

## Notice of Meeting

# Surrey Police & Crime Panel

**Date & time**  
**Thursday, 13**  
**December 2012**  
**at 10.30 am**

**Place**  
Ashcombe Suite,  
County Hall, Kingston  
upon Thames, Surrey  
KT1 2DN

**Contact**  
Damian Markland  
Room 122, County Hall  
Tel 0208 541 9122

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**If you would like a copy of this agenda or the attached papers in another format, eg large print or braille, or another language please either call 020 8541 9068, write to Democratic Services, Room 122, County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 8914, fax 020 8541 9009, or email [damian.markland@surreycc.gov.uk](mailto:damian.markland@surreycc.gov.uk).**

**This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Damian Markland on 0208 541 9122.**

### Members

Dorothy Ross-Tomlin (Chairman)	Surrey County Council
Terry Dicks (Vice-Chairman)	Runnymede Borough Council
John O'Reilly	Elmbridge Borough Council
Clive Smitheram	Epsom & Ewell Borough Council
Richard Billington	Guildford Borough Council
Margaret Cooksey	Mole Valley District Council
Victor Broad	Reigate & Banstead Borough Council
Penny Forbes-Forsyth	Spelthorne Borough Council
Charlotte Morley	Surrey Heath Borough Council
Ken Harwood	Tandridge District Council
Pat Frost	Waverley Borough Council
Bryan Cross	Woking Borough Council
Anne Hoblyn	Independent Member
Janice Turner	Independent Member

## **PART 1** **IN PUBLIC**

### **1 APOLOGIES FOR ABSENCE**

The Chairman to report apologies for absence.

### **2 MINUTES OF PREVIOUS MEETING**

(Pages 1 - 4)

To approve the minutes of the meeting held on 8 October 2012 as a correct record.

### **3 DECLARATIONS OF INTEREST**

To receive any declarations of disclosable pecuniary interests from Members of the Panel in respect of any item to be considered at the meeting.

### **4 CONFIRMATION HEARING FOR THE PROPOSED DEPUTY POLICE AND CRIME COMMISSIONER**

(Pages 5 - 14)

To consider the proposed appointment of Mr Jeff Harris as Deputy Police and Crime Commissioner.

The Panel will:

- i. Put questions to the Police and Crime Commissioner's proposed appointee for Deputy Police and Crime Commissioner; and
- ii. Following deliberation later in the meeting, make a recommendation to the Police and Crime Commissioner as to whether or not the nominee should be appointed to the office.

### **5 PROTOCOL BETWEEN THE POLICE AND CRIME PANEL AND THE POLICE AND CRIME COMMISSIONER FOR SURREY**

(Pages 15 - 32)

To agree the Protocol between the Police and Crime Panel and the Police and Crime Commissioner for Surrey.

### **6 POLICE AND CRIME COMMISSIONER**

A question and answer session between the Panel and the newly-elected Police and Crime Commissioner to discuss his priorities and the working arrangements with the Panel going forward.

### **7 COMPLAINTS PROTOCOL**

(Pages 33 - 40)

To agree arrangements for handling complaints against the Police and Crime Commissioner and the Deputy Police and Crime Commissioner.

### **8 COMMUNICATION PROTOCOL**

(Pages 41 - 46)

To agree the Panel's Communication Protocol.

**9 ESTABLISHMENT OF WORKING GROUPS AND SUB-COMMITTEES**

To agree the membership and terms of reference for the following:

**Complaints Sub-Committee** (Pages 47 - 50)

**Finance Working Group** (Pages 51 - 54)

**10 EXCLUSION OF THE PUBLIC**

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information under the relevant paragraphs of Part 1 of the Schedule 12A of the Act.

**PART 2 - IN PRIVATE**

**11 DEPUTY POLICE AND CRIME COMMISSIONER - PANEL DELIBERATION AND DECISION**

Published: 5 December 2012

**MOBILE TECHNOLOGY – ACCEPTABLE USE**

Use of mobile technology (mobiles, BlackBerries, etc.) in meetings can:

- Interfere with the PA and Induction Loop systems
- Distract other people
- Interrupt presentations and debates
- Mean that you miss a key part of the discussion

**Please switch off your mobile phone/BlackBerry for the duration of the meeting.** If you wish to keep your mobile or BlackBerry switched on during the meeting for genuine personal reasons, ensure that you receive permission from the Chairman prior to the start of the meeting and set the device to silent mode.

*Thank you for your co-operation*

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**DRAFT MINUTES** of the meeting of the **SURREY POLICE AND CRIME PANEL** held at 10.30am on 8 October 2012 at County Hall, Kingston upon Thames.

These minutes are subject to confirmation by the Panel at its meeting on 13 December 2012.

**Members:**

Dorothy Ross-Tomlin	Surrey County Council	(Chairman)
Terry Dicks	Runnymede Borough Council	(Vice-Chairman)
John O'Reilly	Elmbridge Borough Council	
Clive Smitheram	Epsom & Ewell Borough Council	
Richard Billington	Guildford Borough Council	
Margaret Cooksey	Mole Valley District Council	
Victor Broad	Reigate & Banstead Borough Council	
Penny Forbes-Forsyth	Spelthorne Borough Council	
Charlotte Morley	Surrey Heath Borough Council	
Ken Harwood	Tandridge District Council	
Pat Frost	Waverley Borough Council	
Bryan Cross	Woking Borough Council	
Anne Hoblyn	Independent Member	
Janice Turner	Independent Member	

#### **01/12 WELCOME [Item 1]**

Rachel Crossley, Lead Manager of Democratic Services (Surrey County Council), welcomed members of the Panel, public and press to the first public meeting of Surrey's Police and Crime Panel.

It was noted that Cllr Richard Billington had been appointed to the Panel by Guildford Borough Council in place of Cllr Stephen Mansbridge.

#### **02/12 ELECTION OF THE CHAIRMAN [Item 2]**

Cllr Dorothy Ross-Tomlin was elected Chairman of the Police and Crime Panel.

#### **03/12 ELECTION OF THE VICE-CHAIRMAN [Item 3]**

Cllr Terry Dicks was elected Vice-Chairman of the Police and Crime Panel.

#### **04/12 APOLOGIES FOR ABSENCE [Item 4]**

No apologies for absence were received.

#### **05/12 INDEPENDENT MEMBERS OF THE POLICE AND CRIME PANEL [Item 5]**

Members agreed to co-opt Miss Anne Hoblyn and Mrs Janice Turner to the Police and Crime Panel, recognising their skills and experience.

Members noted that the independent members were to be co-opted to the Panel for a term of 4 years and with full voting rights.

#### **06/12 POLICE AND CRIME PANEL CONSTITUTION [Item 6]**

Panel Members put forward amendments to the draft Constitution, the agreed version of which is available via the Police and Crime Panel webpages.

It was suggested that public meetings of the Panel should be webcast, in order to allow greater access to members of the public. Officers agreed to explore the possibility of webcasting and to bring a report to the Panel at a future meeting.

#### **07/12 FORWARD PLAN [Item 7]**

Panel Members noted key milestones between October 2012 and June 2013, and agreed to invite the in-coming Police and Crime Commissioner to the next public meeting (5 December).

**08/12 INDUCTION PROGRAMME [Item 8]**

Panel Members noted and agreed the suggested induction activity, highlighting the importance of working with the Police and Crime Commissioner on matters such as the Police and Crime Plan and the proposed precept.

**09/12 DATE OF NEXT MEETING [Item 09]**

It was noted that the next public meeting of the Police and Crime Panel would be held on Wednesday 5 December 2012 at 2pm.

[Meeting ended: 11.45am]

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**Chairman**

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Cllr Dorothy Ross Tomlin  
Chairman of the Surrey Police & Crime  
Panel

28<sup>th</sup> November 2012

Sent by email

Dear Cllr Ross Tomlin,

As you will be aware, Surrey's Police & Crime Commissioner, Kevin Hurley, intends to make an appointment to the role of Deputy Police & Crime Commissioner. Mr Hurley's proposed candidate is Mr Jeff Harris.

In accordance with the requirements of the Police Reform & Social Responsibility Act, I enclose the following information for the Police & Crime Panel to enable it to hold a confirmation hearing for this appointment.

- The criteria used to assess the suitability of a candidate for Deputy Police & Crime Commissioner and how Mr Harris satisfies these criteria
- A personal statement from Mr Harris which sets out his professional and personal experience as relevant to the role
- A summary of the terms and conditions of the proposed appointment
- A declaration from Mr Harris that he meets the eligibility criteria for the appointment.

I understand that the panel is willing to hold a confirmation hearing at its next meeting on 13<sup>th</sup> December. The Commissioner, Mr Harris and I look forward to meeting with you and panel members on 13<sup>th</sup>.

Yours sincerely,



Alison Bolton  
Chief Executive, Office of the Police & Crime Commissioner  
Cc Rachel Crossley, Lead Manager, Democratic Services, Surrey County Council

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## Deputy Police & Crime Commissioner – Criteria for Appointment

In accordance with Schedule 1 Section 9(2) of the Police Reform & Social Responsibility Act, the Commissioner is obliged to set out the criteria used to assess the suitability of the candidate for the appointment of Deputy Police & Crime Commissioner and why the candidate satisfies those criteria. The criteria the Commissioner has used to determine his nomination of Mr Jeff Harris are as follows:

- 1) Experience and understanding of governance and accountability in a policing context
- 2) Ability to work with statutory and voluntary partners to strengthen existing relationships and help work more cohesively to tackle crime and community safety
- 3) Ability to assist the Commissioner with achieving his ambitions and objectives (as set out in the Police & Crime Plan), helping to ensure that business is conducted efficiently and effectively
- 4) Shared values in respect of the role of the police service and its accountability to the community
- 5) Ability to complement the Commissioner's own experience, background and skills and to discharge the functions of the Commissioner (as permissible in the Police Reform & Social Responsibility Act) as and when appropriate.

It is the Commissioner's view that Mr Harris fully meets the criteria, as summarised below.

- 1) As a former senior officer, Mr Harris has had direct experience of working in policing and as such, is very aware of the challenges that currently face the police service. He has also operated at a senior level in local government. Mr Harris fully understands the respective roles of the Police & Crime Commissioner (and Deputy Commissioner), the Chief Constable and the Police & Crime Panel, as set out in the statutory policing protocol.
- 2) Mr Harris has had extensive experience of working with a range of partners from policing, local government, voluntary and community sectors. He has a good track record of innovative partnership projects, bringing together a range of organisations in order to make best use of limited public funds
- 3) Mr Harris has been instrumental in developing the Commissioner's 'six promises' for policing in Surrey which will form the basis of the first Police & Crime Plan and which reflect views of the public obtained in the run up to the elections. He has recent experience of managing significant budgets and can bring this to bear to help achieve value for money for local people at times of diminishing resource
- 4) Mr Harris shares the Commissioner's passion for policing and wants to ensure that the police deliver a quality service with a professional, courteous and positive approach. He recognises the importance of making sure that people, and in particular victims of crime, receive an excellent service and are able to have a voice in influence the priorities for policing in Surrey
- 5) Whilst both the Commissioner and Mr Harris are former senior police officers, Mr Harris offers additional experience of leadership within local government, the voluntary and community sectors. He also brings an inclusive, motivational approach to working with people.

In addition, the Panel will be provided with a personal statement from Mr Harris which sets out more details of his professional and personal experience and suitability for the role.

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## Jeff Harris: Personal Statement

I am delighted that Surrey's new Police & Crime Commissioner, Kevin Hurley, has asked me to act as his Deputy Police & Crime Commissioner during his term of office. Subject to confirmation of my appointment by the Police & Crime Panel, I am looking forward to working with Kevin and his team of staff in this new and challenging role. Kevin and I bring a shared passion for policing and a determination that local people should receive the very best policing service possible.

The majority of my professional career was spent as a police officer in the Metropolitan Police Service. My last role before retiring as a Chief Superintendent in 2005 was Borough Commander for Hounslow, leading a team of 640 officers, PCSOs, civilian staff and volunteers with an annual budget of £25million. I developed close working relationships with local authorities, co-chairing the Crime and Disorder Reduction Partnership and sitting on various groups such as the Community and Police Consultative Group, Race Crime and Harassment Group and the Borough Criminal Justice Group. During my time in Hounslow, crime was reduced by over 20% and the Borough was one of the highest performing in the Metropolitan Police area.

I have also served as Borough Superintendent in Lewisham where I was personally responsible for performance issues across all departments, from budgets to enforcement activity and prosecution. In this role I designed, formulated and led Operation Seneca – a multi-million pound Police, Transport for London and public/private Sector operation across London aimed at addressing crime and disorder on public transport routes. This ultimately resulted in the reintroduction of CCTV on London's buses, with unprecedented success and the project was nominated for the national Tilley awards for multi-agency problem-solving.

After retiring in 2005, I became an Assistant Director for Westminster City Council, a role that I enjoyed for almost five years. My portfolio of responsibilities included integrated street management, bringing together the numerous City Council employees involved in street based services (such as enforcement inspectors and City Guardians) under one, simplified management structure. The team worked closely with Police and the health, housing and voluntary sectors. The project, one of the largest reorganisations undertaken by the Council, was delivered on time, to budget and with an in-year saving of £500k with no redundancies.

From January 2011 until this summer I have been a volunteer and then Team Leader for the Prince's Trust Team Programme based in Egham, Reigate, south London and Crawley. This has seen me lead groups of highly vulnerable young people aged 16 to 25 on intensive development courses designed to improve their employment and educational prospects. I've also been responsible for discipline, welfare, training, budget management and assessment reports.

On a personal level, I live in Tadworth with my wife who has worked in the Paediatric Unit at the Royal Marsden Hospital for almost thirty years. We have three grown up sons, two of whom are serving police officers and the third is a deputy anaesthetist. I have been a volunteer staff member with the Metropolitan Police Voluntary Cadets based in Croydon and serve as Conservator with the Banstead Commons Conservators in North Surrey. In my spare time, I enjoy walking, gardening, photography and watercolour painting.

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**Deputy Police & Crime Commissioner for Surrey**  
**Summary of Terms and Conditions of Appointment**

Under Section 18(10) of the Police Reform and Social Responsibility Act 2011 (the Act), the Deputy Police & Crime Commissioner (DPCC) is a member of the Commissioner's staff.

The Deputy PCC will be employed by the Commissioner and be subject to a contract of employment which will generally reflect the terms and conditions applying to the Commissioner's staff.

The main terms and conditions of employment are:

1. The Deputy PCC will be required as a condition of employment to make a declaration of eligibility that the appointment is held subject to the requirements of the Act and is not subject to a relevant disqualification.
2. Expenses – travelling and subsistence expenses will be paid at the rates applicable to the Commissioner's staff. Expenses will be disclosed quarterly under the Elected Local Policing Bodies (Specific Information) Order 2012 in accordance with the Home Secretary's determination.
3. Hours of Work and Salary – 36 hours per week for which the Deputy PCC will be paid a salary of £50,000 per annum. No overtime will be paid. Salary reviews will be in line with those made to the Commissioner's salary which is set by the Home Secretary.
4. Holiday entitlement – 180 hours annual leave pro rata plus public and bank holidays.
5. Sickness absence – as per the Surrey Police policy
6. Pension – entitlement to join the Local Government Pension Scheme
7. Termination – Two months' notice is required by either party to terminate the contract of employment. The appointment will end if the appointee becomes disqualified under the Act. The appointment may be terminated at any time by the Commissioner and will terminate in any event upon the Commissioner ceasing to hold office for any reason, including reaching the end of the term of office under which the appointment is made.
8. Conduct – any Commissioner Code of Conduct will apply and in addition, the Deputy PCC will be subject to the complaints process under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.
9. Performance review and appraisal – the Commissioner will conduct regular performance review and appraisal.
10. The Deputy PCC will be subject to the Official Secrets Act.

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Police & Crime Commissioner for Surrey Police


Declaration by proposed appointee to the office of Deputy Police & Crime Commissioner

I, JEFFREY SHAWN HARRIS

of TADWORTH, SURREY

declare that I am aware of the provisions of the Police Reform and Social Responsibility Act 2011 and to the best of my knowledge and belief I am eligible for appointment as Deputy Police & Crime Commissioner and I am not subject to a relevant disqualification.

I acknowledge that I hold office subject to the requirements of paragraph 8 of Schedule 1 of the Police Reform and Social Responsibility Act 2011.

Signed 

Witnessed 

Dated 27<sup>th</sup>/2012

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## **SURREY POLICE AND CRIME PANEL**

### **Protocol between the Police and Crime Panel and the Police and Crime Commissioner for Surrey**

**13 December 2012**

#### **SUMMARY**

This report encloses the proposed Protocol between the Police and Crime Panel and the Police and Crime Commissioner for Surrey. The purpose of the protocol is to formalise good working practices between both parties to ensure the effectiveness of measures aimed at reducing crime and disorder and enhancing public safety.

#### **RECOMMENDATIONS**

The Police and Crime Panel is asked to:

- i. Agree the protocol in Appendix 1;
- ii. Commend the protocol to the Police and Crime Commissioner;

## **1.0 INTRODUCTION AND BACKGROUND**

- 1.1 Given the common aims of both the Commissioner and the Panel, it is important that they work in a climate of mutual respect and courtesy. The Protocol intends to guide the development of their relationship.

## **2.0 ANALYSIS AND PROGRESS**

- 2.1 The protocol has been drawn up in consultation with all members of the Police and Crime Panel and the Office of the Police and Crime Commissioner.
- 2.2 The Police and Crime Commissioner and the Police and Crime Panel are creatures of statute only recently established. They will need time to establish themselves and their modus operandi. It is therefore acknowledged that the Protocol will need to be revisited in 12 months' time to assess how it is working and to consider whether its scope is appropriate.

## **3.0 EQUALITIES AND DIVERSITY IMPLICATIONS**

- 3.1 The Police and Crime Commissioner and the Police and Crime Panel have a shared aim to reduce crime and enhance public safety for *all* residents of Surrey. The Protocol will help assist with this process.

## **4.0 CONCLUSION AND RECOMMENDATIONS**

- 4.1 The Panel is asked to agree the Protocol, as contained in Appendix 1.

## **5.0 REASONS FOR RECOMMENDATIONS**

- 5.1 Agreeing the Protocol will help guide and develop the relationship between the Police and Crime Panel and the Police and Crime Commissioner, ensuring good working practices and a climate of mutual respect and courtesy.

## **6.0 WHAT HAPPENS NEXT**

- 6.1 Once agreed, the Protocol will form the basis of the relationship between the Police and Crime Commissioner.
- 6.2 The Protocol will be reviewed in 12 months' time.

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## Protocol between the Police and Crime Panel and the Police and Crime Commissioner for Surrey

This protocol concerns the relationship between the Police and Crime Panel (PCP) and the Police and Crime Commissioner (PCC).

Given the common aims of both the Commissioner and the Panel to ensure effectiveness of measures aimed at reducing crime and disorder and enhancing public safety , it is vital that they:

- (i) work in a climate of mutual respect and courtesy;
- (ii) have a shared understanding of their respective roles, responsibilities and priorities;
- (iii) promote and foster an open relationship where issues of common interest and concern are shared in a constructive and mutually supportive way;
- (iv) share work programmes, information or data they have obtained to avoid the unnecessary duplication of effort;
- (v) do not disclose any information that is given to them in confidence without proper authority;
- (vi) provide challenge in an open and transparent way.

Whilst recognising the common aims and the need for closer working, it is important to remember that the Office of the PCC and the PCP are independent bodies and have autonomy over their work programmes, methods of working and any views or conclusions they may reach. This protocol will not preclude either body from working with any other local, regional or national organisation to deliver their aims.

The Police and Crime Commissioner and the Police and Crime Panel are creatures of statute only recently established. Clearly they will need time to establish themselves and their modus operandi. The proposals now outlined below will need to be revisited in 12 months' time to assess how these are working and to consider whether the scope now identified is appropriate.

.....  
**Chairman of the  
Police and Crime Panel**

.....  
**Police and Crime  
Commissioner**

**Date** .....

### Role of the Police and Crime Commissioner

Directly elected Police and Crime Commissioners (PCCs) and Police and Crime Panels (PCPs) were introduced by the Police Reform and Social Responsibility Act 2011. The role of the PCC is to be the voice of the people and to hold the Chief Constable to account.

The PCC is responsible for setting priorities for the police force within their area, having regard to needs and demands of communities and ensuring that local and national priorities are suitably funded by setting a budget and for the local performance of the force. He or she will do this by, inter alia:

1. representing all those who live and work in the communities in Surrey and identifying their policing needs.
2. Setting priorities that meet those needs by agreeing a force level strategy plan for Surrey Police (the police and crime plan).
3. Holding the Chief Constable to account for achieving these priorities as efficiently and effectively as possible, ensuring that value for money is achieved.
4. Agreeing the Surrey Police budget and setting the precept.
5. Hiring the Chief Constable and, if necessary, calling upon the Chief Constable to retire or resign.
6. Having regard to reports and recommendations made by the Surrey Police and Crime Panel.



### Role of the Police and Crime Panel

The Surrey Police and Crime Panel will be responsible for supporting and challenging the PCC in the exercise of his or her functions, including by publicly scrutinising the actions and decisions of the PCC and in doing so will, inter alia:

1. Review and make a report or recommendation on the draft Police and Crime Plan.
2. Hold public meetings to consider the annual report from the Commissioner.
3. Review and scrutinise decisions, or other action taken, by the Commissioner in connection with the discharge of his functions including confirmation hearings for senior staff.
4. Publish all reports and recommendations the Panel makes and send copies to the constituent local authorities.
5. Receive and record complaints made against the Commissioner and Deputy Police and Crime Commissioner, if appointed, and investigate and promote informal resolution for complaints not of a criminal nature. Complaints of a criminal nature will be referred to the Independent Police Complaints Commission.

### Working Arrangements

The detailed working arrangements outlined in the next part of this protocol relate to the 'Special Functions' of the Panel, the general role of the Panel to scrutinise the activities of the PCC and its role to investigate complaints against him/her.

The 'Special Functions' of the Panel, which may not be delegated are:-

- a) Review the Police and Crime Plan (Section 28(3) of the Act);
- b) Review the Annual Report (Section 28(4) of the Act);
- c) Review the Precept (Schedule 5 of the Act)
- d) Review Senior Appointments (Paragraphs 10 and 11 Schedule 1 of the Act);
- e) Review the Appointment of the Chief Constable (Part 1 of Schedule 8 of the Act);

The proposed timescales for responding to proposals put forward are aimed at ensuring that matters are dealt with promptly. With the agreement of the PCC and Chairman of the PCP these timescales may be amended having regard to particular circumstances.

The expectation shall be that the Chief Executive Officer of the PCC should inform the Panel Secretariat, at the earliest opportunity, of indicative timescales of matters likely to be referred to the Panel to enable meetings to be scheduled accordingly.

### **Police and Crime Plan**

The PCC is required to produce a Police and Crime Plan, following consultation.

The PCP is a statutory consultee in relation to the Police and Crime Plan.

*[Note: There is an expectation that there will be informal discussions involving the PCC, the PCP and other relevant bodies in the formulation of the key priorities to be reflected in the Plan.]*

### **Process**

The PCC shall ensure that the Panel is provided with a copy of the Police and Crime Plan or variation thereto at the earliest opportunity.

The PCC shall provide the Panel with details of any public consultation on the Plan or consultation with other partners that has informed the priorities within the Plan.

The Panel shall convene a meeting within 15 working days to consider and comment on the Plan.

The PCC shall attend the meeting of the Panel to present the Plan and answer questions.

The Panel, having considered the matter at a meeting, may make a report or recommendation to the PCC. Such report should normally be prepared and submitted to the PCC no later than five working days following the meeting.

Where such report suggests amendments to the Plan, the PCC shall be required to consider such recommendation and advise the Panel of his/her decision. Where the PCC decides not to accept the recommendation of the Panel he/she shall provide reasons to the Panel.

### **Monitoring and Review of Plan**

Recognising the Police and Crime Plan will need to be a 'living document' and responsive to changing demands and the environment, there is an expectation that there shall be regular reviews of the Plan. Where this results in variations to the Plan, the consultation process outlined above shall be followed.

*[Note: The review of the Plan may be triggered as a consequence of the PCC's Annual Report, which will need to outline the exercise of his/her functions during the financial year and progress in meeting the objectives in the Plan.]*

### **Monitoring of Performance of the Commissioner**

As the Police and Crime Plan will be the key document by which the performance of the PCC is to be measured there will be an expectation that the Panel will be provided with regular reports on the performance against the objectives of the Plan. Such reports would normally be quarterly in line with best practice.

Where Performance Monitoring reports identify areas of underperformance, the PCC shall provide an explanation together with any proposals he/she intends to take to rectify the position.

### **Annual Report**

The PCC is required to publish an Annual Report on the exercise of his/her functions during the financial year and progress in meeting the objectives set out in the Police and Crime Plan.

The Panel is required by statute to review the Annual Report.

### **Process**

By July, the PCC shall provide the Panel with a copy of his/her annual report.

The Panel will be required to convene a meeting as soon as practicable thereafter and, in any event, no later than 15 working days of receipt of the report.

The PCC shall be required to attend the Panel meeting to present the report and answer questions.

The Panel may accept the Annual Report and/or make a report or make recommendations. Reports/recommendations from the Panel should normally be prepared and submitted to the PCC no later than five working days following the meeting.

The PCC shall consider any report or recommendation and advise the Panel of his/her decision. Where the report or recommendations are not accepted by the PCC, he/she shall provide reasons.

## Precept

*[Note: There is an expectation that there will be informal discussions involving the PCC, the PCP and other relevant bodies in the development of any proposed precept.]*

The PCC shall notify the Panel of the precept he/she is proposing to levy for the coming financial year. *[Note the latest this must be received by the PCP is 1 February of the relevant financial year.]*

The proposed precept level shall be accompanied by relevant budget papers (the Medium Term Financial Plan, Budget Requirement and Precept Analysis) setting out how the precept was arrived at, the level of revenue to be generated and how such revenue is to be applied.

The Panel shall convene a meeting as soon as practicable and no later than 15 working days following receipt of the notification of the proposed precept, bearing in mind, that the Panel must have considered it before 8 February of the relevant financial year.

The Panel, having considered the proposed precept, together with any supporting documentation, may:

- a) agree the precept without qualification or comment;
- b) support the precept and make comments or recommendations concerning the application of the revenues generated;
- c) veto the proposed precept - (this will require a majority of at least two-thirds of the members of the Panel at the time)

and will make a report to the PCC (to include, if the veto is exercised, a statement to that effect).

Where the Panel supports the precept but makes comments/recommendations these should normally be prepared and submitted to the PCC by no later than five working days following the meeting. The PCC shall consider such recommendations/ comments and advise the Panel of his/her decision. Where the comments/recommendations are not accepted, the PCC shall provide reasons.

Where the Panel exercises its veto, it will provide a report to the PCC which will include a statement that the Panel has vetoed the proposed precept and giving reasons and indication as to whether it considered the proposed precept to be too high or too low. The PCC will consider the report and must issue a response, which will include a revised precept (which, if the Panel considered the proposed precept to be too high, will be lower and, if the Panel considered the proposed precept to be too low, will be higher).

The Panel will review the revised precept (at the latest by 22 February of the relevant financial year) and make a report to the Commissioner, which may indicate whether or not the Panel accepts or rejects the revised precept (there is no further veto).

The PCC will have regard to this second report and will issue a response by 1 March of the relevant financial year. The Panel accepts that a rejection of the revised precept on its part does not prevent the Commissioner from issuing that revised precept as the precept for the financial year.

## Senior Officer Appointments

The Panel is required to review proposed new appointments by the PCC of:

- The Chief Constable
- Chief Executive
- Chief Finance Officer
- Any Deputy Police and Crime Commissioner

## Senior Appointments (other than the Chief Constable)

The PCC shall advise the Panel of any proposed appointment, providing the following information:

- (a) The name of the candidate;
- (b) The criteria used to assess the suitability of the candidate;
- (c) How the candidate satisfies the criteria in (b) above;
- (d) A copy of the candidate's CV or equivalent documentation;
- (e) The terms and conditions of the proposed appointment.

The Panel shall then hold a public confirmation hearing within 3 weeks of the notification.

Candidates shall be required to attend the confirmation hearing and may be questioned by the Panel in relation to their appointment.

Following the hearing, the Panel will make a report/recommendation on the proposed appointment. The PCC shall consider the recommendation and report back on whether the recommendation has been accepted or not. Where the recommendation is not accepted, reasons should be provided.



## Chief Constable – Appointment and Removal

### Appointment of Chief Constable

In relation to the Chief Constable, following the confirmation hearing, the Panel will make a report to the Commissioner, indicating whether it:

- (a) supports the proposed appointment without any comment or recommendation;
- (b) Supports the appointment with some comment or recommendation;
- (c) Vetoes the proposed candidate for the post of Chief Constable - *(this will require a majority of at least two-thirds of the members of the Panel at the time)*.

Where the Panel exercises its veto, the report will include a statement that it has done so and give reasons. The PCC will then propose a 'reserve candidate' for appointment as Chief Constable and the Panel will conduct a confirmation hearing for this candidate, within three weeks from the day it receives notification from the PCC.

Following the confirmation hearing, the Panel will make a report to the PCC, which will include a recommendation as to whether or not the reserve candidate should be appointed (there is no second veto). The PCC will have regard to the report and will notify the Panel as to whether or not he/she accepts or rejects the recommendation.

### Suspension/Removal of Chief Constable

The process will commence with a notification from the PCC that he/she has suspended the Chief Constable.

The PCC shall notify the Panel if he/she intends to ask the Chief Constable to resign or retire, together with the reasons and a copy of the written explanation provided to the Chief Constable. The PCC shall provide the Panel with a copy of any representations he/she may have received from the Chief Constable in response.

Within 30 working days of receiving the notification from the PCC, the Panel must make a recommendation in writing to the PCC. Before making any recommendation, the Panel may consult with the Chief Inspector of Constabulary.

Before making any recommendation, the Panel shall hold a meeting, in private, at which the PCC and Chief Constable shall be entitled to attend and make representations.

The PCC cannot call upon the Chief Constable to resign or retire until he/she has had and considered the report of the Panel. The PCC may accept or reject the report of the Panel.

*[Note: A longer timescale is proposed as the Panel will need to consult the Chief Inspector of Constabulary.]*

## **Suspension of the Police & Crime Commissioner and Appointment of an Acting Police & Crime Commissioner**

The Panel is responsible for dealing with complaints against the PCC (see later section of this Protocol).

### **Suspension of the PCC**

The Panel may suspend the PCC if he/she is charged with an offence which carries a maximum term of imprisonment exceeding two years.

The PCC will inform the PCP immediately on being charged with any such offence. The Panel will be required to convene a meeting as soon as practicable thereafter, as the decision to suspend must be taken at a meeting of the Panel and voted upon. The PCC will be entitled to attend for the purpose of making representations.

Any suspension of the PCC shall cease if:

- The charge is dropped
- The PCC is acquitted of the offence
- The PCC is convicted but is not disqualified because of the conviction
- The Panel agrees to terminate the suspension.

The Panel shall therefore keep the suspension under review and will, should circumstances change, convene a further meeting to consider whether the suspension should continue.

### **Appointment of an Acting PCC**

The Panel must meet to appoint an Acting PCC if:

- the PCC is incapacitated and cannot carry out the functions of the office; or
- the PCC is suspended.

The Office of the PCC shall inform the Panel immediately on learning that the PCC is incapacitated. The Panel will be required to convene a meeting as soon as practicable thereafter to appoint an Acting PCC, to be drawn from the PCC's staff at the time. The Panel will have regard to any views submitted by the PCC.

The appointment of an Acting PCC shall cease:

- When a new PCC is elected as a result of a vacancy arising
- If the PCC is no longer incapacitated
- If the suspension of the PCC has been lifted.

The Acting PCC will inform the Panel as soon as he/she learns that his/her tenure will be ending.

### Complaints

The Panel has agreed that all complaints will initially be dealt with by the Chief Executive of the PCC's Office. With the exception of when the complaint is already being dealt with through criminal proceedings, the Chief Executive will be responsible for receiving, logging and forwarding complaints to the most appropriate body.

Where a complaint relates to criminal conduct, the Chief Executive will refer the matter to the IPCC. Where it relates to non-criminal conduct (or the matter has been referred back by the IPCC), the complaint will be referred to the Panel for informal resolution.

The Panel can only consider complaints in relation to the PCC and the DPCC. For non-criminal complaints that fall outside of this remit, the Chief Executive will forward the matter on to the most appropriate body.

When it receives a complaint, the Panel will arrange for a meeting of its Complaints Sub-committee, normally within four weeks. The Panel will write to both the complainant and the person complained about, setting out timescales and providing details of the informal resolution procedure. The Panel will also invite both sides to submit comments in support of their case.

At its meeting, the Complaints Sub-committee will consider the information submitted and determine the most suitable course of action to assist with the informal resolution of the complaint.

This may include:

- Writing a letter of explanation to the complainant;
- Requesting that the PCC or one of his or her staff write a letter of explanation to the complainant;
- Suggesting a change in policy;
- Requesting that the person complained about issue an apology.

With the exception of inviting comments from both the complainant and the person complained about, and inviting the latter to attend its meeting to answer questions, neither the Panel nor the Complaints Sub-committee is authorised to conduct an investigation.

Once a decision has been made, the Complaints Sub-Committee will notify those involved usually within 5 working days of the meeting. The Panel will be provided with an update on all complaints dealt with by the Complaints Sub-committee on a quarterly basis.

### **Holding the Police and Crime Commissioner to Account**

The Panel is responsible for reviewing and scrutinising decisions or actions taken by the PCC in discharging his/her responsibilities. Whilst an element of this will be undertaken through scrutiny of the Police and Crime Plan and the PCC's Annual Report, there may be other matters that the Panel may consider merit scrutiny.

The presumption shall be that the PCC will be required to attend all meetings of the Panel (the expectation is that there will be four-six Panel meetings per year) unless advised to the contrary.

The Panel's Support Officer shall notify the PCC of the Panel's work programme and meeting dates. In setting the work programme, the Panel should identify what information is required and if any support staff from the PCC's staff need to attend.

Where the PCC is required to provide information to the Panel, the Panel should aim to give 15 working days' notice of the date of the meeting and set out the nature of the agenda item and the information required. In exceptional circumstances and when there is agreement between the PCC and Chairman of the Panel, shorter notice may be given for either attendance or information.

Where the Panel requires the PCC to attend it may also request the attendance of the Chief Constable to answer questions which appear to the Panel may be necessary to enable it to carry out its functions.

In discharging its functions the Panel may invite persons other than those referred to above, to assist it in its deliberations.

Where, as a result of its deliberations, the Panel makes a report to the PCC, it will publish such report on its website and send copies to the constituent local authorities, except where the information is exempt or confidential as defined in the Local Government Act 1972 (as amended).

The Panel may require the PCC to consider the report and upon the Panel at its next meeting (or a particular specified meeting) to advise what action, if any, the PCC proposes to take in response. The response of the PCC shall also be published on the website.

## **SURREY POLICE AND CRIME PANEL**

### **Complaints Protocol**

**13 December 2012**

#### **SUMMARY**

The Police and Crime Panel has a responsibility to informally resolve non-criminal complaints about the conduct of the Police and Crime Commissioner and Deputy Police and Crime Commissioner, as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission. This report encloses the proposed Protocol for dealing with such complaints.

#### **RECOMMENDATIONS**

The Police and Crime Panel is asked to agree the Complaints Protocol in Appendix 1.

## **1.0 INTRODUCTION AND BACKGROUND**

- 1.1 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 make Surrey's Police and Crime Panel responsible for overseeing complaints made about the conduct of the Police and Crime Commissioner and the Deputy Police and Crime Commissioner (DPCC).
- 1.2 The Protocol attached at Appendix 1 sets out the manner in which complaints will be dealt with, including details of timeframes once a complaint has been submitted.
- 1.3 The Protocol is intended to clearly outline the complaints process and is therefore quite detailed. Therefore, in addition to the formal Protocol, a shorter, plain English version has been produced for use in relevant public documents and on the Panel's website.

## **2.0 ANALYSIS AND PROGRESS**

- 2.1 The protocol has been drawn up in consultation with members of the Panel's proposed Complaints Sub-Committee and the Office of the Police and Crime Commissioner.
- 2.2 Being a new and untested process, it may be the case that there is a need to review the Complaints Protocol in the future, to ensure that complaints are dealt with in an efficient and timely manner.

## **3.0 EQUALITIES AND DIVERSITY IMPLICATIONS**

- 3.1 It is vital that any complaints process is open to all residents and that each and every complainant is treated with respect and courtesy. The Complaints Protocol has been designed to be an equitable process and will be monitored by the Panel's Support Officer to ensure that it is fit for purpose.
- 3.2 In addition to the formal Protocol, a shorter, plain English version of the document has been put together, and this will be made available on the Panel's website.

## **4.0 CONCLUSION AND RECOMMENDATIONS**

- 4.1 The Panel is asked to agree the Protocol, as contained in Appendix 1.

## **5.0 REASONS FOR RECOMMENDATIONS**

- 5.1 Agreeing the Protocol will ensure that the Panel can fulfil its duty to informally resolve non-criminal complaints about the conduct of the PCC and DPCC.

## **6.0 WHAT HAPPENS NEXT**

6.1 Once agreed, the Protocol will form the basis of the complaints process.

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# Surrey Police and Crime Panel

## Complaints Protocol

### 1 Background

- 1.1 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 make Surrey's Police and Crime Panel (hereby referred to as "PCP") responsible for overseeing complaints made about the conduct of the Police and Crime Commissioner (PCC) and the Deputy Police and Crime Commissioner (DPCC).
- 1.2 The PCP also has a responsibility to informally resolve noncriminal complaints about the conduct of the PCC and DPCC, as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission (IPCC). Issues raised about local crime or neighbourhood concerns rather than about the conduct of the PCC or DPCC will be dealt with by the police force through normal channels of feedback rather than under the Regulations.
- 1.3 This document sets out how the PCP will manage the complaints process.

### 2 Initial Complaint Handling

- 2.1 In accordance with Regulation 7, the PCP has agreed to delegate initial receipt of complaints to the Chief Executive of the PCC's Office (hereby referred to as "Chief Executive").
- 2.2 Where a complaint is sent directly to the PCP, the PCP's Support Officer will refer the matter to the Chief Executive for initial consideration **within two working days**.
- 2.3 Upon receipt of a complaint, the Chief Executive will record the complaint, except in cases where he/she is satisfied that the subject-matter of the complaint is being/has been dealt with by means of criminal proceedings against the PCC/DPCC, or the complaint has subsequently been withdrawn in accordance with the Regulations.
  - 2.3.1 Where the Chief Executive decides not to take action to notify the appropriate panel or record all or any part of the complaint, he/she will notify the complainant of this decision and the grounds on which it was made.
- 2.4 Once recorded, the Chief Executive will determine whether the PCP is the appropriate police and crime panel / body to deal with the complaint. If it is not, the Chief Executive will notify the appropriate panel / body. If it is, he/she will refer the matter in the manner outlined in Section 3.
  - 2.4.1 The Chief Executive will refer non-criminal Complaints that are 'out-of-scope' of the PCP on to the most appropriate body.
- 2.5 Where the Chief Executive becomes aware of a Conduct Matter, except where the matter has been recorded as a Complaint or is being/has been dealt with by means of criminal proceedings, he/she will determine whether the PCP is the appropriate police and crime panel to deal with it. If it is not, the Chief Executive will notify the appropriate panel. If it is, he/she will record the Conduct Matter.

## APPENDIX 1 (Complaints Protocol)

- 2.6 In the event that it becomes clear to the Chief Executive that a complaint or conduct matter involves any degree of criminality, he/she will refer (in such manner as the IPCC specifies) a Serious Complaint or Conduct Matter to the IPCC. This referral will occur **no later than the end of the day after the day when it first became clear that the matter constitutes a Serious Complaint or Conduct Matter.**
- 2.6.1 Where the IPCC notifies the Chief Executive that it requires a Complaint or Conduct matter to be referred to it, the Chief Executive will comply as soon as possible and in any event no later than the end of the day after the day such notification was made.
- 2.6.2 The Chief Executive of the PCC will notify the complainant (where applicable), and the person to whose conduct the matter relates (unless a decision has been taken that it might prejudice a possible future investigation) of the referral.
- 2.6.3 Where the IPCC refers a criminal or conduct complaint back to the PCP, the Chief Executive will refer the matter in the manner outlined in Section 3.
- 2.7 Having decided that a complaint does not need to be referred to the IPCC (because it is not a serious complaint), or having referred a complaint to the IPCC and had it referred back, the Chief Executive may decide that the complaint should not be subjected to resolution under Part 4 of the Regulations or that no action should be taken in relation to it at all. The Chief Executive may only do this if the complaint falls into any one of the following specified categories:
- 2.7.1 A complaint by a member of the relevant office holder's staff, arising from the staff member's work;
- 2.7.2 A complaint that is more than 12 months old, where there is no good reason for the delay or the delay would be likely to cause injustice;
- 2.7.3 A complaint about conduct that is already the subject of another complaint;
- 2.7.4 An anonymous complaint;
- 2.7.5 A complaint which is vexatious, oppressive or otherwise an abuse of process for dealing with complaints.
- 2.8 If the Chief Executive of the PCC considers that either there is an actual, or there could be a perceived, conflict of interest in respect of them taking any of the decisions detailed in Section 2, he/she shall refer the matter to the PCP's complaints sub-committee for it to take the decision. Such referral will be made no later than **2 working days** after identifying the actual or perceived conflict of interest.

### 3 Referral of Complaint to the PCP

- 3.1 When the decision has been made to record a complaint that does not need to be referred to the IPCC, or a Serious Complaint or Conduct Matter that has been referred back by the IPCC, and is within the scope of the PCP, the Chief Executive will:

## APPENDIX 1 (Complaints Protocol)

- 3.1.1 Send a record of the complaint to the complainant and to the person complained about. In the latter case, the Chief Executive may decide not to supply a copy of the complaint, or may provide the complaint in a form which protects the identity of the complainant or any other person. The Chief Executive will also provide the complainant and the person complained about the contact details of the Panel's Support Officer;
- 3.1.2 Refer the record, and copies of all the associated paperwork, to the Panel's Support Officer. This will be **no later than two working days** after the complaint has been recorded.
- 3.2 On receipt of the complaint, the Panel's Support Officer will:
  - 3.2.1 Convene a meeting of the Complaints Sub-Committee, **normally to be held within four weeks** of the referral of the complaint;
  - 3.2.2 Write to the complainant, setting out timescales and details about the informal resolution procedure, and giving the complainant **two weeks** to make further comments in support of his/her complaint. Where the Panel's Support Officer believes that the circumstances of the case are such that the Complaints Sub-Committee may decide to treat the complaint as having been resolved, he/she will ask the complainant to provide his/her representations in this regard for the Complaints Sub-Committee to take into account; and
  - 3.2.3 Write to the person complained about, setting out timescales and providing details about the informal resolution procedure; and giving him/her **two weeks** to make comments in response to the complaint.

## 4 Considering the Complaint

- 4.1 The Panel's Support Officer will compile a brief report for the Complaints Sub-Committee, setting out the relevant details of the complaint, recording any failure by the person complained about to comment on the complaint and making suggestions for the next steps.
- 4.2 Upon meeting, the Complaints Sub-Committee will first consider whether the complaint has been satisfactorily dealt with and, subject to any representations by the complainant, may decide to treat the complaint as having been resolved. In such a case, the Complaints Sub-Committee's reasons will be recorded and notified to the parties.
- 4.3 If the Complaints Sub-Committee believes that the matter has not yet been satisfactorily dealt with, it will determine the most suitable course of action to assist informal resolution. This may include, but not be limited to:
  - 4.3.1 Asking the Panel's Support Officer to write an explanatory letter to the complainant;
  - 4.3.2 Requesting that an officer of the PCC's Office write an explanatory letter to the complainant;
  - 4.3.3 Suggesting a change to the Office of the PCC policy;

## APPENDIX 1 (Complaints Protocol)

- 4.3.4 Requesting that an apology be tendered by the person complained about (no apology may be tendered on behalf of the person complained against unless that person has admitted the alleged conduct and agreed to the apology).
- 4.4 In accordance with Regulations, the Complaints Sub-Committee will not conduct an investigation. The Complaints Sub-Committee may exercise its delegated powers to require the person complained against to provide information or documents or attend before it to answer questions or give evidence, as this will not be regarded as an investigation. However, any other step intended to gather information about the complaint, other than inviting the comments of the complainant and the person complained against, will not be permitted.
- 4.5 If, at any stage, the IPCC informs the PCP that it requires the complaint is to be referred to it, or if the Complaints Sub-Committee decides that the matter has a criminal element and therefore needs to be referred to the IPCC, the informal resolution process will be discontinued.
- 4.6 The Panel's Support Officer will make a record of any informal resolution and will, **usually within 5 working days**, provide copies to the complainant and the person complained about.
- 4.7 The Panel's Support Officer will provide a report to **each quarterly meeting** of the PCP, summarising any complaints that have been considered since the last meeting, including the outcome.

### 5 Complaints about the PCP

- 5.1 The PCP will come under the jurisdiction of the Local Government Ombusman in regard to how it handles complaints against the PCC.

## **SURREY POLICE AND CRIME PANEL**

### **Communications Protocol**

**13 December 2012**

#### **SUMMARY**

This report sets out the proposed methods by which the Surrey Police and Crime Panel will promote its role and activities to ensure that the public have access to the information they need to hold Surrey's Police and Crime Commissioner to account.

#### **RECOMMENDATIONS**

The Police and Crime Panel is asked to:

- (i) Note the responsibility of the Panel to actively promote its role and activities;
- (ii) Agree the content to be provided on the Panel's web pages, as detailed in paragraphs 2.2, 2.3, 2.4 and 2.5 of the report;
- (iii) Agree the proposals for promoting the work of the Panel through council newsletters and relevant events, as detailed in paragraph 2.6 of the report;
- (iv) Agree the proposals for Panel Member updates to their respective local authorities, as detailed in paragraphs 2.7 and 2.8 of the report;
- (v) Agree the proposals for webcasting Panel meetings, as detailed in paragraph 2.9;
- (vi) Agree the protocol for media relations, as detailed in Appendix A.

## 1.0 INTRODUCTION AND BACKGROUND

- 1.1 The Police Reform & Social Responsibility Act 2011 requires that arrangements be made for administrative support for the Police and Crime Panel (“the Panel”) and for the role of the Panel to be promoted.
- 1.2 This report sets out the proposed support to be provided to the Panel to communicate to a wider public audience its scrutiny activities of the new Police and Crime Commissioner, in the interests of transparency.

## 2.0 ANALYSIS AND PROGRESS

### Promoting the Role of the Police and Crime Panel

- 2.1 The Panel Arrangements agreed by all 12 Local Authorities in Surrey included a section on the promotion of, and support for, the Panel. This included two relevant clauses for promoting the Panel, as detailed below.

**6.1** *The role of the Police & Crime Panel will be promoted, with information provided on all 12 local authority websites and opportunities identified to promote with the public through existing resident newsletters and events as appropriate.*

**6.4** *The appointed members of the Panel will act as the main conduit between the Panel and their local authority. They will report back to the local authority on the work of the Panel as appropriate and provide support and guidance to members and officers of the relevant local authority on the functions of the Police and Crime Panel, signposting to officers or other organisations as necessary.*

### Police and Crime Panel Website

- 2.2 The County Council hosts a dedicated website which provides information for the public on the role of the Police and Crime Panel and links to the membership, meeting dates and agendas once published. It will also be updated as appropriate with current events or developments that relate to the Panel.
- 2.3 The pages can be accessed via the following URL:  
[www.surreycc.gov.uk/policeandcrimepanel](http://www.surreycc.gov.uk/policeandcrimepanel)
- 2.4 The address for the dedicated website has been shared with all 11 Districts and Boroughs so that they can provide a link on their respective websites.
- 2.5 Media releases will be used proactively to signpost members of the public and other interested parties to the website, alerting the public to forthcoming meeting dates, agendas and any media releases from the Panel.

## **Resident Newsletters**

- 2.6 The Panel's support officer will use the Surrey Communications Officer Group to identify council newsletters or relevant events held across the 12 local authorities in Surrey where the work of the Panel could be promoted. The support officer will provide information to local authorities as necessary and work with communications teams to draft articles as appropriate. Panel members will be made aware of any articles due to be placed in resident newsletters.

## **Panel Member Updates**

- 2.7 In accordance with clause 6.4 of the Panel Arrangements agreed by all 12 Local Authorities in Surrey, appointed members of the Panel are encouraged to provide regular updates to their local authority, by, for example, signposting members and appropriate officers to the Panel's website or providing statements or reports to council meetings.
- 2.8 The support officer for the Panel will provide information and advice to appointed members when requested. Members promoting the role of the Police and Crime Panel through statements or similar at council meetings should let the support officer know so that all promotional activities can be captured and reported back to the Panel regularly to help identify best practice.

## **Webcasting Meetings**

- 2.9 The Panel intends to webcast two meetings this financial year - its initial meeting with the PCC on 13 December 2012 and the meeting at which it considers the PCC's proposed precept. The use of webcasting will then be reviewed and a further report brought to the Panel with recommendations for future meetings.

## **Media Relations**

- 2.10 The Panel's statutory functions will be promoted to local communities via proactive and reactive media relations in accordance with the draft media protocol attached as Appendix 1.
- 2.11 Media inquiries for the Panel will be managed through the Panel's Support Officer, who will support the Chairman in his or her relationships with journalists, getting advice from the host authority's media relations team as appropriate.
- 2.12 The host authority's media relations team will provide specialist advice to the Panel's Support Officer in producing media communications strategies for specific reviews, and in liaising with members of the press attending the Panel's meetings. The Chairman will be supported with the production of letters and comment pieces for publication as required.

### **3.0 EQUALITIES AND DIVERSITY IMPLICATIONS**

- 3.1 Surrey County Council is committed to providing an accessible website that is easy to use by anyone, whatever their age, background, access device or level of ability/disability. The Panel's web pages will adhere to the same standards.
- 3.2 As previously outlined, the Panel has a duty to ensure that the public has access to relevant information concerning the work of the Police and Crime Commissioner. To ensure that the Panel's communications are accessible to as many people as possible, all written material will adhere to the principles of plain English.

### **4.0 CONCLUSION AND RECOMMENDATIONS**

- 4.1 The Panel is asked to agree the promotional arrangements at set out on the first page of this report.

### **5.0 REASONS FOR RECOMMENDATIONS**

- 5.1 The Surrey Police and Crime Panel has a duty to ensure that residents have access to the information they need to hold Surrey's Police and Crime Commissioner to account. The recommendations contained in this report will ensure that this responsibility is fulfilled.

### **6.0 WHAT HAPPENS NEXT**

- 6.1 Once agreed, the proposals contained in this report will form the basis of the Panel's promotional activities.

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**Protocol for media relations to support the work of the Surrey  
Police and Crime Panel**

In order to promote the role of the Panel, the Panel's Support Officer will work with the Chairman of the Panel to identify any of its activities that have potential press or public interest, consulting with other members of the Panel as necessary.

The Support Officer will inform the host authority's Media Relations Team about reviews, recommendations or decisions that are planned and seek advice about the most appropriate communications strategy in each case.

The Chairman of the Panel will be offered media support and advice by the host authority to enable him or her to explain the Panel's work and its findings to the media.

In consultation with the host authority's media relation team, the Support Officer will respond to requests for information from the media about reports and decisions by the Panel and all media statements issued must be approved by the Chairman. All media interview requests relating to the work of the Panel will be referred to the Chairman and only the Chairman (or Vice-Chairman in the Chairman's absence) may make comment to the media on the Panel's behalf.

The Police and Crime Commissioner will normally be informed in advance where the Panel intends to issue a media release, for information purposes.

Media releases will be issued in plain text format on behalf of the Panel and will also be distributed to all members of the Panel by email beforehand. They will be published on the Panel website as soon as they are issued.

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## SURREY POLICE AND CRIME PANEL

### Complaints Sub-Committee

13 December 2012

#### SUMMARY

This report sets out the terms of reference and membership for the Complaints Sub-Committee.

#### RECOMMENDATIONS

The Police and Crime Panel is asked to:

- (i) Agree the terms of reference for the Complaints Sub-Committee attached at appendix 1,
- (ii) Appoint the following members to the Complaints Sub-Committee for the remainder of the 2012/13 Council year:
  - Cllr Victor Broad
  - Cllr Margaret Cooksey
  - Independent Member Anne Hoblyn
  - Cllr John O'Reilly
  - Cllr Clive Smitheram
  - Independent Member Janice Turner
  
  - Cllr Dorothy Ross-Tomlin (*ex-officio*)
  - Cllr Terry Dicks (*ex-officio*)

## **1 INTRODUCTION**

- 1.1 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 make Surrey's Police and Crime Panel (hereby referred to as "PCP") responsible for overseeing complaints made about the conduct of the Police and Crime Commissioner (PCC) and the Deputy Police and Crime Commissioner (DPCC).
- 1.2 This report sets out the proposed terms of reference and membership for a Complaints Sub-Committee, set up in line with the complaints protocol included as Item 7 on this agenda.

## **2 CONTEXT**

- 2.1 One of the functions of the Surrey Police and Crime Panel is to oversee complaints made about the conduct of the Police and Crime Commissioner (PCC) and the Deputy Police and Crime Commissioner (DPCC). As part of this, the Panel also has a responsibility to informally resolve noncriminal complaints about the conduct of the PCC and DPCC, as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission (IPCC).
- 2.2 Under the regulations, the Panel can delegate the initial receipt of complaints to the Chief Executive of the PCC's Office. The Surrey Police and Crime Panel has agreed to do this (as covered under the Complaints Protocol under Item 7 on the agenda.)
- 2.3 Similarly, the Panel can delegate the informal resolution of complaints falling within its remit to:
  - A sub-committee of the Panel
  - A single member of the Panel
  - Another person appointed by the Panel (e.g. A Monitoring Officer or PCC Chief Exec)
- 2.4 Following informal consultation with the Panel, it was agreed that to ensure flexibility to respond to complaints quickly and avoid unnecessary delay, whilst still ensuring accountability is retained by the Panel, this role would be delegated to a sub-committee of the panel. Terms of reference for the sub-group are included at appendix 1.

## **3 MEMBERSHIP**

- 3.1 To deal with any complaint effectively, it was felt that at least 3 members must be available and that where possible, this should include at least one of the two independent members of the Panel.

3.2 To ensure that at least 3 members would be available at relatively short notice, it is proposed that the Complaints Sub-committee includes 6 members of the panel, of which 2 should be independent members.

#### **4 CONCLUSION AND RECOMMENDATIONS**

4.1 The Panel is asked to agree the terms of reference (attached at appendix 1) and membership as at set out on the first page of this report.

#### **5 REASONS FOR RECOMMENDATIONS**

5.1 The Surrey Police and Crime Panel has a duty to informally resolve noncriminal complaints about the conduct of the PCC and DPCC, as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission (IPCC). The recommendations contained in this report will help to ensure that this responsibility is fulfilled.

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**SURREY POLICE AND CRIME PANEL  
COMPLAINTS SUB-COMMITTEE**

**TERMS OF REFERENCE**

**Purpose**

To informally resolve non-criminal complaints about the Surrey Police and Crime Commissioner (PCC) or Deputy PCC, as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission (IPCC) on behalf of the Surrey Police and Crime Panel.

**Membership of the Group**

4 Appointed members of the Surrey Police and Crime Panel

2 Independent members of the Surrey Police and Crime Panel

The Chairman and Vice-Chairman of the Panel will be ex-officio members of the sub-committee.

3 members of the Sub-Committee (including 1 independent member) to meet to consider any complaint referred.

**Roles/Functions**

- To consider non-criminal complaints relating to the PCC or Deputy PCC referred to the Panel by the Chief Executive of the PCC's Office as well as criminal complaints or conduct matters that are referred back to the Panel by the IPCC.
- To handle any complaints referred to the sub-committee in line with the agreed complaints protocol and agree the most suitable course of action to assist with the informal resolution of the complaint.
- To provide a quarterly update to the full Panel on all complaints dealt with by the Complaints Sub-committee.

## SURREY POLICE AND CRIME PANEL

### Finance Sub-Group

13 December 2012

#### SUMMARY

This report sets out the terms of reference and membership for the Finance Sub-Group.

#### RECOMMENDATIONS

The Police and Crime Panel is asked to:

- (i) Agree the terms of reference for the Finance Sub-Group attached at annex 1,
- (ii) Appoint the following members to the Finance Sub-group for the remainder of the 2012/13 Council year:
  - Cllr Bryan Cross
  - Cllr Penny Forbes-Forsyth
  - Cllr Charlotte Morley
  
  - Cllr Dorothy Ross-Tomlin (*ex-officio*)
  - Cllr Terry Dicks (*ex-officio*)

## 1 INTRODUCTION

- 1.1 The Police Reform & Social Responsibility Act 2011 gives the Police and Crime Panel the responsibility to review the Police and Crime Commissioner precept.
- 1.2 This report sets out the proposed terms of reference and membership for a Finance Sub-group to support the Panel in fulfilling its functions in relation to the budget and precept.

## 2 CONTEXT

- 2.1 One of the functions of the Surrey Police and Crime Panel is to review the Police and Crime Commissioner's annual precept and, having considered the proposed precept, together with any supporting documentation:
- a) agree the precept without qualification or comment;
  - b) support the precept and make comments or recommendations concerning the application of the revenues generated;
  - c) veto the proposed precept.
- 2.2 This is one of only two areas where the Panel has a power of veto (with a two-thirds majority) and therefore is a significant responsibility for the Panel.
- 2.3 There is a strict timetable laid down within the regulations dictating the respective roles of the Commissioner and the Panel. In summary:

By 1 February	The PCC shall notify the Panel of the precept he is proposing to levy
By 8 February	The Panel must have considered the proposed precept and made its report to the PCC
<i>If the Panel has exercised its veto</i>	
By 15 February	PCC to notify the Panel of the revised precept
By 22 February	The Panel to review and report on the revised precept
1 March	PCC to issue precept

- 2.4 The timescales for reviewing the precept are therefore very short and allows limited time for the Panel to review the precept. In order to ensure that this does not impact on the Panel's ability to scrutinise the budget in the necessary level of detail, it has been suggested that a sub-group of 3 members be constituted to lead on the financial aspects of the Panel's role. Terms of reference for the sub-group are included at appendix 1.



### **3 MEMBERSHIP**

- 3.1 Given the terms of reference and to draw on the expertise of the Panel, it is recommended that members of this sub-group have the relevant financial skills and/or experience. 3 members of the Panel have indicated their interest in being appointed to the sub-group and have confirmed that they have the necessary skills to undertake the role.
- 3.2 The Chairman and Vice-Chairman will be ex-officio members of any sub-group or sub-committee, providing additional support and capacity as necessary.

### **4 CONCLUSION AND RECOMMENDATIONS**

- 4.1 The Panel is asked to agree the terms of reference (attached at appendix 1) and membership as at set out on the first page of this report.

### **5 REASONS FOR RECOMMENDATIONS**

- 5.1 The Surrey Police and Crime Panel has a duty to ensure they hold the Police and crime Commissioner to account and review the Precept. The recommendations contained in this report will help to ensure that this responsibility is fulfilled.

### **6 WHAT HAPPENS NEXT**

- 6.1 Once agreed, the sub-group will agree a work programme and meeting dates to review the budget prior to the formal meeting of the Police and Crime Panel on 6 February 2013.

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**SURREY POLICE AND CRIME PANEL  
FINANCE SUB-GROUP**

**TERMS OF REFERENCE**

**Purpose**

To monitor and review the Surrey Police and Crime Commissioner's budget proposals (including the proposed precept) and make recommendations to the Panel as appropriate.

**Membership of the Group**

3-6 members of the Surrey Police and Crime Panel.

Chairman and Vice-Chairman of the Panel will be ex-officio members of the sub-group.

**Roles/Functions**

- To develop a good understanding of the Surrey Police budget.
- To question/challenge the Commissioner about the financial information provided in support of the precept and identify any further information which might be required, so that any issues can be addressed at an early stage.
- To carry out detailed scrutiny of specific budget issues as necessary.
- To provide a steer to the Commissioner and/or the Surrey Police and Crime Panel on action to be taken to address any budget issues identified.
- To lead the discussion when budget issues are discussed by the full Panel, ensuring that other members of the Panel have a good understanding and can make informed decisions.