

MINUTES of the meeting of the **SURREY POLICE AND CRIME PANEL** held at 10.30 am on 26 September 2022 at Woodhatch Place, Reigate, Surrey.

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

Members:

(*Present)

Councillor Satvinder Buttar
*Councillor Mick Gillman
*Councillor Valerie White
*Councillor Keith Witham
*Councillor Paul Kennedy
*Councillor Victor Lewanski
*Councillor John Furey
*Councillor John Robini
Councillor Barry J F Cheyne
*Councillor Ellen Nicholson
*Councillor Julia McShane
*Councillor Hannah Dalton
*Mr Martin Stilwell

51/22 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Cllr Satvinder Buttar, Cllr Barry Cheyne, and the Deputy Police and Crime Commissioner.

52/22 MINUTES OF THE PREVIOUS MEETING: 30 JUNE 2022 [Item 2]

The minutes of the meeting held on 30 June 2022 were agreed as a true record of the meeting.

53/22 DECLARATIONS OF INTEREST [Item 3]

None received.

54/22 PUBLIC QUESTIONS [Item 4]

One public question was received from Mr Hugo Tillott and no supplementary questions were asked.

55/22 CHAIRMAN'S COMMENTS [Item 5]

Witness:

Councillor John Robini, Chairman of the Surrey Police and Crime Panel

1. The Chairman noted that he was pleased regarding the attendance at the induction session for the Panel Members and the enthusiasm shown during the full Panel pre-meeting. The Chairman looked forward to working with the new officers and new Panel Members. It was noted that there was a vacancy of an Independent Member on the Panel, as well as a vacancy on the Complaints Sub-Committee.

56/22 INDEPENDENT CUSTODY VISITOR SCHEME [Item 9]

Witnesses:

Lisa Townsend, Police and Crime Commissioner for Surrey

Erika Dallinger, Independent Custody Visitor Scheme Manager

Key points raised in the discussion:

1. The ICV Scheme Manager provided an overview of this statutory scheme, explaining that its purpose was to provide reassurance to the community around the welfare of detainees in police custody. The ICV Scheme Manager explained that Surrey had three custody suites which were each visited around five times a month, and the scheme had an average of 41 volunteers. The visits were unannounced, and the visitors' entry could not be delayed by the Force. The ICV Scheme Manager hoped that the scheme in Surrey would be awarded Platinum status by the Independent Custody Visiting Association this year.
2. A Panel Member queried whether the four outstanding recommendations from the 2015 His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) inspection were still relevant and how the PCC had checked on the progress of these recommendations. The ICV Scheme Manager explained that the OPCC was involved in action tracking meetings and proactively addressing the recommendations from HMICFRS. The outstanding recommendations had since been addressed, were in progress, or were no longer relevant.
3. A Panel Member asked about plans to encourage greater diversity among volunteers and any barriers to those from the Black, Asian and minority ethnic (BAME) community becoming a volunteer. The ICV Scheme Manager informed the Panel that

there was a limit on the number of volunteers required in the scheme. The current demographic of volunteers did broadly represent the demographic within Surrey, but it did not represent the demographic of the custody population. The ICV Scheme Manager would like there to be greater diversity and was working with the Force's Diversity Lead to try to raise the profile of the scheme.

4. A Panel Member questioned why issues such as a lack of curtains or screens in the medical room were not picked up by the volunteers. The ICV Scheme Manager explained that these were removed during the pandemic due to a risk of infection. ICVs were not permitted in the medical rooms, to preserve privacy for detainees. The criteria of the visits for ICVs compared to HMICFRS was different, however, this would be picked up in future. The Panel Member noted that disposable curtains were available. The ICV Scheme Manager took the suggestion on board.
5. A Panel Member asked about the process of achieving Platinum status and the tangible benefits. The ICV Scheme Manager was confident that the Scheme in Surrey could achieve Platinum status; it was just about evidencing the work already occurring. It would create a morale boost for the volunteers and show nationally that Surrey was running a strong scheme.
6. A Panel Member asked about the involvement of volunteers in the production of the report. The ICV Scheme Manager shared that the volunteers would be asked for any feedback that they would like to be included in the report. The Panel Member also enquired about the concerns around a breach of Section 40 of the Police and Criminal Evidence Act 1984 (review of detention) and whether this was picked up by the volunteers. The ICV Scheme Manager explained that this issue had been tracked for over a year prior to the inspection.
7. A Panel Member asked about the reason for staff shortages in custody. The ICV Scheme Manager noted that this was an operational matter. They had been actively recruiting and some of the shortages were due to sickness. The PCC added that two custody officers passed away during the pandemic, therefore, it had been a difficult period for the volunteers and those working in custody.
8. A Panel Member raised the issue of detainees reporting complaints. The ICV Scheme Manager explained that the volunteers highlighted the complaints procedure to the detainee.

If a strip search occurred, there needed to be a clear rationale in the custody report explaining why it had to take place, as there was a large focus on the dignity of detainees. The Custody Scrutiny Panel looked at data across the whole of Surrey.

RESOLVED:

The Panel noted the report.

57/22 MEDIUM TERM FINANCIAL PLAN (MTFP) UPDATE 2023/24 TO 2026/27 [Item 6]

Witness:

Kelvin Menon, Chief Finance Officer (Office of the Police and Crime Commissioner)

Key points raised in the discussion:

1. The Chief Finance Officer outlined that the major change since the last report presented was the government-announced pay award for police officers. This added £3.3 million to the overall cost for each year. The Home Office had provided a grant of £1.8 million to offset some of that cost. The grant was allocated on the same basis as the formula grant, of which Surrey received the lowest share in the country.
2. A Panel Member asked about the likely situation of continued pay increases beyond 2% and whether this could result in discussions on the holding of a Council tax referendum. The Chief Finance Officer responded that the level of police officer pay was set centrally by the Pay Review Body and agreed by central government and was not subject to local judgement. The Government had implied that any percentage increase that was above the percentage included in Force budgets would be covered by additional funding, as had been the case in the current year (2022). The Government could also impose pay restraints on the public sector which would limit costs, thus, the need for a referendum was unlikely. In the past, the Force considered having a referendum but discounted it due to the significant cost of holding one.
3. A Panel Member asked about the impact of reductions in police staff and which roles were likely to be cut. The Chief Finance Officer explained that the Force was unable to make police officers redundant and it was likely that the Government would say that the increase of officers achieved through Uplift would need to be maintained. Therefore, savings would need to be

found within police staff. Currently, the Force was running a high vacancy rate as they were struggling to recruit, particularly in areas such as IT where they were unable to match the pay of the private sector. The Force would try to minimise the impact of any staff savings by changing ways of working for example.

4. A Panel Member enquired about the likelihood of the Force issuing a Section 114 notice and the impact if that took place. The Chief Finance Officer explained that the Surrey was no worse position than any other Force in the country. No Force had issued a Section 114 notice before, however, it was a tool that was available if required. If actioned, all non-essential expenditure would stop but day-to-day policing itself would not be impacted.
5. A Panel Member asked whether more than one scenario had been considered. The Chief Finance Officer reassured the Panel that five different scenarios had been considered and the one presented in the report was a reasonable mid-point. In the spending review, the Government had promised extra funding for the police, but it was unknown currently how this funding would be divided. Therefore, no additional funding had been included. The Panel Member queried the recruitment freeze for Police Community Support Officers (PCSOs) and asked about the process of deciding on a budget between the PCC and Chief Constable. The Chief Finance Officer explained that the Force were in the process of creating its budget and would set out the different implications of varying budgets. It was then for the PCC to decide which choices were most appropriate. The Chief Finance Officer explained that PCSOs were being converted into fully warranted police officers. The PCC added that the PCC produced the Police and Crime Plan and then the Chief Constable decided how to deliver the Plan operationally.
6. A Panel Member noted that they would struggle to support an increase in the precept with the cost of living currently and suggested moving police staff into police officer roles. The Chief Finance Officer noted the importance of the work of police staff in preventing crime and assisting officers, but the suggestion could be explored. It may help to explain to the Panel what police staff do in a future report.
7. A Panel Member asked which capital projects were likely to be affected and whether this would include the redevelopment of the Force headquarters. The Chief Finance Officer explained that as interest rates rise, capital schemes that were due to deliver a net benefit may not anymore and they would be

revisited at the time. The redevelopment of the headquarters was a ten year rebuild programme and affordability was central to this. There was a briefing planned for Wednesday, 28 September 2022 for Panel Members on the Estate Strategy.

RESOLVED:

The Panel noted the report.

58/22 RECRUITMENT AND WORKFORCE PLANNING [Item 7]

Witnesses:

Damian Markland, Head of Performance and Governance (Office of the Police and Crime Commissioner)

Kelvin Menon, Chief Finance Officer (Office of the Police and Crime Commissioner)

Key points raised in the discussion:

1. The Head of Performance and Governance noted that the Force was on target to meet the end of financial year officer uplift target. Although, there were some challenges with the recruitment market. Attrition rates had stabilised and there was work happening with the Force around proactively retaining police staff and police officers.
2. The Chairman asked about the proportion of police officer apprentices who completed the degree and stayed to work in Surrey following graduating. The Head of Performance and Governance explained that the Force-wide average for those dropping out was 9.7%. For student officers with two years of service or less, that figure was 16%. This could be broken down further into the police constable degree apprenticeship programme (attrition rate of 21%) and degree holders entry programme (attrition rate of 11%). The Force were being proactive to better support new recruits. Often those who dropped out did so because they underestimated the level of academic work involved and therefore, the Force are trying to better explain this element to those considering joining through this pathway.
3. A Panel Member asked what work the Force was doing to improve career development opportunities. The Head of Performance and Governance explained that there was a dedicated gold group that looked at retention. The public sector was limited in terms of decisions it could make around pay and

rewards. However, the Force was revising performance assessments and career development opportunities. It was suggested that the Panel discussed the matter with the Chief Constable at their scheduled meeting, as he would be better placed to provide more detail.

4. A Panel Member asked what the current officer vacancy rate was and asked what other Forces were offering that Surrey was not. The Chief Finance Officer explained that staff were leaving for the private sector, rather than other Forces. The Head of Performance and Governance shared that there was a 6% vacancy rate for police staff built into the budget but the actual vacancy rate was significantly greater due to recruitment issues.

5. A Panel Member queried whether the vacancy rate was due to a lack of recruitment or savings that needed to be made, and how planned savings could impact staff workforce levels. The Chief Finance Officer explained that it was due to staff leaving for increased pay, and they were struggling to replace them. The current actual vacancy rate may cover a substantial amount of the savings required; however, the gaps were in the wrong areas of the business. The Force might consider increasing the pay of the posts that are difficult to fill in order to attract people, but this had affordability implications.

RESOLVED:

The Panel noted the report.

59/22 RECENT INSPECTION OUTCOMES [Item 8]

Witnesses:

Lisa Townsend, Police and Crime Commissioner for Surrey

Damian Markland, Head of Performance and Governance (Office of the Police and Crime Commissioner)

Key points raised in the discussion:

1. The PCC informed the Panel that the Force did not receive any inadequate ratings in the inspection and the Force was rated outstanding for preventing crime and antisocial behaviour. All of the issues raised in the report were already being looked at.

2. A Panel Member asked whether the findings were in line with the views of the public and to what extent the PCC felt her Plan

needed to change to reflect the Inspectorate's recommendations. The PCC responded that the Plan was a living document, and it was regularly revisited with the Chief Constable. The public's perception was influenced by their immediate experiences as well as the wider media. The PCC hoped that the report did not include anything that the public would strongly disagree with, especially regarding the outstanding areas.

3. A Panel Member noted that a lack of police officer visibility is the most common issue raised by residents and queried whether preventing crime and antisocial behaviour could be maintained if the PCSOs were not being replaced this financial year. The PCC clarified that there would be no reduction of officers on the ground, as they were being replaced by fully warranted officers. The PCC added that there was no real evidence to suggest that officers on the streets prevented more crime.
4. A Panel Member asked about 101 call abandonment and the response time when using the digital 101 service. The Head of Performance and Governance explained that this was a complicated area, as there was an uplift in call abandonment due to users switching to the digital service. There were points in the day where the response time was much faster and much slower. Data on this could be provided in conjunction with an existing action on this area.
5. A Panel Member enquired as to whether officers had undergone training around registered sex offenders yet. The Head of Performance and Governance explained that this was a multi-force report, therefore, not all points were specific to Surrey. Overall, it was felt that Surrey Police were managing these responsibilities well. The Head of Performance and Governance would find out if the training had occurred yet.

Actions/requests for further information:

1. **R20/22** – The Head of Performance and Governance to find out whether police officers had undergone training regarding managing registered sex offenders.

RESOLVED:

The Panel noted the report.

60/22 SURREY PCP BUDGET 2021/22 [Item 10]

Witness:

Ross Pike, Scrutiny Business Manager

Key points raised in the discussion:

1. A Panel Member asked whether the Panel normally used all of its budget, whether this was a risk of the grant being reduced if the Panel failed to use all of it, and how the spending compared to pre-pandemic. The Scrutiny Business Manager explained that the grant was not expected to reduce, as it had remained at the same level for a number of years. There was a reduction of spending during the pandemic, with the grant spend increasing in the recent year (2021 – 2022). It was likely that this increase would continue for the current year (2022 – 2023).

RESOLVED:

The Panel noted the content of the report.

61/22 REVISED PCC AND DPCC COMPLAINTS PROTOCOL [Item 11]

Witness:

Paul Evans, Director of Law and Governance (Surrey County Council)

Key points raised in the discussion:

1. A Panel Member noted that in most Local Authorities the OPCC attempted to resolve a complaint in the first instance and asked whether there was any more which could be done by the OPCC prior to a complaint reaching the Panel. A Panel Member also noted that in Kent, one of the remedies was for an officer of the OPCC to write a letter of explanation to a complainant and queried whether this remedy could be used in Surrey if desired. The Director confirmed that the protocol does not exclude asking an officer of the OPCC writing a letter of explanation, but that informal resolution of a complaint could only be done by the Panel.
2. The Panel Member questioned whether the OPCC was unable to publish a record of the outcome of a complaint, unless in exceptional circumstances, like is the case for the Panel. The Director explained that the Panel was able to decide whether the Panel published an outcome of a complaint. The protocol only covered the decision of the Panel, not involved third parties. However, the PCC agreed in the PCC Code of Conduct not to

publish any confidential material. The Panel cannot control the complainant publishing the outcome of their complaint.

RESOLVED:

1. The Panel unanimously agreed the revised Surrey Police and Crime Panel PCC and DPCC Complaints Protocol.
2. The Panel noted the Complaints Sub-Committee Terms of Reference.

62/22 PERFORMANCE MEETINGS [Item 12]

Witnesses:

Lisa Townsend, Police and Crime Commissioner for Surrey

Damian Markland, Head of Performance and Governance (Office of the Police and Crime Commissioner)

Key points raised in the discussion:

1. The Head of Performance and Governance noted that the OPCC was trying to involve residents more in their statutory responsibilities to hold the Chief Constable to account and monitor performance.
2. The Chairman requested that in the future reports, updates on each area that were discussed could be included, rather than just listing the topics. The Head of Performance and Governance noted this comment and agreed to provide greater context in future reports, whilst retaining a level of discretion for the private meetings between the PCC and the Chief Constable.

RESOLVED:

The Panel noted the report.

63/22 PCC FORWARD PLAN AND KEY DECISIONS [Item 13]

Witness:

Damian Markland, Head of Performance and Governance (Office of the Police and Crime Commissioner)

Key points raised in the discussion:

1. A Panel Member noted that the OPCC had recently been awarded a grant of £387,000. The Head of Performance and

Governance shared that the grant was awarded from a bid for supporting victims of sexual assault and domestic abuse. Data on this was included in the annual report. A Panel Member asked whether any of the grant would be used to support women's refuges. The Head of Performance and Governance explained that predominantly the funding for refuges was the County Council's responsibility, however, the OPCC supplemented their funding for this, through the provision of in-refuge services.

RESOLVED:

The Panel noted the report.

64/22 COMMISSIONER'S QUESTION TIME [Item 14]

Witness:

Lisa Townsend, Police and Crime Commissioner for Surrey

Key points raised in the discussion:

1. A Panel Member congratulated the PCC on behalf of the Panel for her Office which won two of the five Home Office/Police Tilley awards and thanked her for supporting the projects.
2. A Panel Member asked whether the PCC could investigate the consistency of the approach taken across the county for unauthorised encampments. The PCC explained that the Force worked closely with local authorities when an unauthorised encampment occurred and the County Council continued to look into the provision of a transit site. There was a running issue around traveller encampments. The guidelines were recently issued around the new laws. The area was still complicated though. The PCC shared that Inspector Dean was willing to produce a report on this area and to provide a briefing to the Panel.

Actions/requests for further information:

1. **R21/22** – The Panel support officers to liaise with the Office of the Police and Crime Commissioner to organise a report and briefing on unauthorised encampments.

65/22 COMPLAINTS RECEIVED SINCE THE LAST MEETING [Item 15]

Key points raised in the discussion:

None.

RESOLVED:

The Panel noted the report.

**66/22 RECOMMENDATIONS TRACKER AND FORWARD WORK PROGRAMME
[Item 16]**

Key points raised in the discussion:

None.

67/22 DATE OF NEXT MEETING [Item 17]

The Panel noted that its next public meeting would be held on Monday, 21 November 2022.

Meeting ended at: 12.39 pm

Chairman

Public question to the Surrey Police and Crime Panel – 26 September 2022

1. I am a politics student living in Surrey, and I would like to understand how the PCC's role as an impartial public servant, supported by the OPCC and funded by council taxpayers, is kept separate from the PCC's own political persona. I note for example that the PCC's official twitter account, which is presumably maintained by the OPCC, frequently references and promotes the PCC's personal twitter account, on which the PCC posts party political and occasionally controversial messages.
2. When the PCC/OPCC is considering an initiative or visit in a particular area, does the PCC consult the relevant elected representatives in that area, for example district or borough councillors, or are any communications primarily confined to the PCC's party political colleagues?
3. Finally, are there any constraints on official statements and photoshoots by the PCC/OPCC during pre-election periods, as there are for other public bodies, and who is responsible for maintaining the separation?"

Hugo Tillott

Question 1 response:

Whether or not a Police and Crime Commissioner has a particular allegiance to a political party, it is recognised that it is a political role. In Surrey's case, I have been elected as a Conservative Police & Crime Commissioner. A PCC is able to act in a political capacity and can campaign as a local politician who, as a matter of record, is the PCC. However, all PCCs are bound by the Nolan Principles; the Oath of Office; and rules governing the use of local authority resources. This means that PCCs should not use their Public Office for political purposes. Equally, all staff within the Office of the PCC are politically restricted and cannot act to support the PCC in party political business. In all their activities, a PCC and their staff must, therefore, make the crucial distinction between the PCC as a holder of a Public Office, and the PCC as the individual.

As you rightly point out, the PCC's official twitter account is maintained by staff within the Office of the PCC. Particular attention is paid to our use of social media, ensuring that our official account is not used for explicit or implicit political support. Referencing the PCC's personal account does not necessarily imply support for every tweet made by that account. PCCs are able to use their personal accounts as they wish and any party political views expressed must be made only by the PCC.

Question 2 response:

There are certain times when the PCC has a statutory duty to consult widely with people within the entire police force area – for instance in developing their Police & Crime Plan, or setting the council tax precept. At other times, the nature and extent of consultation and engagement is likely to vary depending on the initiative. It may be with district and borough councillors (irrespective of their political persuasion) or indeed more widely with, for example, the voluntary, business or charitable sectors.

Question 3 response:

Yes. The restrictions placed on local authorities by the Code of Recommended Practice on Local Authority Publicity applies also to Police & Crime Commissioners and their Deputies. Guidance has been published by both the Association of Police & Crime Commissioners (APCC) and by the Association of Police & Crime Commissioner Chief Executives (APACE). These pieces of guidance advise PCCs and their staff how to ensure they exercise greater care to observe laws and rules which apply in any event, during the period of heightened sensitivity before elections.

Whilst the actions of PCCs are ultimately their responsibility, the PCC's Monitoring Officer will advise both the PCC and the OPCC staff to ensure that the Office is not misused for party political gain – either deliberately or inadvertently.

Lisa Townsend, Surrey Police and Crime Commissioner