

## Cheshire Police and Crime Panel Agenda

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<b>Date:</b>	<b>Wednesday 20th June 2018</b>
<b>Time:</b>	<b>4.00 pm</b>
<b>Venue:</b>	<b>Safety Central, Cheshire Fire and Rescue Service, Cliff Lane, Lymm, Warrington WA13 0TE</b>

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

#### **1. Apologies**

Members are reminded that, in accordance with governance procedure rule 2.7, Panel Members, or their constituent authority, may nominate substitute members of the Panel in the event that the appointed representative(s) is/are unable to attend the meeting. Advance notice of substitution should be given to the host authority wherever possible. Members are encouraged wherever possible to secure the attendance of a substitute if they are unable to be present

#### **2. Appointment of Chairman for the 2018/19 Municipal Year**

To appoint a Chairman for the 2018/19 Municipal Year

#### **3. Appointment of Deputy Chairman for the 2018/19 Municipal Year**

To appoint a Deputy Chairman for the 2018\19 Municipal Year

#### **4. Code of Conduct - Declaration of Interests. Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012**

Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.

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<b>Contact:</b>	Julie North, Democratic Services Manager
<b>Tel:</b>	01270 686460
<b>E-Mail:</b>	julie.north@cheshireeast.gov.uk

5. **Public Participation**

To receive questions from members of the public in accordance with governance procedure rule 14. A total period of 15 minutes will be allocated for members of the public to speak at Panel meetings. Each member of the public shall be limited to a period of up to 5 minutes speaking.

Members of the public may speak on any matter relating to the work of the Panel. During public speaking time, members of the public may ask questions of the Panel and the Chairman, in responding to the question, may answer the question, may decline to do so, may agree to reply at a later date or may refer the question to an appropriate person or body.

Questions will be asked and answered without discussion. In order for officers to undertake any background research, members of the public who wish to ask a question at a Panel meeting should submit the question at least a day before the meeting.

Members of the public are able to put questions direct to Cheshire's Police and Crime Panel via social media platform Twitter.

The Cheshire Police and Crime Panels' Twitter account @CheshirePCP

6. **Minutes of Previous meeting** (Pages 5 - 12)

To approve the minutes of the meeting held on 22 May 2018

7. **Panel Membership 2018/19** (Pages 13 - 16)

To consider a report regarding the membership of the Cheshire Police and Crime Panel for the 2018/19 Municipal Year

8. **Panel Arrangements - Rules of Procedure** (Pages 17 - 60)

To adopt the Rules of Procedure for 2018/19

9. **Cheshire Police and Crime Panel Budget 2018/19** (Pages 61 - 62)

To consider and approve the budget for the Panel for the 2018/19

10. **Informal Meeting Dates 2018/19**

To agree dates for the informal meetings of the Panel for 2018/19

11. **Scrutiny Items** (Pages 63 - 70)

Police Commissioner Decision Meeting Notices: To receive, note and inform any future scrutiny or work programme items:-

Notes of the Scrutiny Board held on 15 March 2018

**THE POLICE AND CRIME COMMISSIONER WILL BE IN ATTENDANCE FOR THE FOLLOWING PART OF THE MEETING**

12. **Overview and Scrutiny of the Police and Crime Commissioner - Questions for the Police and Crime Commissioner**
13. **Work Programme** (Pages 71 - 72)  
To consider the Work Programme
14. **Date of Next Meeting**  
Friday 28 September 2018, at 10am

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Minutes of a meeting of the **Cheshire Police and Crime Panel**  
held on Wednesday, 2nd May, 2018 at Council Chamber, Wyvern House,  
The Drummer, Winsford, CW7 1AH

## **PRESENT**

Councillors:

Cheshire East                      Councillors S Edgar, JP Findlow and M Warren

Cheshire West & Chester      Councillors A Dawson and M Delaney

Warrington                        Councillors J Davidson and B Maher

Independent Co-optees:      Mr R Fousert (Deputy Chairman),  
Mrs S Hardwick and Mr E Morris.

Officers:                          Mr D Dickinson, Mr B Reed and Mr M Smith,  
Cheshire East Council.

In the absence of Councillor Howard Murray the meeting was chaired by  
Mr Robert Fousert, Deputy Chairman.

## 119            **APOLOGIES**

Apologies were received from Councillor Howard Murray (Cheshire East Council) and Councillor Amanda King (Warrington Borough Council). Councillor Mick Warren attended in place of Councillor Murray and Councillor Jan Davidson in place of Councillor King.

## 120            **CODE OF CONDUCT - DECLARATION OF INTERESTS. RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012**

There were no declarations of interest.

## 121            **PUBLIC PARTICIPATION**

There were no members of the public who wished to speak or ask questions.

The Deputy Chairman reminded those in attendance and those watching via the webcast that questions could be submitted in advance of the meeting.

## 122            **MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on 2 February 2018 were approved as a correct record, with two minor amendments being made. It was noted that

Mrs Sally Hardwick had been in attendance and that the Commissioner had been accompanied by Mr Gareth Burrows, not Mr Ben McCrorie.

The Deputy Chairman asked that the written answer provided by the Commissioner to a question he had asked was made available to the public. This would be done via the Panel's page of the Cheshire East Council website.

123      **DATES AND LOCATIONS OF FUTURE MEETINGS**

The Panel agreed the pattern, dates and venue for meetings for the period up to February 2019, noting that the meeting proposed for Friday 14<sup>th</sup> December would take place at Runcorn Town Hall.

Councillor Andrew Dawson highlighted the issue raised by the timing of all out elections in both Cheshire West and Chester and Cheshire East in May 2019. A meeting of the Panel had been proposed for 12<sup>th</sup> April 2019, the Secretariat were asked to find an alternative date for this meeting, in advance of the pre-election period before the May 2019 local elections.

124      **SCRUTINY ITEMS**

The Panel noted the minutes of the Scrutiny Board held in December 2017.

Concerns were raised that Panel members were not receiving the advance notice of meetings from the Commissioner's Office that they had been accustomed to in the past.

125      **OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER - QUESTIONS FOR THE POLICE AND CRIME COMMISSIONER**

The Chairman welcomed the Commissioner to the meeting and noted that Panel members would not, at the current meeting, be asking questions about the Chief Constable's ongoing Disciplinary Hearing, but that once the matter had been concluded, the Panel would wish to meet with him to discuss the issue in detail.

The Commissioner noted that this was the Panel's first meeting since it had endorsed his budget proposals for 2018/19, for which he had been very grateful. He also noted that the initiative to provide one PCSO per community had been fully agreed and was in the process of being rolled out. Most PCSOs would have a base in their community; in very many cases this was being provided at no cost to the Constabulary.

The Commissioner noted that Mrs Elizabeth Lunn, his former Finance Officer had now retired after many years service to the Cheshire community. A recruitment process was underway which would lead to the Panel needing to hold a Confirmation Hearing. He noted that Mrs Lunn's

successor would be appointed with a revised job description, on a lower salary.

Councillor Findlow sought clarification over the person appointed to replace Mrs Lunn, noting that she had been employed on a part-time basis. The Commissioner confirmed that her successor would have a wider remit and would be employed on a lower grade, as they would be contracted on a full time basis the actual cost of employment was likely to be higher.

Mr Evan Morris asked the Commissioner for information on the process that had been followed to recruit to the post of Finance Officer. The Commissioner briefly outlined the process, which had included seeking professional HR advice in advance of the vacancy being advertised.

Councillor Thompson asked the Commissioner if the costs associated with the suspension of the Chief Constable would be met from Cheshire Constabulary budgets, or whether it would be necessary to approach the Home Office for additional funding. The Commissioner replied that the position was being closely monitored and that relevant financial and legal advice would be taken as appropriate.

Councillor Andrew Dawson asked the Commissioner how many officers within the Constabulary were acting up as a consequence of the Chief Constable's suspension. The Commissioner confirmed that a number of Officers were acting up and he would provide additional information in writing. The Chairman sought clarification over the cost of such arrangements, the Commissioner responded by confirming that due process was being followed.

Councillor Findlow asked the Commissioner to reflect on the appointment of his Deputy Commissioner, noting that Ms Dirir who had been appointed in the spring of 2017 had now left. The Commissioner responding by saying that her appointment had represented excellent value for money and that she had led in a number of key areas, including the equality agenda, Domestic Violence (including the white ribbon campaign) and the introduction of the Living Wage. The Commissioner noted that Ms Dirir had helped transform the operation of his office and helped introduce financial savings. The Chairman asked what contribution she had made to the reduction of crime across Cheshire. The Commissioner responded by saying that this had not been her role.

Mrs Hardwick asked for clarification on a number of areas where the Commissioner had indicated that his former Deputy had made a positive contribution, namely domestic violence and rape cases. Referring to the performance statistics Mrs Hardwick noted that the number of reported cases were increasing whilst successful prosecutions were falling. She asked how the Commissioner was responding to this now that his Deputy had left his Employment.

The Commissioner responded by saying that his former Deputy had a particular interest in these issues and had done a lot to hold the Constabulary to account over their performance. He noted that his office provided funding to support those who were victims of sexual assault and rape, together with work on prevention. In addition his Office campaigned for external funding in these areas of activity.

The Chairman asked the Commissioner for clarification over the advance notice provided to Panel members over the dates, times and locations of Scrutiny Meetings. The Commissioner clarified the position.

Councillor Jan Davidson asked the Commissioner if he agreed with the former Home Secretary that reduced budgets for the Police had no impact on crime rates. He replied by saying that he disagreed, noting that the large reduction (38 per cent) in funding for the Police in Cheshire was having a detrimental impact on crime rates.

Councillor Andrew Dawson, referring to the recently published Police statistics asked the Commissioner if he understood them, referring specifically to a figures showing that 104 percent of suspects had been identified. The Commissioner responded by saying that he did understand the figures, but that he would seek clarification from the Constabulary on the particular detailed statistic referred to by Councillor Dawson. The Chair also sought clarification over the number of suspects identified in relation to Child Sexual Abuse. The Commissioner indicated that it would be appreciated if questions that required detailed answers were put in advance of the Panel's meeting. Mrs Hardwick sought clarity over a number of key statistics where the reported crime rates were increasing. The Commissioner promised to provide further information to Panel members on these issues; but noted that many of the increases in relation to Domestic Violence, Child Sexual Exploitation and rape were due to historical cases being included in the statistics.

The Commissioner reassured the Panel that Cheshire remained one of the safest places in the country to live, with recorded crime been the twelfth lowest of all Police areas.

Mrs Hardwick asked the Commissioner if he thought that there was a correlation between the number of missing children and cases of Child Sexual Exploitation. The Commissioner indicated that he had asked the Constabulary to undertake further research into this issue and that he would be surprised if there were not some correlation.

Councillor Andrew Dawson asked the Commissioner for clarification over the increase in cases of reported crime. The Commissioner confirmed that some of the increase was due to improved recording, but that elements were due to increases in certain types of crime; for example shoplifting due to societal changes.

Councillor Dawson also asked the Commissioner if members of the Panel could attend his Scrutiny Meetings and ask questions of the Constabulary. The Commissioner indicated that this would not be possible, but that he actively encouraged Panel Members to attend such meetings and asked them to let him know of areas where they would like him to ask questions of the Police.

Councillor Dawson asked the Commissioner if he would encourage the Acting Chief Constable to attend a meeting of the Panel, by invitation. In reply the Commissioner invited Councillor Dawson to attend a Scrutiny Meeting and said that he would seek advice on the attendance of an Acting Chief Constable at a Panel meeting.

Mr Evan Morris referred to a discussion at a previous meeting (1<sup>st</sup> December 2018) of the Panel where it had been indicated that women were being accommodated in Styal Prison due to the lack of sanctuary accommodation in the community. He asked the Commissioner for clarification on this issue. The Commissioner indicated that he had been informed that in no circumstances were women housed in the prison solely as a place of safety. However, the Commissioner was of the view that there was not enough sanctuary accommodation in the community and that he had asked the Acting Chief Constable to undertake more research into this important issue. Mrs Hardwick informed the Panel that from her experience the number of reported cases of Domestic Violence were increasing and that the number of sanctuary places was decreasing.

The Chairman asked what steps the Commissioner had made to ensure that knife crime did not become an increasing threat to the Cheshire community. The Commissioner responding by indicating that Cheshire had one of the lowest number of reported cases of knife crime in the country. The figure for the previous year had been 336, which represented an increase of approximately ten percent on the year before. The figures in Cheshire were significantly lower than the North West average. The majority of knife crime in Cheshire was in Runcorn, Widnes, Macclesfield and Ellesmere Port. The Commissioner outlined the steps that the Cheshire Constabulary were taking to combat such crime; this included introducing surrender bins and operating an amnesty. The Constabulary had also worked with the Council's Trading Standards Service in Halton and had also visited many schools across the county. Cheshire had also contributed to the Government's consultation on its Serious Violent Crime Strategy. He was of the view that Cheshire Constabulary were undertaking good work in this area, but that overall success depended on the work of many different agencies.

Councillor Dave Thompson observed that he had attended a meeting earlier in the day where the Acting Chief Constable had indicated that knife crime also took place in the home and that success in combating it was dependent on successful multi agency work.

Mr Evan Morris noted that at the Scrutiny meeting the Commissioner had expressed concern at the decrease in enforcement action in relation to speeding. He noted that the Fire and Rescue Service had approximately 200 uniformed volunteers who could possibly be employed to assist with this activity. He asked the Commissioner for his views on such an approach. The Commissioner indicated that the Constabulary had told him that road safety was about much more than speed enforcement, including such things as drug testing and enforcement of seat belt and mobile phone use legislation. He indicated that he wanted to change the culture in relation to speeding, with enforcement being undertaken on a much wider range of roads. PCSOs would make a major contribution to this; he wished to see each PCSO spending at least an hour a week on speed enforcement. Mr Morris commented that the current approach to speed enforcement across Cheshire appeared to be fractured, and in his opinion that better use could be made of volunteers.

The Chairman asked for clarification in relation to rural crime; indicating that he was attending a meeting on the subject the following week. He asked the Commissioner what reassurance he could give the meeting that such crime was being addressed across Cheshire. The Commissioner assured the Chairman that priority was being given to rural crime and that work was being undertaken with the farming and wider rural communities in relation to crime prevention. He noted that PCSOs had a key role to play in combatting such crime.

126      **WORK PROGRAMME**

The Panel's work programme was reviewed

- 1. Bob Fousert: Given the recent disclosures on the national news, would Cllr Keane tell the Panel if he has made enquiries as to how many cases brought to court by the Constabulary over the last two years have collapsed because of failure by police and prosecutors to disclose evidence? Can he assure the Public that he has satisfied himself that robust measures are in place in order to prevent such miscarriages of justice?**

The following response also covers the question from Cllr Findlow.

As stated in the meeting on Friday 02 February, I have sought assurances from the Constabulary in relation to proper procedure but my role as Police and Crime Commissioner for Cheshire is to scrutinise the Acting Chief Constable and not the CPS or Court Service in the same way as this is beyond my remit. Nevertheless, I have made enquiries into procedure and I am satisfied that measures are in place to prevent issues in relation to disclosure. This is clearly an area of on-going concern and one as the newly appointed Chair of the Cheshire Criminal Justice Board that I will continue to raise to ensure that both I and the public can be further assured that they have a robust criminal justice system.

The following response has been obtained by the Constabulary.

Management information regarding court outcomes is held by the CPS. According to CPS records there are six cases in the past two years where disclosure has featured as an element of acquittal at court. One of those cases relates to a complaint of rape. The circumstances of that case have been fully explored by the Constabulary and we are entirely satisfied that both police and CPS have satisfied their obligations under the Criminal Procedures and Investigations Act (CPIA). The Act requires that the police and CPS regularly review information gathered as part of an investigation as to whether it undermines the prosecution case or supports the defence. This obligation continues way beyond the point of charge and investigations will continue to gather evidence and information sometimes right up to trial. In the case referred to above, for reasons beyond the control of the police a new barrister was instructed for the prosecution at the point of trial. That barrister deemed that other accounts undermined the credibility of the victim and on that basis withdrew the prosecution. This is not a failure of disclosure.

In terms of measures which are currently in place, the Constabulary has a strategic lead for disclosure at chief officer level and tactical lead at Detective Superintendent. There is a joint working group with the CPS to develop consistent processes and training for officers and lawyers and the Head of Criminal Justice meets with the Recorder of Chester HHJ Roger Dutton and Chief Crown Prosecutor Siobhan Blake on a monthly basis to review performance in the Crown Court. The Constabulary is working with the CPS to update its guidance to officers in light of the recent cases in the Metropolitan Police area and is reviewing the recently published national disclosure action plan to ensure compliance with latest guidance.

**2. Question from meeting on 10 January 2018**

**With reference to minute 108, Cllr L Riley requested that the question asked by Councillor A Dawson, relating to what training the Commissioner had received in relation to his powers and the requirement to be open and transparent, be raised again.**

**The question was:-**

**“Councillor Dawson referred to a further article in Policing Insight magazine published in July 2017 which discussed the Commissioner’s relationship with the Police and Crime Panel, together with his approach to openness and transparency. He also asked the Commissioner what training he had received since his election in relation to his powers and the requirement to be open and transparent. - The Commissioner indicated that he had received induction training and that he was confident that his Office fully met the appropriate standards”.**

I have nothing further to add to the answer that I previously provided during the meeting on Wednesday 10 January 2018.



# Cheshire Police and Crime Panel

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**Date of Meeting: 20 June 2018**

**Report of: Brian Reed, Head of Democratic Services and Governance, Cheshire East Council**

**Subject: Panel Membership 2018/19**

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## **1. Background and Purpose**

- 1.1 To report upon the membership of the Cheshire Police and Crime Panel for the 2018/19 Municipal Year.

## **2. Police and Crime Panel 2018/19**

- 2.1 Each of the four local authorities has now held their respective annual meetings and the Panel membership for the 2018/19 municipal year is shown at Appendix 1.
- 2.2 Each individual authority has applied its own proportionality rules and appointments have been notified to the host authority officers which are shown in Appendix 1.

## **3. Equality and Diversity/Equality Impact Assessment**

- 3.1 When undertaking their scrutiny role, the Panel should be mindful of the impacts on all of the protected equality characteristics (age, disability, gender, race, religion, sexuality, marital status, gender reassignment, pregnancy/maternity, etc.). The Panel may wish to factor this in when considering which partners they engage with and how.

## **4. Financial Considerations**

- 4.1 There are no financial implications to report to the Panel in the considering this matter. Any recruitment processes will be contained within existing budgets.

**5. Recommendations**

5.1 To note the current membership as detailed at Appendix 1.

## Cheshire Police and Crime Panel



### Membership of the Cheshire Police & Crime Panel 2017/18

Authority	Councillors	Political Party
Cheshire East	Steven Edgar	Conservative
	Paul Findlow	Conservative
	Mick Warren	Independent
	(Reserve) to be confirmed	
Cheshire West and Chester	Robert Bisset	Labour
	Martyn Delaney	Labour
	Andrew Dawson	Conservative
Halton	Norman Plumpton Walsh	Labour
	Dave Thompson	Labour
Warrington	Brian Maher	Labour
	Jan Davidson	Labour
Statutory Co-opted Member	Mrs S Hardwick	Independent Member
Statutory Co-opted Member	Mr R Fousert	Independent Member
Additional Co-opted Member	Mr Evan Morris MBE	Independent Member

(Note: Substitute members can be notified on a meeting by meeting basis)

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# Cheshire Police and Crime Panel

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**Date of meeting: 20 June 2018**

**Report of: Brian Reed, Head of Governance and Democratic Services**

**Subject : Panel Arrangements: Rules of Procedure**

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## **1. Report Summary**

- 1.1 The Panel reviews and adopts its Rules of Procedure each year. Attached to this report are the suggested Rules of Procedure for the coming Municipal Year (2018/19). The only suggested changes to the document relate to the membership and the terms of office of independent members. In relation to the terms of office of independent members, the changes reflect decisions made by the Panel at its meeting in September 2017.

## **2. Recommendations**

- 2.1 The Panel is recommended to:
- (i) Adopt the Rules of Procedure (as attached as Appendix I to this report) for the coming Municipal Year.
  - (ii) Delegate to the Head of Democratic Services Governance and authority to make such changes during the year to the Rules of Procedure as he considers are necessary to give effect to the wishes of the Panel.

## **3. Background**

- 3.1 Following the transfer of administrative responsibility for the Panel to Cheshire East Council in the summer of 2016, a major review of the Panel's Rules of Procedure was undertaken. These were approved by the Panel at its meeting on 23 September 2016. A number of minor amendments were approved at the 2017 Annual Meeting of the Panel.

## **4. Financial Implications**

- 4.1 There are no financial implications.

## **5. Equality Implications**

- 5.1 There are no equality implications.

**6. Contact Information**

Contact details for this report are as follows:-

<b>Name:</b>	Brian Reed
<b>Designation:</b>	Head of Governance and Democratic Services
<b>Local Authority:</b>	Cheshire East Council
<b>Tel. No.:</b>	01270 686670
<b>Email:</b>	<a href="mailto:brian.reed@cheshireeast.gov.uk">brian.reed@cheshireeast.gov.uk</a>

# **Cheshire Police & Crime Panel**

## **Panel Arrangements Rules of Procedure**

Whereas Cheshire East; Cheshire West and Chester; Warrington and Halton Councils must establish and maintain and make arrangements for a police and crime panel (the Panel), they have jointly agreed the following as being the arrangements for the Panel, as required under Schedule 6 of the Police Reform and Social Responsibility Act 2011

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## Part 1

### (a) The Panel's Terms of Reference

- 1) To review and make a report or recommendation on the draft police and crime plan, or draft variation, given to the Panel by the Police and Crime Commissioner (the PCC).
- 2) To review the annual report of the PCC, and to put questions about the annual report to the PCC at a public meeting, and make a report or recommendation upon it.
- 3) To hold a confirmation hearing and review, make a report, and recommendation (as necessary) in respect of proposed senior appointments made by the PCC.
- 4) To review and make a report on the proposed appointment of the Chief Constable.
- 5) To review and make a report and recommendation (as necessary) on the proposed precept.
- 6) To review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the PCC's functions.
- 7) To make reports or recommendations to the PCC with respect to the discharge of the PCC's functions.
- 8) To support the effective exercise of the functions of the PCC.
- 9) To fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities accorded to the Panel by the Police Reform and Social Responsibility Act 2011.
- 10) To appoint an Acting PCC where this becomes necessary.
- 11) To suspend the PCC if it appears to the Panel that the PCC has been charged in the United Kingdom with an offence which carries a maximum term of imprisonment exceeding two years.

### (b) Timetable of Meetings

The Panel's Timetable of Meetings shall be agreed by the Panel and shall take account of the Panel's work programme

## Part 2

### Member Information

#### (a) Membership of Cheshire Police and Crime Panel

Authority	Councillors	Political Party
Cheshire East	Steven Edgar	Conservative
	Paul Findlow	Conservative
	Mick Warren	Independent
	Reserve to be confirmed	
Cheshire West and Chester	Robert Bissett	Labour
	Martyn Delaney	Labour
	Andrew Dawson	Conservative
Halton	Norman Plumpton-Walsh	Labour
	Dave Thompson	Labour
Warrington	Brian Maher	Labour
	Jan Davidson	Labour
Statutory Co-opted Member	Mrs Sally Hardwick	Independent Member
Statutory Co-opted Member	Mr Robert Fousert (Deputy Chairman)	Independent Member
Additional Co-opted Member	Mr Evan Morris MBE	Independent Member

#### (b) Membership of the Panel and its Sub-Panels

The independent members of the Panel will be appointed on a three-year basis, so as to ensure continuity of experience amongst those concerned. The periods of appointment will be “staggered” over a period of three years so as to ensure this.

When the appointment period for an independent member expires, a Recruitment Panel will be established in order to determine whether reappointment should be offered, or a full recruitment process should be carried out, except in the case of the expiry of the second term of office of an independent member, at which time a full recruitment process must be carried out.

The terms of Office of Independent members of the Panel are:

Mr Evan Morris MBE	30 September 2019
Mr Robert Fousert	30 September 2020
Mrs Sally Hardwick	30 September 2021

When Sub Panels are formed, the Rules of Procedure will be updated accordingly.

## **Part 3 Governance Arrangements**

### **(a) Procedure Rules**

#### **1. Chairman of the Panel**

- 1.1 The Chairman and Deputy Chairman of the Panel will be appointed in June of each year at the Annual Meeting and will be drawn from amongst the members of the Panel.
- 1.2 In the event of the resignation or removal of the Chairman or Deputy Chairman, or in circumstances in which the one or both are unable or unwilling to act in that office, a new Chairman or Deputy Chairman will be appointed and will be drawn from amongst the members of the Panel. Voting will normally be in accordance with paragraph 5 below.
- 1.3 The Chairman or Deputy Chairman may be removed by agreement of a majority of the membership of the Panel and in that event the Panel will appoint a replacement Chairman or Deputy Chairman from amongst the members of the Panel. Voting will normally be in accordance with paragraph 5 below.
- 1.4 The Panel will elect a panel member to preside at a meeting if the Chairman and Deputy Chairman are not present. Voting will normally be in accordance with paragraph 5 below.
- 1.5 Both Chairman and Deputy Chairman are to be equally briefed by Officers.

#### **2. Meetings of the Panel**

- 2.1 There shall be a minimum of four ordinary public meetings of the Panel in each municipal year to carry out the functions of the Panel. In addition, extraordinary meetings may be called from time to time.
- 2.2 An extraordinary meeting may be called by the Chairman or by at least four other members of the Panel by giving notice in writing to the Chief Executive of the Host Authority. The notice must specify the matter to be discussed at the extraordinary meeting. The extraordinary meeting will be held as soon as practicable, and notice of the time and place of the extraordinary meeting and the availability of relevant papers will be given in accordance with these Rules of Procedure.
- 2.3 An extraordinary meeting may also be called by the monitoring officer to the Panel (Director of Legal Services, Cheshire East Council or the Head of Governance and Democratic Services – Host Authority).
- 2.4 Ordinary meetings of the Panel will:

- a) receive any declarations of interest from members
- b) approve the minutes of the last meeting
- c) consider reports from officers and Panel members.

## 2.5 Notice of meetings

The Host authority will give at least 5 clear days (i.e. not including Saturday, Sundays and Bank holidays) notice of all meetings by:-

- (a) displaying details of the meetings on the Panel web site;
- (b) displaying details of the meeting at the Host Authority's principal office; and,
- (c) making details of the meeting available at the constituent authorities' principal office and on the host and constituent authorities' website

All Notices given to members of the Panel will be treated as having been given to members by any of the following means:-

- (a) post, properly addressed, to the recipient at their usual business address
- (b) leaving it properly addressed for the recipient at their usual business address
- (c) e-mail sent to an email address designated by the recipient for this purpose from an email account registered with any of the constituent authorities in the Member's name
- (d) facsimile transmission properly addressed to the recipient at their usual business address

- 2.6 Panel Members, or their constituent authorities, may nominate substitute members to attend Panel meetings in the event that the appointed representative(s) is/are unable to attend the meetings in question. Advance notice of substitution will be given to the host authority wherever possible but, in any event, before the meeting commences. Notice of meetings will be sent to named substitutes where that substitution is known before the agenda is dispatched.

## 3. **Quorum**

- 3.1 A meeting of the Panel cannot take place unless a minimum of 4 Elected Local Authority Members representing at least 3 of the constituent Cheshire Local Authorities are present.

## 4. **Venue**

- 4.1 Meetings of the Panel will take place at venues across the County, as agreed by the Panel.

**5. Voting**

- 5.1 Voting will normally be by show of hands and by simple majority unless the Act or regulations made under the Act or these rules require otherwise.
- 5.2 All Panel members may vote in proceedings of the Panel unless they have an interest that precludes them from doing so.
- 5.3 The Chairman or the person presiding may exercise a second or casting vote.

**6. Work programme**

- 6.1 The Panel will be responsible for setting its own work programme taking into account the priorities defined by the PCC. In setting the work programme the Panel will also take into account the wishes of its members.
- 6.2 The work programme must include the functions described in the terms of reference for the Panel.

**7. Agenda items**

- 7.1 Any member of the Panel shall be entitled to give notice to the Chief Executive of the Host Authority that he or she wishes an item relevant to the functions of the Panel to be included on the agenda for the next available meeting. Notice must be received by the Host Authority at least 7 days before an agenda is due to be published. The Monitoring Officer must in these circumstances ensure that such items appear on the relevant agenda.

**8. Reports from the Police and Crime Panel**

- 8.1 Where the Panel makes a report to the PCC, it may publish the report or recommendations.
- 8.2 The Panel must, by notice in writing, require the PCC, within one month of the date on which he/she receives the report or recommendations to:
  - a) consider the report or recommendations;
  - b) respond to the Panel indicating what (if any) action the PCC proposes to take;
  - c) where the Panel has published the report or recommendations, publish the response;
  - d) where the Panel has provided a copy of the report or recommendations to a member, provide a copy of the response to the member.

- 8.3 The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended).
- 8.4 If the Panel cannot unanimously agree on one single final report to the PCC then one separate minority report may be prepared and submitted for consideration along with the majority report.

**9. PCC and officers giving account**

- 9.1 The Panel may scrutinise and review decisions made or actions taken in connection with the PCC's role. As well as reviewing documentation, in fulfilling its scrutiny role it may require the PCC, and members of that CPCC's staff, to attend before the Panel (at reasonable notice) to answer any questions which appear to the Panel to be necessary in order to carry out its functions.
- 9.2 Where the PCC, or a member of that PCC's staff, is required to attend a meeting of the Panel, the Chairman will inform them in writing giving, where practicable, 15 days' notice of the meeting. The notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required to be produced to the Panel. Where it is necessary to produce a report, a reasonable period of time will be given for preparation of that report.
- 9.3 Where, in exceptional circumstances, the PCC is unable to attend on the required date, then an alternative date for attendance may be arranged following consultation with the Chairman of the Panel.
- 9.4 If the Panel requires the PCC to attend before the Panel, the Panel may (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions.

**10. Attendance by others**

- 10.1 The Panel may invite people other than those referred to above to address it, discuss issues of local concern and/ or answer questions. It may, for example, wish to hear from residents, stakeholders, councillors who are not members of the Panel and officers in other parts of the public sector and may invite such people to attend.

**11. Sub-committees and task groups**

- 11.1 Time limited task groups may be established from time to time by the Panel to undertake specific task based work.
- 11.2 The special functions of the Panel may not be discharged by a sub-committee of the Panel or a task group.
- 11.3 The work undertaken by a sub-committee or task group will be scoped and defined beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.

**12. Carrying out 'special functions'**

- 12.1 In these rules 'special functions' means the functions conferred on a Police and Crime Panel by:
  - a) Section 28(3) of the Police Reform and Social Responsibility Act (scrutiny of Police and Crime Plan)
  - b) Section 28(4) of the Police Reform and Social Responsibility Act (scrutiny of annual report)
  - c) Paragraphs 10 and 11 of Schedule 1 of the Police Reform and Social Responsibility Act (review of senior appointments)
  - d) Schedule 5 of the Police Reform and Social Responsibility Act (issuing precepts)
  - e) Part 1 of Schedule 8 of the Police Reform and Social Responsibility Act (scrutiny of appointment of the Chief Constable).
- 12.2 Reports and recommendations made in relation to the functions outlined in the terms of reference will be carried out in accordance with the procedure outlined at in Section 8.

**12.3 Police and Crime Plan**

- 12.3.1 The Panel is a statutory consultee on the development of the PCC's Police and Crime Plan and will receive a copy of the draft Police and Crime Plan, or a draft of any variation to it, from the PCC.
- 12.3.2 The Panel must
  - a) hold a public meeting to review the draft Police and Crime Plan (or a variation to it), and
  - b) report or make recommendations on the draft plan which the PCC must take into account.

## 12.4 Annual report

12.4.1 The PCC must produce an annual report about the exercise of his/her functions in the financial year and progress in meeting police and crime objectives in the year. The report must be sent to the Panel for consideration.

12.4.2 The Panel must comment upon the annual report of the PCC, and for that purpose must:

- a) arrange for a \*public meeting of the Panel to be held as soon as practicable after the Panel receives the annual report
- b) require the PCC to attend the meeting to present the annual report and answer such questions about the annual report as the members of the Panel think appropriate
- c) make a report or recommendations on the annual report to the PCC.

\* this might require a separate press notice or need to be advertised more widely than just through the normal publication of the agenda on the web site.

## 12.5 Senior appointments

12.5.1 The Panel has powers to review the PCC's proposed appointments of Chief Constable, Chief Executive, Chief Finance Officer and Deputy PCC. The Panel is required to hold public confirmation hearings for these posts.

(Note: the power to review the proposed appointment of the Chief Executive and Chief Finance Officer for the Office of the PCCPCC does not apply to those staff transferred under the TUPE Regulations)

12.5.2 The Panel will be notified of the need for a confirmatory hearing in respect of proposed senior appointments made by the PCC. This will be held at the next available meeting of the Panel unless the appointment timescale requires an earlier hearing, in which case an extraordinary meeting will be arranged.

12.5.3 With regards to the appointment of the Chief Constable and other senior appointments, the Panel is required to hold a hearing within the period of three weeks from the day on which the Panel receives notification from the PCC.

12.5.4 Confirmatory hearings will be held in public, where the candidate is requested to appear for the purpose of answering questions relating to the appointment. Following this hearing, the Panel is required to review the proposed appointment and make a report to the PCC on the appointment.

12.5.5 For a confirmatory hearing for the proposed appointment of the Chief Constable, in addition to the requirement to review and report, the Panel has the requirement to make a recommendation on the appointment and the power to veto the appointment.

12.5.6 Having considered the appointment, the Panel can:

- a) support the appointment without qualification or comment
- b) support the appointment with associated comment or recommendations,
- c) not support the appointment with comment or recommendations,
- d) veto the appointment of the Chief Constable (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).

12.5.7 If the Panel vetoes the appointment of the candidate for Chief Constable, the report to the PCC must include a statement that the Panel has vetoed the appointment with reasons.

## 12.6 Appointment of an Acting PCC

12.6.1 The Panel must appoint a person to act as acting Police and Crime Commissioner if:

- a) no person holds the office of PCC
- b) the PCC is incapacitated, or
- c) the PCC is suspended.

12.6.2 The Panel may appoint a person as acting Commissioner only if the person is a member of the PCC's staff at the time of the appointment.

12.6.3 In appointing a person as acting Commissioner in a case where the PCC is incapacitated, the Panel must have regard to any representations made by the PCC in relation to the appointment.

12.6.4 The appointment of an acting Commissioner ceases to have effect upon the occurrence of the earliest of these events:

- a) the election of a person as PCC
- b) the termination by the police and crime Panel, or by the acting PCC, of the appointment of the acting PCC
- c) in a case where the acting PCC is appointed because the PCC is incapacitated, the PCC ceasing to be incapacitated, or
- d) in a case where the acting PCC is appointed because the PCC is suspended, the PCC ceasing to be suspended.

12.7 Proposed precept

12.7.1 The PCC will notify the Panel of the precept which the PCC is proposing to issue for the financial year. The Panel must review the proposed precept and make a report including recommendations.

12.7.2 Having considered the precept, the Panel will either:

- a) support the precept without qualification or comment
- b) support the precept and make recommendations, or
- c) veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).

12.7.3 If the Panel vetoes the proposed precept, the report to the PCC must include a statement that the Panel has vetoed the proposed precept with reasons. The Panel will require a response to the report and any such recommendations.

12.8 Complaints

12.8.1 Complaints in relation to the PCC or other office holders will be dealt with and/or delegated in accordance with the Act and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012)

12.8.2 The formal complaints procedure is set out in a separate document - Complaints Procedure issued by the Host Authority Monitoring Officer & Solicitor to the Council.

12.8.3 The Independent Police Complaints Commission (IPCC) requires arrangements to be in place for appropriate communication to take place between Police and Crime Panels and the IPCC in accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 should there be a serious criminal conduct matter or complaint about the PCC.

12.8.4 The contact point for panel 'triage' functions' / receipt of complaints is Brian Reed, Head of Governance and Democratic Services who will, on behalf of the Panel, deal with urgent referrals to the IPCC.

12.8.5 The host authority's Monitoring Officer has delegated authority in relation to the initial sifting, handling and recording of complaints;

12.8.7 The Chairman of the Panel, supported by the Monitoring Officer and Head of Governance and Democratic Services of the host authority has delegated authority to deal with the informal resolution of Part 4 complaints;

## 12.9 Suspension of the PCC

12.9.1 The Panel may suspend the PCC if it appears to the Panel that:

- a) the PCC has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence, and
- b) the offence is one which carries a maximum term of imprisonment exceeding two years.

12.9.2 The suspension of the PCC ceases to have effect upon the occurrence of the earliest of these events:

- a) the charge being dropped
- b) the PCC being acquitted of the offence
- c) the PCC being convicted of the offence but not being disqualified under Section 66 of the Police Reform and Social Responsibility Act by virtue of the conviction, or
- d) the termination of the suspension by the Panel.

12.9.3 In this section references to an offence which carries a maximum term of imprisonment exceeding two years are references to:

- a) an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
- b) an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

## 12.10 Suspension and removal of the Chief Constable

12.10.1 The Panel will receive notification if the PCC suspends the Chief Constable.

12.10.2 The PCC must also notify the Panel in writing of his/her proposal to call upon the Chief Constable to retire or resign together with a copy of the reasons given to the Chief Constable in relation to that proposal.

12.10.3 The PCC must provide the Panel with a copy of any representations from the Chief Constable about the proposal to call for his/her resignation or retirement.

12.10.4 If the PCC is still proposing to call upon the Chief Constable to resign, she/he must notify the Panel accordingly (the 'further notification').

12.10.5 Within six weeks from the date of receiving the further notification the Panel must make a recommendation in writing to the PCC as to whether or not she/he should call for the retirement or resignation. Before making any recommendation the Panel may consult the Chief Inspector of Constabulary, and must hold a scrutiny meeting.

12.10.6 The scrutiny hearing which must be held by the Panel is a meeting in private which the PCC and Chief Constable are entitled to attend to make representations in relation to the proposal to call upon the Chief Constable to retire or resign. Appearance at the scrutiny hearing can be by attending in person, or participating by telephone or video link.

12.10.7 The Panel must publish the recommendation it makes on its website and by sending copies to each of the Panel's constituent authorities, and by such other means as the Panel considers appropriate.

12.10.8 The PCC may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:

- a) at the end of six weeks from the Panel having received notification if the Panel has not by then given the PCC a recommendation as to whether or not she/he should call for the retirement or resignation, or
- b) the PCC notifies the Panel of a decision about whether she/he accepts the Panel's recommendations in relation to resignation or retirement.

12.10.9 The PCC must consider the Panel's recommendation and may accept or reject it, notifying the Panel accordingly.

12.10.10 In calculating the six week period, the post-election period is ignored.

### **13. Rules of debate**

The following rules of debate shall be applied to all meetings of the Panel.

13.1 Motions and Amendments

No motion or amendment shall be discussed unless it has been proposed and seconded. Where required by the Chairman, motions or amendments shall be put in writing and handed to the Chairman before they are further discussed or put to the meeting.

13.2 Secunder's Speech

When seconding a motion or amendment a Member may advise the Chairman that he/she will reserve his/her right to speak until a later period in the debate.

13.3 Order of Speeches

If two or more members indicate their intention to speak, the Chairman shall determine the order of speeches

13.4 Amendments to Motions

An amendment must be relevant to the motion and shall be either:

- (a) to leave out words;
- (b) to leave out words and add others;
- (c) to insert or add words;

but such amendment shall not have the effect of negating the motion before the Panel.

13.5 Number of Amendments

Only one amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been disposed of, although the Chairman may allow two or more amendments to be discussed (but not voted on) together if this would facilitate the proper conduct of the business before the meeting.

13.6 Status of Amendments

If an amendment is lost, another amendment may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

13.7 Alterations to Motions or Amendments

A Member may alter a motion or amendment which he/she has moved with the consent of the seconder.

### 13.8 Withdrawal of Motion

A motion or amendment may be withdrawn by the mover at any time

### 13.9 Right of Reply

The mover of the motion shall have a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall have a right of reply at the close of the debate on the amendment but shall not otherwise speak on it. The mover of the amendment shall have a right of reply to the debate on his/her amendment immediately before the mover of the original motion exercises his/her right of reply at the close of the debate.

### 13.10 Motions which may be moved during debate

When a motion is under debate no other motion shall be moved except the following:

- (a) to amend the motion;
- (b) to adjourn the debate;
- (c) to proceed to the next business;
- (d) to suspend Procedure Rules;
- (e) to refer a matter to another meeting for consideration or reconsideration;
- (f) that the question be now put;
- (g) that a Member be not further heard;
- (i) a motion under Section 100A(4) of the Local Government Act 1972 to exclude the public.
- (j) to adjourn the meeting;

### 13.11 Points of Order

A Member may raise a point of order or personal explanation and shall be entitled to be heard immediately. A point of order shall relate only to an alleged breach of a Procedure Rule or statutory provision and the Member shall specify the Procedure Rule or statutory provision and the way in which he/she considers it has been breached. A personal explanation shall be confined to some material part of a former speech

by him/her which may appear to have been misunderstood in the current debate.

13.12 Ruling of Chairman on a Point of Order/Personal Explanation

The ruling of the Chairman of the meeting on a point of order or on the admissibility of a personal explanation shall not be open to discussion and shall be final.

13.13 Chairman may request officer advice

If the question under debate involves questions of a legal, technical or administrative nature, the Chairman may request the appropriate officer to give advice.

13.14 Voting and Chairman's Casting Vote

Voting will be by a show of hands.

If 4 Members so request before the vote has begun to be taken the vote will be recorded to show whether each Member voted for or against the motion or abstained.

A Member may require, after a vote is completed, that the Minutes of the meeting record how he/she voted or abstained.

A Member may, immediately after the item of business is voted upon, request that a lost motion or amendment be recorded in the minutes.

Where there are equal votes cast for a motion or amendment the Chairman or the person presiding may exercise a second or casting vote.

**14. Public Participation**

A public speaking time and public question facility will apply to panel meetings as follows:

14.1 A total period of 15 minutes will be allocated for members of the public to speak at Panel meetings. Each member of the public shall be limited to a period of up to 5 minutes speaking.

14.2 The Chairman of the Panel will decide how the period of time allocated for public speaking will be apportioned where there is more than one speaker.

14.3 The Chairman of the Panel shall have discretion to extend the period for public speaking if he/she considers it appropriate to do so.

- 14.4 Members of the Public may speak on any matter relating to the work of the Panel.
- 14.5 During public speaking time, members of the public may ask questions of the Panel. The Chairman, in responding to the question, may answer the question, may decline to do so, may decide to reply at a later date or in writing or may refer the question to an appropriate person or body.
- 14.6 Questions will be asked and answered without discussion.
- 14.7 In order for officers to undertake any background research, members of the public wishing to ask a question at a Panel meeting should submit the question in writing at least a day before the meeting.

**15. Rights to attend meetings**

- 15.1 Members of the public may attend all Panel meetings subject to the exceptions in these rules. This does not include meetings, whose sole purpose is for officers to brief members of the Panel.

**16. Notices of meeting**

- 16.1 The Host Authority will give at least five clear days' notice of any meeting by posting details of the meeting on the public notice board at its main offices. A copy of the notice will be sent to each of the constituent authorities with a request that the notice be posted on the public notice board at their main offices.

**17. Access to agenda and reports before the meeting**

- 17.1 The Host Authority will make copies of the agenda and reports that are open to the public available for inspection at its main office at least five clear days before the meeting. If an item is added to the agenda later or if reports are marked on the agenda "to follow", the information will be made available to members of the panel and the public as soon as possible and any report (that is not excluded) will be open to inspection at the time it is added to the agenda.
- 17.2 All agendas and revised agendas will be published on the Host Authority's web site.
- 17.3 The Host Authority will send a copy of each agenda and any revised agenda to constituent authorities for them to make available for public inspection at their main offices.

(Note: The access to information rules applied by Local Government will be followed in relation to the copying of agendas and reports and this process will be administered by the Host Authority)

**18. Supply of copies**

The Host Authority will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and

to any person on payment of a charge for postage and any other associated.

**19. Access to Minutes and other documentation after the meeting**

- 19.1 The Host Authority will make available copies of the agendas, reports and minutes for six years after a meeting excluding any part of the minutes of proceedings when the meeting was not open to the public or any documents which disclose exempt or confidential information.

**20. Background papers**

- 20.1 Every report will list those documents (called background papers) relating to the subject matter of the report which -
- (a) disclose any facts or matters on which the report or an important part of the report is based; and
  - (b) have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information

**21. Public inspection of background papers**

- 21.1 Each Constituent Authority will make available for public inspection for four years after the date of the meetings, one copy of each of the documents on the list of background papers.

**22. Exclusion of access by the public to Panel meetings**

- 22.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Confidential information means information given to the Panel by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order or by legislation.
- 22.2 Exempt information – discretion to exclude public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

### 22.3 Meaning of exempt information

The Local Government (Access to Information) (Variation) Order 2006 amends Schedule 12A (Access to Information: Exempt Information) to the Local Government Act 1972.

Descriptions of Exempt Information (England) are now as follows:

Paragraph 1 – Information relating to any individual.

Paragraph 2 – Information which is likely to reveal the identity of an individual.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (included the authority holding that information).

Paragraph 4 – Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officeholders under, the authority.

Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Paragraph 6 – Information which reveals that the authority proposes:

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment.

Paragraph 7 – Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Part 2 of the regulations sets out some qualifications as follows:

Paragraph 8 – Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under:

- (a) The Companies Act 1985
- (b) The Friendly Societies Act 1974
- (c) The Friendly Societies Act 1992
- (d) The Industrial and Provident Societies Act 1965-1978
- (e) The Building Societies Act 1986, or
- (f) The Charities Act 1993

Paragraph 9 – Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission to regulation 3 of the Town and Country Planning General Regulations 1992.

Paragraph 10 – Information which:

- (a) falls within any of paragraphs 1-7 above, and
- (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above

is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **Part 4 – Budget**

A Grant is provided to maintain a police and crime panel for the Cheshire police force area to carry out its functions and responsibilities as set out in the Police Reform and Social Responsibility Act 2011.

### **External assurance**

The Grant is paid to the host authority in exercise of the power conferred by section 31 of the Local Government Act 2003.

Payments will be made in arrears, in accordance with Schedule 2, within 21 working days of the receipt of a payment request in the prescribed form.

Cheshire East Borough Council's Section 151 Officer and his nominated Finance Manger are acting on behalf of the Panel to manage the grant.

## **PART 5**

### **STANDARDS**

#### **(a) Members' Code of Conduct**

This Code is based on the following core principles of public life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It sets out general obligations about the standards of conduct expected of Panel Members and co-opted members together with provisions about registering and declaring interests.

#### **General obligations**

Whenever you are acting as a member or co-opted member of this Panel you should act in accordance with the following obligations:

##### **Selflessness**

You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

##### **Integrity**

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

You should exercise independent judgement. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

##### **Objectivity**

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the Panel's officers, into consideration.

##### **Accountability**

You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including by local residents.

### **Openness**

(a) You must be as open and transparent as possible about your decisions and actions and the decisions and actions of other Panel Members. You should be prepared to give reasons for those decisions and actions. You must not prevent anyone getting information that they are entitled to by law.

(b) Where the law or the wider public interest requires it, you must not disclose confidential information or information to which public access is restricted.

### **Honesty**

(a) You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out in Section B below.

(b) You must only use or authorise the use of the Panel's resources in accordance with the Panel's requirements. You must, when using or authorising the use by others of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986

### **Respect for others**

(a) You must treat others with respect. You should engage with colleagues and staff in a manner that underpins mutual respect, essential to good local government.

(b) You must not do anything which may cause the Panel to breach any equality laws.

(c) You must not compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the Panel.

(d) You must not bully any person, including other councillors, officers of the Panel or members of the public.

### **Leadership**

You must promote and support high standards of conduct when serving as member or co-opted member of the Panel, by leadership and example, championing the interests of the community.

You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

### **Registering and declaring pecuniary and non-pecuniary interests**

Registration and declaration of interests shall be made in accordance with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

You will already have, within 28 days of taking office as a member of your respective Local Authorities, notified your authority's monitoring officer of any

disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you will have, within 28 days of taking office as a member of your respective local authorities notified your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto your authority's register, then you must disclose the interest to any meeting of the Panel at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'<sup>1</sup>.

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State.

Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

### **(b) Officer – Member Relations**

The relationship between Members and Officers is an essential ingredient in the successful working of the Panel. This relationship is characterised by mutual respect, informality and trust. Members and Officers feel free to speak to one another openly and honestly. Nothing in this Protocol is intended to change this relationship. The purpose of this Protocol is rather to help members and officers to perform effectively by giving guidance on their respective roles and expectations and on their relationship with each other.

The Protocol also gives guidance on what to do on the rare occasions when things go wrong. Responsibility for the operation of this Protocol lies with the Monitoring Officer of the host authority.

The Protocol must be read and operated in the context of any relevant legislation and national and local Codes of Conduct and any procedure for

<sup>1</sup> A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

confidential reporting, together with the Panel's adopted rules and procedures.

The principles which underline this protocol are:

**Selflessness**

Members and Officers should serve only the public interest and should never improperly confer an advantage or disadvantage on each other or any person.

**Honesty and Integrity**

Members and Officers should not place themselves in official situations where their honesty and integrity may be questioned. They should not behave improperly and should on all occasions avoid the appearance of such behaviour.

**Objectivity**

Members and Officers should make decisions on merit including making appointments, awarding contracts or recommending individuals for rewards or benefits.

**Accountability**

Members and Officers should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should cooperate fully and honestly with any scrutiny appropriate to their particular office.

**Openness**

Members and Officers should be as open as possible about their actions and those of their Authority and should be prepared to give reasons for those actions.

**Respect for Others**

Members and Officers should promote equality by not discriminating unlawfully against any person and by treating people with respect regardless of their race, age, religion, gender, sexuality or disability. Members should also respect the impartiality and integrity of the Authority's statutory Officers and its other Officers. The Panel Member Code of Conduct specifies that bullying by Members will be a breach of the Code and could lead to a Standards referral and investigation.

**Duty to Uphold the Law**

Members and Officers should uphold the law and on all occasions act in accordance with the trust that the public is entitled to place in them.

**Stewardship**

Members and Officers should do whatever they are able to do to ensure that the Council uses its resources prudently and in accordance with the law.

**Leadership.**

Members and Officers should promote and support these principles by leadership and by example and should always act in a way that secures or preserves public confidence.

### **Roles of Members and Officers**

Members and Officers are servants of the public and they are indispensable to one another. But their responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Members are responsible for the direction and control of the Panel through their work at meetings. Officers are responsible, through the management structure, to the Panel. Their job is to give advice to Members and to carry out the Panel's work under the direction and control of the Panel.

Mutual respect between Councillors and Officers is essential to good Local Government. Close familiarity between individual Councillors and Officers can damage this relationship and prove embarrassing to other Councillors and Officers. If a relationship exists between Councillors and Officers which could give the appearance of an improper relationship, advice should be sought from the Chief Executive or from the Monitoring Officer.

If the guidelines in this protocol are followed there should be no dispute or conflict between Members and Officers nor any harassment of staff. However, in the event that a Member wishes to pursue a complaint against an Officer or vice versa, then this must be done formally in writing to the Chief Executive (Host Authority) for complaints against Officers, the Monitoring Officer to the Panel) (subject to statutory requirements) for complaints against Members or in accordance with any of the individual Councils' Whistleblowing Policies

### **Member / Officer Communications**

Members have three main areas of responsibility: determining the policy of the Panel and giving it political leadership, representing the Panel externally, and acting as advocates on behalf of the Cheshire Wide constituents. It is not the role of Panel Members to involve themselves in the day to day management or provision of support to the Panel.

Where Members have any queries, comments or concerns relating to managerial or operational issues, these will be referred to the appropriate Officer taking into account the requirements of the Member Code of Conduct.

Members must at all times be aware of the influence that their position exerts and should be extra cautious in any dealing with Officers, and in particular junior Officers, to ensure that their involvement, behaviour or comments cannot be interpreted as a breach of the Member Code of Conduct, particularly with regards to allegations of bullying or intimidation of staff.

### **The Chairman**

The Chairman has additional responsibilities. Because of those responsibilities, their relationships with Officers may be different from, and be more complex than, those of Members without those responsibilities, and this is recognised in the expectations they are entitled to have.

### **Officers**

The role of Officers is to give advice and information to Panel Members and to implement the strategies and policies as determined by the Panel.

Officers must be allowed to discharge their duties, without fear of repercussion.

### **Expectations**

Members can expect from Officers:

- A commitment to the Panel as a whole, and not to any political group
- An effective working partnership
- An understanding of, and support for, respective Member roles, workloads and pressures
- Timely response to enquiries and complaints
- Professional advice, not influenced by political views or preference, which does not compromise the political neutrality of Officers
- Regular, up to date information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold
- Information on request, unless it is classified as confidential or exempt
- Awareness of, and sensitivity to, the political environment
- Respect, dignity and courtesy
- Training, development and support in order to carry out their Member role effectively
- Integrity, mutual support and appropriate confidentiality
- Not to have personal issues raised with them by Officers outside the agreed procedures
- That Officers will not use their relationship with members to advance their personal interests or to influence decisions improperly
- That Officers will at all times comply with the Officer Code of Conduct

### **Officers can expect from Members:**

- An effective working partnership
- An understanding of and support for respective roles, workloads and pressures
- Political Leadership and direction
- Respect, dignity and courtesy
- Integrity, mutual support and appropriate confidentiality
- Not to be subject to bullying or to be put under undue pressure. Members must have regard to the seniority of Officers in determining what are reasonable requests, having regard to the power relationship between members and Officers, and the potential vulnerability of Officers, particularly at junior levels
- That members will not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly

- That Members will at all times comply with the Members' Code of Conduct

### **When things go wrong**

#### **Procedures for Officers**

From time to time the relationship between Members and Officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation by an appropriate senior manager or member, Officers will have recourse to a relevant Grievance Procedure or to the host authority Monitoring Officer, as appropriate to the circumstances. In the event of a grievance or complaint being upheld, the matter will be referred to the Chief Executive of the host authority, who, having taken appropriate advice will decide on the course of action to be taken, following consultation with the Monitoring Officer.

In the event that a complaint is raised within the Standards Regime the process for handling such complaints and carrying out investigations and hearings will apply.

#### **Procedure for Members**

In the event that a Member is dissatisfied with the conduct, behaviour or performance of an officer, the matter should be raised with the Monitoring Officer of the host authority. If the matter cannot be resolved informally, it may be necessary to invoke the appropriate Council's Disciplinary Procedure.

#### **Specific Relationships**

To enable the Panel to function effectively the Chairman and Members of the Panel will need briefings and other forms of regular liaison.

When the Chairman and Members of the Panel submit reports they may ask the appropriate officers to draft the initial report for them. In any event they must consider the advice of the appropriate officer and, when necessary, the Monitoring Officer of the host authority and the Chief Finance Officer (S151 Officer of the host authority). Whilst Officers will advise on the implementation of the Panels work this advice must not extend to party or political business.

When the Chairman and Members of the Panel require information, briefings or Officer attendance at a meeting, the request should be made to the Head of Governance and Democratic Services from the host authority who will determine how the support will be given. Local authority officers should not refuse any reasonable request and in the event of a dispute the matter will be resolved by the host authority Chief Executive in consultation with colleagues.

To enable the Panel to prepare a Work Programme Members will need to take advice from the Officers responsible for supporting and servicing them.

### **Access to Documents and Information**

In general, Members are free to approach any of the Panel support officers for such information, explanation and advice (relevant to the work programme) as they may reasonably need in order to assist them in discharging their role as members of the Panel.

As regards the legal rights of Members to inspect documents, or with regard to information contained within such documents, these are covered partly by statute and partly by common law. The statutory framework includes the Local Government Act 1972 and the Data Protection Acts 1985 and 1998. There are specific statutory prohibitions on the release of certain information as set down in legislation and referred to in these Rules and the Access to Information provisions within these Rules. Any questions about this should be raised with the relevant Monitoring Officer or the Section 151 Officer.

Members have a statutory right to inspect any Panel document which contains material relating to any business which is to be transacted at a Panel, Sub-Committee or Task Group meeting, subject to the provisions of the Access to Information Rules, particularly those relating to exempt information. Members have a common law right to documents and information on a 'need to know' basis.

Any information provided to a Member must only be used by the Member for the purpose for which it is provided, that is in connection with the proper performance of the Member's duties as a Member of the Panel.

Panel Members must not –

(a) disclose information given to them in confidence by anyone, or information acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature, except where –

- they have the consent of a person authorised to give it;
- they are required by law to do so;
- the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person, or
- the disclosure –
  - is reasonable and in the public interest made in good faith and in compliance with the reasonable requirements of the Panel; or

will prevent another person from gaining access to information to which that person is entitled by law

Panel Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or the Panel or their Authority into disrepute.

They –

- must not use or attempt to use their position as a member improperly to confer on or secure for themselves or any other person, an advantage or disadvantage; and
- must, when using or authorising the use by others of the resources of the Panel –

act in accordance with your Authority's reasonable requirements;  
ensure that such resources are not used improperly for political purposes (including party political purposes); and  
must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

### **Other Individuals Who Are Members of Council Bodies**

The scope of any Code of Conduct includes co-opted Members of the Panel and they are required to sign a declaration indicating their acceptance of the Code's provisions.

To enable them to be effective they will need briefings and other forms of liaison. In general it is the role of other individuals who are members of the Panel to share with Councillors their expertise and knowledge to help improve the effectiveness of the Panel's decision-making process.

They will be able to contact the appropriate officers to seek from them information on matters relating to the work of the Panel to which they have been nominated. They should also normally be invited to attend any briefing or other liaison meetings which are convened for all members of the Panel.

### **Press Releases**

Press Releases will be issued on behalf of the Panel by the host authority Communications Team.

### **Correspondence**

Subject to the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000 correspondence between an Officer and a Member shall only be made available to another Member :

- (a) at the request or with the consent of the relevant Officer
- (b) should the Member/Officer concerned so request
- (c) to another Officer or Member who is named within the correspondence as assisting in dealing with the matter
- (d) to Members on a 'need to know' basis

## Part 6 Administrative Support

### Cheshire Police and Crime Panel - Contact Officers

<b>Cheshire East (Host Authority)</b>  Brian Reed, Head of Democratic Services and Governance; 01270 686670; <a href="mailto:brian.reed@cheshireeast.gov.uk">brian.reed@cheshireeast.gov.uk</a> Julie North; 01270 686460 Martin Smith; 01270 686012	<b>Halton</b>  Mark Reaney, Operational Director – Legal & Democratic Services 0151 511 6006; <a href="mailto:mark.reaney@halton.gov.uk">mark.reaney@halton.gov.uk</a> ; Angela Scott, 0151 511 <a href="mailto:angela.scott@halton.gov.uk">angela.scott@halton.gov.uk</a>
<b>Warrington</b>  Matthew Cumberbatch, Head of Legal and Democratic Services, and Monitoring Officer to the Council 01925 442150	<b>Cheshire West</b>  Penny Housley Governance Manager 01244 975972

## **Part 7: COMPLAINTS PROCEDURE**

### **1. BACKGROUND**

- 1.1 This procedure has been developed to ensure compliance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 which are issued under the Police Reform and Social Responsibility Act 2011.
- 1.2 There are separate procedures for complaints against the PCC's office and staff, and complaints regarding operational policing, the Chief Constable and other police officers. Details are available on the PCC's website.
- 1.3 This procedure has been developed in accordance with the wishes of the Cheshire Police and Crime Panel following its decision at a Panel meeting held on 14 December 2012 (Minute CPCP 24 refers)

### **2. AIMS/OBJECTIVES**

- 2.1 To set out the way in which complaints against the PCC and the Deputy PCC (the Deputy PCC) will be handled by the PCP.
- 2.2 To reassure the public that complaints against the PCC and the Deputy PCC are dealt with fairly and appropriately.
- 2.3 To reassure the public that any complaint relating to a criminal offence will be referred by the PCP to the Independent Police Complaints Commission.

### **3. SUBMITTING A COMPLAINT**

- 3.1 The PCP has delegated the authority for the initial handling of complaints, together with other aspects of the process, to the Host Authority's Monitoring Officer (Cheshire East Council's Monitoring Officer) under Section 101(2) of the Local Government Act 1972. The Head of Governance and Democratic Services (Cheshire East Borough Council) will assist the Monitoring Officer in this duty.

**Complaints should be sent to:**  
**The Head of Governance and Democratic Services**  
**Cheshire East Borough Council**  
**Westfields,**  
**Middlewich Road,**  
**Sandbach,**  
**CW11 1HZ**  
**Or emailed to [brian.reed@cheshireeast.gov.uk](mailto:brian.reed@cheshireeast.gov.uk)**

- 3.2 When submitting a complaint it is helpful for the complainant to provide as much information as possible, to be specific regarding what was allegedly said or done, the date it happened, and whether there were any witnesses.

#### **4. TIMESCALES**

- 4.1 Wherever possible complaints will be acknowledged within 5 working days, and concluded within 40 working days if dealt with through informal resolution (see paragraph 28 below).

#### **5. DUTY TO PRESERVE EVIDENCE**

- 5.1 Where a complaint is made, the first task is to ensure that all appropriate steps are taken to obtain and preserve evidence relating to the complaint. This duty is on-going until or unless arrangements are made for the complaint to be dealt with through informal resolution (see paragraph 12 and 13 below). This is the exception because informal resolution does not involve the investigation of the complaint (i.e. obtaining evidence about it).

#### **6. NOTIFICATION AND RECORDING OF COMPLAINTS**

- 6.1 If the complaint relates to another police force area, the police and crime panel for that area must be notified.
- 6.2 If the complaint relates to the Cheshire PCP's police force area it will be recorded.
- 6.3 If the complaint is recorded, the complainant and the person complained against will be provided with a copy of the record of complaint. However:

- The recorded complaint may be redacted to protect the identity of the complainant or any other person.

(Note: It is envisaged that this power would be used only in the most limited of circumstances. Any such decision should be made with reference to the Chairman, Vice-Chairman and another Member of the Panel. The reasons for the decision should also be recorded. The original record of the complaint will not be altered.)

- In some cases the Monitoring Officer may decide not to provide a copy of the record, if doing so might prejudice any criminal investigation or pending proceedings or would in some other way not be in the public interest. Any decision not to provide the record will be kept under regular review.

- This duty to provide a copy of the record does not apply where the complaint has been, or is already being, dealt with by criminal proceedings, or where the complaint is withdrawn.
- If a decision is taken not to notify or record a complaint, the complainant must be advised and given the reason.

## **7. NOTIFICATION AND RECORDING OF CONDUCT MATTERS**

- 7.1 If an issue arises because of a media report or legal proceedings, and it appears that the PCC or Deputy PCC may have committed a criminal offence, this is referred to as a conduct matter.
- 7.2 A conduct matter is therefore where no formal complaint has been received, but the matter should be treated in the same way as if there was a complaint.
- 7.3 A conduct matter will be recorded in the same way as a complaint unless it has already been recorded as a complaint or is the subject of criminal proceedings.

## **8. REFERENCE TO THE INDEPENDENT POLICE COMPLAINTS COMMISSIONER (IPCC)**

- 8.1 The PCP is not responsible for investigating or determining whether a crime has been committed. The PCP has delegated the authority to the Host Authority's Monitoring Officer for filtering complaints and deciding which complaints may amount to criminal conduct and should be referred to the IPCC. The Monitoring Officer may take advice from the IPCC before making a referral.
- 8.2 Any conduct matter (7 above) and any serious complaint (a complaint about conduct that constitutes or involves, or appears to involve, the commission of a criminal offence) must be reported to the IPCC as soon as possible.
- 8.3 Any other complaint must be referred if the IPCC requires it.
- 8.4 Referrals should be made as soon as possible and no later than the close of business the day after the PCP becomes aware that the matter should be referred.
- 8.5 The complainant and the person complained about should be notified, unless doing so might prejudice a future investigation.
- 8.6 It is possible for the IPCC to refer any complaint back to the PCP for resolution.

## **9. CIRCUMSTANCES WHEN THE PCP DOES NOT NEED TO DEAL WITH A COMPLAINT**

9.1 The Monitoring Officer can decide not to refer the complaint for resolution, or to take no action at all, in the following circumstances: -

- A complaint by a member of the PCC's staff, arising from their work
- A complaint that is more than 12 months old where there is no good reason for the delay or the delay would be likely to cause injustice
- A complaint about conduct that is already the subject of another complaint
- An anonymous complaint
- A complaint which is vexatious, oppressive or otherwise an abuse of process for dealing with complaints
- A repetitious complaint

9.2 The complainant will be notified if the decision is taken not to deal with a complaint and the reasons given.

## **10. WITHDRAWN COMPLAINTS**

10.1 A complainant can withdraw or discontinue their complaint at any time, by notifying the PCP in writing (address at 3.1 above) and signing the notification. This must be recorded, and if the complaint has been referred to the IPCC they must be informed.

10.2 The PCP may decide not to treat the complaint as withdrawn, but to treat it as a conduct matter and refer it to the IPCC in accordance with the procedure set out above. This decision will be made by the Monitoring Officer in consultation with the Chairman of the PCP.

10.3 The person who is the subject of the complaint will be kept informed, unless to do so might prejudice a criminal investigation or pending proceedings, or would in some other way not be in the public interest.

## **11. CONDUCT OCCURRING OUTSIDE ENGLAND AND WALES**

11.1 The PCC and Deputy PCC are under a duty to notify the PCP via the Monitoring Officer of the host authority, of any allegation, investigation or proceedings relating to their conduct outside England and Wales. The PCP can take whatever action it thinks fit in these circumstances. This decision will be made by the Monitoring Officer of the host authority in consultation with the Chairman of the PCP.

## **12. INFORMAL RESOLUTION OF COMPLAINTS**

- 12.1 If a complaint is not referred to the IPCC or is rejected it must be dealt with by informal resolution. This is a way of dealing with a complaint by solving, explaining, clearing up or settling the matter directly with the complainant, without an investigation or formal proceedings. It is a flexible process that may be adapted to the needs of the complainant and the individual complaint.
- 12.2 The Chairman or Deputy Chairman of the Panel, supported by the Monitoring Officer and Head of Governance and Democratic Services of the host authority has delegated authority to deal with the informal resolution of Part 4 (non-criminal) complaints.
- 12.3 If a complaint has already been satisfactorily dealt with by the time it comes to the PCP's attention, the complaint may be considered resolved and no further action will be taken. The Monitoring Officer (host authority) can take this decision following consultation with the Chairman of the PCP.
- 12.4 The handling of the process can be delegated to: -
- A sub-committee (comprising the Chairman, Deputy Chairman and an Independent Co-opted Member); or
  - Another person, such as the PCC's Chief Executive or the Host Authority's Monitoring Officer (but the PCC and Deputy PCC cannot be appointed to consider complaints against each other).
- 12.5 If a sub-committee (comprising the Chairman, Deputy Chairman and an Independent Co-opted Member) or a person is appointed the PCP can take back responsibility for informal resolution at any time.
- 12.7 Informal resolution will be discontinued if the IPCC notifies the PCP that they require the complaint to be referred to them, or if the Monitoring Officer in consultation with the Chairman of the PCP decides that the complaint should be referred to the IPCC.

### **13. REQUIREMENTS FOR INFORMAL RESOLUTION**

- 13.1 The intention is for the procedure to be flexible so that it can be adapted to individual circumstances.
- 13.2 However, there are some formal requirements which are set out below:

No investigation can take place. The PCP has power to require the person complained against to provide information and documents to the PCP and to attend to answer questions. This does not amount to an investigation.
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The person complained against must be given the opportunity to comment on the complaint as soon as is practicable.
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Any failure by the person complained against to comment on the complaint when invited to do so will be noted in the written record.

No apology can be tendered on behalf of the person complained against unless the person has admitted the alleged conduct and agreed to make an apology.

## Part 8: WEBCASTING PROTOCOL

(These procedures do not deal with recordings by members of the public)

### 1 Purpose of Webcasting and Formal Record

- 1.1 The main purpose of webcasting is to give members of the public the chance to view meetings as they happen without having to attend in person.
- 1.2 Webcasting does not replace the formal record of the meeting and decisions made at that meeting. The only formal record of any meeting of a Local Authority is its minutes and agendas which are required to be maintained and retained in accordance with legislative requirements.

### 2 Operating Procedure

- 2.1 Webcasts will only commence at the beginning of a meeting when the Chairman opens the meeting and will finish when the meeting is closed or when the meeting is in private session. The Chairman will allow sufficient time for the webcasting to stop once the decision to exclude the press and public has been made.
- 2.2 Anything that is outside of the scope of the meeting will not be filmed. This includes reaction shots, walkouts etc. Where an operator is unsure on what to film or is in an unfamiliar situation, the operator should always select a camera shot of the Chair of the meeting.
- 2.3 The following persons may authorise the pausing or editing of a webcast: The Chair of the meeting, in consultation with the lead officer present at the meeting;
- 2.4 Editing should only be undertaken if there is a legal reason, for instance the name of a person in witness protection was divulged by a public speaker, confidential personal information is inadvertently disclosed or defamatory comments made. Editing may also be authorised in exceptional circumstance such as if an attendee is taken ill on screen. A log be maintained of edited webcasts.
- 2.5 Should the webcast be halted for a technical reason the following procedure will be applied:
  - The operator will inform the Committee Officer as soon as practically possible
  - The operator will also inform the Press Office and the Head of Governance and Democratic Services so they can inform the political group leaders and provide them with an explanation of what went wrong, what is being done to recover any lost data and how we will mitigate issues in the future.

- 2.6 When any editing occurs the same procedure as in 2.5 above will be followed.
- 2.7 In the event of obscenities being shouted, the sound will be muted either live or in post-production so as not to cause offence.
- 2.8 An attendee may indicate that he/she does not wish to be filmed whilst in the audience or addressing the meeting. On receiving such information the webcast operator will:
- Give guidance on the best place to sit
  - Ensure that no close-up images of the attendee are taken
  - If the attendee is speaking, focus the camera on the Chair

### **3.0 Technical Proposals**

- 3.1 During all webcasts, a DVD back-up will be run which will take a raw feed of the audio and video, prior to it going through the webcaster.
- 3.2 This DVD back-up will be kept by the Marketing Team and will be an unedited raw version of what the cameras and microphones 'see' during the meeting before it is webcast. This will be kept by the Marketing team and used in the case of:
- Internal scrutiny of pause decisions
  - Back-up facility in case of technical issues

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# Cheshire Police and Crime Panel

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**Date of Meeting: 20 June 2018**

**Report of: Brian Reed, Head of Governance and Democratic Services,  
Cheshire East Council**

**Subject: Cheshire Police and Crime Panel Budget 2018/19**

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## **1. Report Summary**

- 1.1 This report outlines a proposed budget for Panel for the 2018/19 Municipal Year.

## **2. Recommendation**

- 2.1 That the Panel receive and approve the budget for the year.

## **3. Background information**

- 3.1 The Home Office pays a ring-fenced grant to the host authority (Cheshire East Council) to maintain a Police and Crime Panel for the Cheshire Police area, so that the Panel can carry out its functions and responsibilities as set out in the Police and Social Responsibility Act 2011.
- 3.2 The Grant is paid in arrears; with the payment for 2016/17 having been received by the host authority in early May 2018.
- 3.3 The host Authority's Section 151 Officer and a nominated Finance Manager act of behalf of the Panel to maintain and manage the Grant.

## **4. Financial Implications**

- 4.1 A working outline budget has been developed for the 2018/19 Municipal Year. This will provide a mechanism to provide appropriate support to the Panel and enable the Grant to be claimed at the year end.
- 4.2 The outline budget for the year is:

## PROJECTED EXPENDITURE

Support provided by staff in Cheshire East Council's Corporate Services Department, including Legal, Democratic Services, Finance, Communications and web team	£51,506
Webcasting of meetings (provided by Cheshire West and Chester Council)	£3,000
Member Allowances and expenses	£11,960
Room hire and training	£2,000
<b>TOTAL</b>	<b>£68,466</b>

4.3 Support to the Panel is provided by a range of Officers from within Cheshire East's Corporate Services Department as outlined in the table above. The principal support officers are:

- Head of Democratic Services and Governance;
- Registration and Civic Services manager;;
- Democratic Services Manager; and
- Director of Legal Services and Monitoring Officer,

## 5. Equality implications

5.1 There are no specific equality issues related to this report.

## 6. Contact information

**Name:** Martin Smith  
**Designation:** Civic and Administration Manager  
**Local Authority:** Cheshire East Council  
**Telephone:** 01270 686012  
**Email:** [martin.r.smith@cheshireeast.gov.uk](mailto:martin.r.smith@cheshireeast.gov.uk)



**NOTES OF THE SCRUTINY BOARD HELD ON 15 MARCH 2018 IN THE COURT ROOM, OPCC, STOCKTON HEATH POLICE STATION, WARRINGTON, WA4 2AF.**

*Present:* D Keane, Police & Crime Commissioner  
J McCormick, Acting Chief Constable

*Office of the Police & Crime Commissioner*

P Astley, Chief of Staff  
B McCrorie, Head of Policy & Partnerships  
M Walton, Governance Officer & Performance Analyst  
C Tozer, Communications Officer

*Cheshire Constabulary*

D Martland, Acting Deputy Chief Constable  
P Woods, Head of Planning & Performance

No members of the public were present to observe the meeting.

**1. NOTES FROM 14 DECEMBER 2017 MEETING**

1.1 The notes from the meeting on 14 December 2017 were noted and approved.

**2. POLICE & CRIME PLAN: PERFORMANCE REPORT**

2.1 The Acting Chief Constable provided a verbal update in relation to recent operations:

2.2 Updates from the previous Scrutiny Board on 14 December 2017:

**Operation Resonate**

The operation investigated nine active teams operating across Widnes and Merseyside. Following early-morning raids on Thursday 14 December, 40 suspects were identified and a total of 39 arrests were made. 38 suspects were subsequently charged with conspiracy to supply Class A drugs, of which 37 have entered guilty pleas.

**Operation Masterclass**

The strike phase of this operation concerning Class A drug supply in Ellesmere Port occurred on Wednesday 06 December 2017. A total of eight suspects have been charged with conspiracy to supply Class A drugs, of which six have offered guilty pleas with trials set for the remaining two suspects.

2.3 Updates on recent operations:

**Operation Smithy**

A total of 20 drug warrants were executed during a large scale strike phase at addresses across Warrington and Merseyside. A total of 21 suspects were arrested.

**Operation Merciless**

This investigation is in relation to drug dealing within Crewe. Four males have recently been arrested, charged and remanded in custody for possession with intent to supply offences. In addition, approximately £3,000 worth of Class A drugs has been recovered.

## **Operation Tyke**

Throughout February, Cheshire Constabulary has executed a number of warrants across Congleton in relation to the supply of Crack Cocaine and Heroin. Six people were arrested and subsequently charged with conspiracy to supply offences.

2.4 The Acting Chief Constable also provided a verbal update in relation to high profile incidents:

### **Northwich - Fire at the University of Chester Academy (Sunday 25 February 2018)**

One male has been arrested and subsequently charged with Arson with Intent to Endanger Life. The incident has caused damage estimated at £3 million and significant disruption of school life.

### **Runcorn - Op Abolish**

This operation has focused upon knife crime by the LPU following a rise in knife crime, an increase in intelligence and social media reporting around knives as well as an increase in prevalence of young people carrying knives. Signification focus on prevention via education, trading standards and intelligence led use on stop search.

### **Chester - OP Analyse**

Following disorder within the City Centre prior to the Chester v Wrexham football match, eight suspects have been arrested, six of which have been charged with affray.

### **Macclesfield - Operation TUTU**

This investigation is linked to a violent kidnap and robbery. The use of ANPR was critical to the enquiry and has led to charges of kidnap, robbery, possession of an imitation firearm and possession of drugs.

### **Warrington LPU / Specials - Op Aral**

This operation has focused on road safety. Over a 24 hour period, 297 offenders have been identified and dealt with across Warrington in relation to speed enforcement, no insurance, phone and seatbelts (this links to national week of action).

- 2.5 The Acting Chief Constable stated that recent bad weather had placed significant demand upon the Constabulary but there have been numerous examples of positive feedback received from the public in relation to the actions of officers and PCSOs. The Commissioner welcomed such feedback and requested that all feedback is passed on to the individual officers and PCSOs concerned.
- 2.6 The Commissioner enquired whether there had been any prosecutions within Cheshire in relation to: i) use of mobile phone via the submission of dashcam footage; and ii) smoking in the car with someone under 18 present. The Acting Chief Constable confirmed this would be checked and data would be provided to the Commissioner.
- 2.7 With regard to the use of a mobile when driving, the Chief of Staff enquired whether the Constabulary had generated a profile of offenders within Cheshire. The Acting Chief Constable stated that this has been completed and would be provided to the Commissioner.
- 2.8 The Acting Chief Constable provided a brief overview of the performance report. The Constabulary continues have high public satisfaction and response times remain strong despite demand and challenges following the recent weather. Nevertheless, the Acting Chief Constable stated a desire to scrutinise the variation in response times between LPUs to ensure equality across Cheshire, something which the Commissioner welcomed. There remains a real focus upon rape and sexual assault but challenges in relation to CDI and 'victim does not support police action' are ongoing. Internal Force Performance meetings continue to analyse why there appears to be an increase in victims not supporting police action (outcome 16) as well as the quality of investigations across Cheshire. The increase in offences closed via outcome 16 continues to impact the solved rates within Cheshire but the Constabulary is committed to retaining focus on all areas of vulnerability.

2.9 The Commissioner stated that his focus of the scrutiny board would be upon the update report in relation to rape, child sexual abuse and domestic violence with injury (agenda item 3). As such, the Commissioner noted the Police & Crime Plan Performance Report and stated that he would be writing to the Acting Chief Constable with regard to some of the KPIs and data recorded.

### **ACTIONS:**

- 2018/01: The Commissioner is to be provided data outlining the number of prosecutions within Cheshire in relation to: i) use of mobile phone via the submission of dashcam footage; and ii) smoking in the car with someone under 18 present.
- 2018/02: The Commissioner is to be provided with the profile of offenders prosecuted for use of a mobile when driving and not wearing a seatbelt.

### **3. UPDATE REPORT ON RAPE, CHILD SEXUAL ABUSE AND DOMESTIC VIOLENCE WITH INJURY**

- 3.1 The Commissioner invited the Acting Chief Constable to provide a brief overview of the outcome framework (page 34). The Acting Chief Constable explained that although this is a national 'outcomes' framework for all police recorded crime, the greatest challenge is how this is explained to the public. Notwithstanding the perception that a case is not really solved until it has undergone the full judicial process resulting in a conviction, there are various options available to close a crime and the criminal justice route is not the only option. Indeed, victim support remains a key priority for the Constabulary and there is a desire, both within Cheshire and nationally, to understand why a significant number of crimes are closed via outcome 16.
- 3.2 The Commissioner enquired whether any comparative data from other forces was available. The Head of Planning and Performance stated that the Constabulary is only able to include national data once this has been published elsewhere. The Commissioner stated that the solved rates for rape, child sexual abuse and domestic violence may be perceived as low from the public perspective, but the inclusion of comparative data may indicate that this is a national issue and not constrained to Cheshire. Nevertheless, the Commissioner expressed concern that at the current rate, the solved rate for rape offences could drop into single figures in 2018. It was agreed that, where possible, comparative data would be included in future performance packs.

### ***Rape***

- 3.3 The Acting Chief Constable stated that there continues to be a significant increase in the number of recorded rape offences. Furthermore, as a result of CDI improvements, there has been a 700% increase in the number of recorded N100s, all of which have an initial investigation yet some are subsequently closed via outcome 16. Although the increase in reporting continues to be perceived as a positive, this has undoubtedly contributed to the significant workload in the system.
- 3.4 The Commissioner explained that while he appreciates investigations into historical rape offences may be more complex, he wishes to see a greater solved rate for 'current' rape offences. The Acting Chief Constable stated that a significant number of 'current' rape offences are reported outside of the 48 hour forensic window. This not only increases the complexity of investigations, but also the duration. The Acting Chief Constable also stated that the CPS decision to charge will also impact solved rates.
- 3.5 Following the Dedicated Rape Unit review of 15 rape offences from 2017 which had been closed via outcome 16, the Commissioner expressed concern that in five of the cases, there was no obvious reason why the victim was not supportive of police action. The Acting Chief Constable stated that such victims will be spoken to in due course and an update will be provided to the Commissioner. In addition, the Acting Chief Constable confirmed that a further 65 cases will be assessed to understand the victim journey and quality of rape investigations. The Commissioner welcomed such a review, particularly given his concerns that despite the centralised Dedicated Rape Unit, a large number of rape investigations continue to be investigated by LPUs.

- 3.6 The Chief of Staff sought assurance in relation to current investigations progressing through the Criminal Justice process and the disclosure of evidence. The Acting Chief Constable confirmed that all current cases have been reviewed and there are no issues in relation to disclosure. The National Police Chiefs Council (NPCC) National Disclosure Improvement Plan is ongoing and the Acting Deputy Chief Constable confirmed that live time sampling continues to seek offences not picked up at the first opportunity.
- 3.7 The Acting Chief Constable also discussed with the Commissioner the difficulties in relation to offences whereby a victim retracts their statement. Indeed, HMIC states that in such instances, there is not enough additional verifiable information to cancel these crimes. The Commissioner stated that if victims are to be believed at the first point of contact and a crime recorded (CDI), then victims should also be believed when retracting their statement which would enable the Constabulary to cancel the crime. The Commissioner requested a briefing in relation to HMIC guidance on additional verifiable information and suggested this is something he would raise at the next national APCC meeting.
- 3.8 The Commissioner stated that his office will soon be conducting research on the criminal justice follow through to greater understand the case journey. The Chief of Staff suggested that the review is likely to look at the impact on both the perpetrator and victim, changes to society, as well as CDI. The Acting Chief Constable stated that it is right and positive that all victims continue to be offered support via RASASC and that the Constabulary remains the only force with a Dedicated Rape Unit (DRU).
- 3.9 The Commissioner requested a briefing containing additional data in relation to the court outcomes of the 10% charged (outcome one) with rape. This will ultimately impact the confidence of future reporting and the Chief of Staff stated that it is of paramount importance that victims are supported throughout their journey. The Commissioner explained that as the initial police contact with the victim is significant to ensure confidence and the victim supports police action, he was concerned that such initial contact is not always by DRU specialist officers.
- 3.10 The Commissioner enquired the current vacancy rate of detectives within the DRU. The Acting Chief Constable confirmed that an additional three officers have been placed in the DRU and there are currently no vacancies. In addition, the Acting Chief Constable stated that the Constabulary is exploring the idea of a different model, with potential roles for experienced PCs or civilian investigators. This model will provide a better understanding of which cases are likely to reach a charge decision. The Head of Planning and Performance also indicated that the Rape Monitoring Group also provides a national report detailing a range of data from multiple agencies.
- 3.11 The Commissioner enquired how the Constabulary plans to establish public confidence. The Acting Chief Constable discussed Table 3 on page 37 and discussed data in relation to the increasing proportion of offences where the investigation is finalised and closed in a short period of time. The Acting Chief Constable also provided the Commissioner with assurance that the Constabulary has the ability to support the volume of victims with a particular focus upon vulnerable people and the most heinous crimes.
- 3.12 The Commissioner stated that victim blame is abhorrent but enquired whether the Constabulary is able to offer any safety advice and can the Constabulary quantify its prevention work in relation to rape. The Acting Chief Constable stated that there continues to be great campaigns targeting perpetrators and would look to share example where possible with the Commissioner.
- 3.13 The Commissioner applauded the role of street pastors and the Acting Chief Constable stated that the introduction of safe zones continues to be discussed with local authorities. The Commissioner described his vision for a community base or safe place for the night time economy that would include a paramedic to prevent the continuous back and to hospitals. The Chief of Staff supported the inclusion of health services, particularly given the demand on hospital admissions between 6pm on Friday and 9am on Monday. The Acting Chief Constable suggested that NHS funding continues to be a struggle and although the Constabulary continues to work with St. Johns Ambulance in both Warrington and Chester, costs may also be an issue. The introduction of CCTV

within all Warrington licensed taxis will improve safety and the Commissioner stated his desire to ensure this is rolled out across Cheshire.

### ***Child Sexual Abuse***

- 3.14 The Acting Chief Constable discussed the national definitions of CSA and CSE and how they are very different. The various offence types were discussed with the Commissioner as well as the age differentials and impact of young relationships upon the increase in volume of CSA and decrease in solved rates.
- 3.15 The Commissioner sought assurance from the Acting Chief Constable that there remains robust processes in place in relation to 'missing from home' and requested a briefing on Operation Arundel to understand resource issues. The Acting Chief Constable reassured the Commissioner that processes and scrutiny continue to be in place as well as a point of contact in care homes / CSA coordinators.
- 3.16 The Commissioner enquired whether there is any link between the increase in missing from home and the increase in CSA given the vulnerability aspect. The Acting Chief Constable stated that this would be analysed and an update would be provided to the Commissioner.
- 3.17 The Commissioner expressed concern at the significant increases of some offences detailed in Table 4 on page 39. The Acting Chief Constable acknowledged such concerns but stated that a large number of offences are linked to historical investigations and that very few offences are committed by strangers. The Acting Chief Constable highlighted that just under half (47.2%) of offences in 2017 were committed by offenders 18 and under (Table 6 on page 41) and that in over 40% of incidents in 2017, the age difference between the victims and suspect/offender was four years or less (Table 7 on page 42). The Commissioner acknowledged such analysis and stated that he would continue to monitor these data over the coming months. It was requested that comparative data from other forces was also made available.
- 3.18 The Chief of Staff enquired what activity was being undertaken by the Constabulary within the school environment given the number of offences involving under 16s. The Acting Chief Constable confirmed that significant school based work is undertaken by PCSOs and the Safer Schools Partnership. The Commissioner requested a briefing detailing the current school based preventative activities as well as the work of PCSOs and the Safer Schools Partnership.
- 3.19 Given the reported 133% increase in sexual grooming between 2015 and 2017, the Chief of Staff enquired what impact, if any, paedophile hunter groups have had within Cheshire. The Acting Chief Constable agreed to provide the Commissioner with a detailed briefing in relation to the prevalence and impact of paedophile hunters. The Commissioner stated that this was an area that required further discussion and again requested comparative data from other forces.

### ***Domestic Violence with Injury***

- 3.20 The Acting Chief Constable stated that as a result of CDI improvements, there has been a significant increase in the number of offences reported, mainly due to offences with evidential difficulties due to the victim not supporting police action not previously recorded by the Constabulary. This has led to a significant increase in crimes closed via outcome 16, both within Cheshire and nationally. The Acting Chief Constable provided reassurance to the Commissioner that all crimes closed via outcome 21 (further investigation not in the public interest) continue to be reviewed. The IDVA service across Cheshire is good although there is potential that some local authorities may look to move away from the core service. The Acting Chief Constable confirmed that additional three month funding for Operation Enhance has been secured until the summer so a review would be completed in September 2018. It was acknowledged, however, that the initial response from officers could, at times, be better and that the Constabulary would continue to ensure officers are trained via the DA matters course.
- 3.21 The Commissioner applauded the launch of the Cheshire wide DV Support Campaign (Open the Door) but sought assurance from the Acting Chief Constable that the Constabulary has the

resources available to meet any additional demand. Whilst the Commissioner would welcome an increase in reporting, the support campaign would ultimately raise expectations despite the reported decrease in solved rates. The Acting Chief Constable stated that the current level of work in the system (c.10,000 current investigations) and the increase in crimes closed via outcome 16 will continue to impact solved rates. That said, the Constabulary continues to change cultures in relation to domestic violence to ensure the victim is believed at the first point of contact and that the initial response from officers is both positive and effective.

- 3.22 The Commissioner enquired where within the outcome framework (page 34) is the Domestic Abuse Perpetrator Programme (DAPP) appropriate. The Acting Chief Constable explained that the DAPP aims to help people who have been abusive towards their partner or ex-partner to change their behaviour and develop respectful, non-abusive relationships. As such, perpetrators who have received a charge/caution (outcomes 1-8) may be offered a place within the programme. The Commissioner questioned whether the perpetrator programme is used effectively given the low solved rate and suggested that the perpetrator programme is used more broadly in the future. The Acting Chief Constable agreed with the Commissioner but stated that the limited availability of programmes may impact the extent to which that could be achieved. The Commissioner confirmed he would look into the matter and potentially invest in the DAPP to ensure a greater impact.
- 3.23 The Acting Chief Constable confirmed that a review into the DAPP is ongoing and that all crimes closed via outcome 16 would be reviewed to understand why the victim did not support police action. The Commissioner welcomed such a review and requested a briefing that details the rate of perpetrator reoffending and victim subject to DV again for offences closed via outcome 16. The Chief of Staff stated a particular interest around the support available for families with children and a breakdown of outcome 16 by local authority.
- 3.24 The Commissioner sought assurance from the Acting Chief Constable that the initial police contact is what the victim would expect. The Acting Chief Constable confirmed that this was a priority last year with all officers trained and such training is now embedded within the new officer induction training. The introduction of body worn video will also have a positive impact and increase the number of evidence led prosecutions.

### **ACTIONS:**

- 2018/03: Following the Dedicated Rape Unit review of 15 rape offences from 2017 which had been closed via outcome 16, the Commissioner is to be provided with an update on the five cases where there was no obvious reason why the victim was not supportive of police action.
- 2018/04: The Commissioner is to be provided with a briefing in relation to HMIC guidance on additional verifiable information and in particular, the process when a victim of rape retracts their statement.
- 2018/05: The Commissioner is to be provided with a briefing containing additional data in relation to the court outcomes of the 10% charged (outcome one) with rape.
- 2018/06: Following the analysis of 65 rape victim journey and quality of investigation, the Commissioner is to be provided with the results of the review. A separate meeting is then to be arranged to discuss the findings in more detail.
- 2018/07: A heat map for CSA to be added to the performance pack.
- 2018/08: The Commissioner is to be provided with a briefing in relation to Operation Arundel.
- 2018/09: The Commissioner is to be provided with a briefing detailing the extent to which the increase in missing from home is linked to the increase in CSA.
- 2018/10: The Commissioner is to be provided with a briefing in relation to school based preventative activities as well as the work of PCSOs and the Safer Schools Partnership.
- 2018/11: The Commissioner is to be provided with a briefing detailing the prevalence and impact of paedophile hunters.

2018/12: The Commissioner is to be provided with a briefing that details the rate of perpetrator reoffending and victim subject to DV again for offences closed via outcome 16. The briefing will also include a breakdown of outcome 16 by local authority.

#### **4. CRIME DATA INTEGRITY PROGRESS REPORT**

- 4.1 The Commissioner requested that the Acting Chief Constable provide an update with regard to CDI and progress to date.
- 4.2 The Acting Deputy Chief Constable stated that significant work in relation to CDI is ongoing with the results of the latest in-house audit providing clear evidence of improvements, particularly in relation to sexual offences and domestic abuse. The Acting Deputy Chief Constable confirmed that CDI remains a key priority for the Constabulary and that training for FCC staff is ongoing.
- 4.3 The Commissioner thanked both the Acting Chief Constable and the Acting Deputy Chief Constable for the huge amount of work completed to date. The Commissioner stated that he felt more assured on the process and progress but requested a copy of the latest CDI action plan to assure himself that sufficient progress is being made against all recommendations.

#### **ACTIONS:**

2018/13: The Commissioner is to be provided with an updated CDI action plan.

#### **5. PEOPLE STRATEGY: PROGRESS REPORT**

- 5.1 The Commissioner sought assurances from Acting Chief Constable in relation to levels of sickness.
- 5.2 The Acting Chief Constable stated that sickness within frontline policing remains an issue and the rate is higher than the Constabulary would want, although staff sickness is in line with the national average. The Constabulary continues to hold a Sickness Working Group, Health & Safety Board and a People Board to maintain focus upon sickness. The Acting Chief Constable stated that the aim is to reduce sickness to a level of nine days in line with other public sector organisations or lower and that the Constabulary continues to work with Champs to achieve this.
- 5.3 The Commissioner noted the remainder of the report and stated that he would be writing to the Acting Chief Constable for further explanation of other key issues within the report.

#### **PART 2 - PRIVATE ITEMS**

*The following matters were considered in private on the grounds that they involved the likely disclosure of exempt information as defined in the Freedom of Information Act 2000 and in accordance with the sections of the Act indicated below:-*

<i>Item Section</i>	<i>Section</i>
<i>Action Log</i>	<i>(31) Law Enforcement</i>

#### **6. SCRUTINY BOARD ACTION LOG**

- 6.1 The action log was reviewed and updated.

#### **7. Operation Hydroplane (Private Briefing)**

- 7.1 The Acting Chief Constable provided the Commissioner with an in depth update in relation to Operation Hydroplane. This operation is linked to burglary type offences that target jewellery linked to Asian and Chinese heritage households. ACC Bailey and ACC Hatchett have both held public meetings to reassure the community and provide practical advice in relation to prevention. The

Constabulary will continue to engage with the local community via local representatives, Mosques and community meetings.

*Duration of meeting: The meeting commenced at 10.00 and finished at 13:30.*

## Cheshire Police and Crime Panel – Work Programme



<b>20 June 2018</b>	<b>Formal Meeting of the Police and Crime Panel</b> <ul style="list-style-type: none"> <li>○ <i>Panel Membership;</i></li> <li>○ <i>Appointment of Chairman and Deputy Chairman of the Panel</i></li> <li>○ <i>Panel Arrangements: Rules of procedure;</i></li> <li>○ <i>Budget;</i></li> <li>○ <i>Questions for the Police and Crime Commissioner;</i></li> <li>○ <i>Scrutiny Items – Management and Scrutiny Board notes;</i></li> <li>○ <i>Work Programme</i></li> </ul>
<b>TBC</b>	<b>Informal Meeting with the Police and Crime Commissioner</b>  <i>Topic TBC</i>
<b>28 September 2018</b>	<b>Formal Meeting of the Police and Crime Panel</b> <ul style="list-style-type: none"> <li>○ <i>Questions for the Police and Crime Commissioner;</i></li> <li>○ <i>Scrutiny Items – Management and Scrutiny Board notes;</i></li> <li>○ <i>Work Programme</i></li> </ul>
<b>TBC</b>	<b>Informal Meeting with the Police and Crime Commissioner</b>  <i>Topic TBC</i>
<b>14 December 2018</b>	<b>Formal Meeting of the Police and Crime Panel</b> <ul style="list-style-type: none"> <li>○ <i>Questions for the Police and Crime Commissioner;</i></li> <li>○ <i>Scrutiny Items – Management and Scrutiny Board notes;</i></li> <li>○ <i>Work Programme</i></li> </ul>
<b>TBC</b>	<b>Informal Meeting with the Police and Crime Commissioner</b>  <i>Topic TBC</i>

8 February 2019	<b>Formal Meeting of the Police and Crime Panel</b> <ul style="list-style-type: none"> <li>○ <i>Budget and Precept 2019/20;</i></li> <li>○ <i>Questions for the Police and Crime Commissioner;</i></li> <li>○ <i>Scrutiny Items – Management and Scrutiny Board notes;</i></li> <li>○ <i>Work Programme</i></li> </ul>
TBC	<b>Informal Meeting with the Police and Crime Commissioner</b>  <i>Topic TBC</i>
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