



NOTICE OF MEETING

Date and Time Friday, 2nd July, 2021 at 10.00 am

Place Ashburton Hall, Elizabeth II Court, The Castle, Winchester

Enquiries to Hampshire.pcp@hants.gov.uk

FILMING AND BROADCAST NOTIFICATION: This meeting will be recorded and broadcast live on Hampshire County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on Hampshire County Council's website

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

To enable Members to declare to the meeting any disclosable pecuniary interest they may have in any matter on the agenda for the meeting, where that interest is not already entered in their appointing authority's register of interests, and any other pecuniary or personal interests in any such matter that Members may wish to consider disclosing.

3. POLICE AND CRIME PANEL - PROPOSED APPOINTMENT OF MEMBERS (Pages 5 - 10)

To consider a report setting out the proposed appointment of the two independent co-opted members of the Hampshire Police and Crime Panel and the appointment of three local authority co-opted members.

4. ELECTION OF CHAIRMAN

To elect a Chairman of the Panel for 2021/22.

5. ELECTION OF VICE CHAIRMAN

To elect a Vice Chairman of the Panel for 2021/22.

6. MINUTES OF THE PREVIOUS MEETING (Pages 11 - 18)

To confirm the minutes from the previous meeting.

7. QUESTIONS AND DEPUTATIONS

To receive any questions or deputations in line with Rule 31 and 31A of the Panel's Rules of Procedure.

8. CHAIRMAN'S ANNOUNCEMENTS

To hear any announcements the Chairman may have for this meeting.

9. POLICE AND CRIME COMMISSIONER'S ANNOUNCEMENTS

To hear any announcements the Commissioner may have for the Panel.

10. POLICE AND CRIME PANEL - ANNUAL REPORT (Pages 19 - 32)

To receive a report from the Chairman detailing the Panel's Annual Report for the 2020/21 year.

11. POLICE AND CRIME PANEL - ANNUAL COMPLAINTS REPORT (Pages 33 - 36)

To consider a report setting out the activities of the delegated officer and the Complaints Sub-Committee in relation to complaints made against Michael Lane, in his role as the previous Police and Crime Commissioner, during the last municipal year.

12. POLICE AND CRIME PANEL - FINANCIAL MONITORING LEADING TO THE 2022/23 GRANT BUDGET AGREEMENT (Pages 37 - 44)

To consider a paper monitoring the Police and Crime Panel's budget for 2021/22, in advance of agreeing the proposed budget for 2022/23.

13. POLICE AND CRIME PANEL - MEMBERSHIP OF WORKING GROUPS (Pages 45 - 60)

To consider a report setting out the required membership of the Panel's working groups and sub-committee.

14. POLICE AND CRIME PANEL - GOVERNANCE UPDATE (Pages 61 - 68)

To consider a report outlining revisions to the Panel's governance protocols and/or documentation.

15. POLICE AND CRIME PANEL - WORK PROGRAMME (Pages 69 - 74)

To consider a report setting out the proposed future work programme for the Panel.

ABOUT THIS AGENDA: On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.

ABOUT THIS MEETING: Members of the press and public may attend the meeting to observe the public sessions, however, to support social distancing in line with government guidance, are encouraged to observe the meeting via the webcast.

Appointed Members of the Police and Crime Panel attending this meeting qualify for travelling expenses in accordance with their Council's 'Member's Allowances Scheme', as set out in the agreed Police and Crime Panel Arrangements.

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HAMPSHIRE POLICE AND CRIME PANEL

Report

Date considered:	2 July 2021
Title:	Appointments and Co-option Report
Contact:	Democratic Services Officer to the Panel
Email:	Hampshire.pcp@hants.gov.uk

1. Executive Summary

- 1.1 The purpose of this report is to set out how the Hampshire Police and Crime Panel (PCP) is meeting the balanced appointment objective in its Membership for the 2021/22 municipal year.
- 1.2 This paper recommends the co-option of three additional local authority members to the PCP, to enable the Panel to better meet the balanced appointment objective.
- 1.3 Further this report sets out the process that has been followed in order to co-opt two independent members to the Panel, and to recommend appointment to these positions.

2. Panel Proportionality

- 2.1. The PCP Arrangements set out that the Panel must secure that (as far as reasonably practicable) the "balanced appointment objective" is met. This is the objective that local authority members of the Panel (when taken together) represent all parts of the police area as well as the political make-up of the local authorities in the police area (when taken together); and have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively
- 2.2. A table outlining the political make-up of the local authorities in the policing area, as at May 2021, is attached as appendix one. In order to meet the balanced appointment objective, the data in appendix one surmises that the political balance of the PCP for the 2021/22 should, as far as is reasonably practical, be:

	Con	Lib Dem	Lab	Sub Total	Green	Alliance Group (IOW)	Comm Campaign Hart	Ind	Vacancies	TOTAL number of seats
Proportionality %	58.26%	24.17%	8.56%	90.99%	0.00%	2.70%	1.50%	4.80%	0.00%	100.00%
Therefore, of the 15 seats (to 2 decimal points)	8.74	3.63	1.28	13.65	0.00	0.41	0.23	0.72	0.00	15.00
Rounded up/down	9	4	1	14	0	0	0	1	0	15.00
Therefore, of the 18 seats (to 2 decimal points)	10.49	4.35	1.54	16.38	0.00	0.49	0.27	0.86	0.00	18.00
Rounded up/down	11	4	2	17	0	0	0	1	0	18.00

Table 1

2.3. Following notification of appointments, from the County Council and each of the local district, borough, unitary authorities across the Hampshire Policing Area, the appointed Membership of the PCP for 2021/22 is:

Name	Appointing Authority	Political Group
Councillor Dave Ashmore	Portsmouth City Council	Liberal Democrat
Councillor Narinder Bains	Havant Borough Council	Conservative
Councillor John Beavis MBE	Gosport Borough Council	Conservative
Councillor Simon Bound	Basingstoke and Deane Borough Council	Conservative
Councillor Trevor Cartwright MBE	Fareham Borough Council	Conservative
Councillor Tonia Craig	Eastleigh Borough Council	Liberal Democrat
Councillor Andrew Joy	Hampshire County Council	Conservative
Councillor Phillip Lashbrook	Test Valley Borough Council	Conservative
Councillor Matthew Magee	Southampton City Council	Conservative

Councillor David McKinney	East Hampshire Borough Council	Conservative
Councillor Ken Muschamp	Rushmoor Borough Council	Conservative
Councillor Margot Power	Winchester City Council	Liberal Democrat
Councillor James Radley	Hart District Council	Community Campaign Hart
Councillor Mark Steele	New Forest District Council	Conservative
Councillor Ian Stephens	Isle of Wight Council	Alliance Group (Isle of Wight)

Table 2

3. Co-option of Members

Local authority co-opted Members

- 3.1. In accordance with Schedule 6, paragraph 4 of the Police Reform and Social Responsibility Act 2011 (“the Act”), the Hampshire Police and Crime Panel (“the Panel”) may resolve to appoint up to three additional co-opted members in order to meet the balanced appointment objective, subject to authorisation from the Secretary of State.
- 3.2. The Panel’s Rules of Procedure state that the Panel may resolve, with the Secretary of State’s agreement, to appoint up to three additional co-opted members, who may be members of the local authorities in the Hampshire police area. Appointments will usually be for a four-year term (and subject to the terms of the Panel Arrangements on continuation in office), coterminous with that of the PCC, in line with Rule 21 paragraph (1). The Panel must, from time to time, decide whether the Panel’s exercise of this power would enable the balanced appointment objective to be, or would contribute to that objective being, met or more effectively met, and if the Panel decides that the exercise of the power would do so, must exercise that power accordingly. At its meeting on 29 June 2012, the Panel resolved to have three additional local authority co-opted Members, to allow it to meet, or more effectively meet the balance appointment objective.
- 3.3. A decision of the Panel to co-opt a person who is a member of a local authority in the Hampshire Police area must be a unanimous decision of the Panel and must be notified to the Secretary of State in writing (including the Panel’s reasons for deciding that co-opting that person would enable the balanced appointment objective to be, or contribute to the objective being, met or more effectively met).

- 3.4. The term of the previous local authority co-opted Members expired as of 1 July 2021.
- 3.5. The political proportionality for the Hampshire Policing area demonstrated that the balanced appointment objective would be best met through the co-option of two additional Labour and one additional Liberal Democrat Members to the Panel.
- 3.6. Labour and Liberal Democrat Party group leaders across the Hampshire Policing area were written to on 2 June 2021 and asked to propose a collective nomination for the vacant co-optee position before 23 June 2021.
- 3.7. On 17 June 2021 the Panel received notification that Councillors Tony Jones and Matthew Renyard had been selected as the Labour Group nominees.
- 3.8. On 22 June 2021 the Panel received notification that Councillor Dorothy Baverstock had been selected as the Liberal Democrat Group nominee.
- 3.9. If the nominated appointments are agreed by the Panel, as recommended below, Table 3 demonstrates that the Membership of the Panel for the 2021/22 Municipal year, is politically proportionate for the purposes of the balanced appointment objective.

	Con	Lib Dem	Lab	Other	Vacant
Proportional appointment (18 seats):	11	4	2	1	
Confirmed and proposed appointments (18 seats):	10	4	2	2	

Table 3

Independent co-opted Members

- 3.10. The Panel's Rules of Procedure state that the Panel "must appoint two co-opted members who may not be members of the local authorities in the Hampshire police area. Appointments will usually be for a four-year term (and subject to the terms of the Panel Arrangements on continuation in office), coterminous with that of the PCC".
- 3.11. The four-year term of the two previous Independent Co-opted Members of the Police and Crime Panel expired as of 1 July 2021.
- 3.12. It was agreed by the Panel at the 12 March 2021 meeting that the independent co-opted member recruitment process would be commenced over the spring period, and that a cross-party selection panel, comprising members of the Panel, would meet to consider the applications and to make recommendations for appointment to the Panel.
- 3.13. Applications for the independent co-opted member roles were opened on 7 May 2021 and closed on 25 May 2021. The advert and related information was:
- available on the Hampshire Police and Crime Panel website;
 - advertised on online job websites and social media;

- sent as part of a press release to Hampshire and Isle of Wight media outlets, a number of whom printed the story and a link to the website;
 - shared by email with over 100 key stakeholders who had previously engaged with the Panel.
- 3.14. A total of 14 applications to the two roles were received. The selection panel met in early June to shortlist applications for interview, scoring the participants on the competencies and skills listed within the application pack.
- 3.15. Interviews were held on 10 June, where four candidates were asked a number of questions relating to the responsibilities of the Hampshire Police and Crime Panel, and the skills, knowledge and experience they could offer that would assist the Panel to discharge its functions effectively.
- 3.16. The selection panel agreed that two of the candidates, Dave Stewart and Shirley Young, best demonstrated that they met the Panel's requirements and that they be recommended to the Panel for appointment to the two independent co-opted member roles.

4. Recommendations

- 4.1. **That the Panel notes its Membership for the 2021/22 municipal year, as laid out in Table 2 of this report.**
- 4.2. **That Councillor Tony Jones and Councillor Matthew Renyard are appointed to the Hampshire Police and Crime Panel, as Local Authority Co-opted Members representing the Labour Group.**
- 4.3. **That Councillor Dorothy Baverstock is appointed to the Hampshire Police and Crime Panel, as a Local Authority Co-opted Member representing the Liberal Democrat Group.**
- 4.4. **That (subject to the appointments proposed above) the Panel notes the Panel Membership is, at the current time, politically proportionate for the purpose of the balanced appointment objective as outlined in Table 3.**
- 4.5. **That Mr Dave Stewart and Mrs Shirley Young are appointed as independent co-opted members of the Hampshire Police and Crime Panel until the annual meeting of the Panel in 2024.**

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

Rules of Procedure of the Hampshire Police and Crime Panel

<http://documents.hants.gov.uk/partnerships/hampshire-pcp/PoliceandCrimePanelRulesofProcedure.pdf>

The Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012

http://www.legislation.gov.uk/ukxi/2012/1433/pdfs/ukxi_20121433_en.pdf

Appendix One

POLICE & CRIME PANEL PROPORTIONALITY 2021/22										
Authority	Con	Lib Dem	Lab	Sub Total	Green	Alliance Group (IOW)	CCH	Ind	Vacancies	TOTAL number of seats
Basingstoke & Deane	33	5	10	48				6		54
East Hampshire	32	8	2	42				1		43
Eastleigh	2	32	0	34				5		39
Fareham	23	5	0	28				3		31
Gosport	19	14	1	34						34
Hampshire County	56	17	3	76				2		78
Hart	12	10	0	22			10	1		33
Havant	36	1	1	38						38
Isle of Wight	18	1	1	20		18		1		39
New Forest	45	13	0	58				2		60
Portsmouth	16	15	7	38				4		42
Rushmoor	29	1	9	39						39
Southampton	25	0	23	48						48
Test Valley	26	12	0	38				5		43
Winchester	16	27	0	43				2		45
TOTAL	388	161	57	606	0	18	10	32	0	666

HAMPSHIRE POLICE AND CRIME PANEL

**Friday, 12th March, 2021 at 10.00 am
Held virtually**

Councillors:

Chairman

p David Stewart
(Isle of Wight Council)

Vice Chairman

p Jan Warwick
(Hampshire County Council)

p Diane Andrews
(New Forest District Council)

p Lee Hunt
(Portsmouth City Council)

p Narinder Bains
(Havant Borough Council)

p Phillip Lashbrook
(Test Valley Borough Council)

p John Beavis MBE
(Gosport Borough Council)

p David McKinney
(East Hampshire District Council)

p Simon Bound
(Basingstoke & Deane Borough Council)

p Ken Muschamp
(Rushmoor Borough Council)

p Trevor Cartwright MBE
(Fareham Borough Council)

a James Radley
(Hart District Council)

a Tonia Craig
(Eastleigh Borough Council)

p Dave Shields
(Southampton City Council)

p Lisa Griffiths
(Winchester County Council)

Co-opted Members:

Independent Members

Local Authority

p Michael Coombes
p Bob Purkiss MBE

p Brian Laming
p Tony Jones
p Lynne Stagg

At the invitation of the Chairman:

Peter Baulf
Alan Hagger

*Legal Advisor to the Panel
Head of Strategic Commissioning, Office of the Police
and Crime Commissioner
Police and Crime Commissioner for Hampshire
Chief Executive, Office of the Police and Crime
Commissioner*

Michael Lane
James Payne

298. APOLOGIES FOR ABSENCE

Apologies were received from:

- Councillor Tonia Craig, Eastleigh Borough Council
- Councillor James Radley, Hart District Council

It was also heard that the Chairman, Councillor Dave Stewart, would not join the meeting until 11am, and therefore Councillor Jan Warwick would act as Chairman in his absence.

299. DECLARATIONS OF INTEREST

Members were able to disclose to the meeting any disclosable pecuniary interest they may have in any matter on the agenda for the meeting, where that interest is not already entered in their appointing authority's register of interests, and any other pecuniary or non-pecuniary interests in any such matter that Members may wish to disclose.

No declarations were made.

300. MINUTES OF THE PREVIOUS MEETING

The Minutes from the 29 January 2021 meeting were reviewed.

It was noted that that the first paragraph, under item 294 should read £15 per annum, not £15 per month. The minutes were otherwise confirmed as a correct record.

301. QUESTIONS AND DEPUTATIONS

No questions or deputations were received by the Panel on this occasion.

302. CHAIRMAN'S ANNOUNCEMENTS

It was noted by the Chairman that this would be the final meeting of the Panel during the 2020/21 municipal year. The Chairman thanked Members for their contributions and commitment throughout the year and for responding to changes and challenges posed by the Covid-19 pandemic.

It was further recognised that this would be the last formal meeting attended by Michael Lane, as the Police and Crime Commissioner, with a new Commissioner to be elected in May. On behalf of the Panel, the Chairman thanked the Commissioner and his team for their proactive and transparent approach to working with the Panel.

Members heard that the current term of the Panel's two independent co-opted Members would end at the end of the municipal year and that a recruitment process would shortly commence, encouraging applications for these roles.

The Chairman expressed concern over a recent assault which had taken place in Southampton, which had appeared to have been racially motivated. It was heard that the Commissioner had been invited to provide an update later in the meeting on efforts undertaken to encourage and promote equality, diversity and inclusion and that the Panel's Equality and Diversity working group would monitor the progress of this work.

Recognising the impact of the murder of Sarah Everard on the perception of safety within communities both locally and nationally, the Chairman invited the Commissioner to comment upon mechanisms in place to keep residents safe across Hampshire and the Isle of Wight.

The Chairman advised Members that items 8-12 of the agenda, noted as items 305-309 of the minutes, would now be brought forward, with items 6 and 7, items 303 and 304 of the minutes, to be heard after a short break.

303. POLICE AND CRIME COMMISSIONER'S ANNOUNCEMENTS

Councillor Dave Stewart assumed the Chair.

The Chairman invited announcements from the Commissioner, who, further to the Chairman's earlier announcements, noted the recent racially aggravated assault in Southampton and the wide and long lasting impact such incidents had on local communities. The Commissioner recognised his role in supporting the importance of inclusivity and in encouraging vibrant and respectful communities.

The threat and fear of violence against those vulnerable, and highlighted through recent national issues was acknowledged. The Commissioner noted that an average of 108 domestic abuse incidents were attended by and 51 violent crime reports were made to Hampshire Constabulary each day. The Commissioner recognised that long term solutions were needed to change the behaviours of those who would perpetrate such crimes.

Members heard that waiting times for answering 101 calls at Hampshire Constabulary had reduced considerably from approximately two minutes in the previous year to 22 seconds for 90% of calls. Emergency 999 calls were answered in five seconds, with 99% achieving response targets.

The Commissioner highlighted the importance of outcome based commissioning in future grant rounds as well as seeking new and innovative approaches which could make a difference within local communities.

An update was heard on the County lines intensification week, which had been widely reported in the press. 17 suspected dealers were arrested, along with 100 other individuals. 82 mobile phones were seized along with £1m of drugs and £53,000 in cash, disrupting local supply chains.

304. POLICE AND CRIME COMMISSIONER - END OF TERM REPORT

Members received a presentation from the PCC highlighting delivery throughout his term in office.

Members heard that, once completed, the Commissioner's end of term report would reflect upon what had been delivered, through the Police and Crime Plan, during the previous 5 years and would also present an opportunity to identify lessons learnt and opportunities for improvement going forward.

Thanks were offered by the Commissioner to his team for their work in supporting the Panel and its working groups, which had been maintained during the last year despite the ongoing challenge and pressures of the pandemic.

The Commissioner recognised the value of the contribution of residents to the delivery of his role and the Police and Crime Plan, both through accessing services and providing direct feedback.

Investments in policing were acknowledged, and included increased funding for policing, in part raised through increases to the policing precept. 460 new police officers had been recruited to the frontline, PSCO's numbers protected and an increase in investigators and police staff.

The importance of partnership was recognised by the Commissioner, who highlighted that each year more than 70 projects had been supported through grant funding, adding value to local communities and protecting and supporting residents. During the pandemic, engagement with commissioned partners had identified how continuity in service would be maintained and areas for additional support identified.

Other areas of work highlighted by the Commissioner included the extension of Restorative Justice provision and the Cyber Ambassador scheme and a significant increase in the number of third party Hate Crime Reporting Centres, which had grown from 3 to 70 centres during the current term.

RESOLVED:

That the Commissioner's presentation is noted.

The Chairman closed the meeting by thanking the PCC for his service and offering the thanks on behalf of the Panel to Hampshire Constabulary for keeping residents safe, particularly through the unprecedented challenges of the Covid-19 pandemic.

305. POLICE AND CRIME COMMISSIONER - DRAFT ANNUAL REPORT 2020/21

Councillor McKinney joined the meeting at this point.

The Chief Executive explained that, whilst the draft annual report would normally be presented to the Panel at their meeting in October, with a new PCC taking office from May, the Chairman of the Panel had agreed to bring the review of the draft report forward to this meeting.

Members received a draft copy of the Commissioners Annual report for 2020-21 and were invited to raise comments and recommendations in accordance with Section 28(4) of the Police Reform and Social Responsibility Act.

Areas questioned by Members included strengthening links with Community Safety Partnerships during grant rounds, funding for victims of Domestic Abuse and accessibility to Third Party Reporting Centres.

In response to a question regarding how outcomes were being measured, to ensure that activity through the year was contributing to keeping residents safer, it was heard that further detail would be added to the final report highlighting the measurable impact and examples of work undertaken across the year.

Members also offered their congratulations for the success of the delivery of the Cyber Ambassador scheme over the last year, which had focussed upon keeping local young people safer online. Members questioned how online media was being utilised to share the work of the Cyber Ambassadors and how schools were being engaged and ambassadors trained. Members heard that the OPCC had recruited an additional Cyber Ambassador Scheme Co-ordinator during the year to expand delivery of the project into colleges and special education settings. Members heard the two co-ordinators held regular virtual meetings and, resulting from the pandemic, more of their work had moved online. An example was given of the use of TikTok and social media to reach out to young people locally, which had the additional benefit of material being accessed by young people beyond the Hampshire Policing area, bringing increased national attention to the work of the scheme.

RESOLVED:

That the Panel receives the draft Annual Report of the Police and Crime Commissioner for Hampshire, reviews the document and makes any report or recommendation to the Commissioner, in line with Section 28(4) of the Police Reform and Social Responsibility Act.

306. POLICE AND CRIME COMMISSIONER - SAFER COMMUNITIES FUND 2021-22

Members received a presentation from the Chief Executive on the latest grants round. Members heard that:

- 93 applications had been received, totalling more than more than twice the £1.5m funding available. The maximum amount available under a single bid was £50,000, although Members heard that no single application had been made to that level during this grants round.
- 57 applications in total were successful and a table was provided showing how these projects aligned with the various objectives of the Police and Crime Plan.
- The endorsement of the local Community Safety Partnership (CSP) was sought for every bid, and a number of other key partners had been engaged in the decision making process including Violence Reduction Unit (VRU) leads and District Commanders. Members heard that ongoing focus would be applied to improve communication with CSPs to enable relationships to be maintained and improved.
- Whilst the process for applying and awarding funding was prescribed, the Commissioner and his team had focused on ensuring the process was fair

and transparent and where possible enabled a proportionate distribution across the policing area. It was recognised that there was still some inequity in the provision of services at a local level and Members heard the OPCC would be focussing on addressing these gaps during the year to enable a full service offer across all districts.

Councillor Stewart joined the meeting.

In response to Members questions it was heard that:

- A comprehensive review of Youth Services was being undertaken, as present funding was being made by the PCC through three separate approaches, with some commissioned locally and others with a pan-Hampshire and Isle of Wight approach. In particular consideration was being given to securing longer term funding.
- Where an existing provider had been unsuccessful in securing ongoing funding, the OPCC offered support in enabling continuity of service for victims and vulnerable service users, including the transition of caseloads to other providers.
- All applicants were encouraged to approach their local CSP before applying, with a redacted copy of each application made provided to CSPs for endorsement before funding was awarded. Where possible the OPCC would also meet with each CSP to understand how the applications for funding met with local needs and service provision.

RESOLVED:

That the update on the Safer Communities Fund 2021-22 was noted.

Councillor Hunt left the meeting at this point.

307. POLICE AND CRIME COMMISSIONER - DIVERSITY AND INCLUSION

Members received a presentation from the Chief Executive on the latest approaches to Equality, Diversity and Inclusion.

Members heard that:

- £861,737 had been awarded by the Commissioner to fund the advancement of Equality and Inclusion within Hampshire Constabulary. This had enabled a comprehensive three year programme to be launched, starting in April 2021, which would encourage a positive culture of inclusion and appropriate behaviours. The programme would include focus upon the awareness of unconscious bias, enabling strong leadership and monitor the use of force and stop and search powers.
- Progress would be monitored by the PCC and the Strategic Independent Advisory Group (SIAG), with a five-point action plan, an indicative timeline, agreed key actions and a quarterly review process. In response to Members questions it was heard that monitoring would include identifying lessons learned from the outcome of recent disciplinary hearings and measuring cultural change resulting from the investment made.

The Chief Executive remarked upon the positive support and engagement from the Constabulary in developing this work and offered his thanks to the Panel's Equality and Diversity working group for their support and scrutiny of this area of focus.

RESOLVED:

That the Panel note the update on Diversity and Inclusion.

308. POLICE AND CRIME PANEL - UPDATES FROM WORKING GROUPS

The Chairman of the Panel's working groups were invited to provide an update on work undertaken since the previous meeting of the Panel.

Cllr Dave Shields, Chair of the Equality and Diversity working group, explained that during their most recent meeting the working group had explored issues around racial disparity and how it can manifest within the workforce and explored current work to review and enhance the use of stop and search. Discussions had also focussed upon hate crime against nomadic communities, with an update heard from the Chief Executive on the partnership approach being taken to support Gypsy and Traveller communities. Members further heard that the working group were considering the impact of the Independent Advisory Groups (IAGs) and how representative they were of local communities.

It was heard that the Plan Working Group, at their most recent meeting, had reviewed the Commissioner's latest grants round, focussing upon how bids made would support collaborative working and at how improvements in response rates for 101 and 999 calls had impacted upon public confidence in policing. The Chairman of the working group, Councillor Simon Bound, further explained that, alongside the expansion of the Safer Streets programme, the working group would be looking at the changing requirements of the estates programme and had requested a further update on the impact of the pandemic and plans going forward.

Bob Purkiss briefly left the meeting at this point.

Michael Coombes, Chairman of the Finance Working Group, explained that whilst the working group had not been required to meet since January, future meetings had been planned to coincide with key dates during the forthcoming financial year.

In the absence of the Chairman of the Complaints Sub-Committee, Bob Purkiss, the Chairman advised Members that the Sub-Committee had not been required to meet during the previous quarter.

309. POLICE AND CRIME PANEL - WORK PROGRAMME

Members received a report from the Democratic Support Officer to the Panel setting out the proposed work programme for the Panel.

RESOLVED:

That the work programme is agreed.

Councillor Griffiths left the meeting at this point

The Chair paused the meeting for a 10 minute comfort break, suspending the meeting from 11:15 to 11:20.

Following the break Councillor Dave Stewart assumed the Chair and items 6 and 7 of the agenda, items 303 and 304 of the minutes, were heard.

Chairman,



ANNUAL REPORT 2020-21

Foreword from the Chair
(to be added)

1. Introduction

Police and Crime Commissioners (PCCs) were introduced through the Police Reform and Social Responsibility Act 2011, which significantly changed the arrangements for police accountability and governance in England and Wales. Through this legislation Police and Crime Panels (PCPs) were established to provide scrutiny and support to PCCs.

This annual report covers the fifth and final year of the term in office of Mr Michael Lane, who was elected to serve as PCC for Hampshire from May 2016 - May 2021.

1.1. The Role of the Police and Crime Commissioner

Nationally, PCCs exist to ensure that the policing needs of their communities are met as effectively as possible, to be the voice of the people and hold the police to account. They are to give the public—to which they are directly accountable—a voice at the highest level of policing. They are expected to do this by:

- securing an efficient and effective police for their area;
- appointing the Chief Constable, holding them to account for running the force, and if necessary dismissing them;
- setting the police and crime objectives for their area through a Police and crime plan;
- setting the force budget and determining the precept;
- contributing to the national and international policing capabilities set out by the Home Secretary; and
- bringing together community safety and criminal justice partners, to make sure local priorities are joined up.

Legislation protects the operational independence of the police, making it clear that the Chief Constable retains command and control of police officers and staff.

Contact details for the PCC for Hampshire can be found in Appendix 1.

1.2. The Police & Crime Plan

The PCC sets out in a Police and Crime Plan the objectives for their term of office. This document is of great importance to the PCP as a point of reference in fulfilling its duty to scrutinise and review the actions and decisions of the PCC. Mr Lane's Plan was updated in 2020, following the outbreak of the Covid-19 pandemic. Through this plan his objectives were defined as:

1. Championing Community Needs - Support victims and those effected by crime and disorder.
2. Strengthen Partnerships – To work together to reduce crime, promote public safety and create vibrant and inclusive communities.
3. Enabling effective and efficient operational policing – Which meets the needs of the people it serves, by empowering the Chief Constable.
4. Criminal Justice - Develop services that see effective responses to crime and that tackle the root causes of offending and re-offending.

These four key strategic priorities were identified by the PCC to support his overarching objective of keeping ‘you, your family, your community: safer’.

The Police and Crime plan can be found on the following webpage:

<https://issuu.com/policeandcrimecommissionerforhampsh/docs/300dplan>

1.3. The Role of the Police & Crime Panel (PCP)

The PCP is a joint scrutiny body of the local authorities in the Policing area who perform a number of functions in relation to the PCC and their role. These include:

- To review the draft Police and Crime Plan
- To scrutinise the PCC's Annual Report
- To review and scrutinise decisions and actions by the PCC
- To review and veto the PCC's proposed Council Tax precept levels
- To review the PCC's Conduct – the PCP can suspend the PCC if they are charged with 2 year imprisonable offence and report to Independent Office for Police Conduct (IOPC), however they cannot remove the PCC from office.
- To confirm the Chief Constable's appointment.
- To appoint an acting PCC, if required.

Hampshire PCP fulfils all of these duties in relation to the PCC for Hampshire (and the Isle of Wight, Portsmouth, and Southampton, although these areas are not included in the official title of the PCC, which follows the name of the Constabulary).

Later sections of this report go into further detail on how and when each of these duties (if applicable) were fulfilled for 2020/21. The PCP can require the PCC or their staff to be in attendance at PCP meetings and can invite the Chief Constable or partners responsible for helping to assist in the delivery of the Police and Crime Plan to attend meetings the PCP (although they do not have a statutory duty to attend).

1.4. Members of the Hampshire Police and Crime Panel

The PCP is made up of representatives from each of the Local Authorities in the Hampshire Police area, which includes the cities of Portsmouth and Southampton, the Isle of Wight as well as Hampshire County Council and the 11 Borough and District authorities within it. They are joined by three additional local authority co-opted members, who sit on the PCP in order to better meet the 'balanced appointment objective', and two independent co-opted members, who are appointed through a competitive recruitment process to add to the collective spread of experience and knowledge. The PCP therefore has 20 members; the maximum size that it may be by law. All members – appointed and co-opted - have the same status and rights on the PCP.

The 15 local authorities in Hampshire and the Isle of Wight are:

- Basingstoke and Deane Borough Council
- East Hampshire Borough Council
- Eastleigh Borough Council
- Fareham Borough Council
- Gosport Borough Council
- Hampshire County Council
- Hart District Council
- Havant Borough Council
- Isle of Wight Council
- New Forest District Council
- Portsmouth City Council
- Rushmoor Borough Council
- Southampton City Council
- Test Valley Borough Council
- Winchester City Council

The PCP must be politically balanced, reflecting the political make-up of the councils in Hampshire. Each of the 15 councils has its own process for appointing its representative on the PCP. Each also has its own arrangements for PCP member expenses.

Membership of the PCP for 2020/21 was as follows:

- Councillor Lee Hunt
(Liberal Democrat, Portsmouth City Council)
- Councillor John Beavis MBE
(Conservative, Gosport Borough Council)

- Councillor Diane Andrews
(Conservative, New Forest District Council)
- Councillor Simon Bound
(Conservative, Basingstoke and Deane Borough Council)
- Councillor Trevor Cartwright MBE
(Conservative, Fareham Borough Council)
- Mr Michael Coombes
(Independent Co-opted Member)
- Councillor Tonia Craig
(Liberal Democrat, Eastleigh Borough Council)
- Councillor Lisa Griffiths
(Independent, Winchester City Council)
- Councillor Narinder Bains (From July 2020)
(Conservative, Havant Borough Council)
- Councillor Brian Laming
(Liberal Democrat, Additional Local Authority Co-opted Member)
- Councillor Phillip Lashbrook
(Conservative, Test Valley Borough Council)
- Councillor David McKinney
(Conservative, East Hampshire Borough Council)
- Councillor Ken Muschamp
(Conservative, Rushmoor Borough Council)
- Mr Bob Purkiss MBE
(Independent Co-opted Member)
- Councillor James Radley
(Community Campaign Hart, Hart District Council)
- Councillor Dave Shields
(Labour, Southampton City Council)
- Councillor Lynne Stagg
(Liberal Democrat, Additional Local Authority Co-opted Member)
- Councillor David Stewart - **Chair**
(Conservative, Isle of Wight Council)
- Councillor Jan Warwick – **Vice Chair**
(Conservative, Hampshire County Council)

The following Members also served on the PCP during 2020/21:

- Councillor Gary Hughes (Until July 2020)
(Conservative, Havant Borough Council)

2. Work Programme of the PCP

2.1. Work undertaken in 2020/21

In 2020/21, the PCP undertook its statutory duties and requested to review items at its meetings that related to decisions and actions taken by the PCC for Hampshire. More details are outlined within the table below and full details of the reports can be viewed online at

<https://democracy.hants.gov.uk/ieListMeetings.aspx?Committeeld=185> :

<u>Meeting Date</u>	<u>Key Agenda Items</u>
3 July 2020	<ul style="list-style-type: none"> • Chair and Vice Chair elected. • PCP Appointments report reviewed, and membership of working groups agreed. • PCC Police and Crime Plan delivery update heard. • PCP Annual report agreed • PCP Annual Complaints report received • PCP Financial monitoring and budget agreed. • Membership of the National Association of Police, Fire and Crime Panels agreed. • PCP future meetings and work programme considered.
2 October 2020	<ul style="list-style-type: none"> • Questions put to the Chief Constable of Hampshire Constabulary by Members of the PCP regarding policing during the Covid-19 pandemic. • PCC's Draft Annual report reviewed, and recommendations made to the PCC. • PCC Police and Crime Plan delivery update heard. • Update from the PCP working groups heard. • PCP future meetings and work programme considered.
29 January 2021	<ul style="list-style-type: none"> • Scrutiny of the PCC's proposed precept. • PCC Police and Crime Plan delivery update heard. • Update from the PCP working groups heard. • PCP future meetings and work programme considered.
12 March 2021	<ul style="list-style-type: none"> • Presentation received from the PCC highlighting delivery throughout his term in office. • PCC's Draft Annual report reviewed, and recommendations made to the PCC.

	<ul style="list-style-type: none">• Safer Communities Fund update heard.• Equality, diversity and inclusion update heard.• Update from the PCP working groups heard.• PCP future meetings and work programme considered.
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3. Working Groups and Sub-Committee

In July 2018, the Panel's Complaints Sub-Committee was appointed as a formal Sub-Committee of the Panel, following its previous status as a working group. The Complaints Sub-Committee is responsible for handling complaints made against the PCC and for informally resolving non-criminal complaints, as well as conduct matters that are referred to the Panel by the IOPC. Meetings of the Complaints Sub-Committee are held in public, with an annual report outlining complaints activity for the previous 12 months presented to the Panel at each AGM.

The working groups of the PCP undertake activities separate to the formal meetings of the PCP in order to support the business set out within its work programme. The working groups of the PCP undertake much of the detailed work that would otherwise take up significant time in a formal public meeting. Outcomes of these meetings are reported to the PCP prior to any review of the relevant item on the agenda.

The PCP has two long-standing working groups; one that meets to consider detailed information in advance of the scrutiny of the precept, and one that meets to review the implementation of the Police and Crime Plan. During 2020/21 the PCP introduced a new working group to focus upon equality, diversity and inclusion.

Membership of these groups can be found below.

3.1. Complaints Sub-Committee

The PCP is responsible for handling complaints made against the PCC, and for informally resolving non-criminal complaints, as well as complaints or conduct matters that are referred to the PCP by the IOPC. During 2020/21 the Complaints sub-committee met once.

Meeting Date	Purpose
1 September 2021	To review complaints in line with the informal resolution process

The membership of the Sub-Committee for 2020/21 was follows:

- Councillor John Beavis MBE
- Councillor Tony Jones
- Councillor Ken Muschamp
- Bob Purkiss MBE (Chair)
- Councillor Jan Warwick

3.2. Police and Crime Plan Working Group

This working group was set up in July 2016 in order to review the draft Police and Crime Plan prior to the PCP's scrutiny of it in October 2016. It has remained active since this time for the purpose of monitoring the implementation plan, and through this to set themes for scrutiny, taking a lead on the work in this area on behalf of the PCP.

The Police and Crime Plan working group met on three occasions in 2020/21.

<u>Meeting Date</u>	<u>Purpose</u>
2 September 2020	Within each of the meetings, Members of the working group undertook in-depth pre-scrutiny of the quarterly progress reports, looking at delivery against the Police and Crime Plan, ahead of each PCP meeting. Meetings were attended by officers of the OPCC, who provided more detailed information for the working group to review and scrutinise. This information included a status update on those projects contributing to delivery of the plan, detail of decisions taken by the PCC in the previous quarter and an update on actions taken in response to the recommendations made by the PCP.
8 January 2021	
24 February 2021	

The membership of the Police and Crime Plan working group for 2019/20 was as follows:

- Councillor Diane Andrews
- Councillor Simon Bound (Chair)
- Councillor David McKinney
- Councillor Dave Shields

3.3. Finance Working Group

The PCP set up the Finance working group in 2012/13 in order to scrutinise the PCCs proposed budget and related financial papers, prior to the PCP's review of the proposed precept. It has continued to meet in order to review information in advance of the annual scrutiny of the proposed precept. The Finance working group met on four occasions during 2020/21.

Police and Crime Panel – Finance Working Group		
<u>Meeting Date</u>	<u>Purpose</u>	<u>Overview</u>
25 November 2020	Review precept planning	Reviewed planning being undertaken by the OPCC in preparation for the precept setting.
16 December 2020		
6 January 2021		
20 January 2021	Review draft precept and associated finance papers	Reviewed draft precept and supporting information in advance of briefing the full PCP, at its meeting on 29 January 2021. Further agreed questions to be proposed by the Finance Working Group to be taken forward to the PCP meeting.

The membership of the Finance working group for 2020/21 was as follows:

- Councillor John Beavis MBE
- Michael Coombes (Chair)
- Councillor Lee Hunt
- Councillor Brian Laming
- Councillor Jan Warwick

3.4. Equality and Diversity Working Group

At its meeting of 2 October 2020, the Panel agreed to create an Equality and Diversity working group to scrutinise and support the Commissioner’s pledge to support vibrant and inclusive communities across Hampshire and the Isle of Wight and to enhance the work of the PCP in their statutory responsibility to contribute to the development of the Police and Crime Commissioner’s (PCC) Police and Crime Plan. The working group met twice during 2020/21.

<u>Meeting Date</u>	<u>Purpose</u>
19 January 2021	Within each of the meetings, Members of the working group reviewed progress in matters of equality, diversity and inclusion led by the Commissioner and his office.

	Meetings were attended by officers of the OPCC, who provided more detailed information for the working group to review and scrutinise. This information included a update on strategic and operational priorities and other matters of interest, detail of decisions taken by the PCC in the previous quarter and an update on actions taken in response to recommendations made by the PCP.
5 March 2021	

The membership of the Equality and Diversity working group for 2020/21 was as follows:

- Councillor Diane Andrews
- Councillor Narinder Bains
- Councillor Simon Bound
- Bob Purkiss MBE
- Councillor Dave Shields (Chair)

4. 2021/22 Outline Work Programme

<u>Meeting Date</u>	<u>Key Agenda Items</u>
2 July 2021 10.00am Winchester	<ul style="list-style-type: none"> • PCP Appointments report • Election of Chair and Vice Chair • Public questions • PCP Annual Report • Annual complaints report • PCP Finance Monitoring and budget • Membership of working groups • PCP future meetings and work programme
2 October 2020 10.00am Winchester	<ul style="list-style-type: none"> • Public questions • PCC Draft Police and Crime Plan • PCP update from working groups • PCP future meetings and work programme
29 January 2021 10.00am Winchester	<ul style="list-style-type: none"> • Public questions • PCC precept 2021/22 • PCC Police and Crime Plan delivery update • PCP update from working groups • PCP future meetings and work programme
12 March 2021 10am Winchester	<ul style="list-style-type: none"> • Public questions • PCC Police and Crime Plan delivery update • PCP update from working groups • PCP future meetings and work programme

Contact Details

Hampshire County Council is the Host Authority for the Hampshire Police and Crime (PCP) on behalf of the 15 local authorities in Hampshire and the Isle of Wight.

The Hampshire PCP is a joint committee of all 15 local authorities, consisting of a representative from each, three additional local authority co-opted members, and two independent co-opted members. The PCP can be contacted via:

Hampshire Police and Crime Panel
Members Services
Elizabeth II Court South, The Castle
Hampshire County Council
Winchester
SO23 8UJ

Telephone: 0370 779 6176

Email: Hampshire.pcp@hants.gov.uk

Website: <https://www.hants.gov.uk/aboutthecouncil/governmentinhampshire/police-crime-panel>

Papers for all meetings held in public are published online, and anyone can come along to observe:

<http://democracy.hants.gov.uk/mgCommitteeDetails.aspx?ID=185>

The public are encouraged to ask questions of the PCP:

<https://www.hants.gov.uk/aboutthecouncil/governmentinhampshire/police-crime-panel/get-involved>

The Police and Crime Commissioner for Hampshire can be contacted via the Office of the Police and Crime Commissioner:

Office of the Police and Crime Commissioner
St George's Chambers
St George's Street
Winchester
SO23 8AJ

Telephone: (01962) 871595

Email: opcc@hampshire.pnn.police.uk

Website: www.hampshire-pcc.gov.uk

HAMPSHIRE POLICE AND CRIME PANEL

Report

Date considered:	2 July 2021
Title:	Annual Complaints Report
Contact:	Democratic Services Officer to the Panel
Email:	Hampshire.pcp@hants.gov.uk

1. Executive Summary

- 1.1 This purpose of this report is to provide the Hampshire Police and Crime Panel (PCP) with an overview of the work undertaken by the PCP's Complaints Sub-Committee over the previous 12 calendar months.

2. Contextual Information

- 2.1 The PCP is responsible for handling complaints made against the Police and Crime Commissioner for Hampshire (PCC), and for informally resolving non-criminal complaints, as well as complaints or conduct matters that are referred back to the Panel by the IOPC.
- 2.2 The PCP is also required to forward any 'serious' complaint it receives against the PCC to the IOPC. The definition of a 'serious' complaint is 'a qualifying complaint made about conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence'¹.
- 2.3 At its meeting on 19 October 2012, the PCP agreed protocols for how it would handle such complaints. This included the delegation of the initial stages of the complaints handling system to the Chief Executive of the Office of the Police and Crime Commissioner for Hampshire. Should the delegated officer determine that a complaint received should be considered by the PCP's Complaints Sub-Committee, it will be recorded as such and referred to the Panel scrutiny officer.

¹ As per paragraph 2(6) of Schedule 7 to the Police Reform and Social Responsibility Act 2011

- 2.4 The complaints protocol is reviewed regularly to determine if any amendments need to be made. The current version was revised and agreed at the 7 February 2020 meeting.
- 2.5 The complaints procedure is displayed on the PCP's web pages, and can be found below:
<https://documents.hants.gov.uk/partnerships/hampshire-pcp/PCP-ProtocolfortheInformalComplaintsProcedure.pdf>
- 2.6 Each complaint recorded will be subject to an 'informal resolution' process, described in the complaints procedure. Prior to undertaking this, the Complaints Sub-Committee has the opportunity to 'dis-apply' the informal resolution process, should the complaint fall into a number of categories outlined in legislation.

3. Complaints Sub-Committee

- 3.1 The Membership of the Complaints Sub-Committee during the 2019/20 municipal year was as follows:
- Councillor John Beavis
 - Councillor Tony Jones
 - Councillor Ken Muschamp
 - Bob Purkiss MBE (Chair)
 - Councillor Jan Warwick
- 3.2 The Sub-Committee received legal advice from Portsmouth City Council.

4. Complaints Activity – June 2020 to June 2021

Potential Complaints against the PCC

- 4.1 Ten potential complaints were received by the delegated officer between 23 June 2020 and 22 June 2021 (see *Table 1*). All ten of the complaints were received during Michael Lane's term in office as PCC.
- 4.2 This represents an increase from the previous reporting period (June 2019 - June 2020), when three potential complaints were received, however only two of the ten complaints were recorded during 2020-21, which is comparable to the previous year when one complaint was recorded. (see *Table 1*)

Complaints Received – Delegated Officer	No. of Complaints
Potential complaints received	10
- Not recorded as a complaint against the PCC	8
- Recorded as a complaint against the PCC	2
- Recorded as a potential 'serious' complaint against the PCC	0

Table 1

Meetings of the Complaints Sub-Committee

4.3 The Complaints Sub-Committee met on one occasion during the last 12 months. Further details of the date and papers for this meeting can be viewed online

<http://democracy.hants.gov.uk/ieListMeetings.aspx?Committeeld=671>

Outcomes of the Complaints Sub-Committee meetings

4.3 At the time of writing:

- No complaints were on-going.
- No complaints had been referred to the IOPC.
- The informal resolution process had been dis-applied for one complaint.
- One complaint had been informally resolved without action, but with recommendation to the PCC
- The unreasonable complaint policy had not been applied during the period June 2020 - June 2021 (see Table 2)

Complaints Conclusions	Number of Complaints
Informal resolution process dis-applied	1
Referred to the IPCC	0
Resolved prior to consideration	0
Informally resolved without action	1
Informally resolved with action plan	0
Unreasonable complainant policy applied	0
Complaint still ongoing	0
Complaint withdrawn by complainant	0

Table 2

5 Recommendations

5.1 That the annual complaints report is noted.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

Procedure for dealing with complaints against the Police and Crime Commissioner (Last updated October 2018)

<http://documents.hants.gov.uk/partnerships/hampshire-pcp/PCP-ProtocolfortheInformalComplaintsProcedure.pdf>

HAMPSHIRE POLICE AND CRIME PANEL

Report

Date considered:	2 July 2021		
Title:	Police and Crime Panel – Financial Monitoring leading to 2022/23 grant budget agreement		
Contact:	Anne Hibbert, Corporate Accounting Manager		
Tel:	0370 779 7883	Email:	anne.hibbert@hants.gov.uk

1. Executive Summary

- 1.1. The Police Reform and Social Responsibility Act 2011 (“the Act”) requires the Police and Crime Panel (PCP) to make arrangements regarding the manner in which funds paid by the Secretary of State are used to meet the costs of the Panel.
- 1.2. The purpose of this paper is to report the final position against the 2020/21 budget, the part year performance against the 2021/22 budget for the Police and Crime Panel, a revised budget for 2021/22 and a proposed budget for the panel for 2022/23. The timing of this annual report was brought forward last year to meet the requirements of the Home Office to claim by 31 July the second and final grant relating to the financial year just ended. If required, the Panel will be updated later in the year regarding the financial position for the current year and the proposed budget for next financial year. The grant claim needs to include a performance report, which is presented at item 10 of this agenda as the Panel’s Annual Report.

2. Contextual Information

- 2.1. The Government made available a grant of £71,700 for the full year for 2020/21 (based on 20 Panel members). The total costs of running the Panel were contained within the Government funding.
- 2.2. The grant is paid by the Home Office in two instalments over the year. Only spend relating to the two six-month periods can be claimed. Spend in excess of the grant would need to be funded by the authorities in equal shares unless agreed otherwise.
- 2.3. The grant value for 2021/22 has not yet been confirmed by the Home Office. For the purposes of this report a budget of £71,700 is assumed being available for the full year (the same amount as 2020/21). For the purposes of proposing a budget for the Panel for 2022/23 the same amount of grant is assumed for 2022/23.

- 2.4. The budget is based on the assumption that there will normally be four meetings of the Panel a year. Any decision to increase the number of Panel meetings will have an impact on the total estimated costs.
- 2.5. Another factor which impacts on the cost of supporting the Panel is the number of complaints which the PCP is required to consider.
- 2.6. The largest cost to the budget is the officer time spent in support of the PCP and its working groups. An analysis of time spent in prior years together with a view of forward expectations was used to calculate support costs and assist with budget estimates. This information has been used as the basis of the fixed support service charges as explained in section 4.

3. Final Financial Position for 2020/21

- 3.1. Appendix 1 shows the 2020/21 final spend against the budget set for that year. In total £59,843 of the £71,700 available grant was required and has been claimed. This equated to an underspend of £11,857 against the budgeted amount of £71,700.
- 3.2. A significant contributing factor to the underspend was the outbreak of Covid-19 from March 2020, which required Panel meetings, briefings and training events to be held virtually. This resulted in zero spend against room hire, travel and catering budgets which had been anticipated to total £3,300, alongside reduction in printing and other costs normally met in year.
- 3.3. Legal and Complaints Handling costs were £7,568 below the budgeted amount. They include a payment of £2,172 to Portsmouth City Council Legal Services and £560 to Hampshire County Council Corporate Compliance for support with Freedom of Information and Complaints. Underspend within this area can mostly be attributed to the holding of virtual meetings, which required less time commitment from the Legal Adviser, and a reduction in the level of complex complaints requiring the Panel's review during the year.
- 3.4. The balance of the overall underspend against the grant related to minor variations against a number of budget lines.

4. Current Financial Position and Revised Budget for 2021/22

- 4.1. Appendix 2 shows the 2021/22 projected spend against the budget set out for the year. It forecasts that all of the £71,700 budgeted available grant will be used, as the Panel returns to meeting in person in accordance with legislative requirements.
- 4.2. A fixed annual charge for support services has previously been agreed which has greatly simplified the approach to budgeting and forecasting. The fixed charge was calculated using time analysis from prior years together with a view of forward expectations linked to the work programme of the panel. This is kept under review and no significant change in overall officer time is currently anticipated.

- 4.3. Legal and Complaints Handling costs predominately arise from work associated with complaints to the Police and Crime Panel. Current costs as at 18th June are £0. Without being able to predict future complaints, the projected costs for 2021/22 have remained as per the budgeted amount. Additional legal costs may arise from support provided by the legal adviser to meetings of the Panel, including participation in meetings, as well as costs associated with requests made under the Freedom of Information Act 2000 and other compliance matters.
- 4.4. Appendix 2 shows a revised budget for 2021/22. In line with point 5.1 a revised budget is proposed to increase the training budget from £1,500 to £1,800. This has been offset by a reduction in the budget required for printing in 2021/22. The additional costs against training are expected to be one off following changes in Panel Membership this year and therefore the proposed budgets for 2022/23 remain unchanged.
- 4.5. All other areas are projected to be either in line with the agreed budget figures or, where variances against the budgeted amounts occur, the values are minimal.
- 4.6. In the event of any additional Special Responsibility Allowances being required at a later date, the level of support services and the associated charge may need to be reviewed to ensure that the overall costs of the PCP do not exceed the funds available.

5. Covid-19 Impact

- 5.1. The duration and scale of the impact of the Covid-19 pandemic on the work and budget of the Panel is unknown. Formal meetings will be held in public, including meetings of the Complaints Sub-Committee, however the Panel intends to make use of the flexibility of virtual meetings for other informal briefings and meetings, to generate savings in both Member time and travel expenditure. These savings are likely to be balanced by a potential increase in training expenditure to support the development of the Panel, following a substantial change in Membership following the 2021 local elections.
- 5.2. Member travel expenses have exceeded the budget in previous years, however savings in other areas have mitigated this increase. Whilst there is an expectation that travelling costs will reduce this year, with at least some meetings being held virtually, the budget has been maintained at £1,000 for 2021/22 in order to establish a benchmark for future years.

6. Legal Support to the Panel

- 6.1. As part of a regular review process, the contract for legal support was re-tendered for the period from April 2020 in accordance with Hampshire County Council's Contract Standing Orders (acting as the Panel's lead Authority and legal body). The contract was awarded to Portsmouth City Council Legal Services, following a successful bid, and was agreed on the basis of a 12-month rolling contract to be renewed for a maximum of four years.

7. Proposed budget for 2022/23

- 7.1. Appendix 2 also shows a proposed budget for 2022/23 which assumes the Government grant is unchanged and with expenditure likely to return to that reported prior to the outbreak of the Covid-19 pandemic.

8. Recommendations

The Panel is recommended to:

- 8.1. Note the final financial position for 2020/21.
- 8.2. Note the current performance against the budget for this financial year.
- 8.3. Agree the revised budget for 2021/22.
- 8.4. Agree the proposed budget for the panel for 2022/23, subject to confirmation of the Government grant for 2022/23.

POLICE AND CRIME PANEL
Final Budget Position for 2020/21

ITEM	2020-21 Budget	2020-21 Actuals	Variance
	£	£	£
Travelling – Members	1,000	0	(1,000)
<u>Special Responsibility Allowances</u>			
Chair	0	0	0
Co-opted Members	1,400	1,446	46
Members Training	1,500	890	(610)
Printing & Stationery	500	131	(369)
Refreshments	600	0	(600)
Room Hire + other expenses e.g. web costs	1,300	0	(1,300)
Miscellaneous expenses	100	45	(55)
Legal and Complaints Handling Costs	10,300	2,732	(7,568)
Communications & Web Team	1,400	1,400	0
Democratic, Policy & Scrutiny	48,000	48,000	0
Finance & Budget Support	5,200	5,200	0
Officer travel	400	0	(400)
Totals	71,700	59,843	(11,857)
Grant	71,700	59,843	(11,857)

POLICE AND CRIME PANEL

**Original and Revised Budget Position for 2021/22
and Proposed Budget for 2022/23**

ITEM	2021/22 Budget	2021/22 Revised Budget	2021/22 Actuals	2021/22 Projected	2022/23 Proposed Budget
	£	£	£	£	£
Travelling – Members	1,000	1,000	0	1,000	1,000
<u>Special Responsibility Allowances</u>					
Chair	0	0	0	0	0
Co-opted Members	1,400	1,400	241	1,400	1,400
Members Training	1,500	1,800	0	1,500	1,500
Printing & Stationery	500	200	2	500	500
Refreshments	600	600	0	600	600
Room Hire + other expenses e.g. web costs	1,300	1,300	0	1,300	1,300
Miscellaneous expenses	100	100	0	100	100
Legal and Complaints Handling Costs	10,300	10,300	0	10,300	10,300
Communications & Web Team	1,400	1,400	350	1,400	1,400
Democratic, Policy & Scrutiny	48,000	48,000	12,000	48,000	48,000
Finance & Budget Support	5,200	5,200	1,300	5,200	5,200
Officer travel	400	400	0	400	400
Totals	71,700	71,700	13,893	71,700	71,700
Grant	71,700	71,700		71,700	71,700
Shortfall / (Surplus)	0	0		0	0

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

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HAMPSHIRE POLICE AND CRIME PANEL

Report

Date considered:	2 July 2021
Title:	Membership of Sub-Committee and Working Groups
Contact:	Democratic Services Officer to the Panel
Email:	Hampshire.pcp@hants.gov.uk

1. Executive Summary

- 1.1 The purpose of this paper is to set out the proposed membership of the working groups and sub-committee that operate under the Hampshire Police and Crime Panel (PCP).

2. Sub-Committee and Working Groups

Complaints Sub-Committee

- 2.1 The PCP is responsible for handling complaints made against the Police and Crime Commissioner for Hampshire (PCC), and for informally resolving non-criminal complaints, as well as complaints or conduct matters that are referred back to the Panel by the IOPC.
- 2.2 At its meeting on 19 October 2012, the PCP agreed that all complaints received should be considered by a Complaints Sub-Committee. The terms of reference for this Sub-Committee are attached as Appendix One.
- 2.3 This Sub-Committee meets on an ad hoc basis. In the previous year, the Sub-Committee met once.
- 2.4 The Sub-Committee is appointed on a politically proportionate basis and is made up of five members. Membership includes one of the PCP's two independent co-opted Members, who shall be appointed Chairman.
- 2.5 It is suggested that, as in previous years, the Chairman of the Panel will not be a member of this Sub-Committee. This will enable the Chair to be independent of the process should an issue relating to the handling or outcome of a complaint arise.
- 2.6 It is recommended that the membership of this working group remain at five members.

Police and Crime Plan Working Group

- 2.7 The PCP created the Police and Crime Plan working group following the election of the Police and Crime Commissioner in May 2016, in order to review the draft Police and Crime Plan. It has remained active since this time for the purpose of monitoring the implementation plan and drafting and

leading the work-programme for proactive scrutiny sessions. The terms of reference for this working group is attached as Appendix two.

- 2.8 The Police and Crime Plan working group met three times in the last year, with meetings are scheduled in advance.
- 2.9 It is recommended that the membership of this working group remain at five members.

Finance Working Group

- 2.10 The PCP set up the Finance working group in 2012/13 in order to scrutinise the proposed budget and related financial papers prior to the PCP's review of the proposed precept. Since this time, it has continued to meet in order to review information in advance of the annual scrutiny of the proposed precept. The terms of reference for this working group is attached as Appendix three.
- 2.11 The Finance working group met four times in the last year, with meetings scheduled in advance wherever possible.
- 2.12 It is recommended that the membership of this working group remain at five members.

Equality and Diversity Working Group

- 2.13 At its meeting of 2 October 2020, the Panel agreed to create an Equality and Diversity working group to scrutinise and support the Commissioner's pledge to support vibrant and inclusive communities across Hampshire and the Isle of Wight and to enhance the work of the PCP in their statutory responsibility to contribute to the development of the Police and Crime Commissioner's (PCC) Police and Crime Plan. The terms of reference for this working group is attached as Appendix four.
- 2.14 The Equality and Diversity working group met twice in the last year, with meetings scheduled in advance.
- 2.15 It is recommended that the membership of this working group remain at five members.

3 Recommendations

- 3.1 That the Panel agree the final membership of the Complaints Sub-Committee, Police and Crime Plan working group, Finance working group and Equality and Diversity Working Group for the 2021/22 municipal year.**

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

N/A

N/A



COMPLAINTS SUB-COMMITTEE

TERMS OF REFERENCE

1. Role and Purpose of the Complaints Sub-Committee

The Complaints Sub-Committee is a permanent sub-committee of the Hampshire Police and Crime Panel (PCP), with membership agreed annually at the Panel's Annual Meeting.

The PCP is responsible for handling complaints made against the Police and Crime Commissioner (PCC) or the Deputy Police and Crime Commissioner (DPCC) (should one be appointed). The Complaints Sub-Committee's purpose is to review and determine all complaints made against the PCC and DPCC in line with the Panel's 'complaints protocol'.

2. Scope of the Complaints Sub-Committee

Objectives:

1. To review and determine any complaint received against the PCC or DPCC in line with the Panel's 'complaints protocol', which makes allegations of a breach of the PCC's code of conduct. In discharging their duties the Complaints Sub-Committee shall have regard to:
 - The Code of Conduct of the PCC/DPCC;
 - Whether the complaint discloses a specific conduct failure on the part of the PCC/DPCC, identifiable within the Code of Conduct of the PCC/DPCC, or whether it relates to operational matters of the constabulary, and operational policing matters in which the PCC has no authority;
 - The remedies available to it;
 - All other relevant considerations.

In undertaking their responsibilities, the sub-committee will consider how any action plan or recommendation made following determination of a complaint will seek to resolve a complaint, and support the PCC in avoiding future complaints of a similar nature.

Exclusions:

The sub-committee will only consider complaints which appear to be qualifying complaints within the meaning of section 31(1)(a) of the Police Reform and Social Responsibility Act 2011.

In accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 and any amending legislation, the Complaints Sub-Committee may not conduct an investigation. The Complaints Sub-Committee may exercise its delegated powers to require the person complained against to provide information or documents or attend before it to answer questions or give evidence, as this will not be regarded as an investigation. However, any other step intended to gather information about the complaint, other than inviting the comments of the complainant and the person complained against, will be likely to amount to investigation.

If, at any stage, the IOPC informs the PCP that they require the complaint to be referred to them, the sub-committee will do so on behalf of the PCP. If matters come to light during the resolution process which indicates the commission of a criminal offence, the complaint must be referred to the IOPC by the sub-committee as a potential 'serious complaint' and any resolution process suspended.

3. Method

The sub-committee meet on an ad-hoc basis in response to complaints activity, in accordance with the 'complaints protocol'

As a sub-Committee of the Panel access to information rules for the public will apply to these meetings. Circulation of Agenda's and minutes will be in accordance with Rule 4 of the Panel's Rule of Proceedings.

It is anticipated that, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public will be excluded for the consideration and determination of the complaint/s, at any meeting, on the grounds that the reports(s) contain or there may otherwise be disclosed information which is defined as exempt in Part 1 of Schedule 12A to the Local Government Act 1972, where the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

At any stage, members of the sub-committee or their supporting officers may seek legal advice from the Panel's legal adviser.

4. Membership

The Membership of the sub-committee is determined during the Annual Meeting of the Panel

The sub-committee shall be appointed on a politically proportionate basis and made up of five members. Membership shall include one of the PCP's two independent co-opted Members, who shall be appointed Chairman.

If during any meeting of the sub-committee, the Chair after counting the number of members present declares that there is not a quorum¹ present the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned to a time fixed by the Chair.

5. Outcomes

The Complaints Sub-Committee will provide an annual report to the AGM of the PCP, held in public, setting out complaints activity during the previous 12 calendar months.

Annexe

Background

The PCP is responsible for handling complaints made against the Police and Crime Commissioner for Hampshire, and for informally resolving non-criminal complaints, as well as complaints or conduct matters that are referred back to the Panel by the Independent Police Complaints Commission. In 2012, the PCP agreed that all complaints received should be considered by a Complaints Sub-Committee, in accordance with its agreed 'Complaints protocol'.

Further information can be found online:

<http://www3.hants.gov.uk/hampshire-pcp/pcc-complaints.htm>

¹ The Quorum for meetings of the sub-committee is three Members, in accordance with the Local Government Act 1972.



POLICE AND CRIME PLAN WORKING GROUP

TERMS OF REFERENCE

1. Role and Purpose of the Police and Crime Plan Working Group

The Police and Crime Plan Working Group is a permanent working group of the Hampshire Police and Crime PCP (PCP), with membership agreed annually at the PCP's Annual Meeting.

The Police and Crime Plan Working Group's purpose is to take a lead on the PCP's proactive scrutiny work programme as well as supporting the PCP in their statutory responsibility to contribute to the development of the Police and Crime Commissioner's (PCC) police and crime plan.

2. Scope of the Police and Crime Plan Working Group

Objectives:

2. *To take a lead in the PCP's scrutiny of delivery against the police and crime plan. Key activities include:*
 - a. Reviewing the draft police and crime plan, ahead of its scrutiny by the full PCP. Through this activity Members of the working group will make recommendations to the PCC.
 - b. Reviewing any subsequent updates to the police and crime plan as required.
 - c. *Reviewing and scrutinising quarterly performance data, provided by the OPCC, outlining delivery against the objectives of the police and crime plan. Through this review the working group should identify key points of interest and/or concern to be brought forth to the full Panel meeting.*
3. To take a lead on the PCP's proactive scrutiny work programme. Key activities include:
 - Making recommendation to the full PCP upon themes for the proactive scrutiny reviews
 - Drafting the scope for proactive scrutiny sessions, including the identification of written witnesses to approach for written and oral evidence, and lines of enquiry for the review.

- Reviewing written evidence received and identifying lines of enquiry for and oral witnesses to invite to the public evidence sessions.
- Leading the drafting of scrutiny reports prior to full PCP approval, including the identification of conclusion and recommendation areas.
- Reviewing the PCC's response to the recommendations of the PCP's scrutiny reports and monitoring progress against the recommendations made.

In undertaking their responsibilities, the working group will consider how outcomes from scrutiny reviews can support the PCC in the delivery of the police and crime plan and inform and enhance the approach to tackling crime and improving community safety across Hampshire and the Isle of Wight.

Exclusions:

The working group will only consider matters which relate to the role and duties of the PCC, and not those which specifically regard operational policing or the responsibility of other statutory bodies.

3. Method

The working group will meet a minimum of four times per year, with additional meetings scheduled in advance as required to support the review of the police and crime plan or the needs of the scrutiny programme. The four scheduled meetings will take place approximately six weeks before date of the full PCP meetings. As a working group of the Panel, meetings will not usually be held in public, and access to information rules for the public will not apply to these meetings.

The working group may call on any member of the PCP to join them as an 'expert' adviser, in order to support the effective discharge of their responsibilities.

Where the working group requires further information in order to enhance the efficiency of the proactive scrutiny work programme, such information will be requested.

Additionally members of this working group will usually represent the PCP at conferences hosted by the Office of the Police and Crime Commissioner for Hampshire (OPCC) and other organisations which focus upon on the thematic scrutiny topics being reviewed and considered by the PCP.

4. Membership

Membership for the year is determined during the Annual Meeting, where Members can volunteer for nomination to the working group, with the final membership agreed by the full PCP.

The working group shall be made up five members. All members of the PCP are eligible for membership and the working group should, where possible, seek to be a cross party group.

The working group may request additional members of the PCP to contribute to the activities of the working group as they find advantageous in the course of their considerations. The working group may also invite representatives of the OPCC or other expert advisers to attend meetings in order to provide advice, but these members will not be full members of the working group.

5. Outcomes

The working group will provide reports and updates, including outlining any recommendations, to the formal meetings of the Panel.

Annexe

Background

The Police and Crime Plan Working Group was set up on 2012 in order to review the draft Police and Crime Plan prior to the PCP's scrutiny of it in March 2013.

The PCP agreed at their January 2014 meeting to build on the 'statutory functions' by moving to a fuller work-programme focusing on core elements of the PCC's Police and Crime Plan. This included an agreement to:

- Hold two sessions at each meeting, with the morning session agenda items relating to the PCP's statutory functions and the afternoon session hosting a proactive scrutiny evidence gathering session.
- Hold additional meetings of the Police and Crime Plan working group in order to set the agenda for the afternoon sessions of the PCP, which would be based on the priorities of the Police and Crime Plan.
- Plan scrutiny sessions in advance so that information can be invited from the PCC, key partner stakeholders, and the public (written and oral evidence as specified by the members) in a timely fashion.

- Report to the PCC conclusions and recommendations outlining the PCP's findings following their scrutiny session.

The Plan Working Group has remained active since this time for the purpose of monitoring the implementation plan and through this to set themes for the proactive scrutiny and lead on the work in this area on behalf of the PCP.

Further information can be found online:

<http://www3.hants.gov.uk/hampshire-pcc/pcc-proactivescrutiny.htm>



FINANCE WORKING GROUP

TERMS OF REFERENCE

1. Role and Purpose of the Finance Working Group

The Finance Working Group is a permanent working group of the Hampshire Police and Crime PCP (PCP), with membership agreed annually at the PCP's Annual Meeting.

The Finance Working Group's purpose is to take a lead on and support the PCP in their statutory responsibility to review the Police and Crime Commissioner's (PCC) annually proposed precept.

2. Scope of the Finance Working Group

Objectives:

To review and interrogate the supporting information (including the budget and related financial papers) prepared by the PCC in advance of consideration by the PCP to support the PCC's precept. Through this activity Members of the working group will review the position leading into precept setting and agree the information to be presented to the full Panel to support their scrutiny, and to better enable the Panel to prepare a report to the PCC on that proposed precept.

In undertaking their responsibilities, the working group will consider how outcomes from their work will help to support the PCP to enable them to comply with their duty under schedule 5 of the Police Reform and Social Responsibility Act 2011, to deliver effective financial scrutiny of the PCC and reach an informed decision when considering the proposed precept, and issuing its report.

3. Method

The working group will meet a minimum of two times per year, with additional meetings scheduled in advance as required to support the review of the PCC's proposed precept. Meetings are scheduled in advance of the meeting of the full Panel in January each year, when the PCP will consider the PCC's proposed precept, and following notification

from the Office of the Police and Crime Commissioner (OPCC) that the draft budget and related financial papers are available for review. As a working group of the Panel, meetings will not usually be held in public, and access to information rules for the public will not apply to these meetings.

The working group may call on any member of the PCP to join them as an 'expert' adviser, in order to support the effective discharge of their responsibilities.

Where the working group requires further information in order to enhance the efficiency of their financial scrutiny such information will be requested.

Additionally, members of the finance working group or their supporting officers may seek advice from Hampshire County Council's finance officers, as the present administrative authority for the PCP.

4. Membership

Membership for the year is determined during the Annual Meeting, where Members can volunteer for nomination to the working group, with the final membership agreed by the full PCP.

The working group shall be made up five members. All members of the PCP are eligible for membership and the working group should, where possible, seek to be a cross party group.

The working group will co-opt any additional members as they may find advantageous in the course of their considerations. The working group may also invite representatives of the OPCC or other expert advisers to attend meetings in order to provide advice, but these members will not be full members of the working group.

5. Outcomes

The working group will deliver a briefing to the full Panel meetings, held in public, ahead of their scrutiny of the PCP's proposed precept.

Annexe

Background

The PCP set up the Finance working group in 2012/13 in order to scrutinise the proposed budget and related financial papers prior to the PCP's review of the proposed precept. Since this time, it has continued to meet in order to review information in advance of the annual scrutiny of the proposed precept.



EQUALITY AND DIVERSITY WORKING GROUP

TERMS OF REFERENCE

2. Role and Purpose of the Working Group

The Equality and Diversity Working Group is a permanent working group of the Hampshire Police and Crime PCP (PCP), with membership agreed annually at the PCP's Annual Meeting.

The Equality and Diversity Working Group's purpose is to take a lead on scrutinising and supporting the Commissioner in his pledge to support vibrant and inclusive communities across Hampshire and the Isle of Wight and to enhance the work of the PCP in their statutory responsibility to contribute to the development of the Police and Crime Commissioner's (PCC) police and crime plan.

2. Scope of the Working Group

Objectives:

4. To review progress made and initiatives driven by the Police and Crime Commissioner to enhance equality and diversity through vibrant and inclusive communities. This responsibility also extends to reviewing delivery of the Police and Crime Plan, where pledges related to Equality and Diversity are identified.
5. To take a lead on the matters of Diversity and Equality on behalf of the Panel. Key activities include:
 - Meeting with the OPCC to discuss matters of concern and interest.
 - Making recommendation to the full PCP upon areas for note or further scrutiny.
 - Reviewing the PCC's response to any recommendations made by the PCP in respect of Equality and Diversity and monitoring progress against the recommendations made.

In undertaking their responsibilities, the working group will consider how outcomes from their work can support the PCC in the delivery of

the police and crime plan and inform and enhance equality and diversity across Hampshire and the Isle of Wight.

Exclusions:

The working group will only consider matters which relate to the role and duties of the PCC, and not those which specifically regard operational policing or the responsibility of other statutory bodies.

3. Method

The working group will meet a minimum of four times per year, with additional meetings scheduled in advance as required. As a working group of the Panel, meetings will not usually be held in public, and access to information rules for the public will not apply to these meetings.

The working group may call on any member of the PCP to join them as an 'expert' adviser, in order to support the effective discharge of their responsibilities.

Where the working group requires further information in order to enhance the efficiency of their work information will be requested.

Additionally, members of this working group will usually represent the PCP at conferences hosted by the Office of the Police and Crime Commissioner for Hampshire (OPCC) and other organisations which focus upon on Equality and Diversity.

4. Membership

Membership for the year is determined during the Annual Meeting, where Members can volunteer for nomination to the working group, with the final membership agreed by the full PCP.

The working group shall be made up five members. All members of the PCP are eligible for membership and the working group should, where possible, seek to be a cross party group.

The working group may request additional members of the PCP to contribute to the activities of the working group as they find advantageous in the course of their considerations. The working group may also invite representatives of the OPCC or other expert advisers to attend meetings in order to provide advice, but these members will not be full members of the working group.

5. Outcomes

The working group will provide reports and updates, including outlining any recommendations, to the formal meetings of the Panel.

Annexe

Background

It was recommended and agreed at a meeting of the Police and Crime Panel in July 2020 that a working group be created to focus on matters of Equality and Diversity. Terms of Reference and initial membership of the working group are to be agreed at the meeting of the Panel in October 2020.

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HAMPSHIRE POLICE AND CRIME PANEL

Report

Date considered:	2 July 2021
Title:	Update to Governance Documents
Contact:	Democratic Services Officer to the Panel
Email:	hampshire.pcp@hants.gov.uk

1. Executive Summary

- 1.1 The purpose of this report is to set out revised governance documents previously adopted by the Hampshire Police and Crime Panel (PCP).

2. Governance Documents

Confirmation hearing protocol

- 2.1. The protocol outlines the process the Panel will undertake when notified of the need to hold a confirmation hearing under schedules 1 or 8 of the Police Reform and Social Responsibility Act 2011.
- 2.2. Minor changes have been made to update wording throughout the document for accuracy.
- 2.3. The updated protocol can be found at appendix one.

3. Recommendations

- 3.1. That the Panel agrees the updated Confirmation Hearing Protocol.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
N/A	N/A

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Hampshire Police and Crime Panel
Confirmation Hearing Protocol

Schedule 1 and 8 Appointments

Notification

- When the Police and Crime Commissioner (PCC) commences a recruitment exercise (in whatever form that may take) with a view to making:
 - (a) a Schedule 1 appointment i.e. that of the PCC's Chief Executive, Chief Finance Officer or a Deputy Police and Crime Commissioner; or
 - (b) a Schedule 8 appointment i.e. that of a Chief Constable,they will inform the Panel's democratic support officer that such steps are being taken, and the likely timeframe involved, so that preliminary arrangements can be made to schedule a confirmation hearing.
- When, in accordance with the Police Reform and Social Responsibility Act 2011 (the Act), the PCC notifies the Panel of a proposed Schedule 1 or 8 appointment, the PCC must provide the Panel with the following information:
 - (a) the name of the person whom the PCC is proposing to appoint (the candidate);
 - (b) the criteria used to assess the suitability of the candidate for the appointment;
 - (c) why the candidate satisfies those criteria; and
 - (d) the terms and conditions on which the candidate is to be appointed.
- At the same time as they notifies the Panel of the proposed appointment, the PCC will also normally provide the Panel with the background information that the PCC has had access to during the rest of the appointment process e.g. the role profile, the candidate's CV, application and/or personal statement (suitably redacted of any sensitive personal or operational information), any references etc. The PCC will advise the candidate's referees that the references they submit will be put on public deposit to assist the Panel in the performance of its duties.

Immediate steps following notification

- The Panel must, within three weeks of receiving the PCC's notification, hold a confirmation hearing for the Panel to review the proposed appointment and make a report on it to the PCC. Therefore, on receipt

of the PCC's notification, the Panel's democratic support officer will by the end of the next working day after receiving the PCC's notification:

- convene a public meeting of the Panel to be held within 19 days of receiving the PCC's notification (this meeting will not normally be used for any other business) and confirm the date of the confirmation hearing to the Members of the Panel;
- arrange a private pre-meeting for the Chair and Vice-Chair of the Panel normally to take place at least three working days before the confirmation hearing (not normally to be held immediately before the confirmation hearing to allow sufficient time for any unexpected issues, or gaps in information provided, to be addressed) and confirm the date of the pre-meeting to the Chair and Vice-Chair. The Panel's democratic support officer will notify the Panel's legal adviser and a senior HR representative (from the lead authority) of the date of the pre-meeting so that specialist and technical advice will be available to the Panel; and
- prepare a letter to the candidate which:
 - (a) requests them to appear at the confirmation hearing for the purpose of answering questions relating to the appointment;
 - (b) advises them of the date of the hearing;
 - (c) notifies them of the principles on which the Panel will normally evaluate the candidate (see below);
 - (d) refers to the relevant statutory provisions; and
 - (e) advises them that the information provided by the candidate will normally need to be put on public deposit (as if it were a standard report going to the Panel).

Preparing for the confirmation hearing

- Prior to the private pre-meeting, the Panel's democratic support officer will draw together a list of relevant issues for the Chair and Vice Chair to consider, in particular highlighting possible question topics and themes, and background information on which Members might wish to focus. The Chair and Vice Chair will consider these at their private pre-meeting and determine a final draft for the Panel's consideration.
- Following the pre-meeting, the Panel's democratic support officer will circulate this information electronically to all Members of the Panel for their consideration and comment. The aim of this process is to enable the necessary preparatory work to be undertaken as efficiently as possible within the tight timescale but to ensure that all Members of the Panel have the opportunity to consider the relevant issues and lines of questioning, and raise any queries, prior to the confirmation hearing itself. The Panel's democratic support officer will also remind Members of the process taken at the hearing.

At the confirmation hearing

- The Chair will open the meeting and will outline the key themes that the Panel hopes to explore. The Chair will explain the process for approval, refusal or, where the proposed appointment is that of Chief Constable, veto of appointments and will allow the candidate to ask any procedural questions.
- The Panel will normally focus on issues of professional competence (this relates to the candidate's ability to carry out the role, his/her professional judgment and insight) and personal independence (this relates to the need for a candidate to act in a manner that is operationally independent of the PCC, the ability to advise the PCC effectively and to understand the need to respond constructively in situations where they might be held to account by the Panel).
- At the end of the session, the candidate will be given the opportunity to clarify any answers given and ask any questions of the Panel. Immediately following the hearing, the Panel will go into closed session to decide on its recommendations, taking legal and HR advice as necessary.

Decision-making by the Panel

- The Panel's decision-making process, will normally comprise two linked steps:
 - Taking account of the minimum standards of professional competence and personal independence, does the candidate meet the criteria set out in the role profile?
 - (a) do they have the professional competence to carry out the role?
 - (b) do they have the personal independence to carry out the role?
 - Should, consequently, the Panel:
 - (a) recommend that the candidate should be appointed; or
 - (b) recommend that the candidate should not be appointed or,
 - (c) in the case of a Chief Constable appointment, use its power of veto
- Where a candidate does not meet the minimum standards, it will normally be self-evident (thus indicating a failure in the appointments process to date) and, in the case of a Chief Constable appointment, the Panel may decide to exercise its power of veto. Where the candidate meets these standards, but there is still cause for concern about their suitability, the Panel may outline these concerns in its response to the PCC. Where a Schedule 1 candidate does not meet the minimum

standards, the Panel has no power of veto but may provide advice to the PCC in the form of a letter.

Making recommendations on Schedule 1 and Chief Constable appointments

- The Panel may decide to recommend to the PCC that the appointment be made, or that it not be made. A recommendation that an appointment is not made is not, as in the case of a Chief Constable appointment, the same as a veto (see below) and the PCC can still choose to appoint the candidate.
- The Chair will make an informal communication on the decision of the Panel to the PCC by the end of the working day on which the Confirmation Hearing is held.
- By the next working day after the Panel has made its decision, the Panel's democratic support officer will, in consultation with the Chair of the Panel, send a report on the proposed appointment to the PCC confirming the Panel's recommendation as to whether or not the candidate should be appointed. The report will be copied to the candidate. Where the Panel is recommending refusal, a summary of the principal reasons will be included.
- The Panel will normally publish its decision and report three working days after the Confirmation Hearing has taken place. In exceptional circumstances, the PCC may request to the Chair that the Panel bring forward or delay publication of the decision. In such cases, the Chair will liaise with the PCC in such cases to agree a proposed way forward, and a final decision on any such proposal will be taken by the Panel.
- In response to the Panel's report, the PCC must notify the Panel whether they will accept or reject the Panel's recommendation. Where the Panel has recommended refusal and the PCC continues with the appointment, they will normally make a response at the same time as the publication of the Panel's report, focusing on why they felt that the candidate did in fact meet the minimum standards for the post. If, before the result of the appointments process is made public, the candidate withdraws from the process only the Panel's report, and no other information from either the PCC or the Panel, will be published. Where the PCC decides not to appoint, the Panel's report will normally be published alongside a statement by the PCC setting out a timetable and process to make a new appointment.
- The Panel will not liaise with the candidate, either directly or through any officer, in relation to the Panel's decision

The veto (for Chief Constable appointments only)

- The veto will normally only be exercised in exceptional circumstances, e.g., where it is clear to the Panel that there has been a significant failure of the 'due diligence' checks carried out earlier in the appointments process, to the extent that the candidate is not 'appointable'.
- The Panel has the power to veto a Chief Constable appointment only in the three-week period starting with receipt of the PCC's notification.
- Where the Panel decides (on a two-thirds majority of the total Panel membership) to veto the proposed appointment, on the next working day after the Panel has made its decision, the Panel's democratic support officer will, in consultation with the Chair of the Panel, send a report on the proposed appointment to the PCC confirming the Panel's decision to veto the appointment and including a summary of the Panel's principal reasons for its decision. Following this, the PCC must not appoint the candidate. The PCC will be responsible for notifying the candidate. The parties will liaise with each other over the issue of public communication of the Panel's decision. At the same time as the publication of the Panel's report, the PCC will normally publish information setting out the steps that will be taken to make another appointment.
- Following a veto of the proposed appointment, the PCC must propose another individual for appointment as Chief Constable. The PCP must, within three weeks of receiving a notification by the PCC, review the proposed appointment. The process is the same for an initial candidate and any reserve candidate following a veto, however the PCP's power of veto only applies to the first candidate.

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HAMPSHIRE POLICE AND CRIME PANEL

Report

Date considered:	2 July 2021
Title:	Work Programme
Contact:	Democratic Services Officer to the Panel
Email	hampshire.pcp@hants.gov.uk

1. Executive Summary

1.1. The purpose of this paper is to set out the work programme for the Panel.

2. Legislative Context

2.1. It is for the Panel to determine its number of meetings. It is anticipated that the Panel will require a minimum of four ordinary meetings in public in each municipal year to carry out its functions.

2.2. In addition to the scheduled ordinary meetings, additional meetings may be called from time to time, in accordance with the Panel's Rules of Procedure (see Rule 1).

2.3. The Panel may also be required to hold additional meetings should the Commissioner wish to appoint to specific posts within their staff, or should a non-serious complaint be made against the Commissioner which requires the full Panel to consider it.

3. Recommendations

3.1 That the work programme, subject to any recommendations made at the meeting, is agreed.

WORK PROGRAMME – POLICE AND CRIME PANEL

Appendix One

Item	Issue	Item Lead	Status and Outcomes	3 July 2021	29 October 2021	28 January 2022	8 April 2022
SCRUTINY ITEMS							
Precept	To consider and take a decision on the PCC's proposed precept	OPCC	To be considered January 2022			X	
OVERVIEW ITEMS							
Annual Report	To receive the annual report of the PCC for the previous year	OPCC	Date to be agreed				
Annual Report	To provide an overview of the PCPs work for the previous year.	PCP	Annual report to be considered July 2021	X			

Item	Issue	Item Lead	Status and Outcomes	3 July 2021	29 October 2021	28 January 2022	8 April 2022
PCP Grant Budget	To agree the proposed budget for the next financial year, and to review the previous years spend	PCP	Budget for 2020/21 to be agreed July 2021	X			
ONGOING ITEMS OF INTEREST							
Police Recruitment	To understand progress against police recruitment targets by Hampshire Constabulary	OPCC	Ongoing – update to each meeting of the Panel	X	X	X	X
Equality, diversity and inclusion	To understand the latest considerations in relation to matters of equality and diversity.	OPCC	Ongoing – update to each meeting of the Panel	X	X	X	X
Commissioning Strategy	To understand the PCC's commissioning strategy	OPCC	Ongoing – next date for consideration to be confirmed				

Item	Issue	Item Lead	Status and Outcomes	3 July 2021	29 October 2021	28 January 2022	8 April 2022
Estates Strategy	To understand progress made with the Estates strategy	OPCC	Ongoing – next date for consideration to be confirmed				
GOVERNANCE ITEMS							
Election of Chairman / Vice Chairman	Election of Chair and Vice Chairman for 2021/22	PCP	Occurs at each AGM	X			
Complaints against the PCC	To provide an overview annually on complaint activity	PCP	To be reviewed in July 2021	X			

Item	Issue	Item Lead	Status and Outcomes	3 July 2021	29 October 2021	28 January 2022	8 April 2022
STANDING ITEMS							
Police and Crime Plan Implementation	An update on the progress made with implementing the priorities of the Plan	OPCC	Monitoring implementation of the Police and Crime Plan	X	X	X	X

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