

Penallta House
Tredomen Park
Ystrad Mynach
Hengoed
CF82 7PG

Tŷ Penallta
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Ystrad Mynach
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**Gwent Police
and Crime Panel**

**Panel Heddlu
& Throseddu Gwent**

For all enquiries relating to this agenda please contact
Helen Morgan (Tel. 01443 864267; Email: morgah@caerphilly.gov.uk)

Date: 18th July 2013

Dear Sir/Madam,

A meeting of the **Gwent Police and Crime Panel** will be held at **Penallta House (Sirhowy Room), Tredomen Park, Ystrad Mynach** on **Friday, 26th July 2013 at 10.00 a.m.** to consider the matters contained in the following agenda.

A G E N D A

1. Declarations of Interest.
2. Apologies for Absence.
3. To approve and note the minutes of the meetings held on 28th June and 3rd July 2013 (copies attached).
4. To receive and consider the following which in the opinion of the Head of Legal and Governance (Caerphilly County Borough Council) may be discussed when the meeting is not open to the public and first to consider whether the public interest requires that the meeting should be closed to the public for consideration of this item:-
 - (a) Verbal report by the Gwent Police and Crime Commissioner about the retirement of the former Chief Constable of Gwent Police.

MEMBERSHIP:

Blaenau Gwent County Borough Council - Councillors Mrs. K. Bender and Mrs. D. Rowberry

Caerphilly County Borough Council - Councillors C.P. Mann and Mrs. C. Forehead

Torfaen County Borough Council - Councillors L. Jones and P. Seabourne

Monmouthshire County Council - Councillors P. Clarke and Mrs. F. Taylor

Newport City Council - Councillors J. Guy and I. Hayat

Co-opted Members - Ms V. Cox-Wall and Mr. P. Nuttall

By invitation:

Gwent Police and Crime Commissioner - Mr. I. Johnston

Deputy Gwent Police and Crime Commissioner - Mr. P. Harris

Chief Executive of the Office of the Police and Crime Commissioner for Gwent – Mrs. S. Bosson

Temporary Chief Constable - Mr. J. Farrar (for information)

Gwent Police
and Crime Panel

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GWENT POLICE AND CRIME PANEL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY 3RD JULY 2013 AT 10.00AM

Present:

Councillor J. Guy - Newport City Council - Chairman

Councillors Mrs. C. Forehead and C.P. Mann - Caerphilly County Borough Council
Councillors L. Jones and P. Seabourne - Torfaen County Borough Council
Councillors P. Clarke and Mrs. F. Taylor - Monmouthshire County Council
Councillor I. Hayat - Newport City Council

Co-opted Members - Ms V. Cox-Wall

By invitation:

Deputy Gwent Police and Crime Commissioner - P. Harris

Treasurer and Deputy Chief Executive - Office of Police and Crime Commissioner - N. Phillips

Head of Finance and Business Support - Gwent Police – D. Garwood-Pask

Together with:

J. Jones (Democratic Services Manager), R. Barrett (Clerk to the Panel)

1. DECLARATIONS OF INTEREST

Councillor J. Guy wished it be noted that he is the Treasurer of both Newport and Gwent Neighbourhood Watch Associations and the Deputy Chair of Gwent NARPO Association.

Councillor L. Jones wished it be noted that his son serves as an Officer for Gwent Police.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs. K. Bender and Mrs. D. Rowberry (Blaenau Gwent County Borough Council), P. Nutall (Co-opted Member), Mr. I. Johnston (Gwent Police and Crime Commissioner), Ms. S. Bosson (Chief Executive to the Police and Crime Commissioner), Mr. J. Farrar (Temporary Chief Constable) and D. Perkins (Head of Legal and Governance).

3. PROPOSED APPOINTMENT OF THE CHIEF FINANCE OFFICER AND DEPUTY CHIEF EXECUTIVE FOR THE OFFICE OF THE POLICE AND CRIME COMMISSIONER FOR GWENT

Due to the retirement of Mr. Neil Phillips, the Treasurer and Deputy Chief Executive, there had been a need to advertise the post of Chief Finance Officer and Deputy Chief Executive, which replaces the old Treasurer and Deputy Chief Executive post. The Gwent Police and Crime

Commissioner notified the Panel on 14th June 2013 of his intention to appoint Mr. Darren Garwood-Pask as Deputy Chief Executive and Chief Finance Officer to the Office of the Police and Crime Commissioner for Gwent. Mr. Paul Harris, Deputy Gwent Police and Crime Commissioner, summarised the selection and interview process before providing an overview of the reasons behind the selection of Mr. Garwood-Pask.

In accordance with the requirement of the Police Reform and Social Responsibility Act 2011 the Panel is required to hold a public confirmation hearing to review the proposed senior appointment and make a report to the Commissioner.

There followed detailed discussions during which a number of questions were asked to Mr. Garwood-Pask in order that the Panel could consider his responses and determine his suitability against the roles person specification criteria (namely, experience, qualifications, skills, knowledge and working with others).

At the conclusion of the question and answers session the Panel adjourned for a short recess to enable them to reflect on the information they had received from Mr. Garwood-Pask.

On reconvening the Panel voted to endorse the proposed appointment of Mr. Garwood-Pask as Deputy Chief Executive and Chief Finance Officer.

The Panel also thanked Mr. Neil Phillips for his service and contribution to both the Gwent Police Authority and the Office of the Police and Crime Commissioner for Gwent, praising his professionalism and support, and wished him well in his retirement.

4. ANY OTHER BUSINESS

The Panel discussed the frequency of the meetings and concluded that they should increase the number planned to provide greater support and challenge to the Gwent Police and Crime Commissioner. It was agreed that following the PCP Development Day being held in Cardiff on 15th July 2013, the Panel would invite Ms. Shelley Bosson to discuss possible items for the Panel's forward work programme.

The meeting closed at 12.20 p.m.

Gwent Police
and Crime Panel

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GWENT POLICE AND CRIME PANEL

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE,
YSTRAD MYNACH ON FRIDAY, 28TH JUNE 2013 AT 10.00 A.M.**

Present:

Councillor J. Guy - Newport City Council - Chairman

Councillors Mrs. K. Bender and Mrs. D. Rowberry - Blaenau Gwent County Borough Council
Councillor C.P. Mann - Caerphilly County Borough Council
Councillors L. Jones and P. Seabourne - Torfaen County Borough Council
Councillors P. Clarke and Mrs. F. Taylor - Monmouthshire County Council
Councillor I. Hayat - Newport City Council

Co-opted Members - Ms V. Cox-Wall and Mr. P. Nuttall

By invitation:

Gwent Police and Crime Commissioner - Mr. I. Johnston

Chief Executive to the Police and Crime Commissioner – Ms. S. Bosson

Together with:

J. Jones (Democratic Services Manager), D. Perkins (Head of Legal and Governance),
N. Taylor (Senior Policy Manager - Gwent Police Authority), N. Phillips (Treasurer and Deputy
Chief Executive - Office of Police and Crime Commissioner), S. Curley (Senior Business
Manager - Office of Police and Crime Commissioner), H. Morgan (Clerk to the Panel),
R. Barrett (Clerk to the Panel).

WELCOME

The Chairman welcomed Mrs. D. Rowberry from Blaenau Gwent County Borough Council to her first meeting of the Gwent Police and Crime Panel.

1. DECLARATIONS OF INTEREST

Councillor J. Guy wished it be noted that he is the Treasurer of both Newport and Gwent Neighbourhood Watch Associations and the Deputy Chair of Gwent NARPO Association.

Councillor L. Jones wished it be noted that his son serves as an Officer for Gwent Police.

Councillor P. Seabourne declared an interest in Agenda Item 6 (2012/13 Year End Financial Report), details of which are noted with the respective item.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs. C. Forehead.

3. MINUTES

The minutes of the meeting held on 15th February 2013 were received and confirmed as a correct record, subject to one amendment to the title of an officer in the attendee list.

Matters arising from the last meeting were discussed herein.

A query was raised at the meeting on 15th February 2013 as to whether members should declare an interest as some of the reports discussed made reference to councils represented by Panel members. The Head of Legal and Governance confirmed that as the reports relate to the work of Gwent Police, a declaration was not required.

Mr. Johnston confirmed that the start date for the 24 police constables referred to in the minutes would be 5th August 2013. He also confirmed that a review of PACT meetings has started to consider if they are the most appropriate way of engaging with local communities.

4. TO RECEIVE A VERBAL REPORT BY THE GWENT POLICE AND CRIME COMMISSIONER ON THE RETIREMENT OF THE FORMER CHIEF CONSTABLE AND ARRANGEMENTS FOR THE APPOINTMENT OF A NEW CHIEF CONSTABLE

Since the last meeting of the Gwent Police and Crime Panel, Mrs. Carmel Napier, the former Chief Constable for Gwent Police, has retired.

Mr. Johnston commented that the Gwent Police and Crime Panel would be the first panel in Wales to sit and consider legislation where a Chief Constable had retired. He stated that Mrs. Napier took the decision to retire on her own volition after he had asked her to do so. However, if she had not taken that decision Mr. Johnston confirmed he would have invoked Section 38 of the Police Reform and Social Responsibility Act 2011. Mr. Johnston cited four main areas of dissatisfaction regarding Mrs. Napier's performance - a loss of public and staff confidence, her abrupt management style, her failure to manage internal and external working relationships and her hostile approach to the concept of Police and Crime Commissioners. Mr. Johnston then took a number of questions from the Gwent Police and Crime Panel.

Initial questions focused on establishing the reasoning behind Mr. Johnston's actions leading to Mrs. Napier's retirement, his assessment of her performance and the support offered to her. Mr. Johnston stated that there was no contradiction between his public press statement following Mrs. Napier's retirement and a subsequent leaked document, and that the former was not praised for her work, but rather an acknowledgement of her public service. Mr. Johnston confirmed that he had held weekly meetings with Mrs. Napier but that a working relationship was made difficult from the outset when he heard that Mrs. Napier had warned her staff that anyone who approached the Police and Crime Commissioner would face disciplinary action.

Mr. Johnston stated that his four main areas of dissatisfaction with Mrs. Napier's performance were interlinked, and Mrs. Napier's perceived lack of acceptance of the Police and Crime Commissioner demonstrated an unwillingness to work as part of a team or with others. Mr. Johnston stated that the people of Gwent expect the best level of service from the Police and that he had a duty to the public to uphold this level of service and this was his motivation for asking Mrs. Napier to consider retiring.

Mr. Johnston cited a lack of collaborative working between Mrs. Napier and staff from neighbouring police forces and gave an example where Mrs. Napier proceeded with a staffing

issue without consultation with himself or senior officers, which resulted in Mr. Johnston having urgent talks with UNISON. Mr. Johnston said that he found Mrs. Napier to be unhelpful and had spoken to her about her poor management style. Mr. Johnston confirmed that he had collated substantial evidence to support his judgement but could say no more at this time as the matter could potentially go to judicial review.

The Panel asked Mr. Johnston how he could arrive at his judgements about Mrs. Napier within such a short timescale. He replied that the general consensus was that he had acted swiftly, that Mrs. Napier's actions had affected staff in a negative way, that he was elected to represent the people of Gwent and that he did not regret the decision to ask Mrs. Napier to consider retiring. Mr. Johnston also felt that he had followed all procedures within the Police Reform and Social Responsibility Act 2011 correctly, particularly in relation to Section 38. He stressed that the Section 38 procedure had not been invoked.

The Panel requested reassurance from Mr. Johnston that they be informed promptly in the event of any similar cases in the future, as it was felt that they were not given enough advance notice of the retirement decision. Mr. Johnston apologised for the fact that Members had to deal with a number of media enquiries, but could not inform the Panel until Mrs. Napier's solicitors had confirmed her agreement to retire. Mr. Johnston confirmed the document detailing his dissatisfaction with Mrs. Napier's performance was not leaked from his office and did not feel that an investigation into this leak was necessary.

Mr. Johnston was asked about legal costs incurred prior to meeting Mrs. Napier on 23rd May 2013. It was confirmed that the cost would be reasonable in the circumstances, but they have not yet received the final account. Mr. Johnston confirmed that the cost to Gwent Police for Mrs. Napier's retirement did not go beyond the normal contractual agreement and that there was no additional pay-off. He also felt that the timescale given to Mrs. Napier for her to make a decision on her future was appropriate. Mr. Johnston was asked about the terms of Mrs. Napier's retirement and confirmed that a compromise agreement was signed.

Mr. Johnston felt that the circumstances surrounding Mrs. Napier's retirement would not deter potential replacement candidates and he was confident that there would be several applicants of an extremely high calibre interested in the post of Chief Constable. He confirmed that interim arrangements were in place, with a temporary Chief Constable appointed on 7th June 2013 and that the Panel would be kept informed of the selection process. It was confirmed by Mr. Johnston that the post of Chief Constable would be advertised at the beginning of September, with short-listing to take place in October, the confirmation hearing in November and the successful candidate to take up the post as soon as possible.

In summarising the first six months in his new role, Mr. Johnston stated that it had been extremely challenging but he would not have done anything differently.

The Chairman of the Panel thanked Mr. Johnston for his answers and stated that the Panel would write to him with their conclusions.

5. ANNUAL REPORT - NOVEMBER 2012 TO APRIL 2013

Mr. Johnston presented an overview of the report, which highlighted the progress of priorities since November 2012. This identified priorities and police performance such as, preventing and reducing crime, tackling Anti-Social Behaviour, protecting people from serious harm, and providing value for money.

Police and Crime Commissioners in other areas delayed publishing their annual report until November 2013 but Mr. Johnston stated it was important to get the information for November 2012 to April 2013 published in order for the public to be aware of his progress against his priorities. Next year the report will be aligned with the financial year.

The Panel considered the report and then held detailed discussions, with particular reference being made to the suspension of Regulation A19 and the improvement in morale this has had on long-serving officers. Communication has also improved with regards to public engagement. During the course of the discussion, reference was made to the role of the Joint Audit Committee. Mrs. Bosson suggested the Panel have informed discussions with the Chair of the Joint Audit Committee to clarify potential future working arrangements.

The Panel noted the contents of the report.

6. 2012/13 YEAR END FINANCIAL REPORT

Councillor P. Seabourne declared an interest in this item as his son works at SRS in Blaenavon.

Mr. N. Phillips presented an overview of the report, which indicated the latest position regarding the completion of the Revenue and Capital Accounts for the year-end to 31st March 2013.

The accounts are generally on target, although the forecast for next year is not yet clear. Further cuts to the police grant were recently announced so a greater savings targets are needed going forward to 2017-18.

The Panel discussed the report and queried the deficit for future years, with Mr. Johnston clarifying that they are in a difficult but achievable place. Further information was sought on the meaning of 'Other Professional Services' and 'Regional Collaboration Fees' in Point 3.14 of the report. It was confirmed that 'Other Professional Services' is a centrally held budget to cover expenses such as legal fees, estate agents' fees and consultants' costs, and 'Regional Collaboration Fees' represents contributions to South Wales Police in respect of collaboration initiatives on firearms operations and training and scientific support.

The Panel also discussed the Capital Programme and areas of spending. It was clarified that under-spends in the capital programme are common place as capital monies maybe committed in one year but are payments not due until the next. Under-spends would be reserved and brought forward for the next financial year.

The Panel noted the contents of the report.

7. REVIEW OF GWENT POLICE AND CRIME PANEL MEMBERSHIP

Members of the Panel considered the report, the purpose of which was to review the membership of the Gwent Police and Crime Panel and consider the appointment of additional local authority members. It was concluded that the Panel would benefit from revisiting their membership size, as the membership ratio is currently under-represented for Caerphilly and Newport. The Democratic Services Manager confirmed that Home Office approval was required for all new members before they join the Panel.

Members considered the content of the report and it was agreed by the majority present that an additional local authority member for Caerphilly and Newport be approved. It was noted that it would be a matter for each local authority to have regard to the 'balanced appointment objective' requirement as detailed in the report.

In view of the foregoing it was also agreed that the Host Authority's Head of Legal and Democratic Services be given delegated authority to make any consequential amendments to the Panel Arrangements, Terms of Reference and Rules of Procedure.

8. COMPLAINTS MONITORING (VERBAL)

The Democratic Services Manager provided an update on complaints monitoring. Seven complaints have been received from 3 individuals, with 1 complaint ongoing. The remainder have been resolved. The contents of the report were noted by the Panel.

The meeting closed at 12.20 p.m.