

- Agreed a council tax requirement and precept for 2019/20, and consequent Band D amount that is based on a £24 increase on 2018/19 levels;
- Approved a net budget requirement for 2019/20 of £285.930m and consequent council tax requirement of £88.263m and Band D council tax of £201.45.;
- Agreed, on the basis of the above and the fixed ratios between valuation bands set by the Government, the Police and Crime Commissioner's council tax for each valuation;
- Agreed the 2019/20 delegated budgets for the Constabulary and the Office of the Police and Crime Commissioner.
- Approved the 2019/20 Capital programme and its funding and note the proposed programme for 2020/21 and future years

Full details are set out in the Decision report 50/2018 which is available for public inspection on the commissioner's website.

5. The main focus of the Commissioner continues to be the performance of the Force Control Room (FCR).
6. As members are aware, the transition to temporary PODs took place in September in the FCR. There were many changes associated with the transition to POD working. However, the most significant change that occurred on the day was the change from global routing of 999 and 101 calls, to geographical routing of 999 and 101 calls into the three divisional areas within Lancashire.
7. As was reported in the last meeting, implementing these changes had no initial negative impact on service delivery to the public, with service levels for 101s and 999s remaining static at pre POD levels. Given the scale of the change in the FCR to implement POD working this was an encouraging start. Positively in the intervening period since go live there have been improvements across a range of metrics, particularly in relation to 999 call performance.
8. A full POD evaluation will be completed in March 2019, which will evaluate 6 months' worth of data. The evaluation will also make a recommendation on whether the POD working approach has delivered sufficient benefits in pilot form (within the constraints of the current FCRs physical layout) to warrant the disruption and expense of rebuilding the FCR in 2019/20. This evaluation will be accompanied by POD trial briefings to both the Chief Officer Team and the Commissioner.
9. The last quarter of 2018 has seen the FCR dealing with a larger amount of 999 calls compared to the previous year this trend is continuing into 2019. There has been an 11.6% rise in demand overall across the quarter. From October onwards, the 999 demand has been increasing month-by-month

(rising from a 5.84% increase in October up to a 12.40% increase for the month of December 2018). A high-level review of the increases in 999 calls has not identified a single cause of the increase in 999 calls across the period.

10. Despite the increase in 999 demand, the abandonment of calls remains very low, and is consistently lower than last year.
11. The full report presented to the Commissioner is available for inspection on the Commissioner's website.
12. The Panel's Task and Finishing Group for Frontline Policing met with officers from the OPCC and Constabulary on the 26 February 2019.
13. As the Panel is aware, in July 2017, HMICFRS completed their inspection of Crime Data Integrity, this comprised reviewing approximately 2500 incident logs to ensure crimes reported had been recorded or a suitable negation supplied, the data work was then followed by four days of reality testing.
14. The report was published on the 28<sup>th</sup> November 2017, Lancashire was graded 'inadequate' with a number of recommendations made which the force is working to implement immediately.
15. The HMICFRS Crime Data Integrity re-inspection data audit phase took place in early January 2019 with a team of nine inspectors reviewing some 1600 Constabulary incidents for compliance with National Crime Recording Standards and Home Office Counting Rules. The Police and Crime Commissioner is now awaiting the report from HMICFRS and will report back to the panel in due course.
16. Likewise, the Panel will recall that in October 2017, HMICFRS conducted a wide ranging Child Protection (CP) Inspection of Lancashire Constabulary as part of its National Child Protection Inspection Programme. The HMICFRS re-inspection took place in December 2018. Again, the Police and Crime Commissioner is awaiting the report and will advise the Panel of the overall judgement at the earliest opportunity.
17. The Commissioner was represented at the External Reference Group (ERG) for the forthcoming HMICFRS on cyber – this ERG guides and directs the way the inspection is focussed and encourages the questioning that may be present when forces are inspected
18. An OPCC/LANPAC jointly funded cyber event for businesses was held at Ribby Hall on 31 January 2019. The event was a huge success with over 150 delegates learning about cyber safety etc. The Commissioner opened the event and took the opportunity to further promote the cyber wise campaign
19. On 15 February 2019 the OPCC organised a Modern Slavery Table Top exercise at Hutton HQ. Sir Peter Fahy (retired Chief Constable from GMP)

facilitated the event in his role as director for Hope for Justice).  
Representatives from a wide range of agencies attended the event including local authorities, CRCs, NPS, Constabulary, NHS and third sector agencies. The event was a great success with a way forward linked to the local action plan etc.

20. During February the Commissioner opened up a further window for non-profit making organisations to be able to apply for reducing reoffending funding that meets the Commissioners priorities. The closing date was 25 February 2019 and there have been a very good response and submission. It is hoped that the approved schemes can be monitored through the local reducing reoffending boards. A further update will be provided at the next panel meeting.
21. The Commissioner has provided £100,000 funding for his Community Action Fund in 2018-219 to support local community based projects and initiatives that contribute to the outcomes of the Police and Crime Plan priorities. Up to the 31<sup>st</sup> January over £98,000 has been allocated to schemes across Lancashire. The fund will close for applications on the 28<sup>th</sup> February 2019.
22. Since April 2018, through effective Procurement processes savings of £1,301,861.38 have been realised through the negotiation from old contract to new contract, usage reduction, specification de-scoping etc. Savings will continue to be identified and will be submitted to the Home Office monthly.
23. As of February 2019, there are currently 320 contracts in the name of the Police and Crime Commissioner totalling £171,342,529.68. In terms of numbers of contracts 172 (54%) are against collaborative arrangements (regional & national). Regarding contract value £103,054,271.41 (60%) is against collaborative arrangements (regional & national).
24. As the Panel are aware, to support vulnerable people and victims of crime, the Commissioner has commissioned a Lancashire Victim Service.
25. A comprehensive suite of Key Performance Indicators has been developed and agree to monitor contract performance, which forms the basis of ongoing scrutiny by the PCC's office. All support services for victims will be delivered in line with the requirements of the Victims Code and the EU Victims Directive.
26. During this financial year, four quarterly review meetings will be scheduled in order that performance is monitored, and LVS management allowed the opportunity to meet with the Commissioner and OPCC staff in order to discuss any issues of concern.
27. Since the last Panel meeting the OPCC have been involved in the development of the Community Safety Agreement and Assessment and will

work with LCC Health & Community Partnership team to review the pan-Lancashire Community Safety structure.

28. On 12<sup>th</sup> February the Commissioner and staff from the OPCC hosted a visit to Lancashire by representatives from the Swedish Constabulary and Swedish Victim Support services. The delegation were considering different approaches to tackling hate crime issues and were visiting a number of police forces and victim support services.

### **Recommendation**

29. Panel Members are recommended to consider the information contained in this report, and the information provided within the meeting, and comment accordingly.

**Angela Harrison**  
Director



## POLICE AND CRIME PANEL

Meeting to be held on 11 March 2019

### Police & Crime Commissioner Decisions

Contact for further information: Ian Dickinson, 01772 533462, Office of the Police and Crime Commissioner, [ian.dickinson@lancashire-pcc.gov.uk](mailto:ian.dickinson@lancashire-pcc.gov.uk)

#### EXECUTIVE SUMMARY

The purpose of the report is to highlight decisions made by

- i) the Police and Crime Commissioner for Lancashire, and
- ii) the Director, under delegated authority in the period since the last meeting of the Panel on the 10 December 2018.

#### RECOMMENDATION

The Panel is asked to consider the report and raise any issues identified on the decisions presented.

## 1 Background

- 1.1. 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 Police and Crime Commissioner's functions and, where necessary, make reports or recommendations to the Police and Crime Commissioner with respect to the discharge of the Commissioner's functions.
- 1.2. The Commissioner is under a statutory obligation under the terms of the Specified Information Order to publish details of decisions of significant public interest. In more general terms under Section 13 of the 2011 Act, the Commissioner is obliged to ensure that he provides the Panel with any information that it might reasonably require to allow it to carry out its functions. This would include the provision of information regarding the Commissioner's decisions and actions, irrespective of whether they were to be considered to be of 'significant public interest'.
- 1.3. In this respect, the Commissioner publishes on his website all decisions he has made.
- 1.4. Further details on all these decisions are available for scrutiny on the Commissioner's Website at:-  
  
<http://lancashire-pcc.gov.uk/meetings-and-decisions/decisions/>
- 1.5. Additionally, Members may access the Strategic Scrutiny Agenda and Minutes at  
  
<http://lancashire-pcc.gov.uk/meetings-and-decisions/meetings-and-reports/strategic-scrutiny-meetings/>

and the Joint Management Board papers at

<http://lancashire-pcc.gov.uk/meetings-and-decisions/meetings-and-reports/joint-management-board/>

## 2 Decisions made and/or published since the last scheduled meeting of the Police and Crime Panel

2.1 Drawing on the information published on the Commissioner's website, a number of decisions have been made since the report to the Panel at its last meeting on 19 September 2018. These are set out in the table below.

Decision Reference	Decision Title	PCC Priority	Date of Decision
2018/40	OPCC Corporate Risk Register	Supports one or more of the priorities	5 December 2018
2018/41	Treasury Management mid-year report 2018/19	Governance	5 December 2018
2018/42	Community Action Fund Applications	All applications support one or more of the priorities	5 December 2018
2018/43	Changes to the Police ICT Company Articles of Association	Governance	19 December 2018
2018/44	Precept Consultation 2019	Supports all of the priorities	12 December 2018
2018/45	Community Action Fund Applications	All applications support one or more of the priorities	7 January 2019
2018/46	Community Action Fund Applications	The fund supports all of the priorities	1 February 2019
2018/47	Meam Funding – Blackburn with Darwen	The funding supports all of the priorities	7 February 2019
2018/48	Financial position as at 31 December 2018	Governance	13 February 2019
2018/49	Financial position as at 30 September 2018	Governance	13 February 2019
2018/50	Lancashire Constabulary Fees & Charges 2019/20	Governance	13 February 2019
2018/51	Complaint Against a Senior Officer (restricted)	Supporting vulnerable and victims  Developing safe and confident communities	15 February 2019

2018/52	Revenue Budget 2019/20	Governance	13 February 2019
2018/53	Pension Forfeiture (restricted)	Supporting Vulnerable People & Victims	27 February 2019
2018/54	Revenue Budget and Council Tax 2019/20 (Revised)	Governance	25 February 2019
2018/55	Disposal of Property (restricted)	Governance	1 March 2019
	Delegated Decision	Governance	1 March 2019

### **3. Director's Delegated Decisions**

- 3.1 The Panel will recall that the Commissioner has agreed to the Director's delegated decisions being published.
- 3.2 A report detailing the exercise of her delegations made since the last meeting was presented to the Commissioner on the 30 November 2018. This report has been published along with all other decisions made by the Commissioner on the website and is available for inspection via the following link.

<http://lancashire-pcc.gov.uk/meetings-and-decisions/decisions/>

### **4. Conclusion**

- 4.2 In accordance with its statutory duty, the Panel has the opportunity to scrutinise and review the decisions made and published as set out in the report now presented.

## Agenda item

### **Police and Crime Panel**

Meeting to be held on 11<sup>th</sup> March 2019

### **MEMBERS EXPENSES AND ALLOWANCES**

Contact for further information:

David Fairclough (01254) 585642 HR, Legal & Corporate Services,  
[david.fairclough@blackburn.gov.uk](mailto:david.fairclough@blackburn.gov.uk)

### **Executive Summary**

To update on Members Allowances/Expenses pending further advice to be received.

### **Recommendation**

That pending legal confirmation that any payments agreed by the Panel could be reimbursed from the Home Office Grant any proposals for changes to the Panel's existing practice for the payment of expenses/allowances be deferred to the Annual General Meeting later this year.

### **Background and Advice**

The LGA document: "Panel arrangements and the balanced appointment objective" dated May 2012 says:

### **"9 Allowances and Expenses**

9.1 Each Authority has the discretion to pay its representatives on the Panel Special Responsibility Allowances, and to reimburse reasonable expenses incurred. No allowance or expenses payments will be made by the Panel itself to elected members. Any allowances or expenses which may be made to elected members arising out of Panel Membership shall be determined and borne by the appointing Authorities for each Panel Member individually.

9.2 The Host Authority, on behalf of the Panel will reimburse reasonable expenses to co-optees provided that this is agreed as part of the annual budget approved by the Panel.”

### **Current position**

This matter has been regularly considered by the Panel and most recently, on 10<sup>th</sup> December 2018. Expenses are referred to as being travel, subsistence, loss of earnings and conference / training costs.

Currently the Panel do not pay any `SRA's as each Constituent Council is left to set locally any allowances for its members who sit on the Panel (see above).

Over the years the scrutiny role of the Panel has evolved and now the Panel regularly sets out its Forward Plan for the year ahead and identifies areas it would wish to scrutinise in more detail. This may mean more meetings of the Panel and/or its sub-groups than originally envisaged. For this reason members may have/wish to have drawn this to the attention of their Constituent Councils when allowances for Panel elected members are reviewed.

Similarly in terms of SRAs for the Chair/Vice Chair of the Panels, it has been down to the relevant authority to consider paying an SRA if their Member has been appointed to one of these roles.

As was noted at previous meetings, there is no requirement to pay allowances to co-opted members and it is left to authorities to decide if they should be paid.

In respect of expenses it is clear from the Grant Claim Schedule that it is acknowledged that there will be some expenses incurred by Panel members. The grant Claim for Lancashire provides for up to £920 per member i.e. up to £16,560 per annum

To date the Panel has regularly underspent on this budget as it has primarily been used to reimburse attendance at external training events.

As reported in July 2018, since the earlier considerations of this matter by the Police & Crime Panel, a survey was undertaken by Frontline Consulting Associates. The result of their survey completed in January 2018 highlighted a practice that some Panels are clearly funding the payment of at least some allowances/expenses from the Home Office Grant whereas other were not. Payment from the grant for elected Panel Members would be `at odds' however with the Guidance produced above by the LGA in May 2012.

In November 2018, the Vice Chair and Panel Support Officer attended the Annual NAPFCP Conference and made enquiries as regards the current position and which confirmed that some Panels were making payments and others, like this Lancashire panel were not.

Enquiries have also been made of the Home Office as regards this matter and the definition of `expenses' as set out in Schedule 1 of the Grant Agreement by

Blackburn with Darwen Borough Council as the `host authority`. The advice is set out below:

*“Paragraph 28 of Part 4 of Schedule 6 of the Police Reform and Social Responsibility Act 2011 Act provides that panel arrangements may make provision about the payment of allowances to members of the panel. The Home Office’s view is that allowances in this context will mean both paying allowances paid to members on a regular basis, or paying members’ expenses as and when they arise on proof of expenditure. Therefore, the Home Office considers that it is for panels to decide whether to pay allowances to their members.*

*Panels must, of course, keep this and other expenditure within the amount of the grant provided by the Home Office for any particular financial year. Such decisions, relating to the payment of allowances/SRA’s, must be taken whilst being cognizant of the key purpose of the grant; namely to ensure the effective local scrutiny of PCCs is in place. It is possible that the payment of allowances/SRAs will have an impact on the provision of other panel activities.*

*While I hope the above is a useful initial view, I would strongly recommend that you take legal advice from your own lawyers on this issue, rather than relying on the Home Office’s view.”*

Given this advice the Secretary has arranged for legal advice on behalf of the Panel in respect of whether the Panel could agree to pay allowances as suggested by the Home Office guidance above.

This advice is now awaited.

It is proposed that pending legal confirmation that any payments agreed by the Panel could be reimbursed from the Home Office Grant any proposals for changes to the Panel’s existing practice for the payment of expenses/allowances be deferred to the Annual General Meeting later this year.

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:

## **Legal Implications**

The Police Reform and Social Responsibility Act 2011 provides that the Secretary of State may provide financial and other resources to Members of the

Police and Crime Panels in connection with the exercise of their functions.  
Paragraph 1 above sets out the extract from Guidance that relates to the matter.

Additional legal advice is being sought as set out in this report.

### **Financial Implications**

On 18<sup>th</sup> July a letter was sent to administering authorities (in the Lancashire Panel case – Blackburn with Darwen Borough Council in respect of the 2018/19 grant arrangements. This states that there will be £53,300 for administration costs for the Panel. In addition, £920 will be made available per member of the panel (including additional co-optees) for expenses.

### **Risk management**

The provision of effective scrutiny by the Police and Crime Panel is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011. The scrutiny role is increasing and the impact upon Panel Members should be reflected in the allowances made to Panel members.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

The LGA document: “Panel arrangements and the balanced appointment objective” dated May 2012

## **Police and Crime Panel for Lancashire**

Meeting to be held on the 11<sup>th</sup> March 2019

:

## **Draft Timetable of Meetings 2019/2020**

Contact for further information: Phil Llewellyn, Governance & Democratic Manager,  
[phil.llewellyn@blackburn.gov.uk](mailto:phil.llewellyn@blackburn.gov.uk)

### **Executive Summary**

This report sets out a proposed Timetable of Meetings for 2019/20 for consideration by the Panel.

### **Recommendation**

The Police & Crime Panel are asked to agree the Timetable of Meetings for 2019/20, and note that a final version will be submitted to the AGM meeting with full venue details.

### **Background and Advice**

It is for the Police and Crime Panel to determine its own cycle of meetings and to appoint any sub committees or task groups as may be deemed necessary in order to carry out the functions of the Panel.

Based on feedback, it is proposed that Panel meetings continue to be held around three weeks after the Commissioner's scrutiny meetings in order that the most up to date performance information can be submitted to the Panel in a timely fashion.

The proposed dates for meetings have been selected to meet required statutory deadlines/processes and to ensure that Panel Members are presented with the most relevant information available. It is suggested that future meetings rotate between Preston, Blackburn and Chorley and also be held both during the day and in the evening.

### **Timetable of Meetings for the Panel**

The proposed timetable of meetings for 2019/20 is outlined below. This year it is proposed that the Annual Induction Session be held directly after the AGM, in the afternoon of 1<sup>st</sup> July 2019 (existing Panel Members will also be invited as it will give an opportunity to refresh knowledge). Traditionally the AGM has been held in Blackpool each year, but it is considered sensible to move the meeting to Blackburn as Host Authority, with subsequent meetings taking place at either Chorley, Preston or Blackburn - (Chorley reflecting the current Chairs Council and having good motorway links) and County Hall, Preston being a central location).



<b>DATE/TIME/VENUE</b>
<b>Monday 1<sup>st</sup> July 2019 –AGM &amp; Annual Induction Session</b> 10am in Blackburn Town Hall, followed by Annual Induction after lunch.
<b>Wednesday 18th September 2019</b> 10am at Chorley Town Hall.
<b>Monday 9th December 2019</b> 6.30pm Blackburn Town Hall
<b>Monday 20th January 2020 (Precept only)</b> County Hall, Preston.
<b>Tuesday 4<sup>th</sup> February 2020 (if required –dependant on Precept decision)</b> County Hall, Preston.
<b>Monday 9th March 2020</b> 6.30pm Chorley Town Hall.
<b>Monday 6th July 2020 – AGM &amp; Annual Induction Session</b> 10am in Blackburn Town Hall, followed by Annual Induction after lunch.

The Police and Crime Panel may be required to hold additional meetings in the following circumstances.

1. If the PCC chooses to appoint a new Chief Constable, Chief Executive, Chief Finance Officer or Deputy PCC
2. The PCC wishes to remove the current Chief Constable.
3. The PCC varies the Police and Crime Plan or proposes to issue a new Plan.
4. The Panel needs to consider any complaints against the PCC that are not of a criminal nature.
5. The Panel needs to appoint an acting PCC if the current PCC is incapacitated, suspended or resigns.

### **Consultations**

The proposed dates will be shared with Officers at Chorley Council and Lancashire County Council with regard to identifying available venues.

## **Implications**

This item has the following implications, as indicated:

## **Risk Management**

The provision of an Independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011.

## **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact
		Phil Llewellyn 01254 585369

## Agenda item

### Police and Crime Panel

Meeting to be held on 11<sup>th</sup> March 2019

### MONITORING OF COMPLAINTS

Contact for further information:

David Fairclough (01254) 585642 Secretary Lancashire Police & Crime Panel,  
[david.fairclough@blackburn.gov.uk](mailto:david.fairclough@blackburn.gov.uk)

### Executive Summary

This report sets out the current position with regard to communications relating to potential complaints received up to 28<sup>th</sup> February 2019 in relation to the Police and Crime Commissioner.

### Recommendation

That the update in relation to communications and complaints be noted.

### Background and Advice

Since the commencement of the Panel in 2012 there have now been 64 recorded communications which at the outset were described by the complainants as complaints against the Police & Crime Commissioner, and 58 outcomes have been reported to previous meetings.

Many of these communications as reported previously however did/do not relate directly to the conduct of the PCC and therefore do not, under the terms of the governing regulations come under the jurisdiction of the Police & Crime Panel.

Many communications received focus on the alleged conduct of police officers or the chief constable, and these are matters for which there are other complaints processes and appropriate authorities to deal with such matters. There have been four (61), (62), (63) and (64) further communications of this nature recently.

A phone call complaint was received (59) however the complainant chose not to follow up with further details and the complaint was closed. A complaint was received (60) which on review and receipt of further advice was not in respect of the actions of the Commissioner.

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:

### **Legal Implications**

The procedures adopted by the Panel comply with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 which are issued under the Police Reform and Social Responsibility Act 2011 for the handling of complaints and matters concerning the conduct of the holders of the office of Police and Crime Commissioner.

### **Financial Implications**

There are no direct financial implications arising from this report. It is proposed the handling of such complaints will be contained within existing resources.

### **Risk management**

The requirement to monitor and record complaints against the PCC and DPCC is in accordance with the provisions of The Elected Policing Bodies (Complaints and Misconduct) Regulations 2012.

## **Local Government (Access to Information) Act 1985 List of Background Papers**

<u>Paper</u>	<u>Date</u>	<u>Contact/Directorate/Tel</u>
Agenda and Minutes from	November 2012	David Fairclough HR, Legal & Corporate Services 01254 585642
Agenda and Minutes from	July 2014	David Fairclough HR, Legal & Corporate Services 01254 585642
Agenda and Minutes from	March 2016	David Fairclough HR, Legal & Corporate Services 01254 585642