

## **MINUTES OF A MEETING OF THE ESSEX POLICE AND CRIME PANEL HELD AT COUNTY HALL, CHELMSFORD, ON 22 OCTOBER 2013**

Present:

### **Councillor**

Terri Sargent  
Chris Hossack  
Godfrey Isaacs  
Bob Shepherd  
Tim Young  
Gary Waller  
John Jowers  
Paul Sztumpf  
Penny Channer  
Jo McPherson  
Lynda McWilliams  
Gerard Rice  
Robert Chambers  
Kay Odysseos

### **Representing**

Basildon Borough Council  
Brentwood Borough Council  
Castle Point Borough Council  
Chelmsford City Council  
Colchester Borough Council  
Epping Forest District Council  
Essex County Council (Chairman)  
Harlow District Council  
Maldon District Council  
Rochford District Council  
Tendring District Council  
Thurrock Borough Council  
Uttlesford District Council  
Independent Member

### **Apologies for Absence**

Malcolm Buckley with Terri Sargent as his substitute	Basildon Borough Council
Graham Butland	Braintree District Council
Tony Cox	Southend Borough Council
Peter Halliday with Lynda McWilliams as his substitute	Tendring District Council
Angie Gaywood with Gerard Rice as her substitute	Thurrock Borough Council

The following Officers were in attendance throughout the meeting:

Colin Ismay, Governance Team Manager, Essex County Council, Secretary to the meeting

Paul Warren, Chief Executive, Rochford District Council

Nick Alston, the Essex Police and Crime Commissioner and Lindsay Whitehouse his Deputy were in attendance throughout supported by the following officers from his Office:

Susannah Hancock, Executive Director

Charles Garbett, Treasurer;

and by Chief Inspector Ed Wells.

## **1. Minutes**

The minutes of the meetings held on 1 August 2013 were approved as a correct record and signed by the Chairman.



## **2. Declarations of Interest**

Councillors Jowers and McPherson declared a personal interest as members of Safer Essex. Councillor McPherson also declared an interest in item 7 (Progress on Allocating Community Safety Grants 2013/14) as being employed by a recipient of a grant. Councillors Isaacs, McWilliams and Waller declared a personal interest as a Chairman of a Community Safety Partnership and Councillor Hossack as a Vice-Chairman. Councillor Young declared a personal interest as Vice-Chairman of the Essex Probation Trust Management Board.

## **3. The Evolve Programme**

As an article on the Evolve Programme had recently featured in the Colchester Gazette the Chairman asked the Commissioner if he wished to make a statement on the matter. The Commissioner explained that Essex Police must find further savings to its budget. As a key part of this process, Essex Police has launched the Evolve Programme with the aim of designing and delivering a policing model which is flexible and sustainable, allowing Essex Police to provide the best possible policing services for the years to come.

The amount of money that Essex Police receives from Central Government is forecast to reduce by £16 million over the next three years. Alongside this, over the following three years, the Force anticipates cost pressures in the region of £20 million a year. Essex Police is required to make efficiency savings of around 3-3.5 per cent of total budget in each of the next three years, with a reduction in total budget of £36 million a year by March 2017. The Commissioner and the Chief Constable have agreed a set of principles which will help shape this work.

The Commissioner considered that the Chief Constable had made a thoughtful response to the challenge and was involving officers in the process. The Commissioner will make sure the Chief Constable is abiding by the principles as he develops his proposals.

It was agreed that an update on the Evolve programme would come to the next meeting.

## **4. Appointment of Independent Members**

The Chairman updated the Panel on the process for appointing the two independent members. From a field of 18 five candidates were interviewed by Councillors Jowers and Young. They had a difficult task making a decision from an excellent shortlist all with a wealth of valuable experience to bring to the role. As a result the two positions of Independent Member have been offered to John Gili-Ross and Kay Odysseos, subject to references, and the Panel received a brief outline of their careers to date.

On behalf of the Panel the Chairman welcomed Kay Odysseos to her first meeting.

**Resolved:**

That, subject to references, John Gili-Ross and Kay Odysseos be confirmed as the two Independent Members of the Essex Police and Crime Panel.

**5. Reports from the Police and Crime Commissioner: (a) Performance Report; (b) Progress on allocating Community Safety Grants 2013/14; and (c) Finance Update**

The Panel considered report (EPCP/15(a)/13) by the Commissioner providing the first picture of performance across the indicators being used to understand performance and delivery of the Police and Crime Plan, with trend data from April 2011 and basic commentary about volumes and changes over the period to date.

Commentary was provided for each of the Areas of Focus to help give context, and included summaries of key actions in hand or planned. The Areas of Focus covered were:

- Reducing Domestic Abuse
- Supporting Victims of Crime
- Reducing Youth Offending and all types of Re-offending
- Tackling the consequences of Alcohol and Drug Abuse, and Mental Health issues
- Improving Road Safety
- Improving Crime Prevention.

The two Areas of Focus not included were 'Increasing efficiency in policing through collaborative working and innovation' and 'Ensuring local solutions meet local problems'. The first (Increasing efficiency) will be covered in a report to the next meeting. The second (Ensuring local solutions) is an underlying principle across all eight areas.

It is proposed that the performance information is refreshed to inform future Panel meetings as follows:

<b>Panel meeting date</b>	<b>Performance for period up to</b>
12 December 2013	End October.
29 January 2014	End November – exceptions only.
20 February 2014	End December 2013 (Q3)
19 June 2014	End March 2014 (Q4) – Linked to Annual Report.

Also attached with the report were the Essex Police Monthly Performance Update for August 2013 and the Essex Police Performance Summary April – August 2013.

The Commissioner introduced his report and invited Members to comment on the format and approach, identifying any aspects where further clarification or information was required. He paid tribute to the advice and assistance his Office

had received from Gill Butterworth, Senior Policy and Strategy Officer, Essex County Council.

The Commissioner explained that obtaining data that is reliable is complex particularly relating to Youth offending and re-offending. He added that obtaining the information on Youth re-offending was leading to helpful and challenging discussions. He commented that producing the report had raised questions around measuring the effectiveness of crime prevention.

The following points were made during the ensuing debate.

- Page 4 of Appendix 1 Domestic abuse solved rate: Councillor Waller questioned the relevance of the information related to the domestic abuse solved rate when it is known who committed the offence. The Commissioner responded that the incidents are recorded but may not lead to a conviction as the victim may not want to proceed. The Chairman commented that this emphasised the importance of the work being done on prevention. The Commissioner commented that in his view the Chief Constable needed to be prepared to pursue a prosecution even if the victim was unwilling.
- Page 4 of Appendix 1 Number of repeat offenders of domestic abuse: Councillor Channer questioned why the indicator was under development where repeat incidences would imply repeat offenders and asked if comparative data was available. The Commissioner responded that Crime data was provided by the Police in which he had reasonable confidence whilst offender data came from a number of sources. Repeat victims are at greater risk and so are treated carefully by the Police. It is not always the same offender involved in repeat incidences and the first priority of the Police is to the victim rather than the offender. Councillor Isaacs commented that it was important to get the information across to the Public. The Commissioner agreed saying that the information was in the public domain but reducing it to simple messages is difficult. The Chairman commented that the Panel had a role in this as interpreters of the performance information provided.
- Pages 15 – 19 of Appendix 1 Tackle consequences of alcohol and drug abuse, and mental health issues: in relation to drug abuse, Councillor Hossack asked about the success in terms of criminal activity. He considered that it was all about treatment and the information was showing that more people were engaging in effective treatment but fewer were leaving treatment in a planned way. The Commissioner commented that it was important to avoid as far as possible the criminalisation of young people. The Serious Crime Directorate for Kent and Essex had been very successful in dealing with drug dealers and there was now room to tackle local dealers. The Deputy Commissioner added that drugs tests taken on arrest show 28% of those arrested are abusing drugs. The Drug Action Team is taking forward actions to reduce this figure. Those undertaking interventions are leaving early as there is not a residential intervention available in Essex. Work is underway to tackle this. At the end of the day it is difficult in many cases to relate the crime directly to drug abuse. The Panel asked if in future the performance report could include information on drugs possession and drug related arrests to show police activity in this area. This was agreed.

- Pages 3 and 11 of Appendix 1: in response to a question from Councillor Sargent it was explained that figures for individual districts were contained in the performance information provided by the Essex Police.
- Page 13 of Appendix 1 Percentage of adult offenders who go on to reoffend: in response to a question from Councillor Young the Commissioner replied that he was up-to-date and aware of the consequences of the Government's proposals for the Probation Service and paid tribute to the work of the Essex Probation Service. He anticipated that there will be more probation care for those leaving early from short sentences. The Chairman paid tribute to Mary Archer, Chief Executive of Essex Probation Service.
- Page 27 of Appendix 1: Percentage of people who think the Police are doing a good job: The Chairman asked if there were plans to improve the figure of 59.5%. The Commissioner responded that the percentage of people feeling safe outside in their local area was a more important indicator. The Chief Constable wants people to feel safe and needs to get the facts out. The Chairman referred to societal change and the need for some context when presenting the evidence. The Commissioner responded that it was crucial to build confidence in the integrity of the Police.
- Page 15 of Appendix 1 Tackle consequences of alcohol and drugs abuse, and mental health issues: In response to a question from Councillor Rice concerning the Commissioner's views on the decriminalisation of certain drugs, the Commissioner responded that he was not an expert on the matter and was confident that the Police deal with street offences well. He considered that a lot of drugs are desperately dangerous and there is no such thing as a safe drug. He was equally worried about tackling the effects of and reducing alcohol-related crime. He was not persuaded that there was any advantage in legalising something that caused people real harm. The Chairman commented that this matter was the subject of national legislation.
- Page 5 of Appendix 1 number of domestic abuse offences: Councillor Chambers commented that the rise in the number of domestic abuse cases reflecting the National interest generated in the matter was in fact a positive sign as it showed that people had more confidence in reporting it to the Police, but it was important to get the right message across to the public and to maintain confidence in the performance of the Police as the figure could give the wrong impression. The Commissioner endorsed Councillor Chambers' comments in relation to reporting of domestic abuse and other crimes: he wanted to see more reporting of crime generally. The Chairman commented that it was important for the Panel to be able to interpret the statistics presented to it. Councillor Sztumpf commented that three or more cases reported has the potential to prevent three or more deaths so it is important that incidences are reported.
- Page 3 of Appendix 1 Number of incidents of domestic abuse: Councillor McPherson referred to the figures relating to Southend and asked if there were any figures relating to ethnic breakdown. The Commissioner responded that there is reluctance in some ethnic minority communities to report incidences of abuse.  
In response to a question from Councillor Channer relating to the reasons for a seasonal increase in domestic abuse, the Commissioner responded that it could be down to issues such as the weather, children being off school, long-evening drinking in relation to watching sporting events.

The relevance of indicators will continue to be kept under review and in particular as part of the refresh of the Police and Crime Plan for 2014/15. The Chairman clarified that the Panel was happy with the way the information was presented to them. Paul Warren undertook to convey some points of detail direct to the Commissioner.

The Panel considered report EPCP/15(b)/13 by the Treasurer to the Commissioner providing a half-year update on the progress in allocating community safety grants.

In total £2.893m of grant money is available to the Commissioner to allocate during 2013/14. At the last meeting it was reported that £2.845m was allocated in the 2013/14 revenue budget for community safety funding. The increase of £48k is due to further force resources that have been classified as community grants.

The progress to date made by the Commissioner in allocating funds was shown in Appendix 1 to the Report. In total, £1.087m of grant monies has been spent and a further £1.422m either expected to be paid or agreed in principle. This amounts to over 86% of grant monies 'allocated' by 30 September. Any funds not allocated by the end of the financial year will be carried forward into 2014/15.

The report provided a summary against each separate fund within the total sum of grant monies available:

The Commissioner's Office has worked with partners to put arrangements in place to ensure that the processes involved are transparent and comply with all legislative requirements. It is, however, acknowledged that improvements can be made drawing upon feedback received, such as the timescales allocated to the different parts of the decision making cycle and engagement with Community Safety Partnerships and other partners, to ensure that next year's practice builds upon the experiences of the first year.

The Commissioner commented that whilst there were some disappointed people who did not receive grants, his Office had tried to be both fair and transparent in decision-making. The Office would draw on lessons learnt from this year to make improvements for next year.

The Panel considered report EPCP/15(c)/13 by the Treasurer to the Commissioner providing:

- a financial summary of the force revenue and capital position at the end of month 5 (end of August)
- information on progress made in recruiting the Office staff to support the work of the Commissioner
- an update on comparison with the Most Similar Group (MSG) of forces.

The Force implemented SAP, a resource enterprise computer system for a wide range of support services in April this year. This was a major conversion and the quality of data is improving as the year progresses. Nevertheless, a cautionary

approach has been taken in the interpretation of data until all of the normal teething problems associated with the use of the new system are resolved. Financial forecasts for 2013/14 are therefore liable to more than the usual fluctuation during this transitional year.

At its last meeting the Panel received an analysis of the budget of the Commissioner's Office and how it compared with the office of the former Police Authority. The report provided the Panel with an up-to-date analysis of current year spending on the Office.

The MSG of forces has been updated by the Home Office to include 2011 census data. This has resulted in Cambridgeshire, Devon and Cornwall and Kent leaving and Derbyshire, Staffordshire and Sussex joining. An updated comparison of the costs of the Office with the new MSG was given in the report.

### **2013/14 Revenue Budget**

The Month 5 forecast outturn was shown at Appendix A to the report along with the reserves at Appendix B. In summary, the total forecast expenditure is £272m, a net underspend of £2.3m against the budget. The main variations are as follows.

#### **Police Officers Pay**

Under-spending on police officers pay is £5.3m as the number of officers leaving the force has been higher than anticipated. Officer outflows in the first months of the year have significantly exceeded initial forecasts. At the beginning of August the Police Officer strength was 3,238 full time equivalents (FTEs). The original budget was based on 3,338 FTEs and a Reform savings target of £3.045m. Whilst this has enabled additional financial savings to be generated both the Commissioner and Chief Constable are aware of the challenges that this position can have on front line policing.

The forecast underspend assumes that there will be no change in recruitment plans.

Police Officer overtime is forecast to overspend by £0.3m.

#### **PCSOs**

PCSO pay is forecast to underspend by £1.1m due to unfilled vacancies.

#### **Police Staff**

Police staff overtime is forecast to overspend by £0.57m. The main areas are Force Control Room and Crime and Public Protection.

### **III Health Retirements**

There is a forecast overspend of £0.4m due to the number of retirements exceeding budget.

### **Estates Improvement Programme**

A backlog of essential repairs across the estate has been compiled and an improvement programme of works prepared. The cost of this programme is



£2.2m. An analysis of these essential works is currently being undertaken in order to distinguish between capital and revenue works and ensure that the capital works are complementary to the estates capital programme.

### **Athena Software**

This is a collaborative agreement with six other forces to establish a new shared technology platform in four key areas; intelligence, investigation, managing offenders and preparing files for court. The programme has been delayed and has reached a critical phase for the delivery of software. The latest forecast indicates an overspend of £0.8m

### **2013/14 Capital Programme**

Forecast capital expenditure has reduced by £1.4m from £9.2m to £7.8m following a review of the spending profile for a number of projects. Much of the slippage in payments is due to fall into 2014/15.

The current capital reserves were outlined in table 1.

Capital income constitutes home office grant (£2.3m) and capital receipts (£3.2m). Only one house has been sold during the year to date (£0.22m) and only one other disposal is in the pipeline (£0.185m). The forecast income for the year is currently being assessed.

There is no anticipated capital funding problem in 2013/14 but a new strategic approach for estates is being prepared and the need for greater use of technology identified for review. The financial demands emanating from these two strategic areas of work are likely to be significant and the Panel will be kept up-to-date with these developments.

### **Office of the Police and Crime Commissioner**

Staff consultation on the new Office structure was completed in early September and all new positions advertised. It is expected that the new team will be in place by the New Year. This is, however, later than anticipated earlier this year and therefore a forecast underspend of £198,000 results.

The above expenditure forecasts are being carefully monitored as there will be some fluctuation as start dates for new staff are determined and professional fees for legal work associated with a range of matters, including preparation for the Stage 2 transfer of staff are undertaken.

OPCC budgets for each PCC area for the revised group were shown in the report. In comparison with other similar forces, the PCC's budget provision remains the lowest on a per capita basis although it is acknowledged that, as with any comparison with other Force areas, there are difficulties in comparing like with like.

When introducing the report the Commissioner commented on the underinvestment in estates and IT and the need to look 5 – 10 years ahead.

The following points were made during the ensuing debate.

- In response to a question from Councillor Rice the Commissioner explained that the underspend of £1.1m on the PCSO budget equated to 40 vacant posts. This was in response to the risk of hiring new PCSOs when numbers may need to be reduced in the light of the budget savings needed. He explained that there will be one PCSO per ward. Resources will be directed to the areas of greater need. Councillor Rice then asked in the light of the financial situation would he encourage the Chief Constable to enter into joint funding arrangements with local authorities. The Commissioner responded that the Chief Constable would not be entering into joint funding in the future although he would welcome local authorities funding PCSO post to provide additionality. It was agreed to look at this matter again at the next meeting.
- Councillor Young referred again to the article in the Colchester Gazette relating to the Evolve Programme and the remarks contained in the article attributed to Mark Smith, Chairman of the Joint Branch Board of the Essex Police Federation predicting the end of Neighbourhood Policing. These remarks did not correspond with the Commissioner's views. Councillor Young asked what was the Commissioner's and the Chief Constable's relationship with the Federation. The Commissioner responded that the relationship is fine. It is for the Chief Constable to manage Essex Police and he meets with the Federation regularly. He went on to say that he understood the Federation's concerns: it is difficult for the Chief Constable to meet the spending targets set; he will protect neighbourhood policing as far as possible and he cares about response times but it will be tough for him to achieve the required savings. The Commissioner did not know how far Police Officer numbers will reduce: it could fall below 3,000. At the moment the Chief Constable is still recruiting. The Chairman added that the impact on response times would be crucial.
- Councillor Sargent commented that PCSOs do a splendid job and the public like to see them on patrol. To lose them would be a step backwards. Local authorities have budget issues of their own and are not able to find the funding for PCSOs.
- In response to a question from Councillor Rice regarding the overspend of £0.8m on Athena software, the Treasurer to the Commissioner responded that this has been caused by delays in implementation. He undertook to bring better information to a future meeting of the Panel. The Commissioner added that he was not happy about the roll out of IT systems in Essex. Athena was a difficult project with the Contractor having missed a crucial deadline.
- In response made by Paul Warren the Commissioner undertook to bring a report back to the Panel on the Estates Strategy at a future meeting.

## **6. Training**

The Panel considered a report (EPCP/16/13) by the Secretary to the Panel setting out what might be available to the Panel by way of training to help it carry out its role, to be financed by the provision made available by the Home Office for member allowances.

Contact has been made with a Consultancy that has done or is doing learning and development sessions with panels where the panels, like the Essex Panel, have completed a round of carrying out the statutory functions and are thinking about how to add value when scrutinising the Commissioner.

These sessions are tailored to the needs of the panels concerned, but essentially they give time to allow the panel members to reflect on the past year and think about what went well, what could have gone better and what challenges have been thrown up in the course of their work, before going on to have conversations about how to tackle those challenges and develop their work. The Consultancy provides examples of what other panels are doing to assist thinking, whilst recognising the strengths that the panel has that can be built on. A final session captures learning points and provides a basis for action planning.

The County Council has been doing some work with the Development Director of South East Employers to deliver training with the aim of increasing members' understanding of the role of scrutiny in supporting and enabling transformation and improvement activity. This is something that could be adapted to meet the needs of the panel and its relationship with the Commissioner.

It makes sense to maximize the benefit of the training by organising events for all members. However, there are conferences specifically aimed at panel members that may be of benefit.

The Chairman referred to a piece of research being undertaken by Ed Hammond of the Centre for Public Scrutiny into the work of Police and Crime Panels to which he had contributed. He felt there was advantage in obtaining some parallel experience given the lack of clarity around the police and crime panels' remit.

**Resolved:**

- (1) That the Secretary to the Panel make arrangements to develop a joint training session with the Consultancy along the lines outlined above.
- (2) That Panel Members be encouraged to attend appropriate training events having first consulted with the Secretary to the Panel.

## **7. Planning the Business of the Panel**

The Panel considered a report (EPCP/17/13) by the Secretary to the Panel concerning the development of the Panel's forward plan of work and meetings.

The Panel agreed the business proposed for the meetings currently scheduled. In addition it was agreed to invite the Chief Constable to a future meeting to report back on his initial experience in the role and to bring an item on part night lighting to a future meeting within the parameters specified in the report, namely the questioning to be around whether the Commissioner is satisfied that the Chief Constable is able to influence where lights are left on and to judge any operational impact and the impact on criminal activity. The focus of any paper and discussion will not be on the original decision to implement part-night lighting

as this was a matter for the County Council, but rather on the impact on policing and crime.

#### **8. The Police and Crime Commissioner's Conference**

The Deputy Commissioner updated the Panel on the Commissioner's Conference being held on 29 November at Colchester which will provide a review of the first year and look at the following matters:

- support to victims of crime
- Domestic Abuse
- Youth Offending

The aim is to encourage partnership working and networking amongst participants.

#### **9. Update on On-going Issues**

The Commissioner provided the Panel with a brief update on the following on-going issues he wished to bring to its attention:

- Police integrity and ethics: the Commissioner has undertaken some communication on this issue. He believes that Commissioners are not mentioned enough in connection with this issue and he has asked his Deputy to lead on this area of work. He sees a need for an Independent Police Complaints Commission to provide a good system for dealing with complaints in which the Commissioner needs to be involved. The Commissioner can help preserve the integrity of the Police through his oversight.
- Stage 2 Transfer Plan: The Commissioner is looking to establish a Strategic Policing Board which will have a non-executive element with potentially a Finance Committee and an Ethics and integrity Committee under the Board. He wants to help the Police to see themselves as the public sees them. The aim is for this to be operational by April next year.

Chairman  
12 December 2013