

MINUTES of the meeting of the **SURREY POLICE AND CRIME PANEL** held at 10.30 am on 10 September 2013 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting.

Members:

Mrs Dorothy Ross-Tomlin (Chairman)
Mrs Pat Frost
Borough Councillor Terry Dicks (Vice-Chairman)
Borough Councillor John O'Reilly
Borough Councillor Richard Billington
District Councillor Margaret Cooksey
Borough Councillor Victor Broad
Borough Councillor Penny Forbes-Forsyth
Borough Councillor Charlotte Morley
District Councillor Ken Harwood
Borough Councillor Bryan Cross
Independent Member Maria Gray
Independent Member Anne Hoblyn

Apologies:

Borough Councillor George Crawford QPM

34/13 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Borough Councillor George Crawford.

35/13 MINUTES OF THE PREVIOUS MEETING [Item 2]

The minutes of the meeting that took place on 12 June 2013 were agreed as a true record of the meeting.

36/13 DECLARATIONS OF INTEREST [Item 3]

None were received.

37/13 PUBLIC QUESTIONS [Item 4]

None were received.

38/13 STAGE 2 TRANSFER UPDATE [Item 5]

The Chairman of the Surrey Police and Crime Panel explained that the Police Reform and Social Responsibility Act set out a second "Stage 2" transfer which referred to the subsequent movement of certain staff, property, rights and liabilities from the Police and Crime Commissioner to the Chief Constable. The purpose of the transfer was to allow Commissioners the freedom to design their own local arrangements to allow efficient discharge of both theirs and the Police's functions.

The Commissioner provided the Panel with a short introduction to his Stage 2 proposals, as detailed in the agenda papers, and made the following key points:

- The Commissioner felt that to ensure the six People's Priorities were being delivered by Surrey Police and for him to fully exercise his role of holding the Chief Constable to account then the Chief Constable would need control of ICT, buildings, vehicles and staff.
- The Commissioner's plans were to transfer most of the control and responsibility of the previous Police Authority to the Chief Constable.
- The Commissioner stated that his involvement with the media was significantly greater than the Police Authority, as he needed to recognise and respond to statements being made. He stated that he would require a greater communications budget than the Police Authority held, which would be paid for out of the Surrey Police budget.

The Chairman thanked the Commissioner for his introduction and invited questions from Panel Members. During the following question and answer session, the following points were clarified:

- The Commissioner felt that Section 38 of the Act, in relation to contracts, gave him enough powers to hold the Chief Constable to account, if required. The Panel were concerned that moving the responsibility to the Chief Constable would lead to the Commissioner

learning of decisions too late to reverse them. The Commissioner stated that as he remained a signatory on contracts he would be aware of decisions being made and that he, and his staff, were in regular contact with the Chief Constable's office and were now much better cited than previously.

- Stage 2 transfer proposals across the country were different, but the Commissioner felt his proposals were appropriate for Surrey. If it was deemed to not be satisfactory in the future, Commissioners would be able to request a different set up from the Home Secretary, however the Commissioner stated that it would incur a legal bill which he was keen to minimise.
- The Panel raised concerns that many of the responsibilities of the Deputy Police and Crime Commissioner would now be under the Chief Constable. The Commissioner stated his Deputy would continue to oversee these areas of work in order to scrutinise the work of Surrey Police and assist him to hold the Chief Constable to account.
- The Police and Crime Commissioner's Chief Executive stated that most Police Staff would not notice a change from 1 April, when they become an employee of the Chief Constable and not the Police and Crime Commissioner. This was due to payslips coming from Surrey Police and not the Police Authority. Whilst TUPE would not be applied in this case, the principles of TUPE would and they were communicating with staff regarding the changes; through letters and the Surrey Police intranet. The Commissioner confirmed he was in regular conversations with Trade Unions regarding the transfer of staff and that he was keen to ensure the structures put in place would be the most effective for Surrey residents.
- The Commissioner would continue to monitor the budget of Surrey Police very carefully and there was little risk it would be overspent by a large amount as the Chief Constable was given a finite budget to control.
- The Police and Crime Commissioner saw his role as to ensure the six Peoples Priorities were being delivered effectively by Surrey Police, not to dictate how this was achieved.

RESOLVED: That

1. The report be noted.

39/13 POLICE AND CRIME PLAN QUARTERLY PROGRESS UPDATE [Item 6]

The Chairman explained that the Surrey Police and Crime Panel had agreed to monitor progress against the Commissioner's Police and Crime Plan at every meeting, and that the report in the agenda provided an update for the period April 2013 to June 2013.

The Chairman invited the Commissioner to give a brief introduction to the quarterly progress update of his Police and Crime Plan, and he made the following key points:

- The Commissioner stated he was holding the Chief Constable to account on his six Peoples Priorities.
- The Commissioner did not feel that the current content of reports from the Chief Constable enabled him to hold the Deputy Chief Constable to account and he was in discussion as to how to improve them.
- The Commissioner wanted to see more relationships built and processes developed as they would assist in prosecuting those who deal drugs.
- The Commissioner wanted to see greater clarity on the work which had been done by Surrey Police to seize proceeds of crime.

The Chairman thanked the Commissioner for his overview and invited questions from Panel Members. During the following question and answer session the following points were clarified:

- Members raised concerns that Anti-Social Behaviour was not included in the performance update as it is one of the six Peoples Priorities, and requested further information on how this was being dealt with. Concerns were additionally raised with the rise in crime and decrease in detection and resolution rates, along with the number of people being charged with drug offences decreasing. The Commissioner agreed that detection rates and drug offence charges were of serious concern and stated that there was no room for complacency.
- The Commissioner stated that the Chief Constable was in the process putting senior officers back into local offices and it was hoped that this would assist in improving the figures in the progress report.
- Panel Members expressed concern that there were differences in approach when dealing with traveller incursions, and suggested that a consistent approach across Surrey was necessary. The Commissioner confirmed the Chief Constable was relentless in pursuing Anti-Social Behaviour and bad performing officers. He hoped that moving senior officers back into local teams would assist with achieving consistency of approach. The Commissioner stated that building partnerships between council officers and Borough Inspectors would be very important.
- The Panel queried whether all instances of Anti-Social Behaviour, including cycling on foot paths, would be pursued by officers. The Commissioner raised concern that not all officers understood what a zero tolerance approach entailed, but that he was satisfied that the Chief Constable was communicating with her officers that this was the approach to be taken by Surrey Police. He stated that Police Officers needed support to influence behaviours and make the public believe that no act of Anti-Social Behaviour was too small for the Police to pursue.

- Members raised concerns regarding the state of Local Policing Boards as some were not aware they were set up in their District and Boroughs. The Commissioner agreed that there had been problems setting up a Local Policing Board in Tandridge in particular, but that he had deliberately not been prescriptive regarding the format of these Boards as he felt they should be locally driven. He invited Members of the Panel to join their Local Policing Board to feed into the process, as their local knowledge would assist in the mechanism of feeding up to himself, as the Commissioner, regarding local concerns.
- The Panel felt a strategic review on community funding was required as the application process was overly burdensome. The Commissioner informed the Panel that he had invited the High Sheriff to join the grants scheme to give it a wider strategic reach.
- Panel Members queried whether the Commissioner was in the process of trying to toughen the sentencing of those who committed drug offences. The Commissioner stated that he had met with the courts, along with the other South East Police and Crime Commissioners, and had offered Surrey to become a Super Police and Crime Commissioner which would result in greater cohesion with the criminal justice sector.
- Cycling was raised as a concern of the Panel as it was felt that more needed to be done by the Police to ensure accidents did not continue to rise. The Commissioner agreed that this was an area he was looking into and was in discussion Councillor John Furey, Surrey County Council Cabinet Member for Transport, Highways and Environment.
- Members requested that complaints be added to the progress report, along with compliments received by Surrey Police to help the Panel assess public opinion.
- The Commissioner stated that the morale of Surrey Police was a further concern as a recent staff survey had revealed it was lower than expected, and that this was something he was looking into. The Panel requested that the findings of the survey be shared with the Panel.

RESOLVED: That

1. The details of the number of complaints and compliments received by Surrey Police be included in future performance updates.
2. The Police and Crime Commissioner's Office ensure that all Panel Members are made aware, in good time, of Local Policing Boards taking place in their area and that the Independent Members and Chairman are kept informed of all such events.
3. The headlines of the recent Police staff survey be shared with the Panel.

40/13 DEPUTY POLICE AND CRIME COMMISSIONER'S OBJECTIVES AND PERFORMANCE REVIEW [Item 7]

The Chairman explained that when the Surrey Police and Crime Panel supported the appointment of Mr Harris as the Deputy Police and Crime Commissioner (DPCC) during its meeting in December 2012, the Panel had requested that the Commissioner provide it with regular performance updates of the Deputy's work.

The Commissioner provided the Panel with an overview of the Deputy Police and Crime Commissioner's objectives and performance, as detailed in the agenda papers, and made the following key points:

- The report now included an additional 'outcomes' column which detailed the outcome of the work which the DPCC had completed. This was added at the request of the Panel at their last meeting in June 2013.
- The Commissioner was pleased with the work and dedication of his Deputy, in particular in relation to building and managing partnerships.

The Chairman thanked the Commissioner for his overview and invited questions from Panel Members. During the following question and answer session the following points were clarified:

- The Commissioner clarified that Senior Citizen events were informative sessions to raise awareness of cyber crime, rogue traders and the growing number of criminals phoning elderly citizens claiming to provide important services.
- The grant funding scheme, which the Deputy Police and Crime Commissioner ran, was discussed as being matched against the criteria of whether it would deliver a Peoples Priority. The Deputy chaired the funding panel and details of the grants were provided to the Home Office. The Deputy PCC would follow-up successful applicants to ensure the funding was being spent as specified.
- Panel Members suggested that further youth engagement should be delivered by the Deputy, and queried whether, for example, a Youth Parliament would be considered the Commissioner. The Police and Crime Commissioner agreed to consider setting up something similar to a Youth Parliament to better engage with the Surrey youth and include a heading within future reports on youth engagement.
- The Panel were concerned that much of the Deputy Police and Crime Commissioner's work was undertaken by the Assistant Police and Crime Commissioner's and Members queried the cross-over. The Commissioner stated that the work of the Assistant Police Crime Commissioner's was separate to the Deputy PCC. Jane Anderson's role was to articulate the victims journey and intelligence gathering, while Shiraz Mirza assisted in building better relations between hard to reach community groups and the Police.

RESOLVED: That

1. The Police and Crime Commissioner and the Deputy Police and Crime Commissioner consider how to better engage with young people, and that progress be reported back to the Panel.
2. That the objectives and performance of the Assistant Police and Crime Commissioners be reported to the Panel at future meetings.

41/13 FEEDBACK ON MANAGEMENT MEETINGS BETWEEN THE POLICE AND CRIME COMMISSIONER AND CHIEF CONSTABLE [Item 8]

The Chairman invited the Commissioner to give a brief introduction to the report on management meetings with the Chief Constable, as detailed in the agenda papers, and he made the following key points:

1. The management meetings were a work in progress and he was keen to receive more details of progress against the six People's Priorities.
2. The Chief Constable's role in ACPO was diminishing, however she sat on many boards including the UK Sentencing Panel, which he was keen she remain on.
3. He was confident that the Deputy Chief Constable would be effective in his role and was happy for the Panel to meet him.

RESOLVED: That

1. The report be noted.

42/13 QUARTERLY FINANCE UPDATE [Item 9]

The Chairman invited the Commissioner to give an overview of the quarterly finance update.

The Commissioner provided the Panel with an outline of the quarterly finance update, as detailed in the agenda pack, and made the following key points:

- Surrey Police still faced a real challenge financially.
- He and the Sussex Police and Crime Commissioner had given clear guidance to the Surrey and Sussex Chief Constables that they wanted as much collaboration as possible to lower costs.
- He has organised a meeting with the Leader of Surrey County Council, Councillor David Hodge, to discuss government grants for further collaborative work.

The Chairman thanked the Commissioner for his overview and invited questions from Panel Members. During the following question and answer session, the following points were clarified:

- Members queried the figures in paragraphs 5.2 and 5.7 of the report. The Commissioner's Finance Officer clarified that these were separate

budgets, and that the £484k stated in paragraph 5.7 included expenditure on Project Siren.

- The Panel queried the effect of using the Surrey Police budget to fund an additional Communications Officer post in the Commissioner's Office. The Commissioner stated that his role was greater than the previous Police Authority, as he was involved in more networking and partnership building, and he was committed to fulfil his role as cost effectively as possible. He believed that utilising the media was the best way forward as additionally he needed to market Crime Summits. The Commissioner stated that he felt the communications role of Surrey Police was decreasing, and that currently 29 people were employed in communications in comparison to one within his team. The costs of the new employee was still to be determined, however details would be shared with the Panel once known.
- The Panel stated that an overspend of £66k was relatively small, however projections for staffing overspend were significantly higher. They queried where the budget was coming from to off-set this overspend. The Finance Officer agreed that £66k was a small overspend when considering the requirement to make 5.5% savings, and that this could be covered by reserves.
- Panel Members requested greater clarity in future reports as the summary report was unclear regarding the current financial situation, expenditure and future projections.
- Members queried the amount spent by Surrey Police for Performance Rights Society (PRS) licences which had recently been stated in an article as being £24,427. The Commissioner stated that he was enquiring into this expenditure as he was surprised by the figure as it was disproportionate to the amount spent by the Metropolitan Police.

RESOLVED: That

1. The report be noted.
2. The Police and Crime Commissioner's Office provide details of the cost of the new Communications Officer.

43/13 COMPLAINTS AGAINST SURREY POLICE [Item 10]

The Chairman explained that in June 2013 an article appeared in the local press which stated that there had been over 3,000 complaints against Surrey Police Officers in the last two years. The Panel had subsequently requested a breakdown of the data, which was detailed in the agenda papers.

The Chairman invited the Commissioner to give a brief overview of the breakdown of complaints made against Surrey Police Officers. The Commissioner stated that Surrey Police perform better than most other Police Forces in the country regarding the number of complaints received, however he conceded that more work needed to be done.

The Chairman thanked the Commissioner for his overview and suggested the Panel would like figures of praise for Surrey Police also. The Chairman invited questions from Panel Members and during the following question and answer session the following points were clarified:

- The Panel stated that complaints showed an active force, however 10% of 3,000 complaints equated to nearly one complaint a day against an Officer being upheld or having to be resolved locally. The Panel felt that it was important to drive professional standards.
- Members queried the headings 'other irregularity in procedure' and 'other neglect or failure in duty'. It was explained these were general 'catch all' headings which would include complaints such as Officers failing to keep victims informed and arriving late to work repeatedly. The outcome of these complaints depended on the nature of the complaint but could include a warning, a letter, and a misconduct board.

RESOLVED: That

1. The report be noted.

44/13 COMPLAINTS RECEIVED SINCE THE LAST MEETING [Item 11]

The Chairman explained that the Panel had a statutory duty to resolve non-criminal complaints about the conduct of the Commissioner and his Deputy, and to remain aware of other complaints which fell outside this scope.

The Panel was informed that one complaint had been made against the Police and Crime Commissioner, which fell within the scope of the Complaints Sub-Committee, since the Panels last meeting, details of which were contained within the report. A Complaints Sub-Committee had been formed to resolve the complaint.

RESOLVED: That

1. The complaint was noted.

45/13 COMPLAINTS PROTOCOL UPDATE [Item 12]

The Chairman explained that the Panel had been in operation for almost a year, and many of the protocols agreed at the beginning were being tested. A key role of the Panel was to resolve non-criminal complaints against the Commissioner, and that it was important that the Complaints Protocol remained fit for purpose.

Whilst it was felt by the Complaints Sub-Committee that the Protocol worked, Members felt that some elements could be strengthened, and these proposed changes were set out in the report.

The Officer explained that the Protocol acknowledged there were grey areas in the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, and that the revised Protocol would now leave the decision as to whether to consider a complaint by the Sub-Committee to Members.

RESOLVED: That

1. The revised Complaints Protocol, as set out in Appendix 1, be approved.

46/13 FORWARD WORK PROGRAMME AND RECOMMENDATIONS TRACKERS [Item 13]

The Panel were notified that this item would enable Members to see upcoming agenda items and those which had been recently considered.

The Panel raised their concern over the increase in rural crime in Surrey and requested a Task Group be set up to look into this issue. The Scrutiny Officer agreed to bring a scoping document for a Task Group to the October meeting of the Police and Crime Panel to be considered.

RESOLVED: That

1. The Scrutiny Officer share a scoping document for a Rural Crime in Surrey Task Group at the next meeting of the Police and Crime Panel.

47/13 DATE OF NEXT MEETING [Item 14]

It was noted that the next meeting of the Surrey Police and Crime Panel would be held on 29 October 2013.

48/13 EXCLUSION OF THE PUBLIC [Item 15]

Members of the Panel agreed that members of the public be excluded from the meeting for the following piece of business as it was agreed it would likely disclose exempt information, as defined under Paragraph 4 of Part 1 of Schedule 12A of the Act.

49/13 SURREY NEIGHBOURHOOD POLICING [Item 16]

The Surrey Police and Crime Panel and Police and Crime Commissioner discussed Neighbourhood Policing in Surrey.

Meeting ended at: 1 pm

Chairman