

# Norfolk Police and Crime Panel



Date: **15 June 2016**

Time: **10am**

Venue: **Norfolk Constabulary HQ (Filby Room, Jubilee House, Falconers Chase, Wymondham, Norfolk, NR18 0WW)**

Panel Members are invited to attend a tour of Norfolk Constabulary following the public meeting.

**Persons attending the meeting are requested to turn off mobile phones.**

## **Membership**

<b>Main Member</b>	<b>Substitute Member</b>	<b>Representing</b>
Mr William Richmond	Mr Mark Robinson	Breckland District Council
Mr Fran Whymark	Mr Roger Foulger	Broadland District Council
Ms Katy Stenhouse	Mr Paul Hammond	Great Yarmouth Borough Council
Mr Brian Long	Mr Colin Manning	King's Lynn and West Norfolk Council
Mr Alec Byrne	Michael Chenery of Horsburgh	Norfolk County Council
Mrs Margaret Wilkinson	Mr Terry Jermy	Norfolk County Council
Mr Brian Hannah	Mr James Joyce	Norfolk County Council
Mr Richard Shepherd	Mr Nigel Dixon	North Norfolk District Council
Mr Paul Kendrick	(To be confirmed)	Norwich City Council
Dr Christopher Kemp	Mr Robert Savage	South Norfolk Council
Ms Sharon Brooks	(no substitute member)	Co-opted Independent Member

Mr Alexander D Sommerville, CPM	(no substitute member)	Co-opted Independent Member
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**For further details and general enquiries about this agenda  
please contact the Committee Officer:**

Nicola LeDain on 01603 223053  
or email [committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk)

## **A g e n d a**

1. **To receive apologies and details of any substitute members attending**
2. **Election of Chairman**
3. **Election of Vice-Chairman**
4. **Declarations of Interest**

### **Norfolk County Council and Independent Co-opted Members**

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter. It is recommended that you declare that interest but it is not a legal requirement.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a **Disclosable Pecuniary Interest** you may nevertheless have an **Other Interest** in a matter to be discussed if it affects:

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

If that is the case then you must declare such an interest but can speak and vote on the matter.

**District Council representatives will be bound by their own District Council Code of Conduct.**

- 5. To receive any items of business which the Chairman decides should be considered as a matter of urgency**

**6. Minutes**

To confirm the minutes of the meeting held on 22 March 2016.

(Page **5**)

**7. Public questions**

Thirty minutes for members of the public to put their question to the Panel Chairman where due notice has been given.

Please note that all questions were to have been received by the Committee Team (committees@norfolk.gov.uk or 01603 223814) by **5pm on Tuesday 7 June 2016.**

**8. Appointment of Co-opted Independent Member**

(To follow)

To consider the recommendation from the Selection Panel.

**9. Balanced Appointment Objective**

(Page **13**)

To consider whether the Panel's 'balanced appointment objective' is being met.

**10. Panel Arrangements and Rules of Procedure - Review**

(Page **18**)

To review the Panel Arrangements and Rules of Procedure, and appoint members to handle complaints relating to the conduct of the Commissioner.

**11. Police and Crime Plan for Norfolk – Consultation**

(Page **60**)

To consider the proposed consultation approach.

**12. OPCCN Commissioned Services – Quarterly Report**

(Page **66**)

To consider the Commissioner's short-term commissioning priorities and intentions, and the development of an OPCCN Commissioning Strategy for 2016-20.

**13. PCC Complaints Monitoring Report**

(Page **73**)

To consider the regular monitoring information about complaints relating to the conduct of the Commissioner.

**14. Norfolk Police and Crime Panel Funding** (Page **75**)

To endorse the Panel's 2015-16 expenditure and consider the 2016-17 Home Office grant allocation.

**15. Information bulletin – questions arising to the Commissioner** (Page **82**)

To hold the Commissioner to account for the full extent of his activities and decisions since taking office.

**16. Forward Work Programme 2016-17** (Page **86**)

To review the proposed work programme.

Date Agenda Published: Tuesday 7 June 2016

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## **Norfolk Police and Crime Panel**

**Minutes of the Meeting held on Tuesday 22 March 2016 at 10.00 a.m.  
Edwards Room, County Hall, Norwich**

### **Main Panel Members Present:**

Mr Alec Byrne	Norfolk County Council
Mr Brian Hannah	Norfolk County Council
Mr Terry Jermy	Norfolk County Council
Mr Brian Long	King's Lynn and West Norfolk Council
Mr William Richmond	Breckland Council
Mr Robert Savage	South Norfolk Council
Mr Richard Shepherd	North Norfolk District Council
Mr Alexander D Sommerville, CPM	Co-opted Independent Member
Mr Fran Whymark	Broadland District Council

### **Officers Present**

Mr Greg Insull	Assistant Head of Democratic Services
Mrs Jo Martin	Democratic Services and Scrutiny Support Manager

### **Others Present**

Mr Stephen Bett	Police and Crime Commissioner for Norfolk
Ms J McKibben	Deputy Police and Crime Commissioner for Norfolk
Mr Mark Stokes	Chief Executive, OPCCN
Ms Sharon Lister	Performance & Compliance Officer OPCCN
Ms Vicky Day	Head of Rehabilitation OPCCN

### **1. To receive apologies and details of any substitute members attending**

- 1.1 Apologies received from Dr C Kemp (substituted by Mr R Savage), Ms K Stenhouse, Ms S Brooks and Mr K Driver.

### **2. Members to Declare any Interests**

- 2.1 No declarations were made.

- 3. To receive any items of business which the Chairman decides should be considered as a matter of urgency**
- 3.1 None
- 4 Minutes of the meeting held on the 2 February 2016 and 16 February 2016.**
- 4.1 The minutes of the meetings held on the 2 and 16 February were confirmed by the Panel as a correct record and signed by the Chairman.
- 5. Public Questions**
- 5.1 The Chairman advised the Panel that one question was received after the deadline had passed. However, he had reviewed it with the Head of Democratic Services and they agreed that it should be disallowed as it was a question for the Commissioner not the Panel.
- 6. Office of the Police and Crime Commissioner for Norfolk Commissioned Services – Quarterly Report**
- 6.1 The Panel received the suggested approach from the Democratic Support and Scrutiny Team Manager and the update report from the Office of the Police and Crime Commissioner for Norfolk (OPCCN) about its commissioned services (a paper on prevention and rehabilitation of offenders).
- 6.2 The following points were raised during the discussion:-
- When the Commissioner's team was first formed 3 years ago, one of the first areas that came to light as an area to tackle was the revolving door of reoffending with the plan being to co-ordinate partners' activity and enable existing small organisations to work with larger ones to provide effective services. Now there was an established work stream and framework for these organisations to work within.
  - A Countywide Rehabilitation Board had been set up to help identify any gaps in local provision and help to steer the commissioning activity.
  - It had become apparent through working with partners that the main areas of focus needed to be on young people, first time offenders, children of current offenders and those with learning disabilities. It had also been highlighted that there were certain pathway concerns that needed to be addressed such as debt and mental health.
  - Many local companies were supporting the Gateway to Employment initiative. In December 2015, Norse had interviewed 16 members of the public who had previous convictions and by demonstrating the skills they had to offer, 8 were recruited, 2 were offered work experience opportunities and 1 was given an apprenticeship.
  - OPCCN had developed the Women in Norfolk Service after winning Ministry of Justice funding for the project. This was a huge success, as it was one of only 4 successful bids to be awarded funding. The 12 month

pilot project in Norwich and Kings Lynn would be subject to an independent evaluation, requiring quarterly monitoring reports to be produced. The hope was that if this pilot was successful then the team would approach the Ministry of Justice for further funding to extend the scheme to include children and young offenders.

- A Panel Member asked if any statistics were available that could evidence how successful the PCC's commissioned services were at preventing re-offending. The Panel was advised that Sodexo (a community rehabilitation company in Norfolk) may be able to provide local data. The Ministry of Justice and National Probation Service regularly published national re-offending data.
- There were many different facets that had to be considered and looking just at statistics would not give the whole picture. As a result the team were looking to track cohorts (such as female offenders) to determine how effective the services were.
- The Deputy Commissioner highlighted that while OPCCN was working closely with Norfolk County Council's Children's Services, she felt much more could be done to develop a more targeted whole-family approach. For example, when a parent committed an offence, their children could be risk assessed and interventions put in place to prevent them from following similar paths.
- The team had found it challenging when they first started as they had realised that there was no long-term support or provision in place for any of the existing organisations. However, the Commissioner wanted the allocated funding to be sustainable, to allow the organisations to be well supported if they continued to deliver agreed outcomes.

6.3 The Panel noted the update and asked OPCCN to provide it with any available statistics, to show how successfully the services were preventing re-offending.

## **7. Police and Crime Plan Performance Report**

7.1 The Panel received the suggested approach from the Scrutiny Support Manager and an update on the progress made against the Police and Crime Plan from OPCCN.

7.2 The Police and Crime Commissioner for Norfolk introduced the performance report (Appendix A).

7.3 The following points were raised during the discussion:-

- In response to a query regarding the accuracy around the statistics on Norfolk Constabulary's website, the Panel was informed that the statistics were correct as of 19 October 2015.
- The Commissioner would be attending the Police Accountability Forum this week where he would receive the update on the Athena system.

- In response to a query regarding the performance of the PCC and the Police and Crime Plan in comparison to other PCC's around the country, the Panel was advised that there would be detailed information regarding this in the Annual Report which the Panel would receive in the summer. The Office of the Police and Crime Commissioner for Norfolk (OPCCN) had received a national award for openness and transparency from CoPaCC, a national organisation which monitored police governance.

7.4 The Panel noted the Police and Crime Plan Performance Report.

## **8. Norfolk Independent Custody Visiting Scheme**

8.1 The Panel received the suggested approach from the Scrutiny Support Manager and the update from OPCCN.

8.2 The following points were raised during the discussion:-

- A copy of the Norfolk Independent Custody Visiting Annual Report for 2015/16 would be provided to the Panel after May.
- In response to a question regarding the vacancies available, the Panel was informed that they currently had capacity for 27-28 volunteers on the scheme with 20 current members in post but recruitment was in progress to ensure there was a reserve of volunteers available. There were quite a few volunteers that had long term service and reconstitution of panels would take place later this year.
- In response to a query about why the volunteers had to work in pairs, the Panel was informed that this was due to national guidance provided, which advised that this was safer and also ensured the objectiveness of the visits.
- The Panel was informed that the background of the volunteers was quite broad, with some being retired, some had nursing backgrounds and some were students. Further information regarding the diversity of volunteers would be available in the annual report.
- The Panel was advised that the recruitment process was robust with in depth interviews being undertaken, thorough vetting and scenario based training once appointed.

8.3 The Panel noted the update.

## **9. Complaints Monitoring Report**

9.1 The Panel received the suggested approach from the Scrutiny Support Manager which provided an update on the ongoing complaints to date received.

9.2 The following points were raised during the discussion:-

- An additional complaint had been received since the agenda for this meeting had been published and was currently being assessed.



- Members asked what could be done to deal with serial complainers and were informed that there was a policy in place that would be used to deal with any complainer that was felt to be vexatious.
- In reference to the number of FOI's received by the Commissioner's Office, the Panel was advised that 9 had come from members of the public and 2 had been received from media sources.

9.3 The Panel noted the report.

## **10. Information bulletin – questions arising to the Commissioner**

10.1 The Panel received the report from the Support and Scrutiny Manager which summarised for the Panel both decisions taken by the Commissioner and the range of his activity since the last Panel meeting.

10.2 The Panel noted the Information Bulletin.

## **11. Recruitment of Co-opted Independent Member**

11.1 The Panel received the report from the Support and Scrutiny Manager which outlined the principles of the recruitment process for member to consider and agree upon.

11.2 A member of the Panel queried whether the application form was too complicated and therefore could be off putting to those interested in the role. He was advised the application form was intended to draw out the appropriate skills and experience required for the role, and that the form was to be completed online so would not perhaps appear as onerous as it may do in paper format.

11.3 The Panel **RESOLVED** to:-

- a) Note the principles of the recruitment process, as set out in the Panel Arrangements.
- b) Agree the draft advertisement and application pack, and suggested timetable for recruitment.
- c) Appointed the following members to be the selection panel:  
Mr B Long  
Mr A Byrne  
Mr B Hannah
- d) Delegate to NCC's Head of Democratic Services, in consultation with the Panel's Chairman and Vice Chairman, the authority to adjust the membership of the selection panel if necessary following local elections.

## **12. Work programme**

12.1 The Panel received the report which outlined the Forward Work Programme.

12.2 The Commissioner's office requested that the following be added to the programme:

- New Police and Crime Plan for Norfolk Consultation Proposal (June meeting)
- OPCCN Commissioning Strategy (September meeting).

The Panel **Agreed.**

The Panel thanked the Commissioner and his staff for all their contributions during the last 4 years. In particular, the Panel thanked the Deputy Police and Crime Commissioner, Ms J McKibben, who would not be returning to the role.

The meeting closed at 11:21am

#### CHAIRMAN



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Thank you Chairman.

It genuinely is with great pleasure that I present this Police and Crime Performance Paper to you today. To my mind it has good news written right through it and showcases some serious achievements, both by Norfolk Constabulary and the Office of the Police and Crime Commissioner.

As the report makes clear, when I drafted my first Police and Crime Plan back in 2012 the world of policing was a very different place. If a day is a long time in politics, four years is a lifetime in policing.

We originally set nine numerical targets as the objectives for Norfolk Constabulary – however it soon became clear that the landscape for performance and monitoring was shifting, and shifting fast.

The Home Secretary held a review of target driven performance monitoring and asked PCCs to consider the potential negative impact and limitations of setting cold, hard targets and driving forces hard to achieve targets that are out of date almost as soon as they are set.

Members, we needed to be smarter.

As you know, last month I brought a paper to you outlining the new performance framework and a new approach to performance monitoring. I believe this is the way forward.

As the report before you shows, there are many ways in which performance can be monitored and managed. The bi-monthly Police Accountability Forums, the HMIC strategic performance PEEL reviews and success and positive outcomes across the spectrum of police and crime.

The HMIC reports speak for themselves. Good, Outstanding, Good, Outstanding. Not too shoddy I would say. To have a force at the top of the Premier League is a magnificent achievement and one which ever member of the Norfolk policing family should be rightly proud of.

Targets have their place but in a world moving as fast as policing they simply don't tell enough of the picture. For example we have seen a number of emerging issues during the period of the police and crime plan.

With partners the police and OPCCN have acted with such initiatives as the launch of a joint cybercrime unit with Suffolk, for example. However there is more to do in areas such as child and adult sexual exploitation, human trafficking, new psychoactive substances, improving support for the vulnerable in the criminal justice system .....The list goes on.

As you will see, the paper is also full of achievements, innovation and initiatives driven by the Office of the Police and Crime Commissioner. I won't go through them all but a few highlights include:

- a new and enhanced victims, assessment, referral and support service for Norfolk, which went live on the 1<sup>st</sup> April 2015 and provided by Victim Support

- a restorative justice service for Norfolk and Suffolk provided by Victim Support
- Specialist services for victims of domestic abuse and sexual violence, including a new independent domestic violence advocacy service, which went live on the 1<sup>st</sup> April 2015, provided by Leeway.
- The launch of Gateway to Employment – an ambitious initiative between the OPCCN and the Department for Work and Pensions to get 100 Norfolk employers to take on an ex offender.
- The OPCCN producing a 60 second video entitled ‘What is a Police and Crime Commissioner?’ The video received more than 10,000 views online. The video was so well received by other PCC offices that a second version has been produced by the office for the APCC for national distribution and use in the run up to the PCC elections.

And these are just a few of the successes. There are many, many more. Not bad for a very small team.

To summarise Chairman I am proud of every single person who has contributed and helped deliver the Police and Crime Plan.

If this report was an end of term report I would be giving both Norfolk Constabulary and the OPCCN an A grade – with a note in the comment section saying very clearly:

“Well done and thank you. But there is much, much more to do.”

## **Balanced Appointment Objective**

### **Suggested approach from Jo Martin, Scrutiny Support Manager**

This is an opportunity for the Panel to consider whether the balanced appointment objective is being met.

#### **1. Background**

- 1.1 Schedule 6, paragraphs 31 and 32, of the Police Reform and Social Responsibility Act 2011 ("the Act") requires a Police and Crime Panel to consider whether it meets the balanced appointment objective.

#### **2. Purpose of today's meeting**

- 2.1 During May 2016 each council (the District, Borough and County Councils) appointed members to the Panel with a view to ensuring that the 'balanced appointment objective' is met, so far as is reasonably practicable.
- 2.2 The balanced appointment objective is the objective that the local authority members of a PCP (when taken together):-
- (i) represent all parts of the police area;
  - (ii) represent the political make-up of the relevant authorities (when taken together);
  - (iii) have the skills, knowledge and experience necessary for the PCP to discharge its functions effectively.
- 2.3 This is an opportunity for the Panel to consider whether the balanced appointment objective is being met.

#### **3. Suggested approach**

- 3.1 The Panel is invited to consider the following information to help it determine whether the balanced appointment objective is being met.
- 3.2 Geographical balance – the Panel represents all parts of the relevant police force area.

Councillor membership of the Panel should reflect the geography and population size of the police force area. In the first instance, the legislation seeks to achieve this by having every local authority in the area represented on the Panel. This has been done in Norfolk.

- 3.3 Political balance – the Panel represents the political make-up of the relevant local authorities (when taken together).

Following the May 2016 local elections, the number of places in each political group across the county is as follows:

Conservative - 261  
Labour - 62  
Liberal Democrat - 39  
UKIP - 29  
Green - 14  
Independent – 2

Consequently, the composition of the Panel has remained the same:

- 6 Conservative
- 2 Labour
- 1 Liberal Democrat
- 1 UKIP

Norwich City Council has appointed a Labour member, Great Yarmouth Borough Council has appointed a UKIP member, and all other District and Borough Councils have appointed Conservatives. Norfolk County Council has appointed 1 Conservative, 1 Liberal Democrat and 1 Labour member.

- 3.4 Skills, knowledge and experience – All appointments to the Panel, of both councillors and independent members, should be made to ensure that it has the necessary skills, knowledge and experience available to it to discharge its functions effectively.

**Annex 1** of this report sets out a summary of the skills, knowledge and experience available to the Panel through its current membership.

#### 4.0 Action

- 4.1 The Panel is recommended to consider whether the balanced appointment objective is being met.



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To help the Panel assess whether or not the balanced appointment objective has been met, the majority of appointed Members have previously been asked to complete a self assessment form and briefly outline the skills, knowledge and experience that they will bring to the Panel. A summary of the returns is set out here.

<b>Brief examples provided to demonstrate the following competencies set out in the Panel Member Role Profile</b>	
1. The ability to think strategically: Breadth of vision – the ability to rise above detail, and to see problems and issues from a wider, forward-looking perspective.	<p>Most Members have previously cited their experiences as local councillors to demonstrate their ability to think strategically. Considering and challenging the impact of key decisions for their communities, weighing up the immediate problems/benefits against longer term implications.</p> <p>Some also cited professional experience, such as forward planning in a business environment.</p>
2. The ability to make good judgements: To take a balanced, open-minded and objective approach, for example, in evaluating the PCC's priorities, assessing candidates for top level appointments or considering complaints, and to develop an understanding of the environment and context in which the PCC must operate.	<p>Most Members have previously referred to their experiences of being involved in appointment boards or panels for senior positions in both the public and private sector, either as a local councillor or in their professional capacity. Some also referred to their experience of dealing with complaints and disciplinary matters.</p>
3. The ability to be open to change: The ability to challenge accepted views constructively without becoming confrontational, and to recognise and respond positively to the need for change, identifying ways in which the organisation in question could be developed.	<p>Most Members have previously cited their experiences as local councillors to demonstrate this; dealing with changes to policy and practice from central Government on a frequent basis and aiming to respond in a positive way. Some also referred to their professional experience of handling change in a business environment.</p>
4. The ability to scrutinise and challenge: To be able to rigorously scrutinise and challenge constructively, and exercise effective oversight of all aspects of the PCC's performance, using appropriate data, evidence and resources.	<p>Most Members have previously referred to their experiences as local councillors to demonstrate this, having served on scrutiny/audit/appeals committees or (for some) having been the subject of scrutiny in their role as Cabinet Members, Leaders or Deputy Leaders.</p> <p>Some also cited their professional experiences of running (or being involved in running) a business or their work with local charitable organisations.</p>
5. The ability to be analytical: The ability to interpret and question complex written material, including financial and statistical information and other data such as performance measures, and identify the salient points.	<p>Most Members have previously referred to their experiences as local councillors to demonstrate this, having serviced on a wide variety of committees in a wide variety of roles but paying particular attention to ongoing performance</p>

	<p>monitoring.</p> <p>In addition, some referred to personal academic achievements and professional experiences.</p>
<p>6. The ability to communicate effectively: To be able to explain issues clearly, often in public meetings, with the media present, and to engage in constructive dialogue with local communities, the police (including representatives of their staff associations) and other key partners and agencies.</p>	<p>Most Members have previously cited their experiences as local councillors to demonstrate this and were confident in their ability to communicate clearly in public meetings, community events, with the local media.</p> <p>In addition, some also referred to their personal and professional experiences.</p>
<p>7. The ability to manage time effectively: To be able to identify priorities and make the most productive use of own and others' time.</p>	<p>Most Members have previously referred to the fact that this was essential to them, to enable them to carry out their duties as a local councillor, for many alongside personal and professional commitments. Some referred particularly to their experiences of chairing committee and other meetings.</p> <p>Some also cited other academic and professional experiences.</p>
<p><b>A summary of examples provided to demonstrate the following personal skills and qualities, as set out in the Panel Member Role Profile</b></p>	
<p>1. Team working: The ability to play an effective role in the PCP through listening, persuading and showing respect for the views of others and encouraging collaborative working across agencies.</p>	<p>Most Members have previously referred to their experiences as local councillors to demonstrate their skills in this area, saying it was essential for good decision-making and to address their case work.</p> <p>Some also referred to their professional experiences in either leading or participating in team working.</p>
<p>2. Self confidence: The skill to challenge accepted views constructively without becoming confrontational.</p>	<p>Most Members have previously referred to their experiences as local councillors to demonstrate their skills in this area, particularly participation in /chairing various meetings. Many were keen to stress the value they placed on being able to challenge others' views in a respectful way, and considering alternative views fairly.</p>
<p>3. Enthusiasm and drive: To be pro-active in seeking out learning and developmental opportunities to enhance knowledge and understanding, for example on financial matters and statutory requirements.</p>	<p>Members have previously been keen to stress their willingness to learn new skills and enhance their knowledge, saying that it was vital to their role as local councillors.</p> <p>Some also referred to the particular financial and legal skills they had acquired in their professional careers.</p>



<p>4. Respect for others: The capacity to treat all people fairly and with respect; value diversity and respond sensitively to difference.</p>	<p>Most Members have previously referred to their experiences as local councillors to demonstrate their skills in this area, some also added particular examples from their personal and/or professional experiences.</p> <p>Some referred to particular experience of serving on their council's standards committee.</p>
<p>5. Integrity: The necessity to embrace high standards of conduct and ethics and be committed to upholding human rights and equality of opportunity for all.</p>	<p>Members have previously been keen to highlight that a professional attitude both in their local councillor and professional roles was imperative.</p>
<p>6. Leadership: The confidence to lead by example, establish clear goals and objectives and build support and commitment with the PCC, as well as the wider community and partner agencies.</p>	<p>Most Members have previously referred to their experiences as a local councillor to demonstrate their skills in this area. Some added professional experience of leading teams either as an employee or employer.</p>
<p>7. Decisive: To show resilience, even in challenging circumstances, remaining calm and confident and able to make difficult decisions.</p>	<p>Most Members have previously cited their experiences as a local councillor to demonstrate their skills in this area, referring to difficult situations they'd had to deal with, customer complaints and making difficult decisions.</p> <p>Others added examples from their personal lives and professional careers.</p>

## **Panel Arrangements and Rules of Procedure - Review**

### **Suggested approach from Jo Martin, Scrutiny Support Manager**

This is an opportunity for the Panel to review its Panel Arrangements and Rules of Procedure.

The Panel is recommended to:

- 1) Endorse the existing Panel Arrangements (at **Annex 1** of this report).
- 2) Endorse the existing Rules of Procedure (at **Annex 2** of this report), including the scheme for public questions.
- 3) Endorse the detailed guidance for handling complaints about the conduct of the Commissioner (at **Annex 3** of this report).
- 4) Appoint Panel members to be involved with the handling of complaints about the conduct of the Commissioner.
- 5) Appoint Panel Members to the Complaints Handling Sub Panel (at **Annex 4** of this report).

## **1. Background**

- 1.1 The Police Reform and Social Responsibility Act 2011 ("the Act") introduced significant changes in police governance and accountability, in particular replacing the Police Authorities with directly elected Police and Crime Commissioners.
- 1.2 The Act required the local authorities in each police force area to establish and maintain as a joint committee a Police and Crime Panel, and that all the local authorities must agree to the making of Panel Arrangements. During May and June 2015 each of Norfolk's local authorities (the Borough, City, County and District Councils) agreed the establishment of a Police and Crime Panel ("the Panel") for Norfolk and the proposed Panel Arrangements.
- 1.3 Schedule 6 of the Police Reform and Social Responsibility Act 2011 ("the Act") also requires Police and Crime Panels to make Rules of Procedure.
- 1.4 The purpose of the Rules of Procedure is to set out clearly how the Panel will operate and how its meetings will be conducted. They must make provision about the appointment, resignation and removal of a person to chair the Panel. They must also set out the procedures for the Special Functions of the Panel (reviewing the Police and Crime Plan; reviewing the Annual Report; reviewing Senior Appointments; reviewing and potentially vetoing the

proposed precept; reviewing and potentially vetoing the appointment of the Chief Constable, and the procedures relating to the handling of complaints and conduct matters). They may also cover methods of decision making, the formation of sub-committees and the arrangements for convening meetings. It is for the Panel itself to agree the Rules of Procedure - it does not need to seek the agreement of constituent councils if it decides that amendments are needed.

## 2. Purpose of today's meeting

- 2.1 The Panel may wish to briefly review the Panel Arrangements and decide whether to recommend any changes to constituent councils (all of which would need to agree any changes before these could be implemented). These are attached at **Annex 1** of this report. It is suggested that they are endorsed in their current form.
- 2.2 Under previous arrangements, the Home Office funding included a specified sum per member per annum to cover their expenses. The Panel will wish to note that that sum for member expenses is no longer ring-fenced; this is to give PCP's more flexibility over how to spend their grant.
- 2.3 The Panel may also wish to review its Rules of Procedure, which includes a scheme for public questions. The current Rules of Procedure are attached at **Annex 2** of this report. It is suggested that they are endorsed in their current form.
- 2.4 The Panel is recommended to review and endorse the existing guidance for handling complaints about the conduct of the Commissioner, which is attached at **Annex 3** of this report.
- 2.5 The Panel will wish to appoint members to be involved in the handling of complaints during 2016-17. Previously it has appointed three members, and last year this comprised Councillor Kemp and both of the independent members.
- 2.5 The Panel will also wish to appoint members to be involved in the Complaints Handling Sub Panel during 2016-17. The previously agreed Terms of Reference for this Sub Panel are attached at **Annex 4** of this report.

## 3.0 Action

- 3.1 The Panel is recommended to:
  - 1) Endorse the existing Panel Arrangements (at **Annex 1** of this report).
  - 2) Endorse the existing Rules of Procedure (at **Annex 2** of this report), including the scheme for public questions.
  - 3) Endorse the detailed guidance for handling complaints about the conduct of the Commissioner (at **Annex 3** of this report).
  - 4) Appoint Panel members to be involved with the handling of complaints

about the conduct of the Commissioner.

- 5) Appoint Panel Members to the Complaints Handling Sub Panel (at **Annex 4** of this report).



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## **Norfolk Police and Crime Panel**

### **Panel Arrangements**

#### **1. Background**

- 1.1 The Police Reform and Social Responsibility Act 2011 (the Act) introduces new structural arrangements for national policing, strategic police decision making, neighbourhood policing and police accountability.
- 1.2 The Act provides for the election of a Police and Crime Commissioner (PCC) for a police force area, responsible for securing an efficient and effective police force for their area, producing a police and crime plan, recruiting the Chief Constable for an area, and holding him/her to account, publishing certain information including an annual report, setting the force budget and police precept and requiring the Chief Constable to prepare reports on police matters. The PCC must co-operate with local community safety partners and criminal justice bodies.
- 1.3 The Act requires the relevant local authorities (county, city, district and borough councils) in each police force area to establish and maintain a Police and Crime Panel (PCP) for its police force area. It is the responsibility of the local authorities for the police force area to agree to the making of arrangements for the PCP ('Panel Arrangements').
- 1.4 Each local authority and each Member of the PCP must comply with the Panel Arrangements.
- 1.5 The functions of the Panel must be exercised with a view to supporting the effective exercise of the functions of the PCC for that police force area.
- 1.6 The PCP is responsible for scrutinising the PCC and promoting openness in the transaction of police business in the police force area.
- 1.7 The PCP is a joint committee of the local authorities in Norfolk.

#### **2. Functions of the Police and Crime Panel**

- 2.1 The functions of the PCP must be exercised with a view to supporting the effective exercise of the functions of the PCC for Norfolk
- 2.2 The PCP must:-
  - (i) review the draft police and crime plan, or draft variation given to the PCP by the PCC, and
  - (ii) make a report or recommendation on the draft plan or variation to the PCC

2.3 The PCP must

- (i) arrange for a public meeting of the PCP to be held as soon as practicable after the PCP is sent the PCC's annual report
- (ii) ask the PCC, at that meeting, such questions about the annual report as the members of the PCP think appropriate
- (iii) review the annual report, and
- (iv) make a report or recommendations on the annual report to the PCC

2.4 The PCP must hold a confirmation hearing to review the proposed appointment by the PCC of:-

- (i) the PCC's chief executive
- (ii) the PCC's chief finance officer
- (iii) a deputy PCC

The PCP must make a report to the PCC and the report must include a recommendation as to whether or not the candidate should be appointed.

2.5 The PCP must respond to any proposal by the PCC to call upon the Chief Constable to retire or resign, by making a recommendation to the PCC as to whether or not the PCC should call for the retirement or resignation.

2.6 The PCP must review and make a report and may make recommendations on the precept which the PCC proposes to issue for the financial year.

2.7 The PCP must hold a confirmation hearing to review the proposed appointment by the PCC of a Chief Constable. The PCP must make a report to the PCC and the report must include a recommendation as to whether or not the candidate should be appointed or must include a statement that the PCP has vetoed the appointment.

2.8 The PCP must:-

- (i) review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the PCC's functions; and
- (ii) make reports or recommendations to the PCC with respect to the discharge of the PCC's functions

2.9 The PCP must publish any reports or recommendations made by it to the PCC and must determine the manner in which such reports or recommendations are to be published.

- 2.10 The PCP must send copies of any reports or recommendations it makes to the PCC, to each local authority (county, city, district and borough councils) in Norfolk.
- 2.11 The PCP must fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities given to the PCP by the Act.
- 2.12 The PCP must appoint an Acting PCC in the circumstances set out in the Act.
- 2.13 The PCP may not exercise any functions other than those conferred by the Act.

### **3. Operating Arrangements**

- 3.1 The PCP is a joint committee of the county, city, borough and district councils in Norfolk.
- 3.2 Norfolk County Council shall be the lead authority in establishing and maintaining the PCP and shall secure the administrative, secretarial and professional support necessary to enable the PCP to fulfil its functions.
- 3.3 The PCP shall consist of a minimum of 10 councillors and two co-opted independent members. The membership of the PCP can be increased up to a maximum size of 20 by co-opting up to 8 additional councillors, but any proposal by the PCP to increase above the initial membership of 12 would be subject to the approval of the Secretary of State
- 3.4 The local authorities will co-operate to provide the PCP with additional officer support for research, training and development, or where particular expertise would assist the PCP.
- 3.5 The local authorities will co-operate to ensure that the role of the PCP is promoted internally and externally and that members and officers involved in the work of the PCP are given support and guidance in relation to the PCP's functions.
- 3.6 The PCP must have regard to the Policing Protocol issued by the Home Secretary, which sets out the ways in which the Home Secretary, the PCC, the Chief Constable and the PCP should exercise, or refrain from exercising functions so as to encourage, maintain or improve working relationships and limit or prevent the overlapping or conflicting exercise of functions.

### **4. Financial Arrangements**

- 4.1 The funding provided by the Home Office to support the work of the PCP will be received by the County Council as lead authority. The PCP will seek to operate within the limit of the Home Office funding. Any additional expenditure by the PCP above the funding provided by the Home Office will require the prior agreement of all the constituent

local authorities and, if approved, will be apportioned between the local authorities on the basis of the number of members each has on the PCP.

- 4.2 The Home Office funding includes a specified sum per member per annum to cover their expenses. Each local authority will pay the expenses of its own representatives and seek reimbursement from the County Council at the end of each financial year, up to a maximum of the specified sum.
- 4.3 The local authorities will establish a joint independent remuneration panel to consider whether a special responsibility allowance should be paid to the Chairman of the PCP and if so, what the level of that SRA should be. If the councils subsequently decide that an SRA will be paid, the cost will be apportioned between the councils on the basis of the number of members each has on the PCP. The independent remuneration panel shall be convened by the lead authority, with its membership to be drawn from the independent remuneration panels for each local authority.

## **5. Membership – Appointed Members**

- 5.1 All county, city, borough and district councillors within Norfolk are eligible to be members of the PCP.
- 5.2 Appointment of elected members to the PCP shall be made by each local authority at its annual general meeting or as soon as possible thereafter, in accordance with its procedures. Appointments shall be made with a view to ensuring that the “balanced appointment objective” is met so far as is reasonably practicable. The balanced appointment objective is the objective that the local authority members of a PCP (when taken together):-
  - (i) represent all parts of the police area;
  - (ii) represent the political make-up of the relevant authorities (when taken together)
  - (iii) have the skills, knowledge and experience necessary for the PCP to discharge its functions effectively
- 5.3 The PCP’s membership will be one councillor appointed by each of the city, borough and district councils and three councillors appointed by the county council, with the county council as far as possible picking up the requirement to ensure the required balance across the county. Terms of office will be to the next annual general meeting of the respective councils.
- 5.4 The PCP membership shall, as far as possible, be politically balanced in relation to the overall political balance amongst all city, borough, district and county councillors in Norfolk. The lead authority will facilitate discussions between the local authorities in order to enable the authorities to fulfil their duty to secure (as far as reasonably



practicable) that the appointed membership meets the balanced appointment objective.

- 5.5 The PCP shall review at its AGM whether or not the balanced appointment objective is being met and if it concludes that it is not, the PCP shall determine what action is needed to meet the objective.
- 5.6 All members of the PCP may vote in proceedings of the PCP.
- 5.7 Each local authority may appoint a named member to be a substitute for its representative(s) on the PCP. Notice of a substitution must be given by the relevant PCP member to the PCP Secretary, before the start of the meeting concerned. The named substitute must be a member of the same council and same political group as the PCP member being substituted. Appointed representatives should use the substitution facility only on rare occasions, in recognition of the importance of building up knowledge and expertise so that the PCP can operate effectively.
- 5.8 In all other respects, the appointment of substitutes shall be governed by the rules relating to substitution set out in section 4 of appendix 10 of the County Council Constitution.

## **6. Membership – Independent Members**

- 6.1 The PCP shall co-opt two independent members onto the PCP. For the first two co-options, one shall be appointed for a term of four years and one for a term of three years. Thereafter the appointments will be for four-year terms. There shall be no restriction on the overall time period that an independent member may serve on the PCP. A member of any of the relevant local authorities may not be a co-opted member of the PCP where the number of co-opted members is two.
- 6.2 The following may not be co-opted Members of the PCP:
  - a) the PCC for the Police Area.
  - b) a member of staff of the Police and Crime Commissioner for the area.
  - c) a member of the civilian staff of the Police Force for the area.
  - d) a Member of Parliament.
  - e) a Member of the National Assembly for Wales.
  - f) a Member of the Scottish Parliament.
  - g) a Member of the European Parliament.
- 6.3 The recruitment process for co-opting independent members should include a reasonable period of open and public advertising for the positions. The closing date for the receipt of applications should be at least two weeks from the date the advertisement is first placed. The PCP shall also invite relevant organisations, as it considers appropriate, to nominate candidates for consideration as part of the recruitment process.

- 6.4 The recruitment process will be carried out in accordance with the following principles:-
- (i) Appointments will be made on merit of candidates whose skills, experience and qualities are considered best to secure the effective functioning of the PCP
  - (ii) The selection process will be fair, objective and impartial and consistently applied to all candidates who will be assessed against the same pre-determined criteria
  - (iii) The selection process will be conducted transparently with information about the requirements for the appointments and the process being publicly advertised and made available
- 6.5 Information packs shall be prepared and sent to those requesting them. The PCP shall appoint a selection panel to consider applications and interview candidates.
- 6.6 Following the interviews, the selection panel will make recommendations to the PCP about the appointment of the independent members and the PCP will make a decision as to which candidates to co-opt. In order to be co-opted, each candidate shall require the support of a majority of the appointed members of the PCP present at the meeting at which the decision is made. Independent member co-options shall be subject to annual endorsement at the PCP's AGM. If a majority of appointed members present at the AGM vote against endorsing an independent member's co-option, the independent member's co-option shall be terminated.

## **7. Casual Vacancies**

- 7.1 A vacancy on a PCP arises when a local authority or independent member resigns from the membership of the PCP or is removed from the post by their local authority or, in the case of the independent members, is removed from their post by the PCP.
- 7.2 Each local authority will fill vacancies for elected members in accordance with the arrangements in its constitution. Vacancies for independent members will be filled in accordance with the selection process outlined in section 6 of these Rules.

## **8. Resignation of Appointed Members**

Appointed Members of the PCP who wish to resign shall do so by notifying in writing, the PCP secretary and the appropriate officer in their local authority.

## **9. Resignation of Independent Members**

Independent Members of the PCP who wish to do so shall resign by notifying in writing the PCP secretary.

## **10. Removal of Appointed Members**

Each local authority shall have the right to change its appointed member at any time and shall give notice to the PCP secretary but must ensure that the change does not affect the political balance requirement.

## **11. Removal of Independent Members**

Other than at the PCP's AGM, an independent member may only be removed from office if an appointed member has given notice to the PCP secretary at least 10 working days prior to an ordinary meeting of the PCP, of his or her intention to propose a motion that an independent member's co-option be terminated. At the subsequent meeting, termination will only be confirmed if at least two-thirds of the persons who are members of the PCP at the time when the decision is made vote in favour of termination.

## **12. Amendments to Panel Arrangements**

12.1 Changes to the Panel Arrangements can only be made with the collective approval of all the local authorities in Norfolk. The PCP may propose amendments to the Panel Arrangements and any such proposals will be referred to the local authorities and will only be implemented if they are approved by all the local authorities.

12.2 The only exception to the requirement for the approval of the local authorities is if the PCP wishes to increase the number of co-opted members. The PCP may resolve that that the PCP is to have the number of co-opted members specified in the resolution, provided that the total membership of the PCP, including that number of co-opted members, would not exceed 20. Any such resolution must be referred to the Secretary of State and will only be implemented if the Secretary of State gives approval.

## **13. Interpretation**

The conduct of the PCP and the content of these Panel Arrangements shall be subject to the legislative provisions in the Police Reform and Social Responsibility Act 2011, and any Regulations made in accordance with that Act, and in the event of any conflict between the Act or Regulations, and these Panel Arrangements, the requirements of the legislation will prevail.

## **14. Promotion of the Panel**

14.1 The Panel Arrangements shall be promoted by:

- (i) The establishment and maintenance by the lead authority of a website including information about the role and work of the PCP, its membership, all non-confidential PCP and sub-

committee meeting papers, press releases and other publications; and,

- (ii) The issuing of regular press releases about the panel and its work; and,
- (iii) The local authorities will include information about the PCP on their websites, and will also include a link to the PCP website.

14.2 Support and guidance shall be provided to executive and non-executive members and officers of the local authorities in relation to the functions of the PCP as follows:

- a) by the provision of briefing sessions for members and relevant officers of the authorities before the election of the PCC, and on a regular basis thereafter; and,
- b) by the provision of written briefing notes for members and relevant officers of the authorities as appropriate.

## **Norfolk Police and Crime Panel**

### **Rules of Procedure**

#### **1. General**

- 1.1 These Rules of Procedure are made by the PCP pursuant to Schedule 6, paragraph 25 of the Police Reform and Social Responsibility Act 2011 (the 'Act').
- 1.2 The PCP will be conducted in accordance with these Rules. The Rules should be read having regard to the Panel Arrangements.

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

- 2.1 The chairman of the PCP will be appointed at the PCP's annual general meeting and will be drawn from amongst all the members of the PCP, including independent members.
- 2.2 The vice-chairman will be appointed at the AGM and will be drawn from amongst all the members of the PCP, including independent members.
- 2.3 In the event of the Chairman and vice-chairman being absent from a PCP meeting, the PCP will appoint a member to act as chairman for that meeting.
- 2.4 In the event of the resignation of the chairman/vice-chairman or removal of chairman/vice-chairman, a new chairman/vice-chairman will be appointed and will be drawn from amongst all the members of the PCP. Other than at the PCP's AGM, the chairman and vice-chairman may only be removed from office if a PCP member has given notice to the PCP secretary at least 10 working days prior to an ordinary meeting of the PCP, of his or her intention to propose a motion that the chairman or vice-chairman be removed from office. At the subsequent meeting, removal will only be confirmed if at least two thirds of the persons who are members of the PCP at the time the decision is made vote in favour of it.

#### **3. Meetings of the Police and Crime Panel**

- 3.1 The PCP shall meet at least four times per year to carry out its functions.
- 3.2 The PCP secretary will give notice to the public of the time and place of any meeting of the PCP. At least 5 clear working days before meetings, the secretary will circulate to PCP members the agenda for the meeting setting out the date, time and place for the meeting and specifying the business to be transacted. The agenda and minutes of PCP meetings will be published on the County Council's website.
- 3.3 An extraordinary meeting may be called by the PCP by resolution, by the chairman or by any four members of the PCP signing a requisition presented to the PCP secretary.

- 3.4 All members of the PCP may vote in proceedings of the PCP. The validity of the proceedings of the PCP is not affected by a vacancy in the membership of the PCP or a defect in appointment.

#### **4. Quorum**

- 4.1 A meeting of the PCP cannot take place unless at least one half of the whole number of its members is present. In any period during which there are vacancies amongst the membership, the calculation of half shall be based on the number of members in office on the day of the meeting.

#### **5. Work Programme**

- 5.1 The PCP will be responsible for setting its own work programme taking into account the priorities defined by the PCC and taking into account the views of other agencies and partnerships.
- 5.2 The work programme must include the functions described in section 2 of the Panel Arrangements.
- 5.3 Any member of the PCP shall be entitled to give notice to the PCP secretary that he or she wishes an item relevant to the functions of the PCP to be included on the agenda for a PCP meeting

#### **6. Sub-Committees and Task and Finish Groups**

- 6.1 Sub-Committees and time limited task and finish groups may be established from time to time by the PCP to undertake specific task based work and report back to the PCP.
- 6.2 The special functions of the PCP may not be discharged by a sub-committee of the PCP or a task and finish group.
- 6.3 In this paragraph 'special functions' means the following functions:
- (i) review of the Police and Crime Plan
  - (ii) review of the annual report
  - (iii) review of senior appointments
  - (iv) review and potential veto of the proposed precept
  - (v) review and potential veto of the appointment of a Chief Constable).
- 6.4 The work undertaken by a sub-committee or task and finish group will be scoped and defined beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.
- 6.5 A sub-committee or task and finish group may not co-opt members but they shall be able to invite others to assist it with its work.

- 6.6 Sub-Committees and task and finish groups need not be politically balanced if the PCP agrees to this.

## **7. Reports from the Police and Crime Panel**

- 7.1 Where the PCP makes a report or recommendations to the PCC, it will publish the report or recommendation on the PCP website. Copies of the report or recommendations will also be sent to each local authority within the police area.
- 7.2 The PCP must by notice in writing require the PCC, as appropriate, within a reasonable period of the date on which he or she receives the report or recommendations, to:-
- (i) Consider the report or recommendations
  - (ii) Respond to the PCP indicating what (if any) action the PCC proposes to take
  - (iii) Where the PCP has published the report or recommendations, publish the response
- 7.3 The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended).

## **8. Police and Crime Commissioner and Officers Giving Account**

- 8.1 The PCP may scrutinise and review decisions made or actions taken in connection with the PCC's role. As well as reviewing documentation, in fulfilling its role it may require the PCC, and members of the Commissioner's staff, to attend before the PCP (at reasonable notice) to answer any questions which appear to the PCP to be necessary in order to carry out its functions.
- 8.2 Where the PCC, or a member of the PCC's staff, is required to attend the PCP, the chairman of the PCP will inform them in writing, giving reasonable notice of the meeting. The notice will state the nature of the item for which he or she is required to attend to give account and whether any papers are required for production for the PCP. Where it is necessary to produce a report, sufficient time will be given to allow preparation of that report.
- 8.3 Where, in exceptional circumstances, the PCC is unable to attend on the required date, an alternative date for attendance may be arranged following consultation with the chairman of the PCP.
- 8.4 If the PCP requires the PCC to attend before the PCP, the PCP may, by giving reasonable notice request the Chief Constable to attend before the PCP on the same occasion to answer any questions which appears to the PCP to be necessary in order for it to carry out its functions.

## **9. Attendance by Others**

The PCP may invite people other than those referred to above to address it, discuss issues of local concern and/or answer questions. It may, for example, wish to hear from residents, stakeholders, councillors who are not members of the PCP and officers in other parts of the public sector and may invite such people to attend. The PCP may not however invite officers of the constabulary other than the Chief Constable to attend meetings, without the prior agreement of the Chief Constable.

## **10. Special Functions**

10.1 The Special Functions of the PCP are those functions referred to in paragraphs 11-15, below, and which are conferred on the PCP in relation to:

- a) the review of the Police and Crime Plan as required by Section 28(3) of the Act;
- b) the review of the Annual Report as required by Section 28 (4) of the Act;
- c) the review of senior appointments in accordance with Paragraphs 10 and 11 of Schedule 1 of the Act;
- d) the review and potential veto of the proposed precept in accordance with Schedule 5 of the Act;
- e) the review and potential veto of appointment of the Chief Constable Part 1 the Act.

10.2 The Special Functions shall be undertaken having regard to the requirements of the Act and Regulations in each case.

10.3 The issuing of reports and recommendations by the PCP in relation to the Special Functions outlined above will be carried out in accordance with paragraph 7 above.

## **11. Police and Crime Plan**

11.1 The PCP is a statutory consultee on the development of the PCC's Police and Crime Plan and will receive a copy of the draft Police and Crime Plan, or a draft of any variation to it, from the PCC.

11.2 The PCP must

- (i) hold a public meeting to review the draft Police and Crime Plan (or a variation to it), and;
- (ii) report or make recommendations on the draft Plan, which the PCC must take into account.



## **12. Annual Report**

- 12.1 The PCC must produce an Annual Report about the exercise of his/her functions in the financial year and progress in meeting police and crime objectives in the year. The report must be sent to the PCP for consideration.
- 12.2 The PCP must comment upon the Annual Report of the PCC, and for that purpose must:
- (i) arrange for a public meeting of the PCP to be held as soon as practicable after the PCP receives the Annual Report;
  - (ii) require the PCC to attend the meeting to present the Annual Report and answer such questions about the Annual Report as the Members of the PCP think appropriate;
  - (iii) make a report or recommendations on the Annual Report to the PCC.

## **13. Proposed Precept**

- 13.1 The PCP will receive notification from the PCC of the precept which the PCC is proposing to issue for the coming financial year by 1 February of the relevant financial year. The Panel will arrange for a public meeting to be held by 8 February of the relevant financial year to review the proposed precept.
- 13.2 Having considered the precept, the PCP must:
- (i) support the precept without qualification or comment; or
  - (ii) support the precept and make recommendations; or
  - (iii) veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the PCP at the time when the decision is made).
- 13.3 The PCP has the power to veto the appointment of a candidate, by a required majority of at least two thirds of the persons who are members of the PCP at the time when the decision is made.
- 13.4 If the PCP vetoes the proposed precept, the report to the PCC must include a statement that the PCP has vetoed the proposed precept and indicate either:
- a) That it has done so because the precept is too high and give reasons for that decision;

Or

- b) That it has done so because the precept is too low and give reasons for that decision.
- 13.5 The PCP will receive notification from the PCC of the revised precept which the PCC is proposing to issue for the coming financial year by 15 February of the relevant financial year.
- 13.6 The PCP will arrange for a public meeting to be held by 22 February of the relevant financial year to review the revised precept and make a report to the PCC. This may indicate whether the panel accepts or rejects the revised precept and make recommendations.
- 13.7 The PCP will receive a response from the PCC by 1 March of the relevant financial year.

#### **14. Appointment of Chief Constable**

- 14.1 The PCP must review the proposed appointment by the PCC of the Chief Constable.
- 14.2 The PCP will receive notification of the proposed appointment from the PCC, which will include:
  - (i) the name of the candidate;
  - (ii) the criteria used to assess suitability of the candidate,
  - (iii) why the candidate satisfies the criteria; and,
  - (iv) the terms and conditions proposed for the appointment
- 14.3 Within three weeks of the receipt of notification the PCP must consider and review the proposed appointment, and report to the PCC with a recommendation as to whether the candidate should be appointed. The three week period shall not include the 'post election period', being any period between the date of poll at the ordinary election of the PCC, and the date of declaration of acceptance of office of the PCC.
- 14.4 Before reporting and recommending under paragraph 14.3 above, the PCP must convene a public meeting ('confirmation hearing') of the PCP where the candidate must attend, either in person or by telephone or video link and answer questions relating to the appointment.
- 14.5 The PCP must publish the report on its web site and send copies to each of the local authorities, and by any other means the PCP considers appropriate.
- 14.6 The PCC may accept or reject the PCP's recommendation as to whether or not the candidate should be appointed, and must notify the PCP accordingly.

- 14.7 The PCP has the power to veto the appointment of a candidate, by a required majority of at least two thirds of the persons who are members of the PCP at the time when the decision is made.
- 14.8 A confirmation hearing as in paragraph 14.4 must be held before an appointment is vetoed.
- 14.9 If the PCP vetoes the appointment under paragraph 14.7, the report referred to at paragraph 14.3 above must include a statement to that effect.
- 14.10 If the PCP vetoes an appointment the PCC must not appoint that candidate as Chief Constable
- 14.11 Where the Panel vetoes an appointment the PCC will propose another person for appointment as Chief Constable (a reserve candidate).
- 14.12 The PCP will receive notification of the proposed appointment from the PCC, which will include:
- (i) the name of the candidate;
  - (ii) the criteria used to assess suitability of the candidate,
  - (iii) why the candidate satisfies the criteria; and,
  - (iv) the terms and conditions proposed for the appointment
- 14.13 Within three weeks of the receipt of notification of the reserve candidate, the PCP must consider and review the proposed appointment, and report to the PCC with a recommendation as to whether the candidate should be appointed. The three week period shall not include the 'post election period', being any period between the date of poll at the ordinary election of the PCC, and the date of declaration of acceptance of office of the PCC.
- 14.14 Before reporting and recommending under paragraph 14.3 above, the PCP must convene a public meeting ('confirmation hearing') of the PCP where the candidate must attend, either in person or by telephone or video link and answer questions relating to the appointment.
- 14.15 The PCP must publish the report on its web site and send copies to each of the local authorities, and by any other means the PCP considers appropriate.
- 14.16 The PCC may accept or reject the PCP's recommendation as to whether or not the candidate should be appointed, and must notify the PCP accordingly.
- 14.17 The PCP will receive a report from the PCC notifying the Panel of his decision as to whether he accepts or rejects the recommendation. This ends the confirmation process.

## **15. Senior Appointments**

- 15.1 The PCP must review the proposed appointments by the PCC of the PCC's Chief Executive, Chief Finance Officer and Deputy PCC.
- 15.2 The PCP shall receive notification of the proposed appointments from the PCC including
- (i) the name of the candidate;
  - (ii) the criteria used to assess suitability of the candidate,
  - (iii) why the candidate satisfies the criteria; and,
  - (iv) the terms and conditions proposed for the appointment
- 15.3 Within three weeks of the receipt of notification the PCP must consider and review the proposed appointment, and report to the PCC with a recommendation as to whether the candidate should be appointed. The three week period will not include the post-election period.
- 15.4 Before reporting and recommending under 15.3 above, the PCP must convene a public confirmation hearing of the PCP where the candidate must attend, either in person or by telephone or video link and answer questions relating to the appointment.
- 15.5 The PCP must publish the report on its web site and send copies to each of the local authorities, and by any other means the PCP considers appropriate.
- 15.6 The PCC may accept or reject the PCP's recommendation, and must notify the PCP accordingly.

## **16. Appointment of an Acting Police and Crime Commissioner**

- 16.1 The PCP must appoint a person to be acting Commissioner if:
- (i) no person holds the office of PCC;
  - (ii) the PCC is incapacitated (i.e. unable to fulfil the functions of the PCC) which is a matter for the PCP to determine; or
  - (iii) the PCC is suspended.
- 16.2 In the event that the PCP has to appoint an acting Commissioner it will meet to determine the process for appointment which will comply with these Rules of Procedure and any legal requirements.
- 16.3 The PCP may appoint a person as acting Commissioner only if the person is a member of the PCC's staff at the time of the appointment.
- 16.4 In appointing a person as acting Commissioner in a case where the PCC is incapacitated, the PCP must have regard to any representations made by the PCC in relation to the appointment.

- 16.5 The appointment of an acting Commissioner will cease to have effect upon the earliest of the following:
- (i) the election of a person as PCC;
  - (ii) the termination by the Panel, or by the acting Commissioner, of the appointment of the acting Commissioner;
  - (iii) in a case where the acting Commissioner is appointed because the PCC is incapacitated, the PCC ceasing to be incapacitated; or
  - (iv) in a case where the acting PCC is appointed because the PCC is suspended, the PCC ceasing to be suspended.
- 16.6 Where the acting Commissioner is appointed because the PCC is incapacitated or suspended, the acting Commissioner's appointment does not terminate because a vacancy occurs in the office of PCC.

## **17. Complaints**

- 17.1 The PCP will delegate the Initial Handling of Complaints and Conduct Matters (as set out in The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, Part 2) to the Commissioner's Chief Executive.
- 17.2 The PCP will delegate the resolution of other complaints (as set out in The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, Part 4) to NCC's Head of Democratic Services for informal resolution.
- 17.3 The Panel will appoint a member (or members) to sit in association with the Chief Executive of the Office of the PCC to give consideration to the initial sift of complaints and with the Head of Democratic Services to undertake informal resolution.
- 17.4 The Commissioner's Chief Executive and NCC's Head of Democratic Services will provide the PCP with annual monitoring reports, setting out the number and spread of complaints handled during the period.
- 17.5 The PCP shall give all such assistance and co-operation to the Independent Police Complaints Commission (IPCC) in carrying out investigations of serious complaints and conduct matters as it may reasonably require.
- 17.6 The PCP shall receive notification by the IPCC of any determination that it has made under the Regulations (Part 3) in relation to the investigation of serious complaints and conduct matters.

## **18. Suspension of the Police and Crime Commissioner**

- 18.1 The PCP may suspend the PCC if it appears to the PCP that:

- (i) the commissioner is charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence; and
  - (ii) the offence is one which carries a maximum term of imprisonment exceeding two years.
- 18.2 The suspension of the PCC ceases to have effect upon the occurrence of the earliest of these events:
  - (i) the charge being dropped;
  - (ii) the PCC being acquitted of the offence;
  - (iii) the PCC being convicted of the offence but not being disqualified under Section 66 of the Police Reform and Social Responsibility Act by virtue of the conviction, or
  - (iv) the termination of the suspension by the PCP.
- 18.3 In this section, references to an offence which carries a maximum term of imprisonment exceeding two years are references to:
  - a) an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
  - b) an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

## **19. Suspension and Removal of the Chief Constable**

- 19.1 The PCP will receive notification if the PCC suspends the Chief Constable.
- 19.2 The PCC must also notify the PCP in writing of his/her proposal to call upon the Chief Constable to retire or resign together with a copy of the reasons given to the Chief Constable in relation to that proposal.
- 19.3 The PCC must provide the PCP with a copy of any representations from the Chief Constable about the proposal to call for his/her resignation or retirement.
- 19.4 If the PCC is still proposing to call upon the Chief Constable to resign, she/he must notify the PCP accordingly (the 'further notification').
- 19.5 Within six weeks from the date of receiving the further notification, the PCP must make a recommendation in writing to the PCC as to whether or not she/he should call for the retirement or resignation. Before making any recommendation, the PCP may consult the chief inspector of constabulary, and must hold a scrutiny hearing.
- 19.6 The scrutiny hearing which must be held by the PCP is a PCP meeting in private to which the PCC and Chief Constable are entitled to attend to make representations in relation to the proposal to call upon the Chief Constable to retire or resign. Appearance at the scrutiny

hearing can be by attending in person, or participating by telephone or video link.

- 19.7 The PCP must publish the recommendation it makes on its web site and by sending copies to each of the local authorities, and by any other means the PCP considers appropriate.
- 19.8 The PCC may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:
- (i) at the end of six weeks from the PCP having received notification if the PCP has not by then given the PCC a recommendation as to whether or not she/he should call for the retirement or resignation; or
  - (ii) the PCC notifies the PCP of a decision about whether she/he accepts the PCP's recommendations in relation to resignation or retirement.
- 19.9 The PCC must consider the PCP's recommendation and may accept or reject it, notifying the PCP accordingly.
- 19.10 In calculating the six week period, the post election period is ignored.

## **20. Decision-making and Rules of Debate**

### **20.1 Principles of Decision-making**

These principles will underpin the way the PCP makes its decisions:-

- (i) Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by officers
- (ii) The presumption that whenever possible, all decisions made by the PCP should be made in public
- (iii) Decisions will be clear about what they aim to achieve and the results that can be expected

### **20.2 Voting**

- 20.2.1 All matters to be considered by the PCP shall be decided by a majority of the members of the PCP present and voting at the meeting. This will be done following the moving of a motion by any member of the PCP. A simple majority is required to confirm a decision, except in the specific circumstances of the PCP seeking to veto the PCC's proposed precept or the PCC's proposed appointment of a Chief Constable or as otherwise specified in these Rules of Procedure.

20.2.2 Voting will normally be by show of hands; but any member may demand a recorded vote and, if one quarter of the members present signifies its support, such a vote will be taken.

20.2.3 In the event of a tie in voting, the Chairman shall have a second or casting vote

### 20.3 Rules of Debate

The rules of debate of the PCP shall be governed by the rules relating to meetings of County Council committees (section 7 of appendix 10 of the County Council Constitution), which is set out below.

#### 20.3.1 No debate or vote until motion seconded

No motion will be debated or voted upon after the mover has moved a proposal (other than a motion that the report of a committee or a recommendation within it be received and adopted) until the motion has been seconded.

#### 20.3.2 Right to require motion in writing

Unless notice of the motion has already been given, the chairman may require it to be written down and handed to him/her before it is discussed.

#### 20.3.3 Secunder's speech

When seconding a motion of amendment, a member may reserve their speech until later in the debate.

#### 20.3.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the chairman.

#### 20.3.5 When a member may speak again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except;

- a) on a point of order; and
- b) by way of personal explanation.
- c) to demand a recorded vote
- d) to move a resolution under paragraph 20.3.10 of these Rules;
- e) to move the suspension of these procedural rules.

#### 20.3.6 Amendments to motions

a) An amendment to a motion must be relevant to the motion and will either be:

- 1) to leave out words;
- 2) to leave out words and insert or add others; or
- 3) to insert or add words.

as long as the effect of (1) and (3) is not to negate the motion.



- b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- c) If an amendment is not carried, other amendments to the original motion may be moved.
- d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- e) After an amendment has been carried, the chairman will read out the amended motion before accepting any further amendment, or if there are none, put it to the vote.

#### 20.3.7 Alteration of motion

- a) A member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) Only alteration which could be made as an amendment may be made.

#### 20.3.8 Withdrawal of motion

A member may withdraw a motion which he/she has moved with the consent of the seconder. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

#### 20.3.9 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion
- c) to postpone consideration of the motion;
- d) to proceed to the next business;
- e) that the question be now put;
- f) to adjourn a debate;
- g) to adjourn a meeting;
- h) to exclude the public and press in accordance with the Access to Information Rules; and
- i) to not hear further a member named under Rule 22.3.1 or to exclude them from the meeting under Rule 22.3.2.
- j) that the procedural rules be suspended

#### 20.3.10 Closure motions

- a) A member may move, without comment, the following motions at the end of a speech of another member:
  1. That consideration of the motion be postponed
  2. To proceed to the next business;
  3. That the question be now put;
  4. To adjourn to a debate; or

## 5. To adjourn a meeting

- b) If a motion to proceed to next business is seconded and the chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- c) If a motion that the question be now put is seconded and the chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- d) If a motion to adjourn the debate or to adjourn the meeting or to postpone consideration of the meeting is seconded and the chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

provided that a second motion to the same effect under this section will not be moved in reference to the same motion or amendment within a period of 20 minutes unless it is moved by the Chairman.

### 20.3.11 Point of order

A member may raise a point of order at any time. The chairman will hear him/her immediately. A point of order may only relate to an alleged breach of these Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the chairman on the matter will be final.

### 20.3.12 Personal explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the chairman on the admissibility of a personal explanation will be final.

## 21. Minutes

The Chairman will sign the minutes of the proceedings at the next meeting. The only part of the minutes that can be discussed is their accuracy and any question as to their accuracy must be raised by motion.

## 22. Members' Conduct

### 22.1 Speaking

When a member speaks at PCP meetings, he/she must address the meeting through the Chairman.

## 22.2 Chairman Requiring Silence

When the Chairman so indicates during a debate, any member speaking at the time must stop and the meeting must be silent.

## 22.3 Member not to be heard further

22.3.1 If a member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

22.3.2 If the member continues to behave improperly after such a motion has been carried, the Chairman may adjourn the meeting for a specified period or move that the member leaves the meeting. If seconded, the motion will be voted on without discussion. If the member continues to behave improperly, the Chairman may give such direction as he/she considers appropriate for the removal of the member and the restoration of order.

## 22.4 General disturbance

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she considers necessary.

## **23. Disturbance by the public**

### 23.1 Removal of member of the public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If he/she continues to interrupt, the Chairman will order his/her removal from the meeting room.

### 23.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

## **24. Suspension and Amendment of Procedure Rules**

### 24.1 Suspension

These rules may be suspended by motion on notice, or without notice if at least one half of the whole number of members of the PCP are present. Suspension can only be for the duration of the meeting. A motion to suspend any of these rules must specify the rule to be suspended and must be moved in terms limited to an explanation of the reasons for the suspension. It will be seconded in formal terms only and will be put to the PCP without debate. No suspension may be

considered by the PCP which does not comply with the Police Reform and Social Responsibility Act 2011, relevant Regulations, statutory guidance or the Panel Arrangements.

#### **24.2 Amendment**

The Rules of Procedure shall not be amended unless notification of a proposed amendment is received by the PCP Secretary at least 10 working days prior to a PCP meeting. A report on the implications of the proposed amendment shall be considered by the PCP and the amendment shall require the agreement of at least two thirds of the persons who are members of the PCP at the time when the decision is made vote in favour of it. No amendment may be considered by the PCP which does not comply with the Police Reform and Social Responsibility Act 2012, relevant Regulations or statutory guidance or Panel Arrangements.

#### **25. Adjournment of Panel Meetings**

When the PCP adjourns, whether by resolution or by decision of the Chairman, the adjournment will by decision taken at that time be to a date, time and place specified, provided that where this is not practicable and a meeting is adjourned for an unspecified period and/or to an unspecified place, all members of the PCP will be notified of the new date, time and place when these have been determined.

#### **26. Questions from the Public**

- 26.1 The Agenda for ordinary meetings of the Panel shall include the opportunity for members of the public to ask questions of the Panel's Chairman on issues within the remit of the Panel.
- 26.2 The Agenda item will ordinarily allow no more than 30 minutes for this item, although the Chairman of the Panel may reduce or extend this at his discretion.
- 26.3 Anyone living, working or studying within Norfolk will be entitled to ask questions.
- 26.4 A questioner can submit one question at each ordinary Panel meeting, limited to a maximum of 100 words.
- 26.5 Notice of questions must be received by the Lead Authority for the Panel at least 10 working days before the ordinary meeting of the Panel is held.
- 26.6 Questions must:
  - a) relate to the Panel's role and responsibilities, and not be questions that:
    - i. should more appropriately be addressed to another party or organisation,

- ii. relate to a police operational matter
    - iii. relate to matters covered by legal or other proceedings,
    - iv. cover matters relating to the employees of the office of the Police and Crime Commissioner for Norfolk.
  - b) not be substantially the same as a question which has been put at a meeting in the past 6 months;
  - c) not be defamatory, frivolous, vexatious or offensive;
  - d) not require the disclosure of confidential or exempt information; and
  - e) not refer to any matter of a personal nature.
- 26.7 The Head of Democratic Services, in consultation with the Panel's Chairman and Vice-Chairman, will review each question to ensure that it meets the criteria for public questions set out in these Rules of Procedure. Questions that do not meet the criteria will be disallowed, but where appropriate, the question will be passed on to the appropriate organisation and the questioner advised of where the question has been directed to. Confirmation of receipt of the question and whether it has been allowed will be provided, together with advice about attending the meeting. The final decision as to whether a question will be allowed is for the Head of Democratic Services in consultation with the Chairman of the Panel.
- 26.8 Questioners must ordinarily attend the meeting to put their question and receive their answer. However, in circumstances where a questioner is unable to attend personally, either:
- a) with the prior consent of the Chairman, a representative of the questioner may attend the Panel meeting and put the question on behalf of the questioner, or
  - b) the answer will be forwarded in writing to the questioner.
- 26.9 Where the questioner or their representative attends the Panel meeting in person, the questioner (or representative) may ask a supplementary question to follow-up the same subject matter as their original question (subject to time constraints).
- 26.10 Every question (and supplementary) shall be put and answered without discussion.

## **27. Interpretation**

- 27.1 The ruling of the Chairman as to the construction or application of these rules or as to the proceedings of the PCP will be final for the purposes of the meeting at which it is given.
- 27.2 If there is any conflict in interpretation between these Rules and the Act or Regulations made under the Act, the Act and Regulations will prevail.

**Norfolk Police and Crime Panel Complaints Procedure:  
Dealing with Complaints about the Conduct of the Police and Crime  
Commissioner for Norfolk  
Detailed Guidance**

## **1. Introduction**

This procedure deals with complaints about the conduct of the Police and Crime Commissioner for Norfolk (the PCC) and/or the Deputy Police and Crime Commissioner (the DPCC), as required by the Police Reform and Social Responsibility Act 2011 (the Act). The appropriate regulations are the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011 (the Regulations) and nothing in this procedure overrules the provisions of those Regulations. In addition, references in this document to the relevant office holders, to the Police and Crime Commissioner and the person appointed as the Deputy Police and Crime Commissioner or to the person complained about, are to those two persons in their Office for Policing and Crime capacities primarily, although complaints may extend to their conduct in their public and private capacities.

## **2. Role of Police and Crime Panel under the Regulations**

The Norfolk Police and Crime Panel (the Panel) is given specific functions under the Regulations as to the handling and determination of complaints against the PCC and/or the DPCC. The Regulations permit the Panel to delegate some or all of these functions to the PCC's Chief Executive (the Chief Executive) and the County Council's Head of Democratic Services (the HDS) in consultation with a nominated member of the Panel. The Panel has decided to delegate the function of the initial handling of complaints to the PCC's Chief Executive, so reference to the Panel in this document (except in the case of the informal resolution procedure) should be interpreted as a reference to the PCC's Chief Executive.

The Chief Executive will make a formal recording of decisions on complaints to ensure that complaints received are correctly identified as being complaints which are subject to the Regulations and that other complaints (for example complaints about the PCC's staff or the Police Force) are directed elsewhere as appropriate.

## **3. Key concepts**

The legislation contains a number of key definitions:

- A complaint means a complaint about the conduct of the PCC and/or the DPCC, whether or not that conduct is potentially criminal.
- A recorded complaint means a complaint that the Panel is obliged under the Regulations to formally record.
- A conduct matter means a matter where there is an indication (whether from the circumstances or otherwise) that the PCC and/or the DPCC may have committed a criminal offence. Conduct matters can arise without a complaint being made and must be notified to the IPCC.

- A serious complaint means a complaint made about the conduct of the PCC and/or the DPCC which constitutes or involves, or appears to constitute or involve the commission of a criminal offence. Serious complaints must be notified to the IPCC.

#### **4. Evidence threshold**

Conduct matters and serious complaints must be referred by the Panel to the IPCC. The difference between a conduct matter and a serious complaint is the level of evidence present in the complaint as to whether a criminal offence has potentially been committed by the PCC and/or the DPCC.

It is not the Panel's function to investigate or determine whether a crime has been committed; only a court of criminal jurisdiction can definitively rule on the matter. Any investigations related to a potential crime will be undertaken by the IPCC. However, the Panel acts as a filter and will decide how a complaint should be classified, handled and taken forward under the Regulations. For a criminal offence to have been committed a number of different elements constituting the offence must be present e.g. the physical facts, usually evidence of intention or lower degree of purpose, causation etc. Therefore, as part of its functions, the Panel will take these matters into account when coming to a view as to whether something is a conduct matter or a serious complaint. In neither case is the criminal law standard of proof - beyond all reasonable doubt – applicable, as the Regulations do not require this level of certainty and the Panel will make the decision on the basis of evidence that is likely to be substantially below the normal civil law standard of the balance of probabilities, noting also that:

- A conduct matter only requires there to be an indication or sign that a criminal offence may have been committed. A low degree of evidence that enough of the necessary elements required to constitute any particular offence are present is likely to be an adequate sign of criminal conduct, resulting in the matter being referred to the IPCC as a conduct matter.
- A serious complaint requires stronger evidence, as it must show that there is conduct that appears to constitute or involve the commission of a criminal offence. Therefore the level of evidence that the necessary elements are present will be more than for a conduct matter, but much less than required under the normal civil standard.

#### **5. Appropriate Police and Crime Panel**

The Regulations only confer jurisdiction on the Police and Crime Panel where it is the appropriate panel under the Act for the relevant office holders in question. The Police and Crime Panel will normally be the appropriate panel for all complaints concerning the conduct of the PCC and/or the DPCC.

#### **6. Recorded Complaints and Conduct Matters**

The Panel will establish a formal Register for recording complaints and conduct matters under the Regulations. The Register will take the form of an electronic database within which to record all key details pertaining to a

complaint including the date received, contact details of the complainant, a summary of the complaint, the category into which it falls (conduct matter, serious complaint or other recorded complaint), the date on which it was recorded, an indication of intended action on the complaint and any other relevant information. A complaint or conduct matter entered into the Register is a recorded complaint or recorded conduct matter for the purposes of these procedures.

## **7. Conduct matters**

A conduct matter is a matter in the case of which there is an indication that the PCC and/or the DPCC may have committed a criminal offence. A complaint does not need to have been made for a conduct matter to arise and to be dealt with under the Regulations.

Where the Panel is notified that civil proceedings against the PCC and/or the DPCC have been or are likely to be brought by a member of the public and which appear to involve or would involve a conduct matter, the conduct matter must be recorded by the Panel and entered into the Register.

However, if the Panel is satisfied that either of the following exceptions apply, it is not necessary to record a conduct matter:

- the matter has already been recorded as a complaint under regulation 9(5) of the Regulations i.e. as a recorded complaint (see below); or
- the matter has been, or is already being, dealt with by means of criminal proceedings against the PCC and/or the DPCC: this will normally be the case where the Police have formally charged the person with a criminal offence or information alleging an offence has been laid before a magistrate's court.

If the IPCC becomes aware of a conduct matter which has not been recorded by the Panel, the IPCC may direct the Panel to record the matter and the Panel must do so.

## **8. Conduct matters occurring outside England and Wales**

The PCC and/or the DPCC are under an individual duty to notify the Panel of any allegation, investigation or proceedings in relation to their conduct which would otherwise be a conduct matter under the Regulations only by reason of the fact that the conduct in question did not occur in England or Wales. If the Panel receives such a notification from the PCC and/or the DPCC, it will be handled in whatever manner the Panel considers to be appropriate.

Accordingly, by not later than the end of the working day following the day on which the investigation, allegation or proceedings (as above) comes to their attention, the PCC and/or the DPCC shall notify the Panel in writing of the matter.

## **9. Making complaints about the PCC and/or the DPCC**

We would recommend that all complaints are made to the PCC's Chief Executive (the Chief Executive), who has been given delegated authority by



the Panel to carry out the initial handling of complaints in consultation with a nominated member of the Panel. He can be contacted in the following ways:

By post: Chief Executive, Office of the Police and Crime Commissioner for Norfolk, Jubilee House, Falconers Chase, Wymondham, NR18 0WW

By email: [opccn@norfolk.pnn.police.uk](mailto:opccn@norfolk.pnn.police.uk)

By telephone: (01953) 424455

Complaints can also be sent to the following people and organisations:

- The Norfolk Police and Crime Panel (the Panel)
- The Independent Police Complaints Commission (the IPCC);
- The Chief Constable;
- Directly to the PCC and/or DPCC.

It will be the duty of these people and organisations to refer complaints to the Chief Executive of the PCC. This is why we recommend that your complaint is made directly to the Chief Executive.

## **10. Recipients' duties on receipt of a complaint**

### Direct complaints to the Panel

The Panel has a duty to ensure that it is kept informed of matters relating to the conduct of the relevant office holders which might give rise to a complaint and to provide the IPCC with all such assistance as it reasonably requires.

Where the Panel considers that an oral or written complaint requires further information or detail in order to be properly considered under the Regulations, it may ask the complainant to provide such detail.

The Panel will consider the complaint, and whether to record it and (if so) how the recorded complaint is to be dealt with.

### Direct complaints to the PCC and DPCC and preservation of evidence

By not later than the end of the working day following the day on which the complaint was made to them, the PCC and/or the DPCC must notify the Panel in writing of the matter of the complaint and provide details of the steps they have taken to preserve evidence relating to the conduct in question, including its location and in whose custody it is (see below).

Where a complaint is made directly to the PCC and/or the DPCC, then both are under a statutory duty to take all such steps as appear to them to be appropriate for obtaining and preserving evidence in relation to the conduct in question, both initially and from time to time after that. In discharging this duty they shall take such steps as a reasonable person would consider appropriate in the circumstances to obtain and preserve evidence, and in any event shall comply with any requests of the Panel, as above.

#### Direct complaints to individual members of the Police and Crime Panel

Any complaint addressed to a member of the Panel or to officers who support it, should be immediately directed by the recipient to the Panel, along with any other available information that is relevant to the complaint.

#### Direct complaints to the IPCC

When a complaint is made to the IPCC, it is the duty of the IPCC to notify the Panel, unless the IPCC considers that there are exceptional circumstances to justify the notification not being given.

#### Direct complaints to the police

Where a complaint is made to the Chief Constable, it is the duty of the Chief Constable to give notification of the complaint to the Panel.

### **11. The Panel's duties to obtain and preserve evidence**

When a complaint or conduct matter about a relevant office holder comes to the attention of the Panel, it is under a duty to secure that all appropriate steps are being taken for obtaining and preserving evidence in relation to the conduct in question, both initially and from time to time after that. It is not the Panel's role to investigate matters and it is likely that before taking steps to obtain or preserve evidence it will normally consult the IPCC. The IPCC may also give the Panel and relevant office holder directions for obtaining and preserving evidence.

Accordingly, the Panel may make formal requests of the PCC and/or the DPCC to take such steps as the Panel considers are necessary for obtaining and preserving evidence in relation to the conduct in question, both initially and from time to time after that, including requests that steps are taken concerning the disposition of the property and resources of the PCC's office (such as its buildings, assets, equipment, supplies, accounts, records, information, electronic data etc. in their widest sense and wherever located). A person given a direction by the Panel under this procedure shall comply with it in full and generally to cooperate with the Panel and its authorised officers in the discharge of their statutory duties under the Regulations.

Such persons shall also permit access and render possession of any such evidence in relation to the conduct complained about to the Panel as is in their possession custody or control in accordance with his instructions.

The Panel shall be informed of any instances where there has been a complete or partial failure by any person or organisation to comply with any request regarding evidence.

### **12. The Panel's duties on notification of a complaint**

The Panel will record a complaint unless it is satisfied that any of the following exceptions apply, in which case it is not necessary to record the complaint (in whole or in part):

- if it has been or is currently being dealt with by criminal proceedings, this will normally be the case where the Police have formally charged the

- person complained about or information alleging an offence has been laid before a magistrate's court or
- the complaint has been withdrawn.

If it is not recorded in the Register, the Panel will notify the complainant of the decision not to record the complaint and, therefore, to take no action upon it, and will explain the grounds on which that decision was made, whether in relation to whole or part of the complaint.

The Panel will send acknowledgement of receipt of a complaint within five working days.

If recorded (in whole or in part) the Panel will supply the complainant with a copy of the record made of the complaint and provide information about the next steps to be taken in relation to the complaint. The Panel will supply a copy of the record made of the complaint to the person complained against, unless he is of the opinion that doing so might prejudice any criminal investigation or be contrary to the public interest.

### **13. Taking no action on a recorded complaint**

If the Panel considers that a recorded complaint (which is not one that otherwise must be referred to the IPCC) is one in respect of which no action should be taken, or it falls within the circumstances set out below, then the recorded complaint may be handled in whatever manner the Panel considers to be appropriate.

The types of recorded complaints that may be dealt with in this way are:

- A complaint by a member of the relevant office holder's staff, arising from the staff member's work as such
- Where more than twelve months have elapsed since the incident and there is no reason for the delay, or injustice would be caused by it;
- The matter is already the subject of a complaint;
- An anonymous complaint;
- A complaint is vexatious, oppressive or otherwise an abuse of the procedures; or
- A repetitious complaint.

For the purpose of this document vexatious complaint is one without foundation which is intended, or tends, to vex, worry, annoy or embarrass. For a complaint to be vexatious, it does not have to be repetitious. It is the complaint itself that must be judged vexatious, oppressive or an abuse, not the complainant.

A 'repetitious' complaint is one which is the same or substantially the same as a previous complaint, or concerns the same conduct as a previous conduct matter, contains no fresh allegations which affect the account of the conduct complained of, no fresh evidence (being evidence not reasonably available at the time the previous complaint was made and in respect of which a previous determination or withdrawal of complaint has been made).

The Panel must notify the complainant that it has decided to handle the recorded complaint by taking no further action. A decision to take no action will require the agreement of both the Chief Executive and the nominated Panel member.

#### **14. Referral of recorded complaints and recorded conduct matters to the IPCC**

The Panel must refer the following to the IPCC:

- All recorded conduct matters;
- All serious complaints;
- Any serious complaint or recorded conduct matter where the IPCC has called it in (see below).

##### Call-in by the IPCC

The Panel must refer a recorded complaint to the IPCC if it is notified that that the IPCC itself requires the complaint to be referred to the IPCC.

##### Referral

Where a recorded complaint or recorded conduct matter is to be referred to the IPCC then the Panel shall do so as soon as is practicable, and in any event not later than the end of the working day following the day on which it becomes clear to the Panel that the complaint or conduct matter is one that should be referred to the IPCC. The details in the Register will be made available to the IPCC together with such other information as the Panel considers appropriate.

On referring a recorded complaint to the IPCC, the Panel must notify the complainant and the person complained about of the referral, unless it appears to the Panel that notifying the PCC and/or the DPCC might prejudice a possible future investigation.

##### Referral-back

Where the IPCC determines that it is not necessary for it to investigate a recorded complaint, it may refer the complaint back to the Panel, who must deal with the referral in accordance with the “Resolution of other complaints” section (see below). The IPCC will notify the complainant and the person complained against about this decision.

##### Duty to provide information

The IPCC has a duty to provide the complainant and any person with an interest in the handling of a complaint, with information as will keep them properly informed. Such information includes:

- The progress of the investigation;
- Any provisional findings;
- Submission of the final report.

When an investigation has been completed, any person with an interest in the handling of a complaint shall be notified of the date on which the final report is likely to be submitted and what action regarding the report shall be taken.

This duty shall not apply where the IPCC is of the opinion that disclosure of information may cause an adverse effect and is not in the public interest.

### **15. Civil proceedings against the PCC and/or the DPCC**

The Panel may receive notification that civil proceedings involving or appearing to involve a conduct matter have been brought against the PCC and/or the DPCC. The Panel will record a conduct matter if it determines that it is the right panel in relation to the relevant office holder. The Panel will not record a conduct matter if it has already been recorded as a complaint or is being dealt with by criminal proceedings against the person complained about.

Civil proceedings involve a conduct matter if they relate to it or if they relate to a matter in relation to which a conduct matter, or evidence of such a matter, is or may be relevant.

### **16. Resolution of other (non-criminal) complaints**

A recorded complaint against the PCC and/or the DPCC, which is not referred to the IPCC or is not one in respect of which the Panel has decided to take no action, or is one that has been referred back to the Panel from the IPCC, shall be dealt with by way of informal resolution. Procedures for informal resolution shall not include a formal investigation of the complaint but the PCC and/or the DPCC may be asked to provide documents in relation to the complaint and to attend a meeting to answer questions and/or give evidence. Informal resolution shall not lead to any disciplinary proceedings against the PCC and/or the DPCC.

#### Informal resolution

The Panel has delegated authority to secure informal resolution to the HDS, in consultation with a nominated member of the Panel.

In attempting to secure resolution of the complaint, the HDS, in consultation with the nominated member of the Panel, will consider whether any further information is required.

Where it appears to the HDS that a recorded complaint against the PCC and/or the DPCC had in fact already been satisfactorily dealt with at the time it was brought to his notice, the HDS may, subject to any further representations, treat it as having been resolved. The HDS shall, prior to making a final decision that a complaint has already been resolved, give the complainant and the person complained against an opportunity to comment on the proposed decision.

Where the person complained against chooses not to comment on the complaint, the HDS shall record this fact in writing.

### Apologies

The HDS, in consultation with the nominated member of the Panel and with support from an informal resolution adviser, will seek to resolve the complaint through the most appropriate procedure. This may involve one or a combination of the following

- an apology from the PCC and/or the DPCC;
- individual communication between the complainant and the person complained about, via the HDS in consultation with the nominated member of the Panel and the informal resolution adviser;
- a face to face meeting between the complainant and the person complained about, mediated by the HDS in consultation with the nominated member of the Panel and the informal resolution adviser.

The HDS shall not tender an apology on behalf of the PCC and/or the DPCC unless the person complained against has agreed to issue the apology.

The HDS has no legal powers to apply formal sanctions other than to provide an opinion on the conduct of the relevant office holder. This may lead to cases when a complainant refuses to accept the outcome decision of a complaint. In such cases, the HDS, in consultation with the nominated member of the Panel, may decide to take no further action, if the complainant insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.

Where a recorded complaint has been subjected to informal resolution, the HDS shall as soon as practicable make a record of the outcome of the procedure and send a copy of that to the complainant and the person complained against.

The HDS shall not publish any part of any such record unless he:

- has given the complainant and the person complained against an opportunity to make representations in relation to the proposed publication; and
- has considered any such representations, and is of the opinion that publication is in the public interest.

### Timescale

A full response to a complaint should be given within 25 working days after the referral of the complaint to the HDS for informal resolution. Where a complaint is particularly complicated, the complainant will be informed about how long the process may take.

## **17. Provision and recording of information**

The Panel shall notify the PCC's office of the name and address of the person to whom complaints by members of the public should be directed and shall specify how the PCC's office will publish such information.

The Panel shall keep a record of every complaint and purported complaint received; every conduct matter recorded by the Panel arising from civil proceedings or otherwise coming to the attention of the Panel and every exercise of a power or performance of a duty under the Regulations.

The Panel shall provide the complainant and the PCC and/or the DPCC with a record of the complaint. The Panel may choose not to provide a copy of a complaint if he is of the opinion that doing so might prejudice any criminal investigation.

The Panel shall provide the IPCC with all such information and documents specified or described in a notification given by the IPCC to the Panel within the specified time.

### **18. Withdrawn and discontinued complaints**

At any stage a complainant may decide that they wish to withdraw their complaint or that they wish to discontinue it. If the Panel receives written notification to this effect, signed by the complainant or someone authorised to act on their behalf, the Regulations shall cease to apply to that complaint.

If the complainant notifies (in writing, signed by the complainant, his solicitor or someone authorised to act on his behalf) the IPCC that they are withdrawing their complaint or wish it to be discontinued, but does not tell the Panel, the IPCC must send a copy of this notification to the Panel and the Panel must record the fact.

If the complaint is with the IPCC, the Panel must notify the IPCC that it has recorded the withdrawal of the complaint. The IPCC will then consider whether the complaint should be treated as a conduct matter. If the IPCC determines that it should be so treated, they will notify the Panel.

In the case of a complaint which was not referred to the IPCC, or was referred to the IPCC and then referred back, the Panel itself must decide whether the complaint is to be treated as a conduct matter. A complaint is to be treated as a conduct matter if the Panel determines that it is about conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence.

If the complainant wishes to withdraw their complaint, but does not provide signed notification in writing, the Panel must write to the complainant to determine whether or not they wish to withdraw. If the complainant does not reply within 21 days, the Panel will treat it as if he had received signed, written notification of a desire to withdraw.

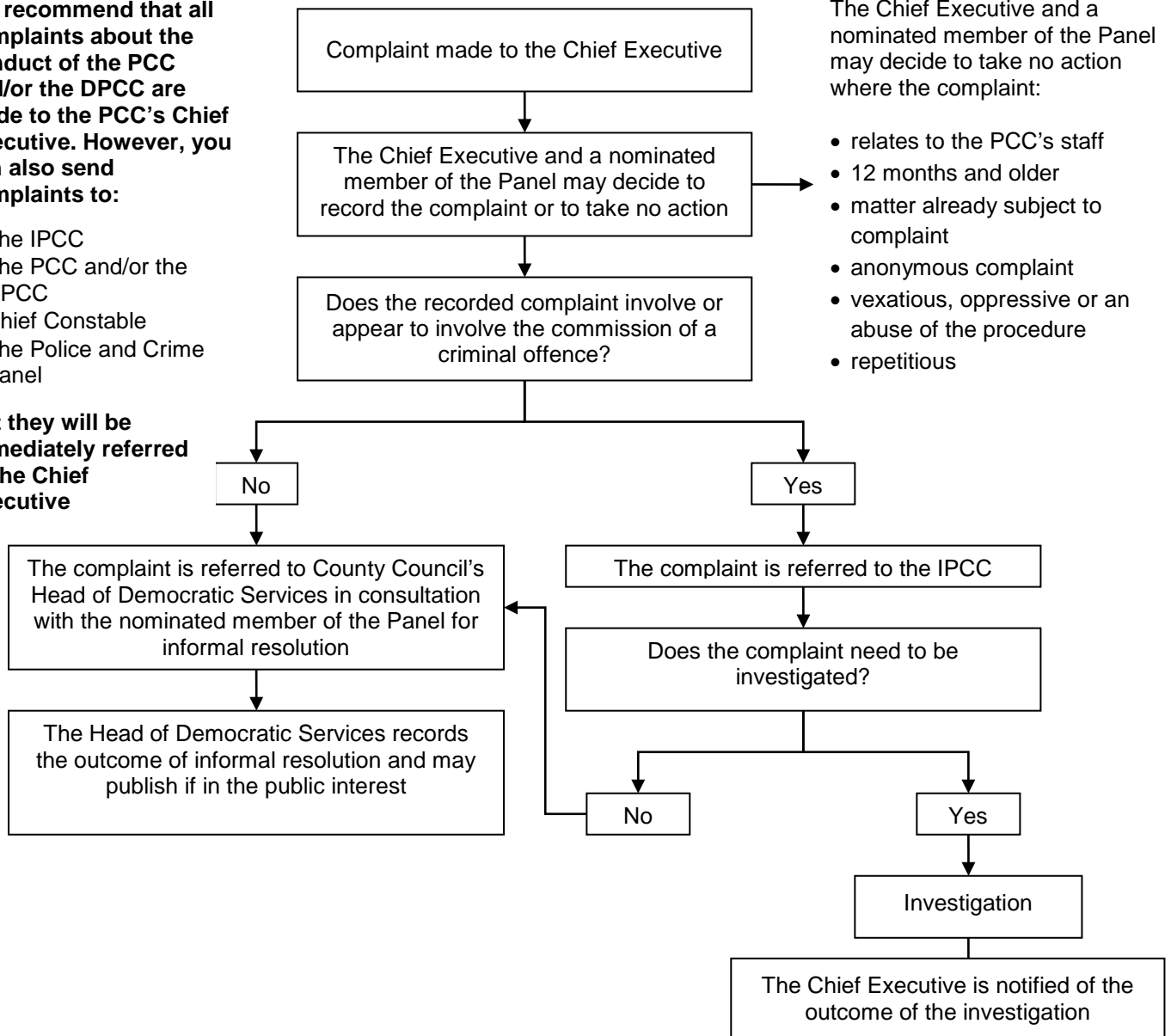
The Panel must notify the person complained against if it records a complaint as being withdrawn or discontinued, if the complaint is to be treated as a conduct matter, or if the Regulations cease to apply to the complaint on the basis that it has been withdrawn or discontinued. Unless the Panel has previously decided not to notify the person complained against of the complaint on the basis that it might prejudice a criminal investigation or pending proceedings, or be contrary to the public interest.

## Complaints about the Conduct of the Police and Crime Commissioner for Norfolk

**We recommend that all complaints about the conduct of the PCC and/or the DPCC are made to the PCC's Chief Executive. However, you can also send complaints to:**

- The IPCC
- The PCC and/or the DPCC
- Chief Constable
- The Police and Crime Panel

**But they will be immediately referred to the Chief Executive**





<b>Norfolk Police &amp; Crime Panel</b>
<b>Terms of Reference for review of:</b>  Complaints handling
<b>Scrutiny by a sub-Panel / task and finish group</b>
<b>Membership of sub-Panel / task and finish group</b>  <i>During 2015-16 appointed Panel members were:</i> <i>Dr Christopher Kemp, South Norfolk Council</i> <i>Mr Alexander D Sommerville, CPM, Co-opted Independent Member</i>  <b>Also to attend:</b> Mark Stokes, Chief Executive, OPCCN Sharon Lister, Performance & Compliance Officer, OPCCN  <b>Support Officer:</b> Jo Martin, NCC
<b>Background &amp; reasons for review</b>  <p>In May 2015 the Queen's Speech included proposals for a Police Reform and Criminal Justice Bill, which would continue the reform of policing and enhance the protection of vulnerable people.</p> <p>Prior to publication of the Bill (anticipated in early 2016), the Government ran a detailed consultation on proposed changes to the police complaints system. OPCCN participated in Home Office workshops and during 2015 kept the PCP updated on likely changes to the handling of police complaints, including the potential impact on both OPCCN and the PCP.</p> <p>When the Panel met in October 2015, it agreed that Dr Kemp and Mr Sommerville should work with OPCCN to consider how the police complaints process might work in practice once the legislation was published. On the 8 December 2015, the Panel described this more formally as a sub-Panel / working group to consider the implications of the new functions once further information had been provided by the Home Office (following a workshop on 12 January 2016).</p> <p>The Government also launched a consultation on managing PCC complaints on 17 December 2015.</p> <p>To ensure consistency across complaints systems, it seemed appropriate for the sub-Panel to also discuss the potential impact of proposed changes to PCC complaints on both OPCCN and the PCP.</p>
<b>Purpose and objectives</b>  1) To discuss how the handling of police complaints might work in

<p>practice, and the likely impact of new PCC functions on both OPCCN and PCP resources.</p> <p>2) To discuss the impact of the Government's proposed changes to PCC complaints handling, and the likely impact on both OPCCN and PCP resources.</p>
<p><b>Issues and questions to be addressed</b></p> <p><u>Handling police complaints</u></p> <ul style="list-style-type: none"> <li>- The police complaints model set out in draft Police and Criminal Justice Bill.</li> <li>- New PCC duties set out in the draft Police and Criminal Justice Bill.</li> <li>- Norfolk PCC's preferred local model for handling police complaints.</li> <li>- How the local model will work in practice.</li> <li>- The likely impact on both OPCCN and PCP resources</li> <li>- Likely amendments that will need to be made to the PCP Rules of Procedure.</li> </ul> <p><u>Handling PCC complaints</u></p> <ul style="list-style-type: none"> <li>- The proposed changes to managing PCC complaints set out in the Government consultation</li> <li>- Responses to the consultation questions.</li> <li>- The likely impact of changes on both OPCCN and PCP resources</li> <li>- Likely amendments that will need to be made to the PCP Rules of Procedure.</li> <li>- New PCP duties set out in future legislation.</li> </ul>
<p><b>Planned outcomes</b></p> <ul style="list-style-type: none"> <li>• A report/reports to the PCP confirming the new PCC duties and outlining; the Commissioner's preferred model for handling of police complaints, the potential impact on both OPCCN's and the PCP's resources, any likely amendments that will need to be made to the PCP Rules of Procedure.</li> <li>• A report/reports to the PCP; outlining a suggested response to the Government consultation on managing PCC complaints, confirming the new PCP duties when legislation is published and any likely amendments that will need to be made to the PCP Rules of Procedure.</li> </ul>

**Style and approach**

- Sub-Panel / Task & Finish Group meetings as required, following the timetable and publication of legislation and / or statutory guidance.
- Regular update reports and recommendations to be made to the PCP.

**Deadlines and timetable**

Depending on the timetable and publication of future legislation and / or statutory guidance, it is anticipated that the following interim reports will need to be made to the PCP:

2 February 2016 - suggested responses to the consultation on managing PCC complaints (deadline is 10 March 2016).

22 March 2016 - update

15 June 2016 – update

*It is intended that the next Sub Panel meeting will take place in July 2016 and report back to the PCP in September.*

**Terms of reference**

**Agreed by sub-Panel / task and finish group**

**Endorsed by the PCP**

**Date**

19 January 2016

2 February 2016

## **Police and Crime Plan for Norfolk - consultation**

### **Suggested approach from Jo Martin, Scrutiny Support Manager**

The Panel is recommended to:

- 1) Consider the newly elected Commissioner's proposed approach to consultation.
- 2) Decide what comments or recommendations (if any) it wishes to make to the Commissioner.

#### **1. Background**

- 1.1 The Police and Social Reform Act 2011 ("the Act") requires the Police and Crime Commissioner ("the Commissioner") to issue a Police and Crime Plan ("the Plan") within the financial year in which the election is held.
- 1.2 The Police and Crime Plan should determine, direct and communicate the Commissioner's priorities during their period in office and must set out for the period of issue:
  - a) The Commissioner's police and crime objectives for the area, including the strategic direction over the period for which the Commissioner has been elected and including:
    - Crime and disorder reduction in Norfolk
    - Policing within Norfolk
    - How Norfolk Constabulary will discharge its national functions.
  - b) The policing that the Chief Constable will provide;
  - c) The financial and other resources which the Commissioner will give the Chief Constable in order that they may do this;
  - d) How the Commissioner will measure police performance and the means by which the Chief Constable will report to the Commissioner.
  - e) Information regarding any crime and disorder reduction grants that the Commissioner may make, and the conditions (if any) of those grants
- 1.3 Prior to publication of the Plan, the Commissioner must: consult with the Chief Constable in preparing the Plan; obtain the views of the community and victims of crime on the draft Plan; send the draft Plan to the Police and Crime Panel ("the Panel"); have regard and provide a response to any report or recommendations made by the Panel.
- 1.4 The Commissioner may vary an existing plan or issue a new one at any time, and the frequency with which this is done should be determined on the basis of local need. Any variations should be reviewed by the Panel.

## **2. Police and Crime Plan for Norfolk - consultation**

- 2.1 The newly elected Commissioner wishes to invite comments from the Panel about the forthcoming consultation on his Police and Crime Plan.
- 2.2 A report setting out the proposed approach is attached at **Annex 1** of this report.

## **3. Suggested approach**

- 3.1 The Police and Crime Commissioner for Norfolk will attend the meeting to outline his consultation intentions and answer the Panel's questions. He will be supported by the Chief Constable, together with members of his staff.
- 3.2 After the Commissioner has presented his report, the Panel may wish to question him on the following areas:
  - a) The proposed approach to consultation and engagement.
  - b) To what extent the new Plan will vary from the existing one.
  - c) What the Commissioner's strategic objectives will be.
  - d) What, if any, priority themes the Commissioner will be seeking to address.  
(The previous Commissioner had 4 priority themes: domestic abuse and sexual violence; mental health, drugs and alcohol; rehabilitation of offenders; supporting victims and witnesses)
  - e) The main messages that the Commissioner has heard from local communities, during and since his election campaign.
  - f) How performance will be monitored and evaluated, including the development of the new framework for policing objectives.
  - g) How the Commissioner intends to encourage partners across all sectors to work in a more joined-up way, to reduce inefficiencies.
  - h) Opportunities for collaboration.

## **4. Action**

- 4.1 The Panel is recommended to:
  - 1) Consider the newly elected Commissioner's proposed approach to consultation.
  - 2) Decide what comments or recommendations (if any) it wishes to make to the Commissioner.



If you need this report in large print, audio, Braille, alternative format or in a different language please contact Jo Martin on 0344 800 8011 or 0344 800 8011 (Textphone) and we will do our best to help.

**Office of the Police & Crime Commissioner  
Police and Crime Plan Consultation 2016/20**

**Summary**

1 The Police and Crime Commissioner (PCC) has a statutory duty to consult “with the community and victims of crime from their policing area” when drafting the Police and Crime Plan 2016/2020.

2 This report outlines the approach the Office of the Police and Crime Commissioner (OPCCN) proposes adopting to enable the PCC to deliver this statutory duty.

**1.0 Background**

- 1.1 The Police and Crime Commissioner must consult with the community and victims of crime from their policing area on the priorities for a new police and crime plan as set out in Section 96 (1) of the Police Act 1996 as amended by Section 14 (3) of the Police Reform and Social Responsibility Act 2011.
- 1.2 PCCs are required by law to issue a Police and Crime Plan to set out their objectives for reducing crime and disorder in the police force area.
- 1.3 The Police and Crime Commissioner has stated that consultation and public engagement are key priorities.

**2.0 Approach to Police and Crime Plan consultation 2016/2020**

- 2.1 Consultation can be undertaken in whatever format the PCC considers appropriate.
- 2.2 The public consultation for the Police and Crime Plan 2016/2020 will be held from 20 June 2016 to 12 August 2016.
- 2.3 The consultation will include a number of public events across Norfolk. Details of these events will be widely publicised in due course.
- 2.4 The Commissioner will report the results of the public consultation back to the Police and Crime Panel at its meeting on 14 September 2016 along with a draft Police and Crime Plan 2016/20.
- 2.5 The consultation will allow people to respond in a variety of formats, including:
  - online
  - email

- letter
- telephone
- face-to-face

2.6 The OPCCN will produce an Easy Read version of the Police and Crime Plan 2016/20 consultation.

2.7 The Office of the Police and Crime Commissioner's consultation will include:

- Norfolk public at large
- The PCC's Victims' Panel
- Norfolk Community Safety Partnership member organisations
- Community Forums, including the Independent Advisory Group
- Disability Advisory Forum etc
- Police officers and staff
- Police staff representative bodies
- Norfolk's business community
- Partners and key stakeholders, including voluntary sector partners
- Local councils and elected representatives

2.8 The OPCCN consultation will include the following channels:

- PCC and Norfolk Constabulary websites
- Norfolk Constabulary Intranet
- Police Direct (system by which the force communicates directly with subscribers)
- PCC's monthly newsletter
- OPCCN e-mail signatures
- OPCCN's coordinators contacts
- Hyper local publications (local publications such as parish newsletters)
- Volunteers (e.g. Independent Custody Visitor network)
- Twitter, facebook and other appropriate digital media.
- Independent Advisory Group, Disability Advisory Forum etc
- Media (Press Release, interviews etc)
- Norfolk Association of Local Councils
- With help from local members and elected representatives
- Partner organisations and key stakeholders
- Community newsletters
- Norfolk Chamber of Commerce/Federation of Small Businesses
- Your Voice (Norfolk County Council consultation tool, including 200+ emails)

Our principles for consulting on-line:

- We are all about digital inclusion, not digital exclusion.
- If you restrict to one response from one url you are excluding members of same family or a couple from using the same computer.
- Asking for an e-mail address may also exclude some potential responders– some people are unwilling to leave one, especially if the consultation is relating to the police.



- This is also prohibitive for people without direct access. We urge people to use a library computer for example which would not work if restricted to one response, one url.
- There is also nothing to stop people filling in more than one hard copy form, or having more than one e-mail address.
- Data analysis to spot any repeats/unusual patterns is we believe satisfactory.
- Overall we believe access issues out-weigh any potential fraud.

### **3.0 Results of the public consultation**

3.1 The results of the public consultation and comments received will be published on the OPCCN website.

3.2 The Commissioner will report the results of the public consultation back to the Police and Crime Panel at its meeting on 14 September 2016.

### **4.0 Conclusions & Recommendations**

4.1 The Police and Crime Panel is asked to note the arrangements for the Police and Crime Commissioner's Police and Crime Plan consultation 2016/120.

**Office of the Police and Crime Commissioner for Norfolk Commissioned Services –  
Quarterly Report**

**Suggested approach from Jo Martin, Democratic Support and Scrutiny Team  
Manager**

The Panel is recommended to:

- 1) Consider the update from the Office of the Police and Crime Commissioner for Norfolk (OPCCN) about its commissioned services, and;
- 2) Agree what recommendations (if any) it wishes to make to the newly elected Commissioner.

**1. Background**

- 1.1 When it met in October 2015, the Panel considered a report that provided an overview of the range of services being commissioned by OPCCN. It set out how the services supported the delivery of the Police and Crime Plan for Norfolk, as well as demonstrating how they related to OPCCN's Commissioning Strategy. It included interim performance data (where available) for ongoing projects and final outcome data for completed projects.
- 1.2 The Panel agreed that it would be helpful to receive regular (quarterly) update reports from OPCCN, to track the performance of commissioned services in relation to the Commissioning Strategy.

**2. Purpose of today's meeting**

- 2.1 The purpose of the item on today's agenda is to allow the Panel to consider an update report from OPCCN about its commissioned services. This is attached at **Annex 1**. It describes the short-term commissioning priorities of the newly elected Commissioner, and the development of a new Commissioning Strategy.
- 2.2 The Commissioner will attend the meeting to answer the Panel's questions and will be supported by members of his staff. After he has presented his report, the Panel may wish to question him on the following areas:
  - a) The ongoing commissioning of local services for the support of victims of crime in Norfolk.
  - b) Short-term commissioning priorities.

- c) Strategic commissioning intentions, including the development of a new Commissioning Strategy.
- d) Whether funding to existing commissioned projects/partners will be reduced or ceased, and how the longer-term impact of that will be assessed.

### 3. Action

#### 3.1 The Panel is recommended to:

- 1) Consider the update from the Office of the Police and Crime Commissioner for Norfolk (OPCCN) about its commissioned services, and;
- 2) Agree what recommendations (if any) it wishes to make to the newly elected Commissioner.



If you need this report in large print, audio, Braille, alternative format or in a different language please contact Jo Martin on 0344 800 8011 or 0344 800 8011 (Textphone) and we will do our best to help.

## OPCCN Commissioning and Strategy 2016-20 Development

<p>The panel note:</p> <ul style="list-style-type: none"> <li>the ongoing commissioning of victims services for Norfolk in accordance with the conditions of Ministry of Justice (MOJ) funding</li> <li>the short term commissioning priorities and intentions of the Police and Crime Commissioner (PCC)</li> <li>a new commissioning strategy is in development, which will align to the Police and Crime Plan for 2016-20, will be presented to the next meeting of the panel.</li> </ul>	
<b>1.</b>	<b>Background</b>
1.1	<p>One might ask what the Office of the Police and Crime Commissioner (OPCCN) commissioning programme is to do with issues of policing and crime. Substantial taxpayer's money goes into the commissioning programme. The purposes are to protect the vulnerable from entering into offending activity in the first place and, for those that do so, to help rehabilitate them to reduce re-offending. This is an important way to free up police time to concentrate on their top priority which must be to prevent and fight crime. The second integral part of this programme is to address the needs of victims and witnesses. It is only right that in a caring society that there is an appropriate response to their needs, and this has been mandated by central government.</p>
1.2	<p>Police and Crime Commissioners (PCCs) were elected for the first time across England and Wales in November 2012 in line with the introduction of the Police and Social Reform Act 2011. Replacing Police Authorities, PCCs have significantly wider responsibilities that include commissioning services and awarding grants to support delivery of the priorities in accordance with their Police and Crime Plan.</p>
1.3	<p>Each Police and Crime Commissioner received separate funding in 2013 relating to community safety to enable them to invest in crime and disorder reduction activities. From 2014, separate funding ceased to be provided and the Police and Crime Commissioner has invested resources from the main police grant.</p>
1.4	<p>In the 2016/17 budget, £1.018m has been allocated from the main police grant to invest in extending provision for victims of crime and crime and disorder reduction activities.</p>
1.5	<p>In January 2012, the Ministry of Justice published a consultation paper entitled Getting it right for victims and witnesses, in which the then Lord Chancellor and Secretary of State for Justice set out the principles for reform, including...</p> <ul style="list-style-type: none"> <li>Practical and emotional support should be given to those who need it most.</li> <li>Victims should receive help as and when they need it.</li> </ul>

	<ul style="list-style-type: none"> <li>• Services should meet the different needs of communities across the country.</li> <li>• Offenders should make reparation for the impact of their crimes.</li> <li>• The prioritisation of support for victims of serious crime, the persistently targeted and the most vulnerable.</li> <li>• The need for a Victim's Code.</li> <li>• The commissioning of services at a local level by PCCs to ensure they reflect and are responsive to local needs.</li> </ul>
1.6	<p>By virtue of Section 56 of the Domestic Violence, Crime and Victims Act 2004 and the Anti-Social Behaviour Crime and Policing Act 2014, PCCs became responsible in 2014 and 2015 respectively for the commissioning of the specialist and non-specialist services for victims of crime in their force area. This replaced the previous model where the majority of services for victims were provided at a national level by government.</p>
1.7	<p>Victim's entitlements to services are set out by EU Directive 2012/29/EU, which establishes minimum standards on the rights, support and protection of victims of crime, and The Victim's Code of Practice (VCOP). VCOP is part of the wider Government Strategy to transform the criminal justice system by putting victims first, making the system more responsive and easier to navigate. The PCC is listed in VCOP as an organisation that has to provide services (in conjunction with the grant conditions for funding from the Ministry of Justice) to meet the following entitlements...</p> <ul style="list-style-type: none"> <li>• An enhanced service if you are a victim of serious crime, a persistently targeted victim, or a vulnerable or intimidated victim.</li> <li>• A needs assessment to help work out what support you need.</li> <li>• Be referred to organisations supporting victims of crime.</li> <li>• Receive information about restorative justice and how you can take part.</li> <li>• Make a complaint if you do not receive the information and services you are entitled to, and to receive a full response from the relevant service provider.</li> </ul>
1.8	<p>To support the transition to the new commissioning landscape for victim's services, the MOJ published a new commissioning framework in May 2013, which has informed the development of OPCCN commissioning policy and practice.</p>
1.9	<p>To commission victim's services, the PCC is grant funded by the Ministry of Justice (MOJ) and for 2016/17 the total grant is £1,037,415 for the purposes of...</p> <ul style="list-style-type: none"> <li>• Emotional and practical support for victims of crime.</li> <li>• Emotional and practical support services for family members.</li> <li>• Emotional and practical support service for victims of sexual violence, victims of domestic abuse and victims of child sexual abuse.</li> <li>• Building the capacity and capability of providers of services for victims of crime.</li> <li>• Covering any associated costs that arise in the process of commissioning</li> </ul>

	<p>or provision of victim's services.</p> <p>The OPCCN is required via bi-annual reporting to demonstrate compliance with the grant agreement and subsequently the EU Directive 2012/29/EU.</p>
1.10	<p>Victim's services commissioning and the awarding of grants to support the delivery of the Police and Crime Plan for Norfolk are managed by the Policy, Partnerships and Commissioning function of the OPCCN and carried out within the framework set by the OPCCN's commissioning strategy.</p>
1.11	<p>The definition of commissioning adopted by the OPCCN is "deciding how to use the total resources available in order to achieve agreed outcomes in the most efficient, effective and sustainable way. This includes...</p> <ul style="list-style-type: none"> <li>• Measuring the success of our commissioning by improved outcomes for our local communities.</li> <li>• Following a plan, do and review cycle using SMART (specific, measurable, achievable, realistic and time bound) targets.</li> <li>• Understanding the needs of our communities by ensuring that we engage with the full range of partners and stakeholders.</li> <li>• Consulting potential provider organisations, including those from the third sector and local experts, well in advance of commissioning new services and working with them to set priority outcomes for that service.</li> <li>• Putting outcomes for users at the heart of the strategic commissioning process.</li> <li>• Commissioning in partnership to achieve shared priority outcomes.</li> <li>• Maximising the use of external funding streams.</li> <li>• Mapping the fullest practical range of providers with a view to understanding the contribution they could make to deliver those outcomes.</li> <li>• Ensuring processes are fair and transparent.</li> <li>• Facilitating long-term contracts and risk sharing, wherever appropriate, as ways of achieving efficiency and effectiveness.</li> <li>• Seeking feedback from service users, communities and providers in order to review the effectiveness of the commissioning process in meeting local needs.</li> </ul>
1.12	<p>Between 2012 and 2016, the PCC for Norfolk commissioned services across four priority themes (the first two being core victim's services commissioning)...</p> <ul style="list-style-type: none"> <li>• Victims and witnesses.</li> <li>• Domestic abuse and sexual violence.</li> <li>• Mental health, drugs and alcohol.</li> <li>• Rehabilitations of offenders.</li> </ul>
1.13	<p>The majority of the grants and contracts for victim's services that the OPCCN has in place are multi-year and continue into the term of office of the new PCC. These include (but not exclusively) the following services...</p> <ul style="list-style-type: none"> <li>• Victim's Assessment, Referral and Support Service (MOJ Funded, VCOP Requirement) - £360k per annum – grant agreement until 31 March 2018.</li> <li>• Independent Domestic Abuse Advocacy Service - £360k per annum –</li> </ul>

	<p>contract until 31 March 2018 – (MOJ Funded).</p> <ul style="list-style-type: none"> <li>• Norfolk Youth Offending Team - £114k per annum – grant agreement until 2018.</li> <li>• Support for Survivors of Sexual Abuse - Sue Lambert Trust - £75k per annum – grant agreement until 31 March 2018 (MOJ Funded).</li> </ul>
<b>2.</b>	<b>2016/17 Commissioning Budget and Short Term Intentions</b>
2.1	<p>The OPCCN is now in the process of reviewing and revising its commissioning strategy for 2016-2020, which must align to and support the delivery of the new police and crime plan. The former will be in development over the next three months, the new strategy will not be available until late summer/early autumn. However, two dominant themes of the new strategy will be...</p> <ul style="list-style-type: none"> <li>• Victims and Vulnerability – reducing vulnerability to victimisation and supporting victims to cope and recover.</li> <li>• Prevention and Rehabilitation – with a focus on root cause.</li> </ul> <p>Early intervention will be at the heart of the new commissioning strategy along with a focus on reducing police demand.</p>
2.2	<p>Based on existing and newly emerging knowledge of need and to ensure there is continuation of service where grants are coming to an end, a number of short term priorities and commissioning intentions have been identified as follows...</p> <ul style="list-style-type: none"> <li>• Re-commissioning of Norfolk's Restorative Justice Service (in partnership with the Office of the Police and Crime Commissioner for Suffolk). (MOJ Funded, VCOP requirement).</li> <li>• Safe and Secure Services – practical support for vulnerable victims of crime.</li> <li>• First response service for victims of domestic abuse.</li> <li>• Increase domestic abuse support in West and North Norfolk - subject to findings of the OPCCN Domestic Abuse Needs Assessment.</li> <li>• Child Sexual Abuse Services – additional services.</li> <li>• Cyber-crime victims support services.</li> <li>• Early Intervention/Community Response Fund.</li> <li>• Business strategy.</li> <li>• Rural crime strategy.</li> <li>• Sector based employment academy for people with criminal convictions.</li> </ul>



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## **PCC Complaints Monitoring Report**

### **Suggested approach from Jo Martin, Democratic Support and Scrutiny Team Manager**

The Panel is recommended to consider the regular monitoring information from the Commissioner's Chief Executive and Norfolk County Council's Head of Democratic Services about complaints relating to the conduct of the Commissioner.

#### **1. Background**

- 1.1 The Panel has delegated the Initial Handling of Complaints and Conduct Matters (as set out in The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, Part 2) to the Commissioner's Chief Executive, in consultation with a nominated member of the Panel.
- 1.2 The Panel has also delegated the resolution of other complaints (as set out in The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, Part 4) to the County Council's Head of Democratic Services for informal resolution, in consultation with a nominated member of the Panel.
- 1.3 The Commissioner's Chief Executive and the County Council's Head of Democratic Services agreed to provide the Panel with monitoring reports, at least annually, setting out the number and spread of complaints handled during the period.

#### **2. Ongoing complaints relating to the Commissioner**

- 2.1 The Commissioner's Chief Executive has confirmed the following update in relation to ongoing complaints to date (all other complaints have previously been reported to the Panel as being complete):

- **Complaint 13 – Dated: 14 March 2016**

This related to Mr Bett (PCC for Norfolk until May 2016). The complainant alleged that Mr Bett was failing to hold the police to account on behalf of the people of Norfolk and in their view was not helping victims of crime.

Following consultation with a nominated Panel member, the Commissioner's Chief Executive advised the complainant that their complaint was unsubstantiated and that no further action would be taken.

**Completed.**

• **Complaint 14 – Dated: 22 April 2016**

The complaint was forwarded from the IPCC for local assessment, and related to Mr Bett (PCC for Norfolk until May 2016). The complainant wished to highlight new evidence to support their ongoing Constabulary complaint.

Following consultation with a nominated Panel member, the Commissioner's Chief Executive has advised the complainant that their complaint was unsubstantiated and that no further action would be taken.

**Completed.**

**3. Freedom of Information Requests**

3.1 As background information for the Panel, the Commissioner's Chief Executive has also confirmed that since the Panel's last monitoring report (March 2016), eight FOI (Freedom of Information) requests have been received. The main themes of the FOI requests are:

- Top five Barrister Chambers (this was subsequently withdrawn)
- Number of Police Officers / Closure of Police Stations / HO Minister Visits
- Parking Tickets on Company Cars – PCC
- Police Verdict on recent possible electoral malpractice
- Cost of PCC in Norfolk since first election
- Financial Position of Norfolk Constabulary – 2014/15 and 2015/16
- PCC Staff Departures
- PCC's Total Annual Budget 2015/16

3.2 No internal reviews have been conducted.

3.3 The Commissioner's Chief Executive will attend the meeting to respond to any questions that the Panel may have.

**4. Complaints/FOI requests relating to the Panel**

4.1 No complaints or FOI requests relating to the Panel have been received since the Panel's AGM in July 2014.

**5. Action**

5.1 The Panel is recommended to consider the regular monitoring information.



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## **Norfolk Police and Crime Panel funding**

### **Suggested approach from Jo Martin, Scrutiny Support Manager**

The Panel is recommended to:

1. Endorse the 2015-16 expenditure.
2. Consider the 2016-17 grant allocation.
3. Endorse the previously agreed process for approving Member attendance at external training events (at paragraph 4.2).

#### **1. Background**

- 1.1 The Police Reform and Social Responsibility Act 2011 (the Act) requires the relevant local authorities (county, city, district and borough councils) in each police force area to establish and maintain a Police and Crime Panel (PCP) for its police force area. The Home Office has provided grant funding to support this work, which is received by host authorities.
- 1.2 The stated purpose of the grant funding is “The maintenance, in accordance with the Act and the Regulations made under it, of a Police and Crime Panel able to carry out the functions and responsibilities set out in the Act.”

#### **2. 2015-16 grant**

- 2.1 The Home Office allocated a grant of up to £64,340 to Norfolk County Council, as host authority, for the maintenance of the Police and Crime Panel for the Norfolk police area during 2015-16.
- 2.2 A copy of the year-end Home Office returns, which include a breakdown of expenditure for the period, are attached at **Annex 1** of this report. The Panel will note that it did not claim the full amount available for the year, with a variance of £13,917.13.
- 2.3 For grants issued for the 2015-16 financial year onwards, the payment was consolidated into one single sum (with no ring-fencing for administration, panel member expenses or translation costs). This was to provide Panels with increased flexibility over how to spend their grant.
- 2.4 However, the Home Office attached a ‘transparency requirement’ to allow public scrutiny of the Panel’s expenditure. This requires Panels to publish details of all their expenditure, including details of all Panel administration costs and individual Panel member expenses claims. Most of this detail is set out at Annex 1. Individual Panel

member expenses claims are set out at **Annex 2**.

### **3. 2016-17 grant**

3.1 The Home Office has confirmed that funding levels for police and crime panel grants are to be maintained in 2016-17. It has approved a grant of up to £64,340 to Norfolk County Council, as host authority, for the maintenance of the Norfolk Police and Crime Panel.

3.2 Payment will be made in arrears in two payments during 2016-17.

### **4. Suggested approach**

4.1 It is likely that the Panel's expenditure will remain at a broadly similar level during 2016-17, although costs may vary depending on the extent of the Panel's forward work programme and the number of meetings held during the year.

4.2 The Panel may therefore wish to consider other ways that the grant could be used to support its work and develop its role. For example:

- local authorities in Norfolk have agreed that they will co-operate to provide the Panel with additional officer support for research, training and development, or where particular expertise would assist the PCP (Panel Arrangements, paragraph 3.4). However, the Panel may consider that it needs to commission specific research, or seek advice from an expert, and this may have to be paid for.
- local authorities in Norfolk have agreed that they will co-operate to ensure that the role of the PCP is promoted internally and externally and that Members and officers involved in the work of the Panel are given support and guidance in relation to its functions (Panel Arrangements, paragraph 3.5). However, the Panel may consider it needs additional external support or further training for Panel members, which may require funding.

*The Panel will wish to note that it has previously agreed to delegate to Norfolk County Council's Head of Democratic Services, in consultation with the Panel's Chairman, any decisions about funding Members' attendance at training events.*

- if the Panel would like to hold meetings at different places around the county, there may be charges for the use of buildings which are not owned by local authorities or partners.

4.3 The Panel has previously agreed that it would be beneficial to be a member of an Eastern Region Police and Crime Panel Network, convened by Frontline Consulting, with an annual subscription fee of £500 (plus VAT). The offer, purchased for 2016, includes:

- Two meetings a year for Chairs, Vice-Chairs and support officers of each panel to share information, problem solve and collaborate as appropriate.
- A 'helpline' facility to answer queries and provide advice.
- Access to a website, which all PCP members and support officers could sign up to, for free, to share their experiences and good practice.
- Discounts on any learning and development sessions that Panels might want

- to engage Frontline Consulting to deliver.
  - Discounted places for attendance at Frontline Consulting's annual PCP conference.
- 4.4 The Panel will also wish to note that the Panel Arrangements (paragraph 4.1) state that "it will seek to operate within the limit of the Home Office funding. Any additional expenditure by the Panel above the funding provided by the Home Office will require the prior agreement of all the constituent local authorities and, if approved, will be apportioned between the local authorities on the basis of the number of members each has on the Panel."

## 5. Action

5.1 The Panel is recommended to:

1. Endorse the 2015-16 expenditure.
2. Consider the 2016-17 grant allocation.
3. Endorse the previously agreed process for approving Member attendance at external training events (at paragraph 4.2).



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## ANNEX A

### PAYMENT REQUEST AND IN-YEAR FINANCIAL MONITORING REPORT

<b>Grant Recipient: Norfolk County Council</b>	<b>Grant Stream: Police and Crime Panel Grant</b>
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<b>Period</b> From: 1 September 2015 To: 31 March 2016	<b>Resource (£)</b>
(1) Total funding received for this financial year	£24,585.50
(2a) Actual expenditure in this period <sup>1</sup>	£25,837.37
(2b) Forecast/ accrued expenditure in the period <sup>2</sup>	
<b>(3) Funding request for this period</b>	<b>£25,837.37</b>
(4) Total funding received and requested (1+3)	£50,422.87

#### MONITORING INFORMATION REQUIREMENTS

Where monitoring information, as set out in schedule 3, is a requirement for the period the payment is requested for, please confirm what has been attached to this payment request form.


Schedule 3

Annex B

Management Letter, Norfolk Audit Services – audit clearance.

#### CONFIRMATION BY GRANT RECIPIENT

I confirm that on the basis of the information provided in this report, progress and costs are accurate and in compliance with the terms and conditions of the Grant Agreement:

Signature:			
Name (printed):	GREG INSOLL	Date:	22/4/2016
Position:	ASSISTANT HEAD OF DEMOCRATIC SERVICES		

#### Home Office sign off:

Name Once Sign Off:						
Signature:						
Name (printed):				Date:		
Position:						
Adelphi codes:	Directorate code	Cost centre	Account code (1)	Account code (2)	Project code	Supplier code

<sup>1</sup> To be supported by a breakdown of expenditure against the cost breakdown detailed in Schedule 1.

<sup>2</sup> This line is to be used for the final claim of the year in instances where Schedule 2 sets out that the final payment request must be received in advance of 31 March (end of the financial year).

### SCHEDULE 3 -IN-YEAR MONITORING INFORMATION REQUIREMENTS

In addition to the provision of Annex A supported by a breakdown of expenditure, the Authority requires the following in-year monitoring information to be provided:

Breakdown of expenditure (items)	£(0.000s)
<b>Administration</b>	
Staff	£22,198.14
Printing & postage (agenda and training materials)	£1,164.22
Internal audit	£1,006.75
Eastern Region PCP Network subscription	£500.00
Member expenses	£1,067.26
<b>Total:</b>	<b>£25,936.37</b>
Adjustment to reflect error on previous 2015-16 payment request (Independent Member recruitment 2015)	-£99.00
<b>Total:</b>	<b>£25,837.37</b>

Note: The in-year monitoring information requirements are separate to the requirements detailed in Clause 7.4 and Clause 9. The Authority may request the Recipient to clarify any information provided.

## ANNEX B

### END OF YEAR FINANCIAL MONITORING REPORT – APRIL 2015 TO March 2016

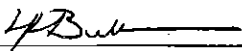
<b>Grant Recipient: NORFOLK COUNTY COUNCIL</b>	<b>Grant Stream: Police and Crime Panel Grant</b>
--	---

<b>Expenditure category</b>	<b>Actual resource Expenditure (£)</b>
Administration costs	£49,056.06
Member expenses	£1,366.81
<b>TOTAL EXPENDITURE:</b>	<b>£50,422.87</b>
<b>TOTAL GRANT PROVIDED:</b>	<b>£64,340.00</b>
<b>VARIANCE: total grant provided minus total resource expenditure (To be returned to the Authority in accordance with Clause 7.6)</b>	<b>£13,917.13</b>

#### TREASURY, FINANCE OFFICER OR EQUIVALENT CERTIFICATION

I certify to the best of my knowledge and belief that:

- The information provided is correct; and no other specific Exchequer grants, other grants or contributions have been or will be payable for the expenditure in respect of the grant being claimed.
- The expenditure has been incurred only for the purposes set out in the terms and conditions of the grant agreement for the above grant stream.

<b>Signature:</b>			
<b>Name (printed):</b>	HARVEY BULLEN	<b>Date:</b>	25/4/16
<b>Position:</b>	HEAD OF BUDGETING & FINANCIAL MANAGEMENT		

Home Office sign off:

<b>Signature:</b>			
<b>Name (printed):</b>		<b>Date:</b>	
<b>Position:</b>			



## Annex 2

<b><u>Member</u></b>	<b><u>Qtrs 1 &amp; 2</u></b>	<b><u>Qtrs 3 &amp; 4</u></b>	<b><u>Total</u></b>
William Richmond (Breckland District Council)	65	97.5	162.5
Mark Robinson (Breckland District Council)	0	0	0
Ian Graham (Broadland District Council main member until July 2015)	48.60	0	48.60
Fran Whymark (Broadland District Council main member from July 2015)	0	0	0
Roger Foulger (Broadland District Council)	9	0	9
Katy Stenhouse (Great Yarmouth Borough Council)	0	0	0
Kay Grey (Great Yarmouth Borough Council)	0	0	0
Brian Long (King's Lynn and West Norfolk Borough Council)	51.3	0	51.3
Elizabeth Nockolds (King's Lynn and West Norfolk Borough Council)	0	0	0
Alec Byrne (NCC 1)	0	208.91	208.91
Michael Chenery (NCC 1)	75.6	113.4	189
Terry Jermy (NCC 2)	0	29.7	29.7
Mick Castle (NCC 2)	18.45	0	18.45
Brian Hannah (NCC 3)	31.6	22.55	54.15
James Joyce (NCC 3)	0	0	0
Richard Shepherd (North Norfolk District Council)	0	130.95	130.95
Nigel Dixon (North Norfolk District Council)	0	0	0
Keith Driver (Norwich City Council)	0	0	0
Paul Kendrick (Norwich City Council)	0	0	0
Christopher Kemp (South Norfolk Council)	0	365.25	365.25
Robert Savage (South Norfolk Council)	0	27	27
Sharon Brooks	0	0	0
Alex Sommerville CPM	0	72	72
<b>Total:</b>	299.55	1067.26	1366.81

## Information bulletin – questions arising to the Commissioner

### Suggested approach from Jo Martin, Democratic Support and Scrutiny Team Manager

This information bulletin summarises for the Panel both the decisions taken by the Commissioner and the range of his activity since the last Panel meeting.

#### 1. Background

- 1.1 The Police Reform and Social Responsibility Act describes the Police and Crime Panel's role as including to "review or scrutinise decisions made, or other action taken, by the PCC". This is an opportunity for the Panel to publicly hold the Police and Crime Commissioner for Norfolk ("the Commissioner") to account for the full extent of his activities and decisions since the last Panel meeting.

#### 2. Summary of the Commissioner's decisions and activity since the last Panel meeting

- 2.1 A summary of both the decisions taken by the Commissioner and the range of his activity since the last Panel meeting are set out below.

##### a) Decisions taken

All decisions made by the Commissioner, except those containing confidential information, are recorded and published on the Commissioner's website. Decisions made by the newly elected Commissioner, up until 6 June 2016, are listed at **Annex 1** of this report.

##### b) Items of news

Items of news, covering the Commissioner's activity and including the key statements he has made, are recorded and published on his website. A summary of those items published since the newly elected Commissioner took office, up until 6 June 2016, are listed at **Annex 2** of this report.

##### c) Police Accountability Forum meetings

The newly elected Commissioner's first Police Accountability Forum Meeting is due to take place on 12 July (10am, venue to be confirmed). Items discussed will be reported to the next Panel meeting.

- d) Norfolk and Suffolk Collaboration Panel meetings

None.

- e) Other out-of-county activity since taking office:

None.

- f) Audit Committee

The Audit Committee is independent of the Police and Crime Commissioner (PCC) and Norfolk Constabulary. The Committee considers the internal and external audit reports of both the PCC and the Chief Constable and provides advice on good governance principles and appropriate risk management arrangements. The Committee took the decision to hold its meetings in public this year.

The next Audit Committee meeting is due to take place on 23 June 2016 at 2 pm in the Filby Room, Jubilee House, Falconers Chase, Wymondham. Items discussed will be reported to the next Panel meeting.

### 3. Suggested approach

- 3.1 The Commissioner has been invited to attend the meeting to respond to your questions, and will be supported by members of staff and the Chief Constable.

#### 4.0 Action

- 4.1 The Panel is recommended to put questions to the Commissioner, covering the areas at paragraph 2.1 of this report, to publicly hold him to account for the full extent of his activities and decisions since the last Panel meeting.



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## **Annex 1 Commissioner's Decisions**

### **2016-19 Transfer of funding to the Chief Constable**

#### *Decision 2016-1*

Newly-elected PCC Lorne Green fulfills his election pledge to delete the Deputy PCC post and hand £75,000 to the Chief Constable to fund two additional officers on the beat.

Further detail about each decision can be viewed on the Commissioner's website at the following address:

<http://www.norfolk-pcc.gov.uk/transparency/decisions>

Alternatively, Panel Members can request this information in hard copy by contacting the Committee Officer.

## Summary of the Commissioner's activity

### "I'm a man of my word" – new PCC Lorne Green delivers on election pledge

Newly-elected PCC Lorne Green met with Norfolk's Chief Constable on Friday to deliver one of his election pledges.

"I made a promise to the people of Norfolk during my election campaign that, on my first day in the office as Norfolk's PCC, I would no longer have a deputy.

"For the past 3½ years Norfolk's taxpayers have had imposed upon them a burden of £75,000 year after year to pay for a deputy. 18 of 41 PCCs chose not to have one – it wasn't necessary, it isn't necessary. "I'm a man of my word. I met with the Chief Constable this morning and passed him a cheque for £75,000. I've asked him to spend that money on two new additional police officers on the beat. He's agreed to do that.

"I want policing in Norfolk to be more visible. This is just day one, and it's a start. I will do this every year for the next four years – a total of £300,000 of taxpayers' money being spent on more police on the beat."

Asked what was next on the PCC agenda, Lorne replied: "Next I'll be speaking to the Chief Constable about how we can do more to increase police presence and looking at what can be done to increase visibility across our county."

16 May 2016

### Norfolk Voluntary Sector in focus as PCC swears in

Norfolk's newly-elected PCC, Lorne Green, today highlighted the work of the voluntary sector as he was officially sworn in for a four-year term.

20 May 2016

### PCC backs campaign targeting mobile phone use behind the wheel

The campaign, led by the National Police Chiefs Council (NPCC), which will see roads policing officers in Norfolk carrying out additional patrols.

24 May 2016

### Volunteers needed to check on welfare of people locked up by police

Members of the public are needed to become Independent Custody Visitors, tasked with visiting police cells to check on detainees.

1 June 2016

### PCC recognises 145 years of voluntary service by Norfolk's custody visitors

Over 21m people in the UK volunteer at least once a year, contributing an estimated £23.9bn to the UK economy. At a time when police forces are being asked to do more with less, PCC Lorne Green...

2 June 2016

Further details about each of the news items can be viewed on the Commissioner's website at the following address:

<http://www.norfolk-pcc.gov.uk/news/latest-news>

## Forward Work Programme 2016-17

	May 2016 - PCC and local elections	
10am Wednesday 14 September 2016, County Hall	<b>PCC Annual Report</b> <b>Police &amp; Crime Plan for Norfolk (proposed by the newly elected PCC)</b> <b>OPCCN Commissioning Strategy</b> <b>Complaints Handling Sub-Panel – Update</b> <b>Information bulletin – questions arising to the Commissioner</b>	Commissioner, supported by members of the Commissioner's staff and Chief Constable
10am Tuesday 22 November 2016, County Hall	<b>OPCCN Commissioned Services – Quarterly Report</b> <b>PCC Complaints Monitoring Report</b> <b>Eastern Region Police and Crime Panel Network – annual subscription review</b> <b>Information bulletin – questions arising to the Commissioner</b>	Commissioner, supported by members of the Commissioner's staff and Chief Constable
Late January 2017  (To be confirmed)	<b>Panel refresh training - consideration of precept</b>	
10am Thursday 2 February 2017, County Hall	<b>Review the Commissioner's proposed precept for 2017-18 (the Panel must review and report by 8 February 2017)</b> <b>OPCCN Commissioned Services – Quarterly Report</b> <b>PCC Complaints Monitoring Report</b> <b>Information bulletin – questions arising to the Commissioner</b>	Commissioner, supported by members of the Commissioner's staff and Chief Constable

	<b>Forward work programme for 2017-18</b>	
10am Tuesday 21 February 2017, County Hall	<b>Reserve date – to review a revised precept for 2017-18, if vetoed (the Panel must review and report by 22 February 2017)</b>	Commissioner, supported by members of the Commissioner's staff and Chief Constable

The identified items are provisional only. The following meetings will be scheduled only if/when required:

- confirmation hearings

### **For information**

Norfolk County Community Safety Partnership Scrutiny Sub Panel – this Sub Panel meets at least annually; it last met on 3 March 2016 at County Hall, Norwich

Scheduled Police Accountability Forum Meetings are due to take place on the following dates (agendas will be made available via the Commissioner's website):

- Tuesday 12 July 2016
- Tuesday 13 September 2016
- Wednesday 16 November 2016

(Most at 10 a.m. in the Filby Room, Jubilee House, Wymondham – check OPCCN website for details)

Norfolk and Suffolk Collaboration Panel meetings to be advised (agendas will be made available via the Commissioner's website).