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**Gwent Police
and Crime Panel**

**Panel Heddlu
& Throseddu Gwent**

For all enquiries relating to this agenda please contact Charlotte Evans
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Date: 9th December 2019

Dear Sir/Madam,

A meeting of the **Gwent Police and Crime Panel** will be held at the **The Chamber, County Hall, Rhadyr, Usk, NP15 1GA** on **Monday, 16th December, 2019** at **9.30 am** (Panel Pre-Meeting at 9.00am) to consider the matters contained in the following agenda.

A G E N D A

	Pages	
1	Declarations of Interest.	
2	Apologies for Absence.	
To approve and sign the following minutes: -		
3	Gwent Police and Crime Panel held on 27th September 2019	1 - 8
4	Presentation on Operational Context and Requirements for the Finance Strategy 2020/21 - 2024-24.	
5	Update on the Estate Strategy - Presentation.	
6	Gwent Police and Crime Panel Recorded Complaints and Conduct Matters Register and Complaints Procedure.	9 - 12
7	Amendment to Rules of Procedure and Panel Arrangements.	13 - 16
8	Forward Work Programme.	17 - 18

MEMBERSHIP:

Councillor Jonathan Millard, Blaenau Gwent County Borough Council
Councillor Mrs Lisa Winnett, Blaenau Gwent County Borough Council
Councillor Mrs Christine Forehead, Caerphilly County Borough Council
Councillor Gez Kirby, Caerphilly County Borough Council
Councillor Colin Peter Mann, Caerphilly County Borough Council
Councillor Mike Jeremiah, Torfaen County Borough Council

Councillor Emma Rapier, Torfaen County Borough Council
Councillor Peter Clarke, Monmouthshire County Borough Council
Councillor Tony Easson, Monmouthshire County Council
Councillor William Routley, Newport City Council
Councillor Jason Jordan, Newport City Council
Councillor Mark Spencer, Newport City Council

Co-opted Members- Mrs G. Howells and Mr P. Nuttall

By Invitation

Mrs S. Curley, Office of the Gwent Police and Crime Commissioner
Mr D. Garwood-Pask, Office of the Gwent Police and Crime Commissioner
Mr J. Cuthbert, Office of the Gwent Police and Crime Commissioner
Ms E. Thomas, Office of the Gwent Police and Crime Commissioner

And Appropriate Officers.

Gwent Police
and Crime Panel

Panel Heddlu
Gwent a Throseddu

GWENT POLICE AND CRIME PANEL

**MINUTES OF THE MEETING HELD AT THE CHAMBER, COUNTY HALL,
RHADYR, USK, NP15 1GA
ON FRIDAY 27TH SEPTEMBER 2019 AT 10.00AM**

Present:

Mrs G. Howells (Co-opted) – Chair
Councillor Colin Mann – Vice Chair

Councillor J. Millard and L. Winnett - Blaenau Gwent County Borough Council
Councillor G. Kirby - Caerphilly County Borough Council
Councillors J. Jordan and M. Spencer (Observing) - Newport County Borough Council
Councillor A. Easson – Monmouthshire County Borough Council
Councillors M. Jeremiah and E. Rapier - Torfaen County Borough Council
Mr P. Nuttall – Co-opted Member

By invitation:

Mr J. Cuthbert - Police and Crime Commissioner for Gwent
Ms E. Thomas - Deputy Police and Crime Commissioner for Gwent
Mrs S. Curley - Chief Executive, Office of the Police and Crime Commissioner for Gwent
Mr D. Garwood-Pask – Chief Finance Officer, Office of the Gwent Police and Crime Commissioner.

Also in attendance:

Mr J. Edwards – Temporary Deputy Chief Constable
Ms J. Robinson – Head of Strategy, Office of the Gwent Police and Crime Commissioner.
Ms J. Regan – Head of Assurance and Compliance, Office of the Gwent Police and Crime Commissioner.
Mr R. Guest – Head of Communications and Engagement, Office of the Gwent Police and Crime Commissioner.

Together with:

Mrs C. Forbes-Thompson (Scrutiny Manager - CCBC) and Ms C. Evans (Committee Services Officer - CCBC)

1. INTRODUCTIONS

The Chair opened the meeting and introductions were made.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made at the beginning or during the course of the meeting.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P. Clarke (Monmouthshire County Council), Mrs C. Forehead (Caerphilly County Borough Council) and W. Routley (Newport City Council).

4. GWENT POLICE AND CRIME PANEL MEETING HELD ON 12TH AUGUST 2019

RESOLVED that the minutes of the Gwent Police and Crime Panel meeting held on 12th August 2019 (minute no. 1 - 9) be approved as a correct record.

5. POLICE AND CRIME COMMISSIONER'S UPDATE – QUARTER 1 2019

The report provided the Panel with an update on activities undertaken by the Office of the Police and Crime Commissioner (OPCC) for the period April to June 2019.

The Commissioner highlighted to the Panel that the Performance report, as scheduled later in the agenda has been included for information purposes and expressed his gratitude to staff, Officers and members of the Panel for their hard work and dedication on refining the performance process and production of the Framework.

The Commissioner referred the Panel to his Update and the work undertaken towards delivering against the Priorities and it was noted that under the provision of Diversionary Schemes, retendering work has been undertaken around the Women's Pathfinder Diversion Scheme and for the 18-25 scheme. The Commissioner explained that the invitation to tender has now closed, responses evaluated and contract negotiation is underway with the winning bidder. The support provision aims to provide further support to women in the criminal justice system as well as divert young people from the criminal justice system at the earliest opportunity.

The Panel noted that a Modern Day Slavery Advocate has been employed by Victim Support, who will work alongside the Gwent Police Modern Day Slavery Team to provide support to UK and foreign national victims of Modern Day Slavery and Human Trafficking (MSHT). The Panel were pleased to note that the funding for this role has been extended for a further year.

Discussions took place around the Commissioner's Police Community Fund and it was noted that the Fund was created to use monies obtained through the Proceeds of the Crime Act to support organisations that work in some of the most disadvantaged areas in Gwent. The Panel noted that since the last meeting, Urban Circle, a project that uses different forms of creative art to tackle multiple social problems affecting vulnerable people, was awarded funding.

The Commissioner explained that the OPCC continues to fund the Anti Social Behaviour (ASB) Co-Ordinator post via the Safer Gwent Partnership and the ASB Co-Ordinator has been working with the OPCC to develop a better way of performance monitoring around ASB for local authorities and the police. In addition, it was noted that as a result of this support, levels of reported ASB have been stabilising.

An update was provided around the work of the Public Response Unit (PRU), which deals with complaints from the Public. It was noted that there has been a decrease in the number of complaints reported in the last year, which could be as a result of Local Authorities taking over responsibility for Parking Enforcement; operations to tackle off-road biking; and the push for members of the public to use the Go Safe portal for issues around dangerous driving.

The Panel thanked the Commissioner for his update and discussion ensued.

A query was raised around the membership of the Victims Board and it was noted that the Deputy Chief Constable is the chair of the board and membership is made up of representatives from the Communications team, senior staff within Gwent Police and the OPCC.

Discussions took place around the Crime Prevention Report and whether this could be circulated to the Panel. Officers explained that this was provided to the Chief Constable to set out the main priorities and stated that the most useful report would be the response report. However the main points in the original report could also be circulated if the Panel wish and the response report when it becomes available.

The Panel discussed Communications and in particular Social Media and followers on the Gwent Police and Crime Commissioner's Facebook page and the work undertaken to increase popularity of the page. Officers thanked the Councillor for comments and suggested that there had been a high level of responses for a number of key issues and work continues to raise awareness, in particular around consultation exercises such as that for the precept.

The Estate update was discussed and it was queried whether additional custody provision is required in Torfaen. Officers explained that whilst there are custody suites at both Ystrad Mynach and Newport, it is imperative to consider long-term plans for the Estate and Newport Central may need additional works at a later date. An opportunity has arisen in Torfaen to provide a more up to date facility than can be offered at Newport Central. The Panel were asked to note however that all provision is being explored to ensure that custody is effective across Gwent and whether collaboration links with neighbouring Forces can be undertaken.

Following consideration and discussion, the Gwent Police and Crime Panel thanked the Commissioner for the update report and noted its content.

6. POLICE AND CRIME COMMISSIONER FOR GWENT 2020/21 BUDGET SETTING TIMETABLE AND MEDIUM TERM FINANCIAL PLAN PRESENTATION

With agreement from the Chair and Panel, the Officer presented Members with Agenda Item 6 - 2020/21 budget setting timetable and Agenda Item 7 - Medium Term Financial Plan presentation as one item.

By way of background, the Commissioner explained that there are significant areas of uncertainty as a result of Brexit, the ever changing priorities in Policing such as tackling Cyber Crime and Modern Day Slavery, as well as the delay around the Comprehensive Spending Review 2019, which all have an impact on the financial health of the Force and budget setting requirements.

The Panel welcomed the Chief Finance Officer to the meeting, who provided the Panel with the 2020/21 budget setting timetable and presentation on the Medium Term Financial Plan.

The Panel noted from the Budget Setting Timetable that the Chief Constable will shortly be finalising the Gwent Police Budget proposals, which will be considered by a number of internal and external groups, including the Gwent Police and Crime Panel Finance Sub-Group, which includes Members of the Gwent Police and Crime Panel. The report will then be presented to the Panel in December. Following this, the Panel will be asked to consider the Precept in January, which, following a number of consultation exercises will be set in February 2020.

The Panel were asked to note that there will be a detailed engagement plan and, subject to a

number of pressures and uncertainties, it is not anticipated that there will be a proposed increase in the precept beyond the current increase of 6.99% for 2020/21 in the current MTFP. However, as grant funding is decreasing year on year in real terms, there is a greater reliance on the Precept to deliver services.

The Chief Finance Officer provided a detailed explanation around the presentation and Finance Strategy 2020/21 – 2023/24. It was noted that there are a number of factors to consider around expenditure such as a 2.5% pay award and 3% general and 5% utility inflation as well as an anticipated further £6m impact of Funding Formula changes. However the Panel were pleased to note a further £750m had been provided to the Home Office for recruitment across Forces of additional 20,000 Police Officers by 2023 – this funding equates to approximately £37.5k per Officer.

The Panel noted that there will be a further £5m required in efficiency savings up to 2023/24 and the Capital Programme, which mostly consists of estate developments around the development of a new Head Quarters and Hub and Spoke models, will significantly reduce the level of the Commissioner's Committed Funds and Reserves.

The Panel thanked the Chief Finance Officer for the detailed presentation and budget setting timetable and discussion ensued.

A Member, whilst acknowledging the positive news around additional Officers, queried the sustainability of funding and sought clarification on the graph at page 29. Officers explained that the funding allocation for the additional Officers has not yet been confirmed, however it is estimated that the allocation will be around 1%. When the allocation has been confirmed, the Finance Sub-Group will be updated. Due to the lack of confirmed allocation, it is not possible at this point to offer assurances around sustainability.

Discussions took place around the 'A Day in the Life' event, which provided the Panel with an insight into a number of Policing Departments and it was noted that there are a number of services in relation to Missing Persons which are funded by lottery funding and concerns were raised around future proofing and the sustainability of that service.

A Member queried the allocation of the £1m set aside for potential funding of the M4 Relief Road, which is not to now go ahead and whether this could be used to maintain Officers going forward. Officers explained that the allocation may be used to off-set borrowing, or would be allocated to sustain services.

Concerns were raised around the employment of additional Officers, with particular reference to the loss of experienced Officers through natural wastage and assurance was sought around service delivery. Officers agreed that whilst the increase in Officer numbers is positive, experience had been lost as a result of austerity measures. However, the Panel were reassured that with the implementation of the Police Education Qualifications Framework, and work being undertaken to explore how experience can be retained, impact on service can be minimised.

A Member queried the capital graph on page 33 and therefore the Chief Finance Officer provided clarification on the actual sums of capital expenditure against each category.

The Panel thanked the Officer for the report and noted its content.

7. WELSH LANGUAGE STANDARDS ANNUAL REPORT 2018-19.

The Panel welcomed the Chief Executive of the OPCC who provided the Panel with an update on the Welsh Language Standards Annual Report 2018-19.

It was noted that the OPCC continue to develop as an organisation that embraces the Welsh Language in Gwent and the provision of a bilingual policing service to the citizens of Gwent remains a priority for the OPCC and Gwent Police.

It was noted that since the introduction of the Welsh Language Standards in 2017 for all Welsh Police and Crime Commissioners and Police services, significant changes have been made to procedures and business processes to ensure that anyone wishing is able to communicate with the OPCC in Welsh.

The Chief Executive provided the Panel with a detailed overview of the achievements of the OPCC in the last year, which included the implementation of Welsh Language Training. It was noted that a mandatory training session was delivered to 17 out of 19 of the staff within the OPCC. Welsh Language Awareness and Level 1 Skills training is incorporated into the induction training programme for all new staff and opportunities are available for employees to enrol on internal Welsh for Adults courses.

Officers explained that in the reporting period 1st April 2018 to 31st March 2019 a total of 11 posts were advertised following a review of the structure of the OPCC; however they were unable to evidence that any posts had been advertised as Welsh essential or Welsh desirable. The Panel noted that the OPCC has acknowledged that this was an omission on the part of the OPCC and it has been agreed that all future posts advertised for the OPCC will require Welsh desirable as a minimum. This includes the Chief Constable Recruitment process, for which the OPCC has responsibility.

The Panel thanked the Officer for the report and discussion ensued.

A Member queried whether learning opportunities are offered to staff during or outside of work time and the levels of Welsh Language skills training offered. Officers explained that basic learning has been undertaken and work is underway to find a suitable course that relates to the role of the OPCC, providing practical language skills. Collaborative working was offered should any opportunities arise.

The Gwent Police and Crime Panel thanked the Officer for the report and noted its content.

8. POLICE AND CRIME PLAN PERFORMANCE FRAMEWORK AND REPORTING UPDATE REPORT – INFORMATION ITEM.

At the Police and Crime Panel meeting on 12th August 2019, it was agreed that an update on the development of the performance framework would be provided at the next Panel meeting for information purposes only, as there is a significant amount of ongoing work to develop a performance framework to show how Gwent Police is delivering the Police and Crime Plan.

It was noted that at the Strategy and Performance Board on 3rd September 2019, the Chief Constable presented the 2019/20 Quarter 1 report to the Commissioner. The performance report and other monitoring reports were scrutinised in depth and at length. The evidence of that monitoring, in addition to the evidence of the OPCC's wider scrutiny role, will be reported at the December 2019 meeting of the Police and Crime Panel.

The Commissioner acknowledged that formal reporting of Gwent Police's progress against the Police and Crime Plan to the Commissioner has required improvement for some time. The Police and Crime Panel Performance Group have provided significant support and important feedback on the required improvements.

Following receipt of the 2018-19 Quarter 3 Force Performance Report, the Commissioner

requested that the force provide him with an action plan evidencing what they would be doing to improve formal reporting. The Commissioner received this action plan in May 2019 and it has been monitored since then.

An overview of actions required, action taken and next steps is provided in Appendix 1 of this update. The Police and Crime Plan Performance Framework will be finalised and published by 1st November 2019.

A substantial and positive step resulting from the Commissioner's action plan is that Gwent Police have reviewed their own performance monitoring. Consequently a detailed framework for police performance and scrutiny is being developed.

The Gwent Police and Crime Panel thanked the Officers for the report and noted the content.

9. ABSENCE MANAGEMENT – PRESENTATION

The Gwent Police and Crime Panel welcomed the Temporary Deputy Chief Constable who provided the Panel with a presentation on the Review of Absence Management in Gwent Police.

The Panel noted the ongoing media coverage in that Gwent and another Welsh Police Force have the highest long-term sickness leave rates in England and Wales and the concerns around Post Traumatic Stress Disorder (PTSD) Levels in Forces. The Panel were provided with a Force comparison of long-term absences across similar Forces in England and Wales and an analysis of the reasons for absence amongst Officers and it was noted that when comparing sickness absence by reason, vomiting and diarrhoea was the most used reason amongst Officers. However, the most duty days lost over the year was as a result of stress with 2,582 days, followed by anxiety. In respect of Police Staff, vomiting and diarrhoea again was the most reported reason, but the most duty days lost over the year was due to stress followed by anxiety. The Panel were provided with further comparative data, noting that statistically more female Officers have more sick days than male, which is also the same for Police Staff.

The Panel were provided with information around the governance structure of Gwent Police, followed by details on what has been done to improve absence, noting that the Chief Executive sits on the People and Diversity Board on behalf of the PCC. This work referred to the Gwent Police People Plan 2019/22, as well as the work undertaken in the last 12 months to address mental health, including the introduction of a Mental Health Support Group, Wellbeing Ambassadors, Care First and Financial Wellbeing Support.

In summary, the Panel noted that there is a significant drive to improve the health and wellbeing of Officers and Police Staff through effective absence management and as a result, it has demonstrated an improving picture, but needs to continue to improve to increase staff attendance. Stress and anxiety continue as significant issues; however mental health of staff remains a key priority. The Panel noted that monitoring the performance of absence management will be a key feature of the new Performance Management Framework and the existing governance arrangements provide the opportunity within the Framework to monitor and understand issues and work to improve them.

The Panel thanked the Temporary Deputy Chief Constable for the presentation and discussion ensued.

A Member sought clarification around the percentages of absences as a result of work related stress and home life stress. The Officer explained that these figures are not currently available, but will be considered as part of the next deep dive. In addition, it was noted that

support is offered regardless of the source of the stress.

Discussions took place around the data and ways in which to improve staff absence levels and it was queried whether people on sick leave awaiting a non-urgent operation were offered private support in order to speed up the process. Officers explained that this is often an option, depending on the type of operation required and nature of the injury. The Panel were assured that there is a process in place for Officers and Police Staff in order to expedite their return to work, where appropriate.

Discussions took place around PTSD and sickness absence as a result of incidents attended by Officers. It was agreed that the role can be particularly challenging, however there are now strong support networks within Gwent Police offering counselling, talking therapies and varying other support options which are aimed to intervene at the earliest point following an incident, in order to minimise the long-term impacts.

A Member added that, due to the varying nature of other emergency services, it was not appropriate to compare sickness absence. Officers agreed, however added that each of the emergency services have high stress and anxiety, but different pressures, and as such similar roles would be compared in the future.

The Gwent Police and Crime Panel thanked the Officers for the report and noted the content.

10. FORWARD WORK PROGRAMME

Mrs C. Forbes-Thompson (Lead Officer to the Panel) presented an overview of the forward work programme which listed the items planned up until December 2019.

The Panel were asked to note that the next meeting would consider the initial Budget Briefing presentation and receive as 'information only' the Treasury Management Strategy and 6-month update report.

Discussions took place around the Estate Strategy and it was agreed that it would be presented to the Panel in the next Meeting. In addition, the Strategic Annual Report would be presented as an information item.

The Panel discussed the 'A Day in the Life' event and expressed their gratitude to all Officers involved, stating that the event was very informative and requested that the slides be provided for information. It was agreed that a presentation on the day in the life of a frontline police officer would be gratefully received in future.

Meeting Closed at 12.26pm.

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SUBJECT: GWENT POLICE AND CRIME PANEL RECORDED COMPLAINTS AND CONDUCT MATTERS REGISTER AND COMPLAINTS PROCEDURE

DATE: 16TH DECEMBER 2019

1. PURPOSE OF REPORT

- 1.1 This report provides Members of the Panel with an overview of the complaints received by the Panel for the period from November 2018 to November 2019. The report also includes the outcome of one unresolved complaint detailed in the previous complaints report considered at the meeting of Gwent Police and Crime Panel on 14th December 2018.

2. LINKS TO STRATEGY

- 2.1 The Police Reform and Social Responsibility Act 2011 requires the establishment of a Police and Crime Panel within each police force area to support and challenge the local Police and Crime Commissioner. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011 provides the legislative background to the handling of complaints by the Panel and the Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 also provides procedural requirements for the Panel.

3. BACKGROUND

- 3.1 The Gwent Police and Crime Panel ("the Panel") was established in November 2012 following the first elections for Police and Crime Commissioners. The Panel has statutory responsibilities as to the handling and determination of certain complaints made against the Police and Crime Commissioner (PCC) and Deputy Police and Crime Commissioner (DPCC). The Panel agreed its revised procedure for the handling of complaints on 14th December 2018.
- 3.2 Under this procedure the Panel has delegated its functions to the Head of Legal Services at Caerphilly County Borough Council (the Gwent Police and Crime Panel's Host Authority) who must consult with the Chair and Vice Chair and the co-opted members of the Gwent Police and Crime Panel in determining type of complaints received and the strategy for managing complaints for local resolution and the Panel's final resolution of complaints. The Chief Executive of the Gwent Police and Crime Commissioner's Office is consulted on the strategy for determining whether complaints are considered by the Panel or referred to the Independent Office for Police Conduct (IOPC) or a third party.
- 3.3 As part of the procedure, the Panel also agreed a protocol for managing complaints to ensure that complaints received are dealt with in a timely fashion, correctly identified as being complaints which fall to the Gwent Police and Crime Panel for action and other complaints, for example, about the PCC's staff or Gwent Police are directed as appropriate.

4. COMPLAINTS DATA

- 4.1 During the period November 2018 to November 2019 there was one complaint recorded. The Recorded Complaints and Conduct Matters Register November 2018 – 2019 is attached at appendix 1 and also details the outcome of one previously unresolved complaint that was included in the previous report to the Gwent Police and Crime Panel on 14th December 2018.
- 4.2 There are three categories of complaints with the corresponding outcomes:
- A Complaint - a general complaint about the PCC or DPCC that is not a Conduct Matter or a Serious Complaint, or is a complaint that ceases to be investigated by the Independent Police Complaints Commission or a police force. The Panel is responsible for the informal resolution of these complaints.
 - A Conduct Matter - a matter where there is an indication (whether from the circumstances or otherwise) that the PCC and/or DPCC may have committed a criminal offence. Conduct matters can arise without a Complaint being made (for example, press stories). The Gwent Police and Crime Panel must notify the IOPC of Conduct Matters. The IOPC are responsible for considering all Conduct matters.
 - A Serious Complaint - a complaint about the conduct of the PCC or DPCC which constitutes or involves, or appears to constitute or involve the commission of a criminal offence. The Gwent Police and Crime Panel must notify the IOPC of Serious Complaints. The IOPC are responsible for considering all Serious Complaints.
- 4.3 The one general complaint recorded for this year was not upheld. There is also the outcome of the previously reported serious/conduct complaint that was subsequently re-categorised as a general complaint following its return to the Panel by the IOPC. This was subsequently not upheld by the Panel.
- 4.4 There have been no trends identified or areas of concern for consideration by the Panel and monitoring will continue. Other correspondence has also been received during the past year with complaints against Gwent Police and this is always referred appropriately.

5. FINANCIAL IMPLICATIONS

- 5.1 This handling of complaints is funded using the existing resources within the Home Office Grant.

6. EQUALITIES IMPLICATIONS

- 6.1 Monitoring of complaints by the Panel addresses the statutory duties under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 as any specific complaints to the Panel around alleged discrimination can be considered as well as the monitoring of complaints from people who fall under the categories protected by the Equality Act 2010.

7. CONSULTATION

- 7.1 Consultation has been undertaken as listed below and any responses received have been incorporated into the report.

8. RECOMMENDATION

- 8.1 The Panel are asked to note the information provided in relation to complaints listed at appendix 1.

9. REASONS FOR THE RECOMMENDATIONS

- 9.1 To monitor and note complaints received by Gwent Police and Crime Panel.

10. STATUTORY POWERS

- 10.1 Police Reform and Social Responsibility Act 2011.

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Telephone: 01443 864279

Consultees: Robert Tranter, Head of Legal and Monitoring Officer Caerphilly County Borough Council
Lisa Lane, Head of Democratic Services Caerphilly County Borough Council
Sian Curley, Chief Executive Office of the Gwent Police and Crime Commissioner

Appendices

Appendix 1: Recorded Complaints and Conduct Matters Register November 2018– 19



RECORDED COMPLAINTS AND CONDUCT MATTERS REGISTER

((November 2018 – November 2019))

No	Date of Receipt	Summary of Complaint	Complaint Category (Serious Complaint, Conduct Matter or Complaint)	Intended Action	Other Information
Previously Unresolved Complaints from 2017 -2018					
1	1 st April 2019	Complaint against PCC and DPCC	Complaint	Letter Sent – not upheld no further action	Panel satisfied that actions of PCC were reasonable.
New Complaints from December 2018					
2	13 th September 2018	Complaint against former PCC	Re-categorised as Complaint	Letter Sent – not upheld, no further action	Referred to PCP by IOPC, panel could not establish any information to support complaint.

SUBJECT: AMENDMENT TO RULES OF PROCEDURE AND PANEL ARRANGEMENTS

DATE: 16TH DECEMBER 2019

1. PURPOSE OF REPORT

- 1.1 To consider an amendment to the Panel Arrangements and Rules of Procedure for Gwent Police and Crime Panel, to allow a standing agenda item for Panel Members to submit questions on notice to the Police and Crime Commissioner.

2. LINKS TO STRATEGY

- 2.1 The Police Reform and Social Responsibility Act 2011 requires the establishment of a Police and Crime Panel (PCP) within each police force area to support and challenge the local Police and Crime Commissioner. This report outlines an amendment to panel arrangements and rules of procedure and seeks Members approval.

3. REPORT

- 3.1 The Gwent PCP (the Panel) agreed changes to its panel arrangements and rules of procedure at its meeting held on 14th December 2018. The Panel is now asked to consider a further amendment to the panel arrangements and rules of procedure. This further change is to allow Panel Members to submit questions on notice to the Police and Crime Commissioner in order to receive a response at the next appropriate Panel meeting.
- 3.2 In order to clearly set out how this process will be managed a procedure has been drafted and is attached at Appendix 1. The Panel is asked to consider the draft procedure which sets out a clear process for Panel Members to follow. The procedure allows sufficient time for any questions to be processed by the host authority and for the questions to be sent to the OPCC before the agenda is prepared for each meeting. It is suggested that this procedure does not apply where an exceptional Panel meeting is called and is outside of the usual programme of meetings, for example a Confirmation Hearing.

4. CONSULTATION

- 4.1 All consultation responses have been reflected in this report.

6. RECOMMENDATION

- 6.1 Panel Members are asked to approve the proposed changes to the panel arrangements and rules of procedure in order to allow a standing agenda item for Panel Members questions to the PCC.
- 6.2 Panel Members are asked to approve the proposed procedure as attached as appendix 1.
- 6.3 That this procedure is reviewed after twelve months.

7. REASONS FOR THE RECOMMENDATIONS

7.1 To improve the operation of the Gwent Police and Crime Panel.

8. STATUTORY POWERS

8.1 Police Reform and Social Responsibility Act 2011.

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Consultees: Mrs Gill Howells, Chair Gwent Police and Crime Panel
Councillor Colin Mann, Vice Chair Gwent Police and Crime Panel
Rob Tranter, Head of Legal Services and Monitoring Officer Caerphilly County Borough Council
Lisa Lane, Head of Democratic Services Caerphilly County Borough Council
Sian Curley, Chief Executive, Office of the Police and Crime Commissioner

Appendix 1: Procedure for Questions to the Gwent Police and Crime Commissioner at Meetings of Gwent Police and Crime Panel

Background Papers: Agenda Item 9 Gwent Police and Crime Panel 14th December 2018.

PROCEDURE FOR QUESTIONS TO THE GWENT POLICE AND CRIME COMMISSIONER AT MEETINGS OF GWENT POLICE AND CRIME PANEL

1. Questions from Panel Members to the Police and Crime Commissioner (PCC) should be submitted to the host authority for Gwent Police and Crime Panel (gwentpcp@caerphilly.gov.uk). A maximum of three questions that are submitted in accordance with the criteria outlined below will be taken at the next Police and Crime Panel (PCP) meeting. Questions can be on any area of concern within the remit of the Police and Crime Commissioner. A Panel Member may only submit one question under this procedure, for consideration at each meeting.
2. Questions should be submitted 15 working days (or more) prior to a PCP meeting. The agreed questions will be emailed to the PCC as soon as agreed or at the latest 10 working days prior to the meeting. Clarification on the question, should it be necessary, must be sought in advance of the meeting via the Host Authority
3. In order for a question to be accepted, the host authority will ensure that it:
 - Relates to the strategic functions of the PCC (including his/her Police and Crime Plan) and **not** relate to the operational management of Gwent Police.
 - **Is Not** substantially similar to a question put at a meeting within the preceding six months.
 - **Does Not** require the disclosure of exempt or confidential information at a public meeting.
 - **Is Not** vexatious or defamatory.

**Any questions relating to the operational management of Gwent Police will automatically be directed to the Office for the Chief Constable, who will endeavour to respond in the normal way – the questioner will be notified that it has been forwarded. These questions will therefore not be taken in public at PCP meetings. However operationally sensitive questions that are under the remit of the Police and Crime Commissioner can be considered in closed session or at a later date in open session once they are no longer considered sensitive.*

4. The first three questions received, that meet the criteria outlined in this procedure, will be processed for consideration at the next ordinary Panel meeting. Any additional questions that comply with this procedure will be answered in writing and will be tabled at the same meeting without debate.
5. If more than one question on a similar theme is received, the Panel member(s) who submit(s) any subsequent question(s) will be advised accordingly and the subsequent question(s) will not be progressed. The Panel member who submitted the original question will be advised that another

Panel member has put forward a similar question and may want to acknowledge this when asking the question at the Panel meeting.

6. If the host authority, acting as appropriate, in consultation with the Chair of the PCP, considers that a question does not comply with paragraph 3, it shall advise the questioner accordingly and, if appropriate, direct the question to the appropriate public body. Where the question has been submitted by the Chair, the Vice-Chair will decide.
7. If the host authority considers that the question does comply with paragraph 3, the question will be treated as having been accepted by the PCP and subject to the procedure below.
8. The question will be verbally asked at the meeting by the Panel Member who submitted the question and the PCC will verbally respond to the question. The Chair will intervene if the questioner makes a significant change to the agreed question. The Vice-Chair will determine this where the Chair has put forward the question. If the questioner is not present the Chair will read out the question.
9. The questioner must be present at the meeting to ask any supplementary questions which must relate to the nature of the initial question and not raise new issues. Only one supplementary question will be permitted for each initial question. Supplementary questions and responses will be included in the formal minute of the meeting.
10. There will be instances where the PCC (or his/her officers) are unable to respond to a supplementary question put at the meeting. In such instances, a written response will be issued to the questioner by the PCC within ten working days of the meeting and a copy of the response provided to the host authority who will distribute to the PCP.

Agenda Item 8

GWENT POLICE AND CRIME PANEL FORWARD WORK PROGRAMME 2020/21

31st January 2020 at 10am

- Precept
- PCC Update

Future Dates:

20th March 2020 at 10am

26th June 2020 at 10am

25th September 2020 at 10am

11th December 2020 at 10am

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