



Cheshire Police and Crime Panel Agenda

Date: Friday 24th June 2022
Time: 10.00 am
Venue: The Council Chamber, Wyvern House, The Drumber,
Winsford, CW7 1AH

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 in the report.

It should be noted that Part 1 items of Cheshire Police and Crime Panel meetings are webcast and the recording of the meeting will be available on Council's website.

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

1. Apologies

Members are reminded that, in accordance with governance procedure rule at Part 3 paragraph 2.6, 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 Chair for the 2022/23 Municipal Year

To appoint a Chair for the 2022/23 Municipal Year.

3. Appointment of Deputy Chair for the 2022/23 Municipal Year

To appoint a Deputy Chair for the 2022/23 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.

Contact: Martin Smith, Registration and Civic Services Manager
Tel: 01270 686012
E-Mail: martin.r.smith@cheshireeast.gov.uk

5. **Public Participation**

To receive questions from members of the public. 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. At the Chair's discretion the period made available for questions and statements may be extended.

In order that an appropriate answer to the questions can be given, the deadline for indicating a wish to speak or for submission of questions is 3 clear working days before a meeting of the Panel. The Chair has the discretion to waive the 3-day rule for issues deemed to be urgent.

In response to questions or statements the Panel may choose to agree to either provide an agreed verbal response, that will be minuted or to provide a written reply to a questioners chosen address.

Those wishing to ask a question or make a statement should register by email to: martin.r.smith@cheshireeast.gov.uk or send the question or statement by post to:

Cheshire Police and Crime Panel
Democratic Services and Governance
c/o Municipal Buildings
Earle Street
Crewe
CW1 2BJ

A list of those speaking or asking questions at a meeting of the Panel will be drawn up by the Panel's Secretariat in order of receipt. Copies of questions and statements will be circulated to all Panel members in advance of the meeting and will be made available to the public attending the meeting. Copies will also be available on the Police and Crime Panel's page of the Cheshire East Council website.

Nobody may submit more than one question or make more than one statement at the same meeting, but a supplementary question, related to the subject raised in the question /statement, will be permitted for clarification at the discretion of the Chair.

Those speaking or asking questions will not be permitted to address any issue that is the subject of a current or proposed complaint by them against the Police and Crime Commissioner. They are also advised that reference to an issue that could become the subject of a future complaint by them could prejudice the Panel's consideration of that complaint.

The Panel will not accept a question or statement if:

There is insufficient detail to enable a proper response to be provided.

It is not about a matter for which the Police and Crime Panel has responsibility.

It is potentially defamatory, frivolous or offensive against named individuals.

It is substantially the same question which has been put at a meeting of the Police and Crime Panel in the last six months.

It requires the disclosure of confidential or exempt information.

6. **Minutes of Previous Meeting** (Pages 5 - 14)

To approve the minutes of the meeting held on 4 February 2022.

7. **Panel Membership 2022/23** (Pages 15 - 16)

To note the nominations made by the four Cheshire Local Authorities to the Police and Crime Panel.

To appoint members of the Panel's Complaints Management Sub Committee for the 2022/23 Municipal Year, including the appointment of a Chair and Deputy Chair.

8. **Programme of Cheshire Police and Crime Panel Meetings** (Pages 17 - 18)

To confirm the programme of meetings for the 2022/23 Municipal Year.

9. **Appointment of Independent Member of the Police and Crime Panel**
(Pages 19 - 20)

To consider how to fill the position of independent co-opted member when their term of office comes to an end.

10. **Panel Arrangements: Rules of Procedure** (Pages 21 - 88)

To review and adopt the Rules of Procedure for the 2022/23 Municipal Year.

11. **Cheshire Police and Crime Panel Budget 2022/23** (Pages 89 - 90)

To approve the budget for the 2022/23 Municipal Year.

12. **Work Programme**

To consider the work programme.

13. **Police and Crime Commissioner's Scrutiny Meeting - 27 January 2022**
(Pages 91 - 156)

To receive, note and inform any future scrutiny or work programme item.

14. **Current Issues** (Pages 157 - 206)

To receive a verbal update from Mr Evan Morris MBE on:

- Home Secretary's announcement on Part 2 of the Police and Crime Commissioner Review
- Home Office consultation on reforming the Fire and Rescue Service

11.00am THE POLICE AND CRIME COMMISSIONER WILL BE IN ATTENDANCE FOR THE FOLLOWING PART OF THE MEETING

- 15. Introduction by the Police and Crime Commissioner**
- 16. Overview and Scrutiny of the Police and Crime Commissioner**

Minutes of a meeting of the **Cheshire Police and Crime Panel**
held on Friday, 4th February, 2022 in the Council Chamber, Wyvern House,
The Drumber, Winsford CW7 1AH

PRESENT

Councillors:

Cheshire East:	Councillors J Paul Findlow and Laura Jeuda
Cheshire West & Chester:	Councillors Robert Bisset, Martyn Delaney and Lynn Riley
Halton:	Councillors Martha Lloyd Jones and Norman Plumpton Walsh
Warrington:	Councillors Kenneth Critchley and Jane Whalen
Independent Co-optees:	Mrs Sally Hardwick, Miss Yasmin Somani and Mr Evan Morris MBE
Officers:	Mr Martin Smith and Mrs Debora Nickson, Cheshire East Council
In attendance	Ms Clare Hodgson, Chief Finance Officer and Mr Damon Taylor, Chief Executive, Office of the Police and Crime Commissioner

46 APOLOGIES

Apologies were received from Cllr Mick Warren (Cheshire East Council).

47 CODE OF CONDUCT - DECLARATION OF INTERESTS. RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012

No issues were raised.

48 PUBLIC PARTICIPATION

No members of the public wished to speak at the meeting.

49 MINUTES OF PREVIOUS MEETING

RESOLVED

That the Minutes of the meeting held on 26th November 2021 be approved.

Cllr Martha Lloyd Jones indicated that she had sent her apologies, as she was unable to attend the meeting.

50 CHAIR'S ANNOUNCEMENTS

The Chair had no announcements to make.

51 DATES AND TIMINGS OF PANEL MEETINGS

Formal consideration of this item was deferred until the next meeting, as since publication of the agenda it had become clear that the Police and Crime Commissioner was unavailable for two of the proposed dates. The Secretariat were asked to review options and report back to the next meeting.

52 REVIEW OF COMPLAINTS

The Panel noted that in the previous six months two complaints against the Commissioner had been received, both had been referred to the Independent Office for Police Conduct (IOPC). In both cases the IOPC had returned the complaint to the Panel and the Chair and Deputy Chair of the Complaints Management Sub Committee had concluded that the Commissioner had no case to answer. Those making the complaints were informed of these decisions. In both cases the timescales set by the Panel had been met.

Mrs Sally Hardwick, Chair of the Sub Committee noted that both complaints, which had been of a historic nature, had in effect seen the Panel as a form of appeal for long standing complaints against the Police. The Chair noted that the process for managing complaints, introduced just over a year ago, appeared to be working well.

53 WORK PROGRAMME

The Panel's work programme for the remainder of the municipal year was noted.

54 WELCOME TO AND INTRODUCTION BY THE POLICE AND CRIME COMMISSIONER

The Chair welcomed the Commissioner and his Team to the meeting. The Commissioner outlined that one of the most important things that he did each year was to set the Police Precept and that with the Chair's permission he would move immediately to item 10 on the agenda.

55 POLICE AND CRIME COMMISSIONER'S PROPOSED PRECEPT FOR 2022/23

The Commissioner outlined the consultation that he had undertaken before developing his proposals for the 2022/23 Police Precept. He

highlighted the key elements of his proposals, which amongst a range of other things included an increase in the number of Police Officers and Police staff across Cheshire, improvements to the 101 system and road safety improvements.

Miss Yasmin Somani

Asked the Commissioner how the Constabulary were working smarter, by for example making use of such things as Artificial Intelligence (AI) and robotics. The Commissioner noted that one of the key responsibilities of a Commissioner was to scrutinise the Chief Constable, as part of that process he regularly sought information on how the Police were adopting new methods of working and improving efficiency. Miss Somani indicated that the Panel would appreciate seeing some detailed examples of such initiatives. The Commissioner suggested that this should be discussed at the next informal meeting with the Panel. Miss Somani also noted that Panel members would appreciate seeing a future timetable of Scrutiny meetings, as this would help support Panel member attendance at such meetings.

Cllr Kenneth Critchley

Noting the proposed investment to improve 101 response times, asked the Commissioner what his target was for answering such calls. The Commissioner indicated that no target had been set, but that he wanted the public to be satisfied with the service, noting that if people were unhappy, they phoned 999. Such calls were answered by the same team of staff. Cllr Critchley suggested that the Commissioner should set a firm measurable target for the answering of 101 calls.

Making reference to the review of Police Community Support Officers (PCSOs), that the Commissioner was undertaking, asked for clarification on the proposals. The Commissioner indicated that he remained committed to the 122 community model introduced by his predecessor, where each Community had a PC and a PCSO. However, the Chief Constable was of the view that he wanted more Police Officers, the review would see, through natural wastage, a reduction in the overall number of PCSOs and an increase in the Police establishment. Cllr Critchley noted that PCSO's were highly visible and that he supported their retention.

Sought clarification on the Commissioner's Minimum Revenue Provision (MRP) policy. The question was answered by Ms Clare Hodgson, the Commissioner's Chief Finance Officer. She indicated that the MRP policy was part of the overall Treasury Management Strategy, details of which would be found on the Commissioner's website.

Cllr Martyn Delaney

Sought clarification over the likely reduction, as a percentage, in the numbers of PCSOs that could result from the Commissioner's current

review. The Commissioner indicated that the reduction would be in the region of 40, but that his Finance Office would provide additional information following the meeting. The Commissioner noted that the review was currently ongoing.

Cllr Lynn Riley

Sought clarification over how the increase in the Police precept would benefit partnership working, noting that overall outputs were more important than raw numbers. She noted that collaborative working was becoming ever more important and that she was concerned that organisations appeared to be retreating to concentrate on their own specialisms and as a consequence were working in silos. The Commissioner stressed the importance of working together across organisations. Using the example of road safety, he indicated that he hoped that working alongside local authorities, the increased use of technology such as ANPR cameras, could free up Officers and staff for other tasks.

Welcoming the increase in the numbers of Officers and staff that was proposed, asked what the impact would be on cybercrime and online fraud. The Commissioner recognised the scale and impact of cybercrime and noted the very significant contribution made by Police staff in combating such crime.

Asked for information on the Commissioner's approach to victim support and victim prevention. The Commissioner indicated his commitment to improving victim support and to reducing the number of victims, especially in areas such as cybercrime. Mr Evan Morris, noted that in his experience PCSOs were extremely committed to crime prevention and played an important role in this area.

Sought clarification as to how the Panel could be made aware of the developments over the coming year. The Commissioner noted that the Chief Constable had complete operational independence and that his role was to hold the Chief Constable to account. However, he agreed that all public sector organisations did need to work together.

Cllr Laura Jeuda

Sought clarification on the disproportionate rise in the amount of theft across Cheshire, asking if this included such things as "door to door" scams, which could particularly impact the elderly. The Commissioner indicated that such crime would in all likelihood be included in overall theft figures, but that he would provide further information to Cllr Jeuda following the meeting.

Making reference to the Commissioner's recent consultation exercise, noted that many of those who had responded, had in her view, thought that the number of PCSOs would increase, and would be annoyed to learn that this

may not be the case. The Commissioner indicated that he was not sure how people could have reached such a conclusion, but wanted the Panel and the public to be reassured that if his proposed Precept was agreed there would be an enhanced Police presence across Cheshire

Cllr Paul Findlow

Noting his support for the role of PCSOs, sought clarification as to what proportion of the proposed increase in Police Officers was due to the Government's uplift policy and what would be a consequence of the proposed increase in the Police Precept. The Commissioner's Head of Finance explained that Government funding of £2m in 2022/23 would fund 120 additional Police Officers. However, this money would not be added to the base budget, meaning that the increased costs would have to be found by the Cheshire Council Taxpayer in future years.

Raised concern at people's ability to pay the proposed increase in Council Tax, noting the increase in the cost of living being faced by families across Cheshire. Whilst he supported the Commissioner's overall objectives, he did wonder if increases should be phased over a period of time. The Commissioner noted that the proposed increase of 4.4 percent was below the current rate of inflation. He was of the view that if the Precept was not increased, services would have to be cut. He did, however, recognise the challenge faced by many across Cheshire in relation to the increased cost of living.

Cllr Norman Plumpton Walsh

Expressed a desire to see more Police Officers on foot patrol. The Commissioner recognised this desire, noting that this was an operational policing issue decided by the Chief Constable.

Cllr Jane Whalen

Indicated that she had found the Panel's recent visit to Police HQ to be helpful but had not appreciated the "marketing" tactics employed by those speaking. The Commissioner indicated that this had not been the intention, but that he had been keen for Panel members to understand fully the implications of his proposed Precept not being approved.

RESOLVED

That the Panel support the Commissioners proposed Precept for 2022/23, with a number of recommendations being made.

A copy of the letter sent to the Commissioner by the Panel's Chair is attached to these minutes.

56 **OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER**

Cllr Rob Bissett

Making reference to information provided in the papers which supported the Commissioner's recent scrutiny meeting with the Chief Constable, he asked about the reduction in the number of drug drive arrests. He also asked if the decrease was due to the cost of drug driving tests. The Commissioner commented that the reduction was of concern to him but that it highlighted the importance of scrutiny sessions in drawing attention to such important issues. However, he did note that some statistics could be misleading and that he had asked for further work to be undertaken to ensure that meaningful information was available. The Commissioner agreed to provide further information on the cost of testing.

Mrs Sally Hardwick

Sought clarification as to the definition of "solved" in crime statistics. She was particularly concerned in the context of cases of rape and sexual violence. The Commissioner noted that there were 24 categories that could be applied, these were set by the Home Office. The Commissioner offered to discuss this in more detail at the next informal meeting with the Panel.

Cllr Laura Jeuda

Noting the current national media coverage on police behaviour and attitudes, especially as they related to women, asked what the situation was within the Cheshire Constabulary. The Commissioner indicated that he could not provide detailed information at the meeting, but that he would come back to the Panel with further information. However, he did indicate that neither he nor the Chief constable would tolerate the types of behaviour that had been widely reported in the media as occurring in other parts of the country. The Chairman noted the very helpful and informative presentation that had been made on this issue at the Panel's previous informal meeting with the Commissioner.

Cllr Jeuda congratulated the Commissioner on the work of the Cheshire Stalking Unit.

Cllr Jane Whalen

Noted that during the previous year Cheshire Police had undertaken over 5,000 "Stop and Searches", but that these had only resulted in 16 arrests. She asked what could be learnt from the statistic. The Commissioner indicated that he had taken this issue up with the Chief Constable and would report back to the Panel when he had additional information.

Cllr Norman Plumpton Walsh

Noting that the issue had been raised at the Panel's previous meeting, queried the pay rise made to the Deputy Police and Crime Commissioner. The Commissioner indicated that he had written to the Panel about this, but in summary he had concluded that the original salary level had been wrong. The salary level had not been in line with the tasks been undertaken by his Deputy, or indeed with the salary of deputies elsewhere in the country. The Chair noted that it was likely that the Panel, at the Confirmation Hearing in June, would have supported a higher salary, but the very significant increase in salary once appointed, had raised the Panel's concerns. The Commissioner indicated that he felt that the salary was now correct.

Cllr Martha Lloyd Jones

Noted that when the Deputy Police and Crime Commissioner had been appointed the Panel had recommended that he receive training. She asked if this was taking place. The Commissioner indicated that training was being delivered.

Asked for details of the Commissioner's office administration costs in comparison with those of his predecessor. The Commissioner indicated that this information would be provided to the Panel.

Cllr Martyn Delaney

Noting previous discussions earlier in the meeting on problems with the 101 call system, enquired what information was available on the number of abandoned calls. The Commissioner indicated that this information was available within the data provided for his scrutiny meetings with the Chief Constable, and that he would make it available to the Panel.

Miss Yasmin Somani

Recognising that minority groups were likely to have lower levels of confidence in the Police, she asked what steps the Commissioner was taking to build bridges with such groups and how this was being evidenced. The Commissioner indicated that there was an Advisory Group and that he was about to create an Ethics Committee. He wished to work with individuals on the Advisory Group to better understand the needs of minority groups. He noted that he wanted to see more representatives of minority groups working for the Constabulary as either Police Officers or Police staff. He invited Miss Somani to work alongside him in the area of engaging with minority groups.

Cllr Kenneth Critchley

Having reviewed the statistics made available for the Commissioner's Scrutiny Meeting, queried why when the overall level of vehicle offences

had remained static, the solved rate had dropped. The Commissioner committed to provide information on this to the Panel.

Sought further information on projects being developed to combat anti-social behaviour. The Commissioner indicated that anti-social behaviour did have a very significant impact on a great many people, he was working with the Chief Constable to ensure that there was an adequate police presence on the streets at the right time to have an impact on such behaviours.

Cllr Lynn Riley

Sought reassurance that information reported through the 101 system and through other routes such as local authorities on issues such as minor road traffic accidents was correctly recorded, so that it was available to inform the wider picture about what was happening in a community. The Commissioner recognised that there were limitations as to what could be recorded but agreed that where practical such information should be collected as it did help provide a more comprehensive picture. The Chair noted the good work done by the former Cheshire Safer Roads partnership in areas such as this.

Asked whether custody suites were still being used to triage people to receive support in areas such as gambling addiction and domestic violence. The Commissioner indicated that Cheshire had some of the best custody suites in the country and that conditional cautioning did take place, although not in relation to domestic violence. He was aware of work in Hampshire relating to domestic violence, this was being reviewed as it could be of benefit to Cheshire.

Highlighted current levels of Police Officer absenteeism due to anxiety, stress and depression, noting the innovative work being undertaken by the Fire and Rescue Service in this area. The Commissioner indicated that he had raised the issue of such sickness with the Chief Constable and that his staff would liaise with the Fire and Rescue Service to see if any lessons could be learnt.



Mr John Dwyer
Police and Crime Commissioner for
Cheshire

By email

c/o Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

Date: 4th February 2022

Dear Mr Dwyer,

PRECEPT FOR 2022/23

I am writing as the Panel's Chair to confirm formally that the Panel, at its meeting this morning voted to support your proposed precept.

The Panel, mindful of the burgeoning cost of living for families across Cheshire, especially the escalating cost of energy and negative wage growth for most of those in employment, would ask that at each Panel meeting during the coming year you clearly outline how the increase in the precept is impacting on the ability of the Police to protect the Cheshire community. The Panel would particularly request performance data on those areas that you identify as priorities in your letter. Such an approach will enable the public to determine whether they view the increase in the Policing element of their Council Tax as delivering value for money.

The Panel notes that in your letter to the Chairman outlining the proposed precept, you indicated that during 2022/23 there would be an increase in Police numbers by 120 and an additional 82 Police staff. The Panel asks that Police and staff numbers are reported by you to the Panel at each meeting.

Yours sincerely.

Evan Morris MBE
Chair of the Cheshire Police and Crime Panel

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Membership of Cheshire Police and Crime Panel**June 2022****Cheshire East Council:**

Cllr J Paul Findlow	Conservative
Cllr Laura Jeuda	Labour
Cllr Mick Warren	Independent Group

Cheshire West and Chester Council:

Cllr Rob Bissett	Labour
Cllr Keith Millar	Labour
Cllr Lynn Riley	Conservative

Halton Council:

Cllr Martha Lloyd Jones	Labour
Cllr Norman Plumpton Walsh	Labour

Warrington Council:

Cllr Phil Eastty	Conservative
Cllr Jane Whalen	Labour

Independent co-opted members of the Panel

Mrs Sally Hardwick	Term of office expires 30 September 2022
Mr Evan Morris MBE	Term of office expires 30 September 2023
Miss Yasmin Somani	Term of office expires 30 September 2024

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Cheshire Police and Crime Panel
Programme of formal meetings 2022/23

10.00am 24 June 2022

2.00pm 23 September 2022

2.00pm 25 November 2022

10.00am 3 February 2023

2.00pm 17 March 2023

All meetings will take place in the Council Chamber, Wyvern House,
Winsford.

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Cheshire Police and Crime Panel

Date of Meeting:	24 June 2022
Report of:	Brian Reed, Head of Democratic Services and Governance, Cheshire East Council
Subject:	Appointment of an Independent Member to the Police and Crime Panel

1.1 Report Summary

- 1.1 This report asks the Panel to consider how it wishes to fill the position of independent co-opted member when Mrs Sally Hardwick's term of office comes to an end.

2. Recommendation

- 2.1 Recommended:

- (i) That in accordance with the Panel's Procedure Rules a Recruitment Panel is created to manage the recruitment of an Independent Co-opted member of the Panel.

3. Background information

- 3.1 The Panel has three independent co-opted members, each of whom currently serve a three-year term of office.
- 3.2 Mrs Sally Hardwick has served two consecutive terms on the Panel. She was appointed following a recruitment process. Her current term of office expires on 30 September 2022.
- 3.3 The Panel's Procedure Rules state that:

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.

- 3.4 In June 2021 a four-member, proportionate, Recruitment Panel was established to manage the recruitment process for a position which was then vacant. Miss Yasmin Somani was appointed at the end of the process.

4. Financial Implications

- 4.1 There are no financial implications other than the payment of allowances, which would apply, irrespective of whatever decision is made by the Panel regarding filling the position when Mrs Hardwick's current term of office comes to an end in September.

5. Equality implications

- 5.1 There are no specific equality implications related to this issue, but the Panel may wish to consider the overall gender balance, age and ethnicity of current Panel members when determining the most appropriate way forward.

6. Contact Information

Contact details for this report are as follows:-

Name:	Brian Reed
Designation:	Head of Democratic Services and Governance
Local Authority:	Cheshire East Council
Tel. No.:	01270 686670
Email:	brian.reed@cheshireeast.gov.uk



Cheshire Police and Crime Panel

Date of meeting: 24 June 2022

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

Subject : Panel Arrangements: Rules of Procedure

1. Report Summary

- 1.1 The Panel reviews and adopts its Rules of Procedure each year at its annual meeting. Attached to this report are the suggested Rules of Procedure for the new Municipal Year (2023/23).

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 and Governance the 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 range of other relatively minor amendments have been made in past years, the most significant being when the new complaints system was introduced. No substantive changes have been made in the last year. No changes are proposed at the present time.

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:-

Name:	Brian Reed
Designation:	Head of Democratic Services and Governance
Local Authority:	Cheshire East Council
Tel. No.:	01270 686670
Email:	brian.reed@cheshireeast.gov.uk

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

June 2022

FOR CONSIDERATION AT THE PANEL'S ANNUAL MEETING

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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) Complaints Management Sub Committee Terms of Reference
(created September 2020)**

- (1) The role of the Police and Crime Panel's Complaints Management Sub-Committee (hereinafter called the Sub-Committee) is to administer the arrangements for non-criminal complaints made against the Police and Crime Commissioner for Cheshire (and Deputy Commissioner, when appointed); together with other complaints and conduct matters referred to the Panel by the Independent Office for Police Conduct (IOPC).
- (2) The Sub - Committee will report on its work to the Police and Crime Panel on a regular basis (minimum twice a year). It has delegated authority from the Panel to undertake all of the Panel's complaint management and resolution roles but may, if the Chair and Deputy Chair of the Sub-Committee so determine, refer matters to the full Police and Crime Panel for resolution.
- (3) The Sub-Committee will seek to resolve complaints through informal resolution. This means dealing with a complaint by resolving, explaining, clearing up or settling the matter directly with the complainant and/or the Commissioner, without investigation or formal proceedings. It is a flexible proportionate and fair process that may be adapted to the needs of the complainant and the individual complaint. This may be done, for example by correspondence and/or in a face to face meeting. The Sub - Committee cannot conduct an investigation of a complaint, such as by taking statements or obtaining evidence about it, however, as is to be expected in any fair process, it can invite the complainant and Commissioner to clarify or comment on matters.
- (4) The Sub Committee may only consider relevant complaints as defined in the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. There are separate procedures for complaints about operational policing matters, complaints about the Chief Constable and other police officers and complaints about the Police and Crime Commissioner's staff. The Sub-Committee (and Panel) has no role to play in such complaints.
- (5) The Sub - Committee (and Panel) are not an appeals body for complaints against Cheshire Constabulary or the Chief Constable and has no legal power to look into, investigate or order actions to be taken in such cases. Such complaints fall outside of the Sub-Committee's and Panel's jurisdiction.
- (6) The Chair and Deputy Chair of the Sub - Committee, advised as necessary by the host authority's Monitoring Officer, will determine whether a complaint can be considered by the Sub Committee.
- (7) Complaints about the merits of a decision made by the Police and Crime Commissioner; for example, where somebody disagrees with a policy the Commissioner has introduced, cannot usually be considered by the Sub-Committee, although complaints about whether a decision was taken

properly and in accordance with procedures can be considered. The potential remit of the Complaints Sub-Committee necessarily matches the scope and reach of the Commissioner and the Commissioner's office.

- (8) Concern from the general public about a particular policy is something the Police and Crime Panel should be aware of, and reflect upon, as it scrutinises the Commissioner's policies. These concerns would not, of themselves be matters to be considered through the Complaints procedure.
- (9) The Sub – Committee will endeavour to conduct its work within 40 working days of receiving a complaint. The Panel's Secretariat will keep a complainant updated on progress with a complaint and inform them of any unexpected delays.
- (10) The Sub – Committee will comprise of 7 Panel Members appointed by the Police and Crime Panel. Proportionality will be in accordance with the Panel's Procedure Rules as they relate to the constitution of Sub – Committees and Working Groups. The Chair and Deputy Chair of the Sub-Committee will ordinarily be appointed at the Panel's Annual Meeting.
- (11) Sub – Committee will be advised by the Panel's Secretariat and the host authority's Monitoring Officer.

(c) 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.

(d) Creation of new Sub Panels / Committees

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

Part 2**Member Information****(a) Membership of Cheshire Police and Crime Panel (2021/22)**

Authority	Councillors	Political Party
Cheshire East		
	J Paul Findlow	Conservative
	Laura Jeuda	Labour
	Mick Warren	Independent
(substitute member)	Denis Murphy	Liberal Democrat
Cheshire West and Chester		
	Cllr Keith Millar	Labour
	Cllr Rob Bisset	Labour
	Cllr Lynn Riley	Conservative
Halton		
	Martha Lloyd Jones	Labour
	Norman Plumpton Walsh	Labour
Warrington		
	Phil Eastty	Conservative
	Jane Whalen	Labour
Statutory Co-opted Members		
	Mrs Sally Hardwick	Independent Member
	Mr Evan Morris MBE	Independent Member
	Miss Yasmin Somani	Independent Member

(b) Independent co-opted membership of the Panel

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:

Mrs Sally Hardwick	30 September 2022
Mr Evan Morris MBE	30 September 2023
Miss Yasmin Somani	30 September 2024

(c) Membership of Complaints Management Sub Committee (2022/23)

	Chair (Independent co-opted)
	Deputy Chair,

The Sub Committee has 7 members

d) Proportionality of membership on Sub-Committees and Working Groups

Membership of any Sub Committee or Working Group established by the Panel will be proportionate to the overall political representation on the Panel. Proportionality will be determined by the Head of Democratic Services and Governance. Membership of any Sub Committee or Working Group by an independent co-opted member of the Panel will be excluded from any determination on proportionality.

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, and
- (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. Virtual meetings, when permitted by legislation, will be administered by the host local authority using whatever technology the Council's Monitoring Officer deems appropriate, and which is compliant with legislation.

5. Voting

- 5.1 Except as provided for in legislation, relating to virtual meetings, voting at face to face meetings will normally be by show of hands and by simple majority unless 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. Urgency Powers

1.1 A decision will be urgent in the case of: civil emergency, natural or man-made disaster; matter of serious public health; matters regarding safeguarding of people; or where the Panel, or the local authorities from which Panel Members are drawn, are at risk of serious reputational damage; loss or claims; or any other matters where the Monitoring Officer of the host local authority has declared that an urgent decision is required.

1.2 If a decision would normally be required to be made by the Panel, the decision may be made by the Monitoring Officer of the host local authority, or in his/her absence the Head of Service responsible for the host authority's secretariat (or in their absence their nominee) in consultation with the Panel's chair, deputy chair, at least one member representing each constituent Council (which may include the Chair and Deputy) and one representative of each political Group represented on the Panel (which may include the Chair and Deputy and a member consulted as a representative of their authority), subject to the following requirements being met:

- (a) The decision-maker is satisfied the matter is urgent and cannot await the next meeting of the Panel, or an urgently convened meeting of the same;
- (b) The decision is reported for information to the next available meeting of the Panel;
- (c) The provisions of the legislation are complied with;
- (d) Advice has been taken from the host local authority's, Monitoring Officer and Section 151 Officer;

All members of the Panel are notified by email of the decision taken.

1.3 A form to be completed to record the taking of the urgent decision is attached.

Cheshire Police and Crime Panel

URGENT PANEL DECISION

PANEL PROCEDURE RULE xx.x

Contact Officer: Brian Reed
Email: Brian.reed@cheshireeast.gov.uk
Contact Number: 01270 686670

The Police and Crime Panel's Procedure Rules provide for Urgent Decisions taken outside of meetings. The definition of an Urgent Decision in paragraph 12.11.1 is:

"A decision will be urgent in the case of: civil emergency, natural or man-made disaster; matter of serious public health; matters regarding safeguarding of people; or where the Panel, or the local authorities from which Panel Members are drawn, are at risk of serious reputational damage; loss or claims; or any other matters where the Monitoring Officer of the host local authority has declared that an urgent decision is required."

The Procedure Rules provide that, if a decision would normally be required to be made by the Panel, the decision may be made by the Monitoring Officer of the host local authority, or in his/her absence the Head of Service responsible for the host authority's secretariat (or in their absence their nominee) in consultation with the Panel's chair and deputy chair, subject to the following requirements being met:

- (a) The decision-maker is satisfied the matter is urgent and cannot await the next meeting of the Panel, or an urgently convened Panel meeting;
- (b) The decision is reported for information to the next available meeting of the Panel;
- (c) The provisions of the legislation are complied with;
- (d) Advice has been taken from the host local authority's, Monitoring Officer and Section 151 Officer;
- (e) All members of the Panel are notified of the decision taken by electronic means.

The need has arisen for an urgent decision in respect of the following:

SUBJECT/TITLE:

(insert summary)

Further details are attached

The reasons for urgency are as follows:

(insert reasons for urgency)

The following Panel Members have been consulted on [insert date]:

- *[Add details of Chair]*
- *[Add details of Vice Chair]*
- *[Add details of Cheshire West and Chester member]*
- *[Add details of Cheshire East member]*
- *[Add details of Halton member]*
- *[Add details of Warrington member]*
- *{Add details of any other members consulted to ensure all four constituent Councils are represented}*

Any comments received have been taken into consideration.

Advice has been taken from the following Officers of the host authority on [insert date]:

- (1) Section S151 Officer
- (2) Monitoring Officer

Their comments have been taken into consideration in producing this decision form and any attached information. This decision is subject to the relevant provisions of the Panel's Procedure Rules.

DECISION

That

(1) >

Signature of Decision Taker:

Signed:

.....

Date:

.....

Signatures of Panel Members consulted:

A copy of this decision form and any supporting documentation will be made available to all Members of the Panel by electronic means subject to the Access to Information Procedure Rules.

This decision will be reported for information to the next meeting of the Panel.

14 Rules of debate

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

14.1 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.

14.2 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.

14.3 Order of Speeches

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

14.4 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.

14.5 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 amendments

to be discussed (but not voted on) together if this would facilitate the proper conduct of the business before the meeting.

14.6 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.

14.7 Alterations to Motions or Amendments

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

14.8 Withdrawal of Motion

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

14.9 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.

14.10 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;

14.11 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.

14.12 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.

14.13 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.

14.14 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.

15. Public Participation

The information detailed in paragraphs 1 to 9 below will be reproduced in the agenda for all regular meetings of the Panel

1. A period of up to 15 minutes is made available for questions or statements submitted by members of the public. At the Chair's discretion the period made available for questions and statements may be extended, but no one may speak for more than 5 minutes.
2. The Police and Crime Panel is a scrutiny body and exists to scrutinise the Police and Crime Commissioner and therefore questions or statements must relate to the role and statutory function of the Panel. The Panel's Terms of Reference are:
 - (i) 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).
 - (ii) 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.
 - (iii) To hold a confirmation hearing and review, make a report, and recommendation (as necessary) in respect of proposed senior appointments made by the PCC.
 - (iv) To review and make a report on the proposed appointment of the Chief Constable.
 - (v) To review and make a report and recommendation (as necessary) on the proposed precept.
 - (vi) To review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the PCC's functions.
 - (vii) To make reports or recommendations to the PCC with respect to the discharge of the PCC's functions.
 - (viii) To support the effective exercise of the functions of the PCC.
 - (ix) 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.
 - (x) To appoint an Acting PCC where this becomes necessary.
 - (xi) 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.

3. In order that an appropriate answer to the questions can be given, the deadline for indicating a wish to speak or for submission of questions is 3 clear working days before a meeting of the Panel. The Chair has the discretion to waive the 3 day rule for issues deemed to be urgent.
4. In response to questions or statements the Panel may choose to agree to either provide an agreed verbal response, that will be minuted or to provide a written reply to questioners chosen address.
5. Those wishing to ask a question or make a statement should register by email to: martin.r.smith@cheshireeast.gov.uk or send the question or statement by post to:

Cheshire Police and Crime Panel
Democratic Services and Governance
c/o Municipal Buildings
Earle Street
Crewe
CW1 2BJ

6. A list of those speaking or asking questions at a meeting of the Panel will be drawn up by the Panel's Secretariat in order of receipt. Copies of questions and statements will be circulated to all Panel members in advance of the meeting and will be made available to the public attending the meeting. Copies will also be available on the Police and Crime Panel's page of the Cheshire East Council website.
7. Nobody may submit more than one question or make more than one statement at the same meeting, but a supplementary question, related to the subject raised in the question /statement, will be permitted for clarification at the discretion of the Chair.
8. Those speaking or asking questions will not be permitted to address any issue that is the subject of a current or proposed complaint by them against the Police and Crime Commissioner. They are also advised that reference to an issue that could become the subject of a future complaint by them could prejudice the Panel's consideration of that complaint.
9. The Panel will not accept a question or statement if:
 - (i) There is insufficient detail to enable a proper response to be provided.
 - (ii) It is not about a matter for which the Police and Crime Panel has responsibility.
 - (iii) It is potentially defamatory, frivolous or offensive against named individuals.
 - (iv) It is substantially the same question which has been put at a meeting of the Police and Crime Panel in the last six months.

- (v) It requires the disclosure of confidential or exempt information.

16. Rights to attend meetings

- 16.1 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.

17. Notices of meeting

- 17.1 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.

18. Access to agenda and reports before the meeting

- 18.1 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.
- 18.2 All agendas and revised agendas will be published on the Host Authority’s web site.
- 18.3 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)

19. Supply of copies

19.1 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.

20. Access to Minutes and other documentation after the meeting

- 20.1 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.

21. Background papers

21.1 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

22. Public inspection of background papers

- 22.1 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.

23. Exclusion of access by the public to Panel meetings

23.1 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.

23.2 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.

23.3 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.

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.

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'¹.

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.

¹ 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.

(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 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

Administrative Support

Cheshire Police and Crime Panel - Contact Officers

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

COMPLAINTS PROCEDURE

The Cheshire Police and Crime Panel Complaints Procedure has been drafted in accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Where there is any doubt over the application of the Complaints Procedure reference should be made to the Regulations.

1. Introduction

- 1.1 The aim of this procedure is to ensure that complaints made against the Police and Crime Commissioner for Cheshire (and Deputy Commissioner, when appointed); together with other complaints and conduct matters referred to the Panel by the Independent Office for Police Conduct (IOPC) are managed efficiently and transparently.
- 1.2 Details on the operation of the Complaints procedure can be found on the Panel's page of the Cheshire East Council website as can details of how previous complaints have been resolved.
- 1.3 The Complaints Management Sub – Committee will endeavour to conduct its work within 40 working days from receipt of a complaint.

2. Roles and Responsibilities

- 2.1 The Complaints Procedure and the management of complaints is delegated to the Police and Crime Panel's Complaints Management Sub – Committee with the initial filtering and administration performed by the Chair and Deputy Chair of the Sub-Committee acting together.
- 2.2 The Chair and Deputy Chair of the Sub – Committee may in some circumstances determine that a complaint is best managed by the full Police and Crime Panel.
- 2.3 The Chair and Deputy Chair of the Sub – Committee (consulting with Sub - Committee members and the wider Panel as necessary), will decide the most appropriate and proportionate arrangements for managing a complaint. They are not empowered to determine the outcome of complaints other than determining that a matter need not be considered further as one or more of the circumstances set out in Appendix A applies or it is otherwise clear the complaint does not relate to the Police and Crime Commissioner (or Deputy).
- 2.4 The work of the Chair and Deputy Chair and of the Sub – Committee will be supported and advised by the Panel's Secretariat and the host authority's Monitoring Officer.

3. Making a complaint

- 3.1 Wherever possible complaints should be submitted in the prescribed form (details can be found on the Panel's page of the Cheshire East Council website). If sufficient information is not provided, further clarification may be sought. Complaints cannot be submitted by social media or by phone. Complaints should be sent by email to:

martin.r.smith@cheshireeast.gov.uk

Or by post to:

Cheshire Police and Crime Panel
Democratic Services and Governance
c/o Municipal Buildings
Earle Street
Crewe
CW1 2BJ

It is strongly advised that confidential information is sent by Recorded Delivery.

- 3.2 Complaints will be logged by the Panel's Secretariat and acknowledged by e-mail or letter, within 3 working days.

4. Following receipt of a complaint

- 4.1 Within 4 working days of a complaint being received the information provided to the Secretariat will be shared with the Chair and Deputy Chair of the Sub – Committee for determination as to whether the complaint can be considered by the Sub – Committee (or wider Panel). This decision should be taken expeditiously and ideally within 4 working days.
- 4.2 If it is determined that the matter should be referred to the Independent Office for Police Conduct (IOPC) the complainant will be informed and the IOPC contacted. If the IOPC subsequently refer the matter back to the Panel the complaint will re-enter the Police and Crime Panel's complaints process.
- 4.3 If the Chair and Deputy Chair determine that the complaint cannot be considered by the Sub - Committee because, for example, it relates to an operational police matter, or is a complaint about the Chief Constable or a member of the Commissioner's staff, the complainant will be informed in writing. If deemed appropriate the complainant will be advised as to how best to proceed with their complaint.
- 4.4 If the Chair and Deputy Chair consider that one or more of the circumstances set out in Regulation 15 of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (see Appendix A) apply, and they consider that there are not circumstances justifying the continued consideration of the complaint either in whole or in part, they

shall after having given the complainant a reasonable opportunity to provide further information or clarification advise the Sub-Committee of their decision and the reasons for it. Should they choose to do so they can refer this decision to the Sub-Committee as a whole; however, if they do not their decision is final and binding. If a complaint is not considered further on this basis the fact of the complaint and the reasons why it was not considered further shall be recorded in the Register of Complaints and both the complainant and the Commissioner notified.

- 4.5 If the Chair and Deputy Chair consider that the complaint should proceed, details of the complaint will be forwarded to the Commissioner or Deputy Commissioner with confidential information redacted if this is seen as necessary, they will be asked to comment on the complaint within 10 working days.
- 4.6 Whether or not a response has been received from the Commissioner or Deputy Commissioner, details of the complaint, including the form detailing the nature of the complaint, any supporting documents and any response from the Commissioner or Deputy Commissioner will be forwarded to all Sub – Committee members for initial evaluation. This will be undertaken by them within 5 working days. If the Chair and Deputy Chair determine that the Panel collectively should review a complaint details will be sent to all Panel members.
- 4.7 The Chair and Deputy Chair; having consulted with other Complaints Management Sub – Committee members, or wider Panel membership, or having held a formal meeting of the Sub – Committee to discuss the complaint and having taken advice from Officers as necessary, will determine how best to administer the complaint. Options open to the Sub – Committee include:
 - Asking the complainant and or Commissioner (or Deputy Commissioner) for further written information; giving a clear timescale for its submission;
 - After fully evaluating all submitted documentation, providing written feedback to the complainant and the Commissioner; and
 - Inviting the complainant and the Commissioner (or Deputy Commissioner), with the Chief Executive, or other member of the Commissioner’s staff, to a private meeting to attempt to resolve the complaint by informal resolution. Ten days’ notice of such a meeting would normally be given.
- 4.8 If at any stage a complainant decides that they wish to withdraw their complaint, or that they wish to discontinue it, the Chair and Deputy Chair will be informed, and the Register of Complaints updated. In some circumstances the Chair and Deputy Chair may decide that they wish the Sub – Committee to proceed to consider issues arising from the complaint and should they so decide, the complainant and Commissioner (or Deputy Commissioner) will be informed accordingly.

- 4.9 If a meeting of the Sub-Committee or Panel is held to discuss an individual complaint and how it should be managed, any confidential or exempt issues will be considered in Part II of the Meeting with the press and public excluded. If allowed by national Regulations and by the Police and Crime Panel's own Procedure Rules, the meeting may be held virtually using a technological platform approved by the host authority's Monitoring Officer.

5. Record keeping

- 5.1 A record of the outcome of the informal resolution will be made as soon as practicable after the process has been completed. Copies will be sent to the complainant and the Commissioner or Deputy Commissioner.
- 5.2 The record of the outcome of informal resolution will ordinarily be published, with any confidential information such as the name of the complainant being redacted. Before publishing, the Chair of the Complaints Management Sub - Committee will give the complainant and the Commissioner or Deputy Commissioner the opportunity to make representations in relation to the proposed publication.
- 5.3 In cases where an informal resolution cannot be agreed, the record will detail the reasons given by the parties why the matter could not be resolved.
- 5.4 The Secretariat, on behalf the Sub - Committee will maintain a formal register for the purposes of recording complaints and conduct matters under the Regulations. The Recorded Complaints and Conduct Matters Register will record key details pertaining to a complaint including the date received, the complainant, a summary of the complaint / the category into which it falls, the date on which it was recorded, actions taken on the complaint under the Regulations and any other information deemed relevant. A report detailing the number and nature of complaints will be taken to the Panel's Annual Meeting and the December meeting.

6. Following the consideration of a complaint

- 6.1 There is no appeal regarding the outcome of a complaint once it has been determined.
- 6.2 The Local Government and Social Care Ombudsman has jurisdiction over the administrative functions of the Police and Crime Panel, and complainants can contact the Ombudsman if they are unhappy with the way that the complaint was handled. The Panel's complaints procedure will need to be followed to its conclusion, before the Local Government Ombudsman will become involved.

7. Fairness, transparency and confidentiality

7.1 If a Panel member is approached by either a complainant or a potential complainant, they should take care so as not to discuss the merits of the complaint or otherwise express any views on it. The Panel member should look to confine their involvement in any interchange to explaining the complaints procedure and where the actual or potential complainant can obtain advice or register their complaint. The Panel member so approached must disclose every contact he or she has had with a complainant or potential complainant and describe the extent of their contact or interchange with him or her at the first reasonable opportunity. The Panel member should consider:

- His or her obligations under the Code of Conduct;
- Whether the contact should be seen as prejudicing their impartiality, and
- Whether he or she should withdraw from any further involvement in the matter.

7.2 All information sent to Complaints Management Sub-Committee members by the Secretariat containing confidential details of any complaint and all written communication between Sub - Committee members containing confidential details of any complaint will be sent using secure, encrypted email or by Royal Mail Special Delivery post. No communication will be made by SMS (text), WhatsApp or similar media.

7.3 General Data Protection Regulations (GDPR) will be complied with at all times by the Secretariat, the host authority's Monitoring Officer and all Panel members.

7.4 The Secretariat will keep complainants updated on the progress of their complaint.

Appendix A

The circumstances in which a complaint need not be considered further include:

- The complaint has been made by a member of the relevant office holder's staff, arising from the staff member's work as such (see Regulation 15(3)(a)).
- The complaint is more than 12 months old and there is no good reason for the delay, or the delay would be likely to cause injustice (see Regulation 15(3)(b)).
- The complaint is about conduct that is already the subject of another complaint (see Regulation 15(3)(c)).
- The complaint has been made anonymously (see Regulation 15(3)(d)).
- The complaint is deemed to be vexatious, oppressive or otherwise an abuse of process for dealing with complaints (see Regulation 15(3)(e)).
- The complaint is repetitious (see Regulation 15(3)(f), and also Regulation 15(4) for the particular circumstances in which a complaint is deemed to be repetitious).

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

Date of Meeting: 24 June 2022

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

Subject: Cheshire Police and Crime Panel Budget 2022/23

1. Report Summary

1.1 This report outlines a proposed budget for Panel for the 2022/23 Municipal Year.

2. Recommendation

2.1 Recommended that:

- (i) The Panel receive and approve the budget for the year.

3. Background information

3.1 Since the creation of Police and Crime Panels the Home Office have paid 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. The Grant for 2021/22 was £65,260, at the time of writing this report it was not known what the grant for the current year will be, but it anticipated that it will be the same as in 2021/22.

3.2 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 2022/23 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:

• Support provided by staff in Cheshire East Council's Corporate Services Department, including Legal, Democratic Services, Finance, Communications and web team. Printing of agendas and associated paperwork.	£48,800
• Webcasting of meetings (provided by Cheshire West and Chester Council)	£2,500
• Member Allowances and expenses	£11,960
• Room hire, training, conferences and membership of regional group (if established)	£2,000
	£65,260

4.3 Support is provided by staff in Cheshire East Council's Corporate Services Department, including Legal, Democratic Services, Finance, Communications, and the web team. The principal support officers are:

- Head of Democratic Services and Governance
- Registration and Civic Services Manager
- Head of Legal Services
- Corporate Services Finance Manager
- Director of Governance and Support

5. Equality implications

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

6. Contact information

Name: Martin Smith
Designation: Registration and Civic Services Manager
Local Authority: Cheshire East Council
Telephone: 01270 686012
Email: martin.r.smith@cheshireeast.gov.uk

SCRUTINY BOARD

Public



DATE Thursday 27th January 2022

TIME 13:00

VENUE Conference Room 5, Office of the Police & Crime Commissioner, Clemonds Hey, Oakmere Road, Winsford, CW7 2UA & MS Teams

Agenda

Page

1	TO NOTE THE MINUTES FROM THE 24 th NOVEMBER 2021 MEETING	2
2	REVIEW ACTION LOG	5
3	POLICE & CRIME PLAN: SUMMARY PERFORMANCE REPORT	6
4	PEOPLE STRATEGY: QUARTERLY REPORT	31
5	CRIME AND POLICING PERFORMANCE MEASURES	50
6	COMPLAINTS, EMPLOYMENT TRIBUNALS AND GRIEVANCES: QUARTERLY REPORT	54

PRIVATE ITEMS

That the following matters be considered in private on the grounds that they involve 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</i>	<i>Section</i>
<i>Conduct Matters/IOPC Referrals</i>	<i>40 Personal Information</i>

7	CONDUCT MATTERS/IOPC REFERRALS	-
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For further information about this Agenda, please contact Claire Deignan
Claire.Deignan@cheshire.police.uk



**NOTES OF THE SCRUTINY BOARD HELD ON 27th NOVEMBER 2021 IN
OPCC CONFERENCE ROOM, CONSTABULARY HEADQUARTERS, WINSFORD.**

Present: Office of the Police & Crime Commissioner
J Dwyer, Police & Crime Commissioner
D McNeillage, Deputy Police & Crime Commissioner
D Taylor, Chief Executive
C Deignan, Principal Scrutiny and Planning Officer
S Baxter, Principal Engagement Officer

Cheshire Constabulary
M Roberts, Chief Constable
U Jennings, Assistant Chief Constable
J Gill, Assistant Chief Officer
P Woods, Head of Planning and Performance

Apologies: C Hodgson
 M Welsted

	COMMISSIONERS OPENING COMMENTS
	The Commissioner welcomed all to the meeting. This was a private meeting with no members of the public present.
1.	NOTE THE MINUTES FROM THE 19TH AUGUST 2021
	The minutes were noted.
2.	ACTION LOG
	The action log was reviewed, and all actions were closed.
3.	DRAFT POLICE & CRIME PLAN: SUMMARY PERFORMANCE REPORT
	<p>The Chief Constable was invited by the Commissioner to comment on the overall recorded crime figures. The Chief Constable explained that overall acquisitive crime had reduced but the Constabulary were recording more harm crimes. ACC Jennings said officers and staff are due to receive specialist training in identifying child neglect and therefore anticipated in the coming months an increase in reporting.</p> <p>Problem-solving policing is being used to tackle anti-social behaviour which is driving down offences. Cheshire are recording more stalking offences than other similar forces but as Cheshire is a leading force in this area officers are identifying incidents, often as a secondary crime.</p> <p>The increases in violence against the person and theft from person offences were due to the easing of Covid19 restrictions and the opening of the night-time economy. This has also impacted on hate crime reporting.</p> <p>The Commissioner asked what the Constabulary were doing to protect children from Child Sexual Abuse (CSA). The Chief Constable explained this is a crime that presents in many different forms, and as such the Constabulary were investing in digital capability to address the offences that are committed online.</p>

Action: PW to establish if CSA offences in the pack include online offences.

The Chief Executive asked if the third sector and commissioned services had the capacity to deal with the increase in arrests and diversionary outcomes that were issued as a consequence. In order to understand this, the Chief Constable suggested that the arrest rate be extrapolated to give an indication of demand on these services.

Action: PW to extrapolate the arrest rate to give indicative data to assess demand on the third sector and commissioned services, in advance of the LCJB.

The Commissioner asked for an explanation of why rape offences were increasing and asked for reassurance that work was being done to give positive outcomes for victims. ACC Jennings said a rape profile exercise had been done to understand the extent of the problem and the Constabulary were working through the findings.

Whilst working through the pack, the Commissioner suggested that presenting just 12 months of recorded crime and solved rates together would be more user friendly.

Action: PW – Amend the pack to include just twelve months data and be presented alongside the solved rates.

ACC Jennings said domestic abuse offences make up a large amount of demand on the Constabulary and there has been a focus on ensuring any outstanding offenders were dealt with. She was pleased to report the arrest rate for domestic abuse offences has increased as well as the doubling of Domestic Violence Protection Notices.

The Commissioner said he wanted to see improvements in solved rates for burglary. Despite performing well against other forces the Chief Constable agreed more needed to be done. Crime recording rules mean shed breaks are classified as a domestic burglary and this is inflating the figures. However, the Chief Constable said that these crimes should still be addressed as a small number of criminals can commit a large amount of offences.

Action - UJ to understand if CSI attend all domestic burglaries.

The Commissioner said he had committed to delivering safer roads and was pleased to see good performance against the 'fatal 5'.

3. PEOPLE STRATEGY: QUARTERLY REPORT

The Chief Constable confirmed recruitment was on track to meet the target of recruiting 2345 police officers, which included transferees from other forces.

The Commissioner asked why there are only 81% of live accounts on the learning hub.

Action: JG to investigate and report back at the next meeting.**4. COMPLAINTS**

The report was noted.

NOTES OF PART 2 OF THE SCRUTINY BOARD HELD ON 19th AUGUST 2021 IN CONFERENCE ROOM 7, CONSTABULARY HEADQUARTERS, WINSFORD.

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</i>	<i>Section</i>
<i>Notes and actions from previous meetings</i>	<i>(31) Law Enforcement</i>
<i>Notes from level 2 meeting held on 3rd March 2021</i>	<i>(31) Law Enforcement</i>
<i>Conduct Matters and IOPC Referrals</i>	<i>(40) Personal Information</i>

5.	NOTE THE MINUTES FROM THE 3 MARCH 2021
	The minutes were noted.
6.	CONDUCT MATTERS AND IOPC REFERRALS
	The report was noted.

Public Scrutiny Board - Action log 2021/22 - Part One

Meeting Date	Action Number	Action	Assigned to	Status	Update / Briefing
27/01/2021	PSB/21/004	Establish if CSA offences in the pack include online offences.	PW - Constabulary	Open	
27/01/2021	PSB/21/005	Extrapolate the arrest rate to give indicative data to assess demand on the third sector and commissioned services, in advance of the LCJB.	PW - Constabulary	Open	
27/01/2021	PSB/21/006	Amend the pack to include just twelve months data and be presented alongside the solved rates.	PW - Constabulary	Open	
27/01/2021	PSB/21/007	Understand if CSI attend all domestic burglaries.	UJ - Constabulary	Open	
27/10/2021	PSB/21/008	Investigate the uptake of the Learning Hub and report back at the next meeting.	JG - Constabulary	Open	

**OPCC
SCRUTINY
MEETING**
27th January 2022

OFFICIAL



**Cheshire
Constabulary**



DATA CAVEATS

The following caveats need to be considered when reviewing the data contained within this report.

CRIME DATA:

The data in the following report represents records that have an Owning Agency of 'Cheshire Constabulary' only.

The date period(s) referenced are based on the date an occurrence was entered (recorded) on Niche, not the date it was committed or reported.

Crime volumes and calculated % solved rates are representative of information held on the source system on the date that reports were ran - volumes are therefore subject to change in line with updates made to the source system.

Report Run Date: 14th January 2022

Reports used to generate the data included in this report have been run with an ACL (Access Control Level) of 0 – any records with an ACL applied will not appear in the data.

Force totals include occurrences linked to a Motorway or Unknown locations, Out Of Force occurrences are excluded.

INCIDENT DATA:

The date period(s) referenced represent the date an incident was entered (recorded) on SAAB.

Reports used to generate the data included in this report will not show Restricted SAAB Incidents.

COMPARATIVE DATA:

MSG comparison data is sourced from Fusion (previously IQuanta) and is subject to Conditions of Use.

MSG data relating to Solved outcomes relates to Charge/Summons comparative data.

OTHER DATA CAVEATS:

If there are caveats specific to the data set in question, these have been referenced throughout the report.

MOST SIMILAR FAMILY (MSF)

CHESHIRE CONSTABULARY'S MOST SIMILAR GROUP (MSG) – ONE OF 8 FORCES

- Northamptonshire
- Derbyshire
- Staffordshire
- Wiltshire
- Devon & Cornwall
- Avon & Somerset
- Suffolk

CONTENTS

INCIDENTS:

ASB Incidents

Grade 1 Attendance

Grade 2 Attendance

CRIME:

All Crime and % All Crime Solved

Violence Against the Person Offences (VAP) and % VAP Solved

Robbery Offences and % Robbery Offences Solved

Rape Offences and % Rape Offences Solved

Sexual Offences and % Sexual Offences Solved

Child Sexual Abuse (CSA) and % CSA Offences Solved

Domestic Abuse Offences and % Domestic Abuse Offences Solved

Stalking Offences and % Stalking Offences Solved

Harassment Offences and % Harassment Offences Solved

Hate Offences and % Hate Offences Solved

Theft From the Person Offences and % Theft From the Person Offences Solved

Burglary Offences and % Burglary Offences Solved

Vehicle Offences and % Vehicle Offences Solved

Stop Search and Stop Search Arrests

KSIs AND ENFORCEMENT:

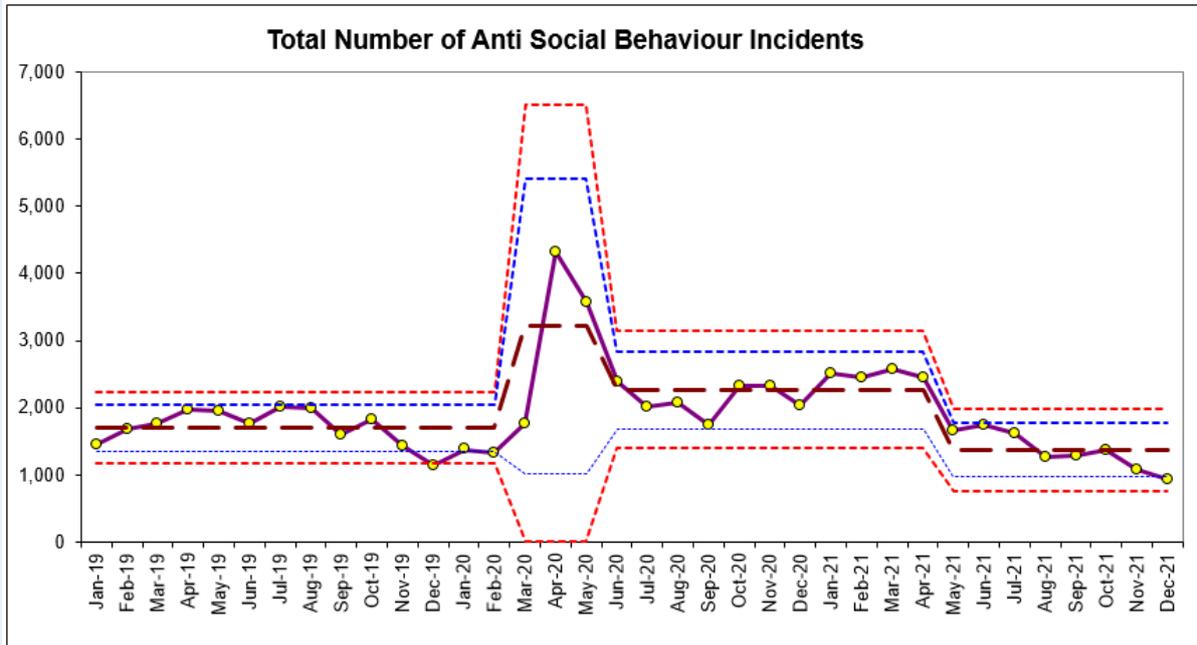
KSI Collisions

Drink Drive Arrests and Drug Drive Arrests

Traffic Offence Reports – Speed, Devices and Seatbelt

INCIDENTS:

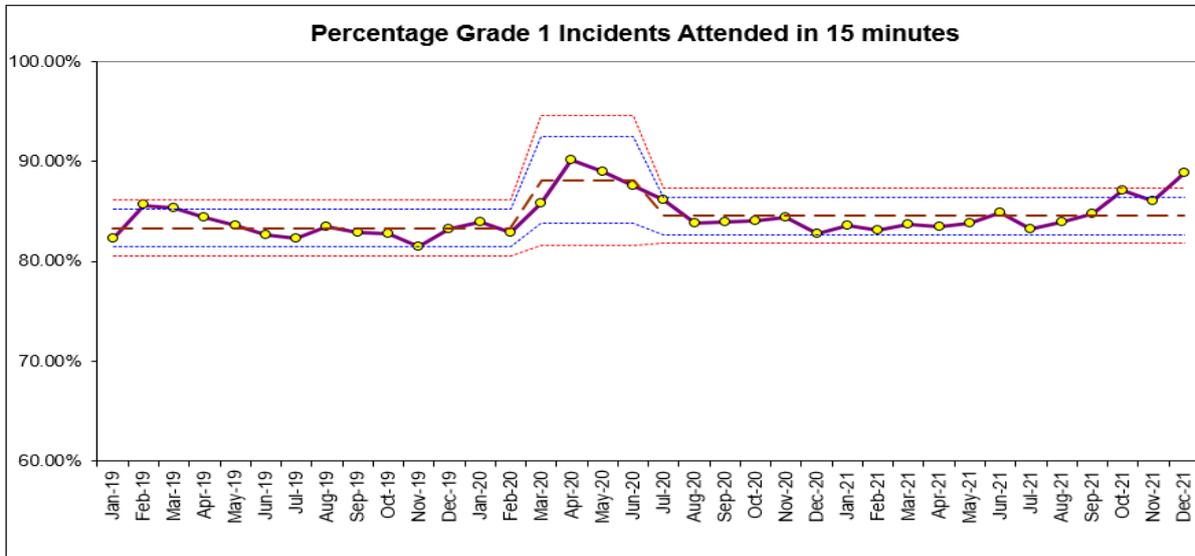
ASB Incidents



	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Anti Social Behaviour Incidents	January - December 2021	22,819	20,943	-9.0%	April - December 2021	22,819	13,420	-70.0%	NA

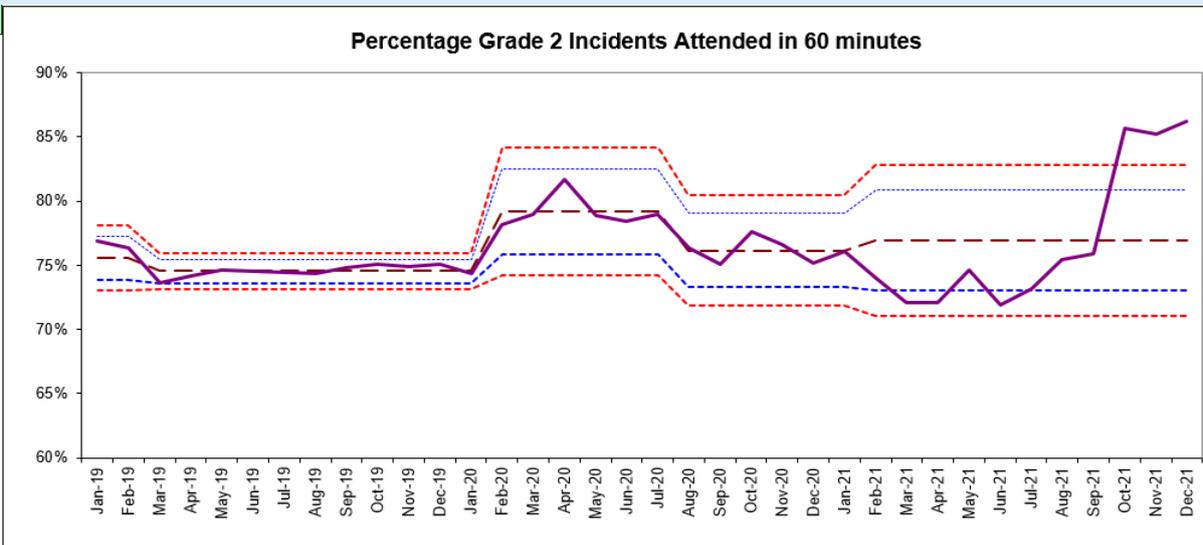
INCIDENTS:

Grade 1 Attendance



	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Percentage of Grade 1 incidents attended within 15 minutes	January - December 2021	85.3%	84.8%	-0.46%	April - December 2021	85.6%	85.1%	-0.50%	NA

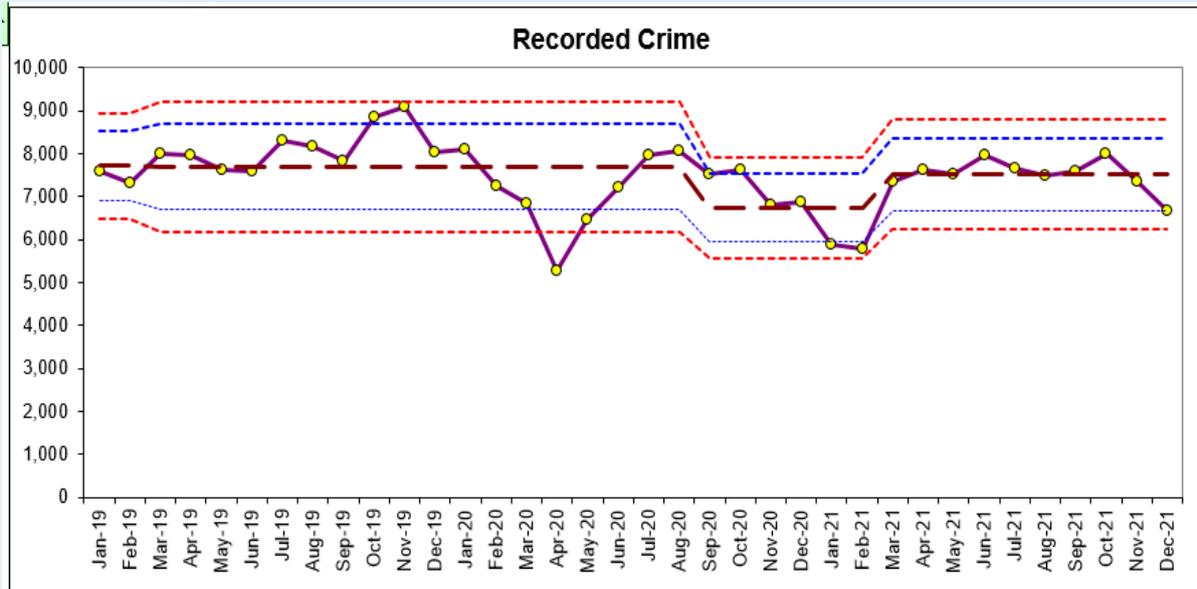
Grade 2 Attendance



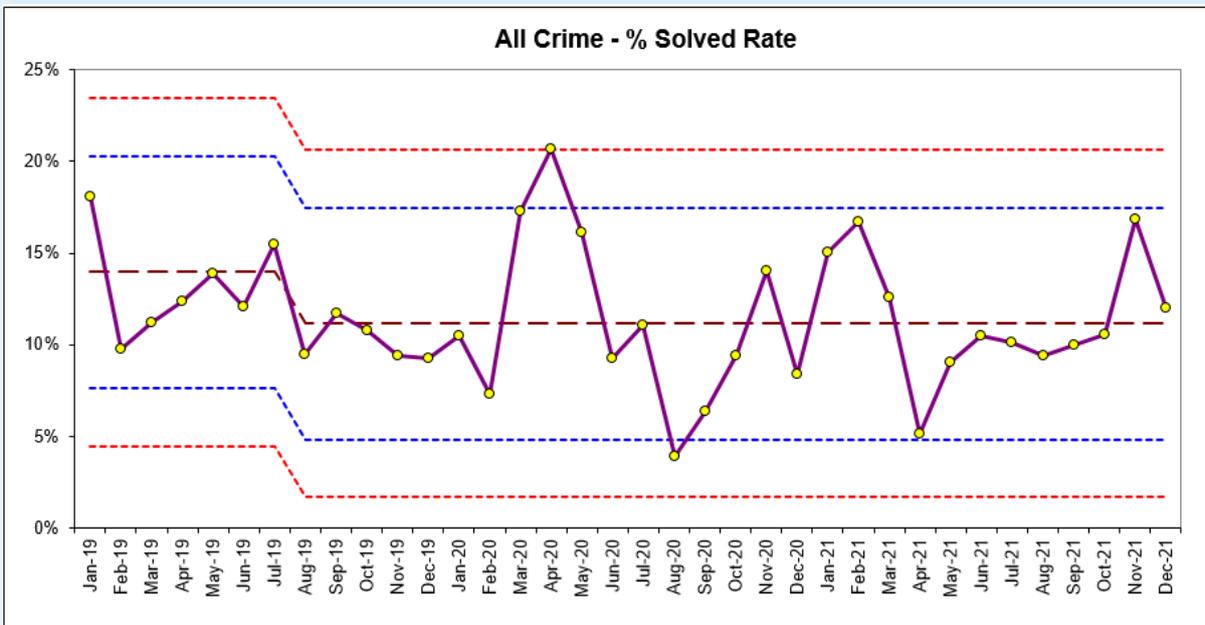
	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Percentage of Grade 2 incidents attended within 60 minutes	January - December 2021	77.6%	76.9%	-0.7%	April - December 2021	77.7%	78%	0.10%	NA

CRIME:

All Crime and % All Crime Solved

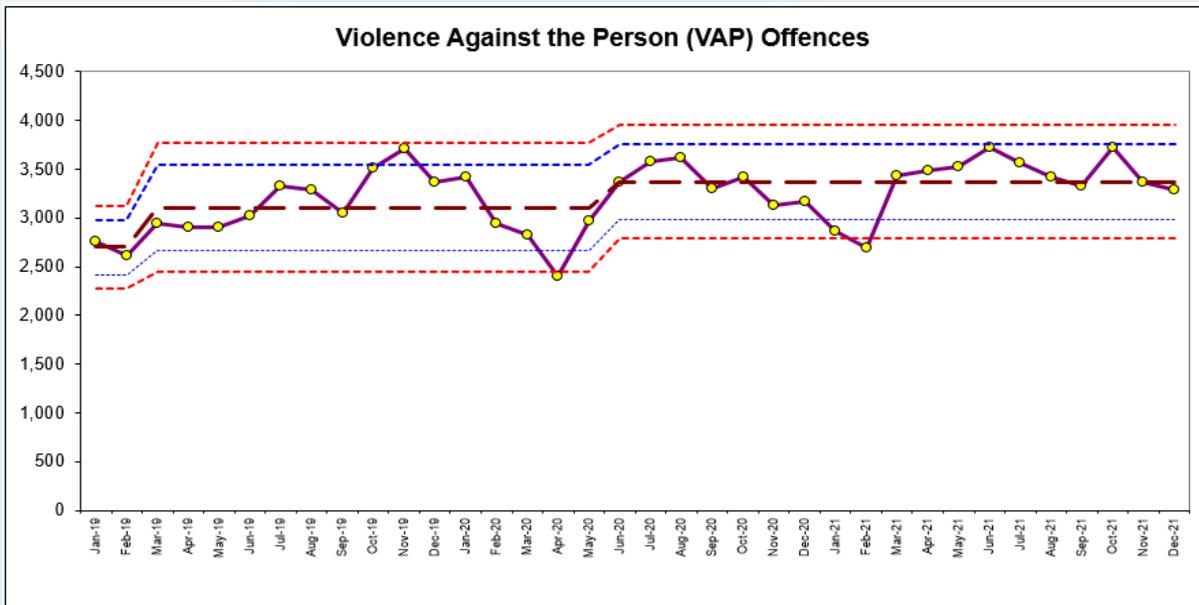


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Recorded Crimes	January - December 2021	86,049	86,795	0.9%	April - December 2021	63,850	67,806	5.8%	8 out of 8 (Highest)

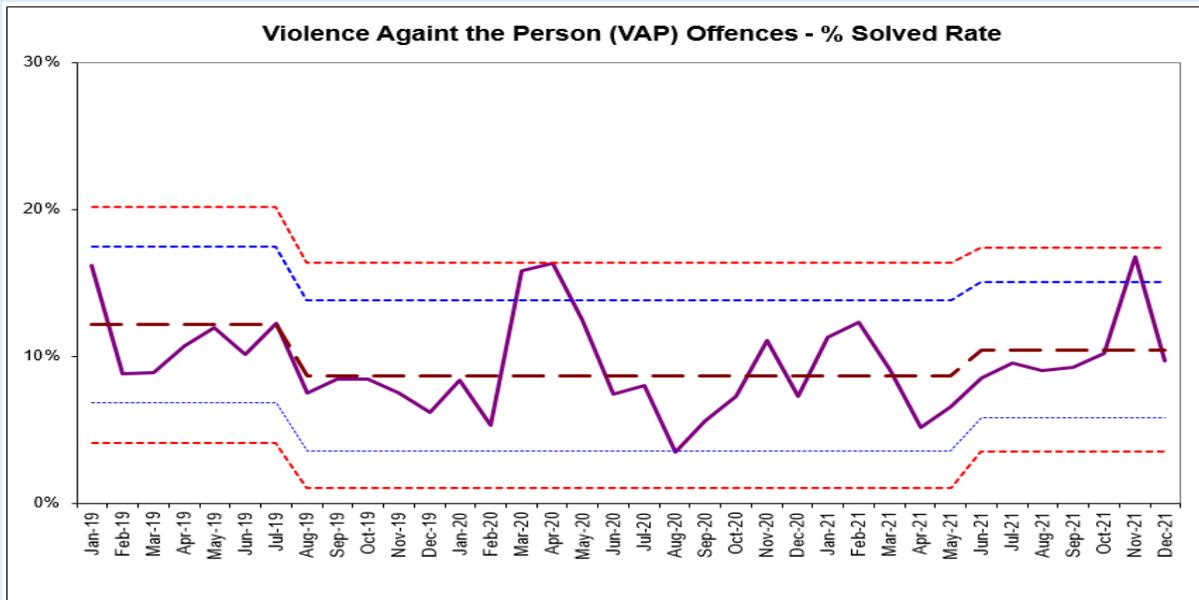


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Crime Solved Rate	January - December 2021	10.8%	11.3%	0.5%	April - December 2021	10.5%	10.4%	-0.2%	3 out of 8 (3rd Highest)

Violence Against the Person Offences (VAP) and % VAP Solved

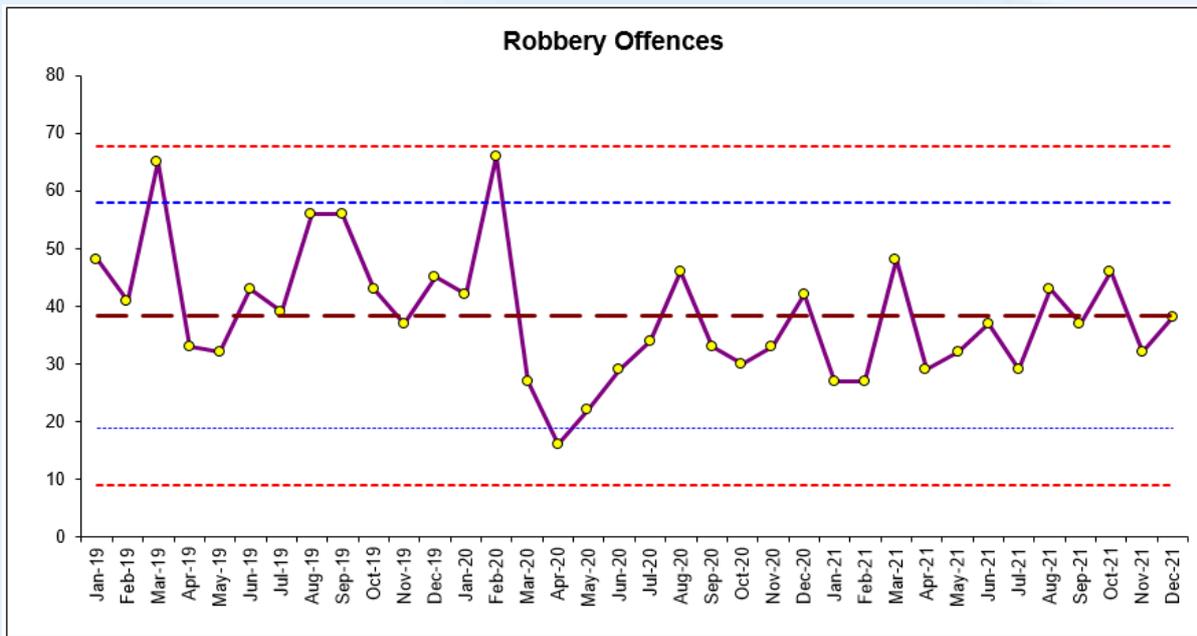


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Violence Against The Person Crimes	January - December 2021	38,131	40,406	5.6%	April - December 2021	28946	31414	7.9%	8 out of 8 (Highest)

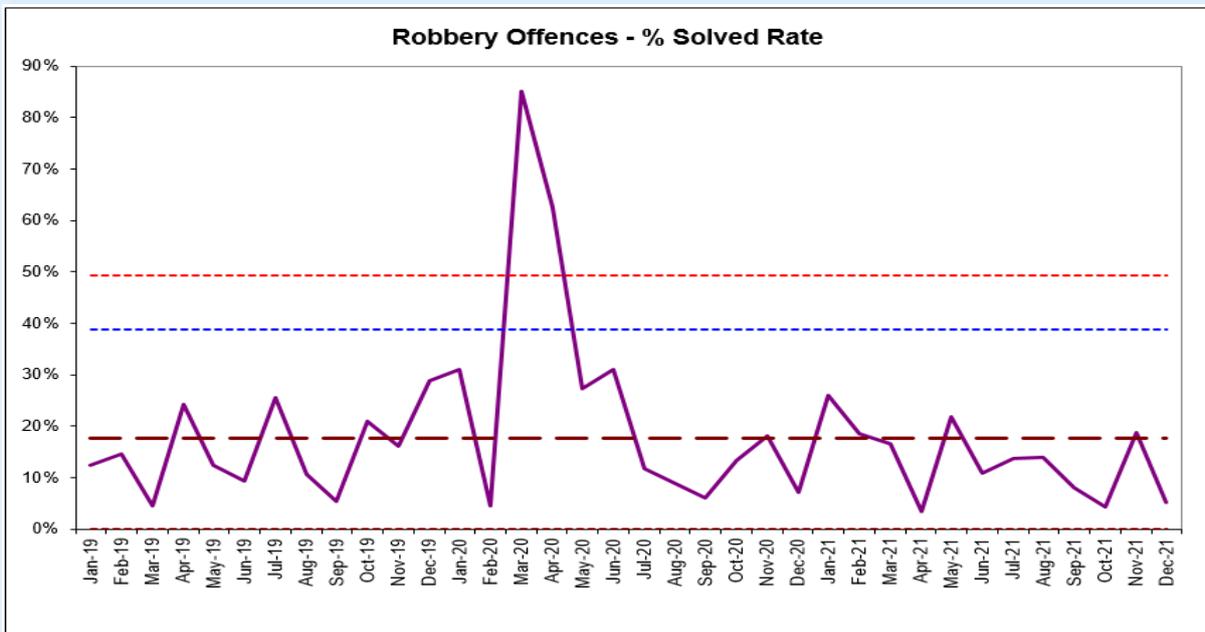


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
VAP Offences Solved Rate	January - December 2021	8.7%	9.7%	1.0%	April - December 2021	8.4%	9.4%	1.0%	2 out of 8 (2nd Highest)

Robbery Offences and % Robbery Offences Solved

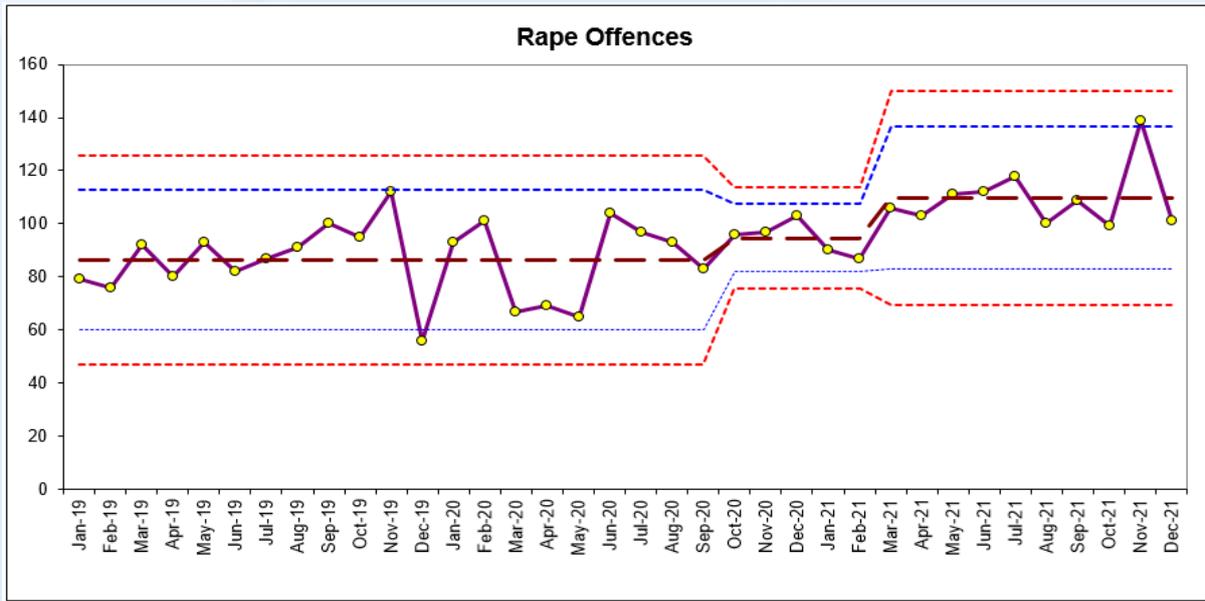


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Robbery Offences	January - December 2021	420	425	1.2%	April - December 2021	285	323	11.8%	3 out of 8 (4th Highest)

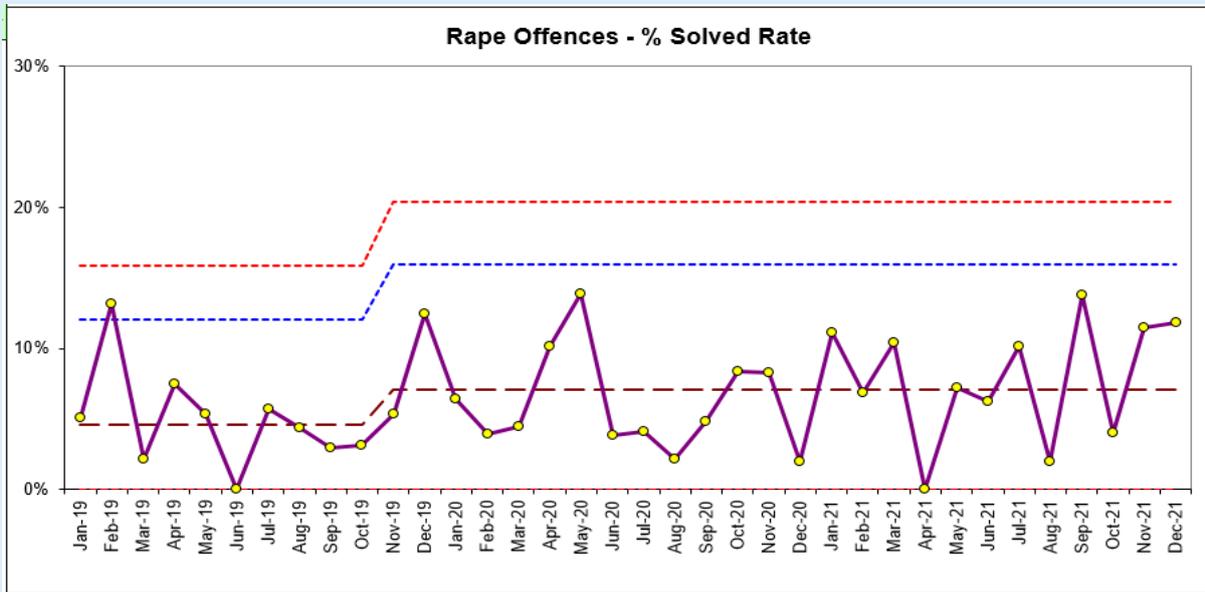


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Robbery Offences Solved Rate	January - December 2021	19.8%	12.9%	-6.8%	April - December 2021	15.4%	10.8%	-4.6%	3 out of 8 (3rd Highest)

Rape Offences and % Rape Offences Solved

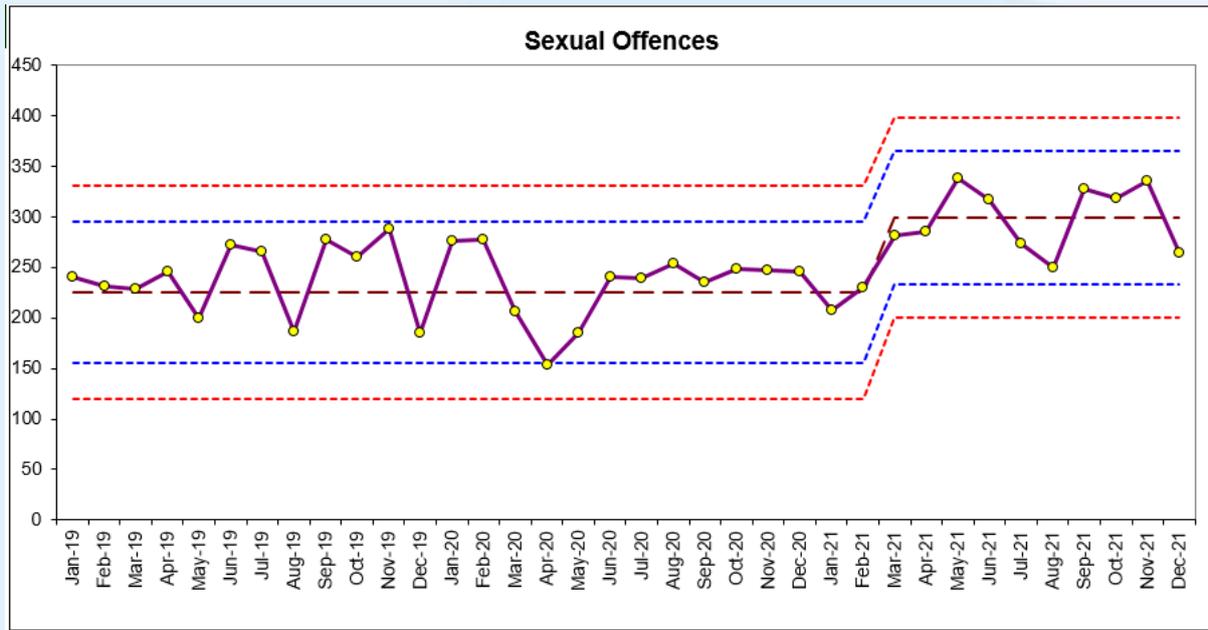


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Rape Offences	January - December 2021	1,068	1,275	16.2%	April - December 2021	807	992	18.6%	6 out of 8 (3rd Highest)

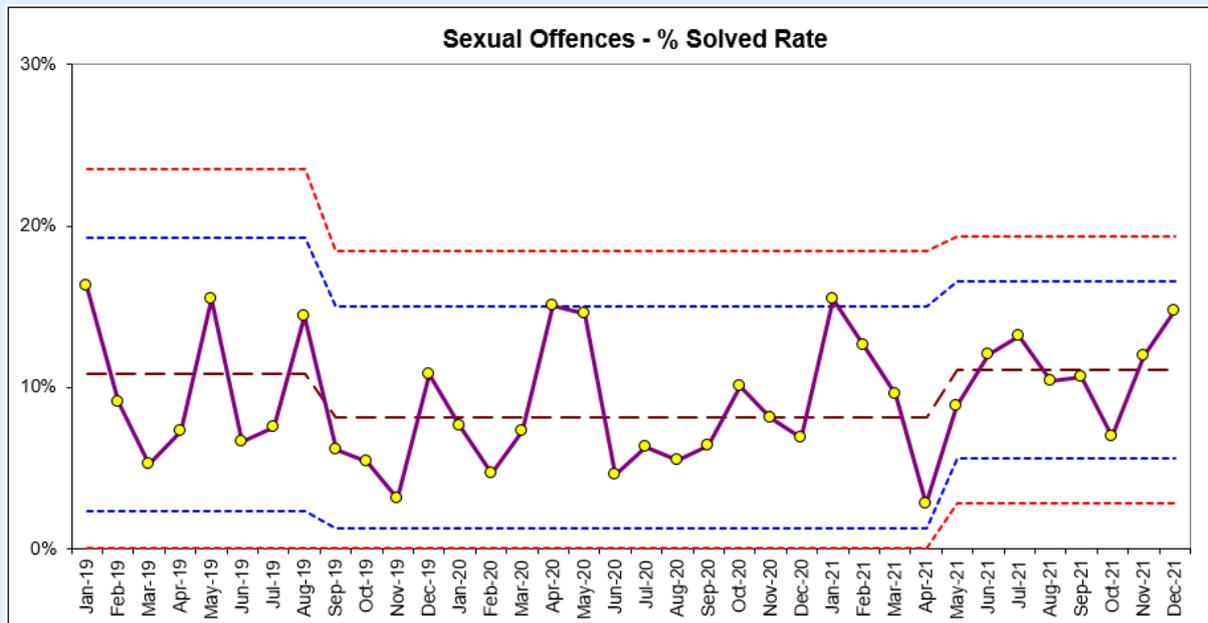


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Rape Offences Solved Rate	January - December 2021	5.7%	8.1%	2.37%	April - December 2021	5.9%	7.7%	1.7%	1 out of 8 (Highest)

Sexual Offences and % Sexual Offences Solved

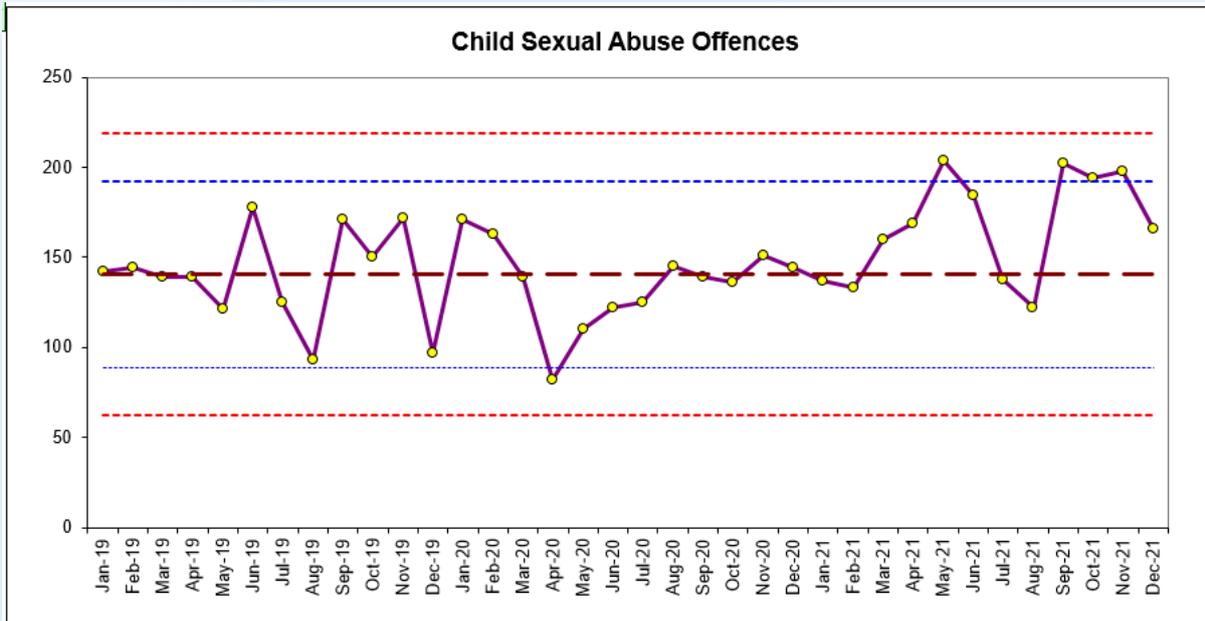


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Sexual Offences	January - December 2021	2,808	3,429	18.1%	April - December 2021	2,048	2,710	24.4%	6 out of 8 (3rd Highest)

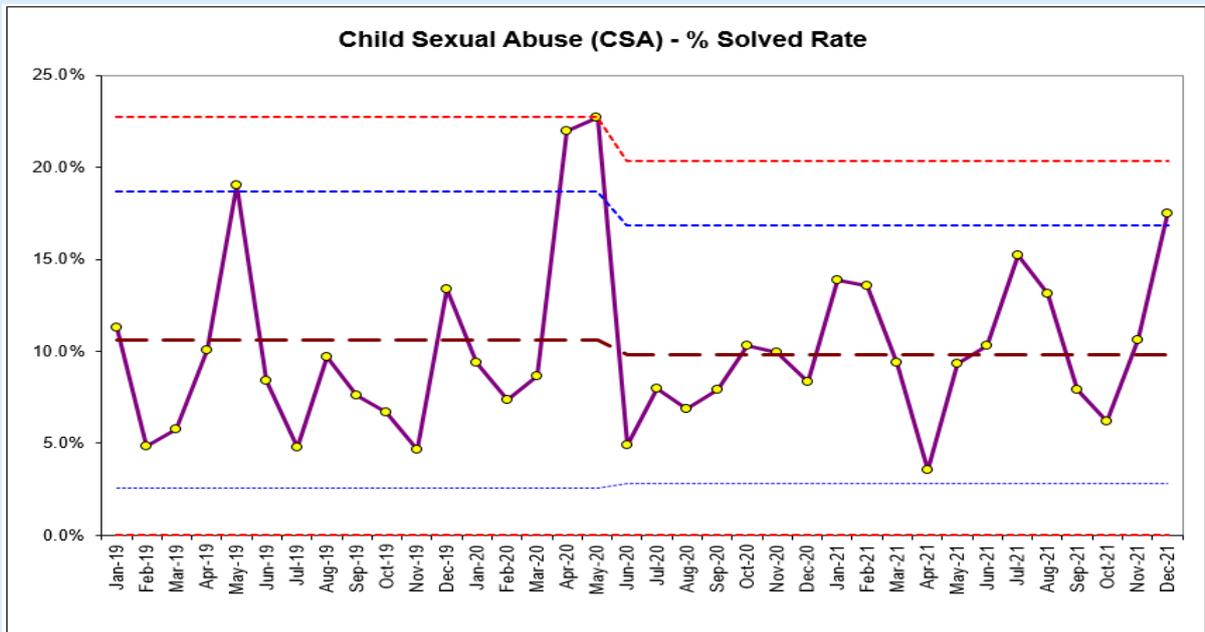


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Sexual Offences Solved Rate	January - December 2021	7.7%	10.6%	2.9%	April - December 2021	8.2%	10.1%	2.0%	1 out of 8 (Highest)

Child Sexual Abuse (CSA) and % CSA Offences Solved

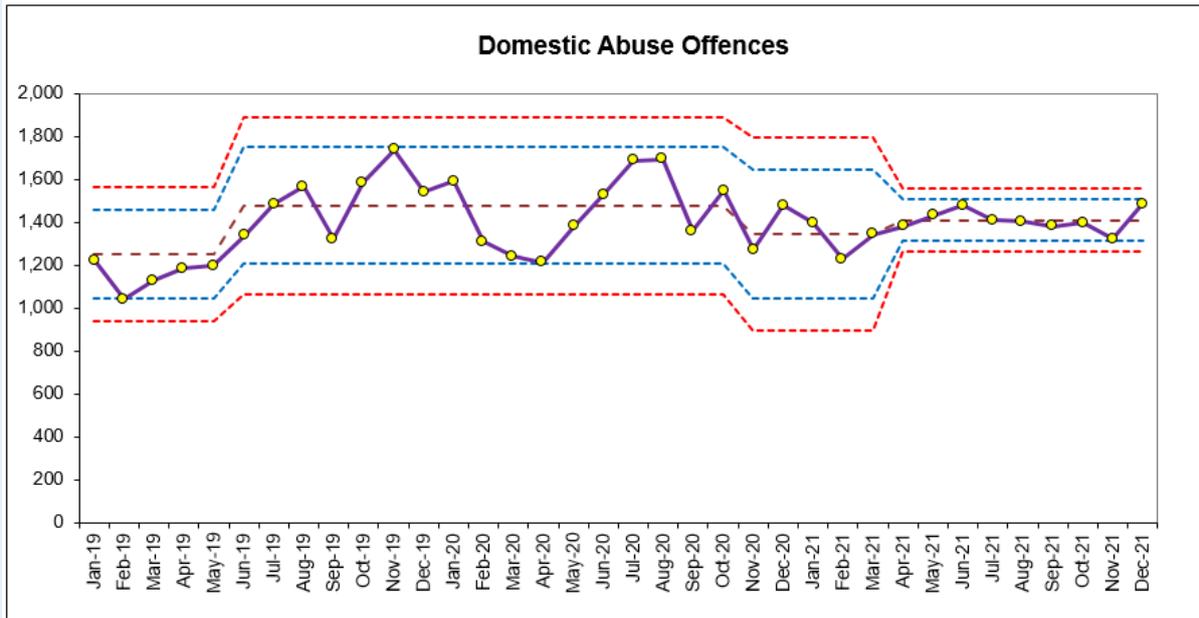


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of CSA Offences	January - December 2021	1,627	2,007	18.9%	April - December 2021	1154	1,577	26.8%	NA

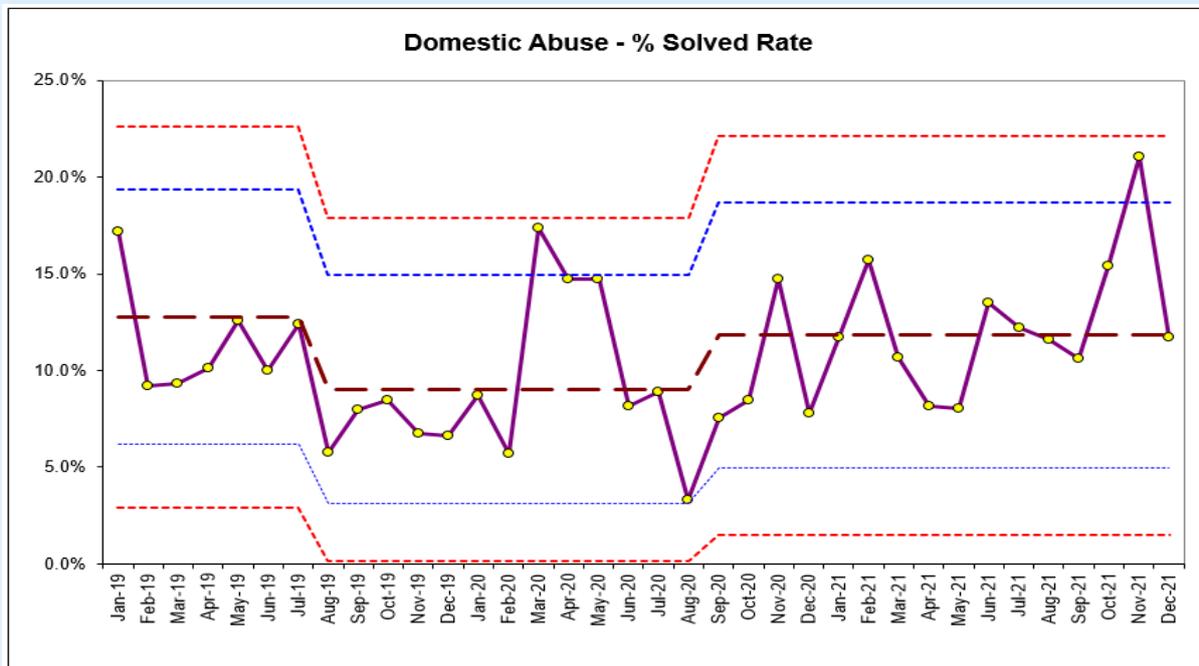


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
CSA Offences Solved Rate	January - December 2021	9.9%	10.5%	0.6%	April - December 2021	10.5%	10.1%	-0.4%	NA

Domestic Abuse Offences and % Domestic Abuse Offences Solved

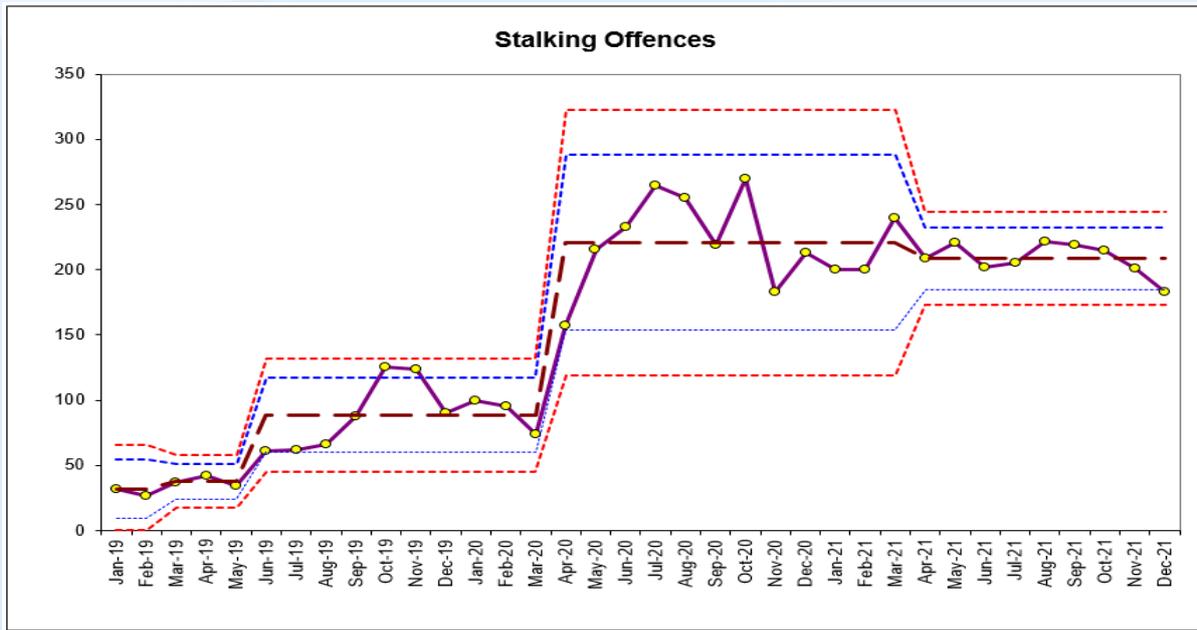


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Domestic Abuse Offences	January - December 2021	17,317	16,651	-4.0%	April - December 2021	13164	12,688	-4%	NA

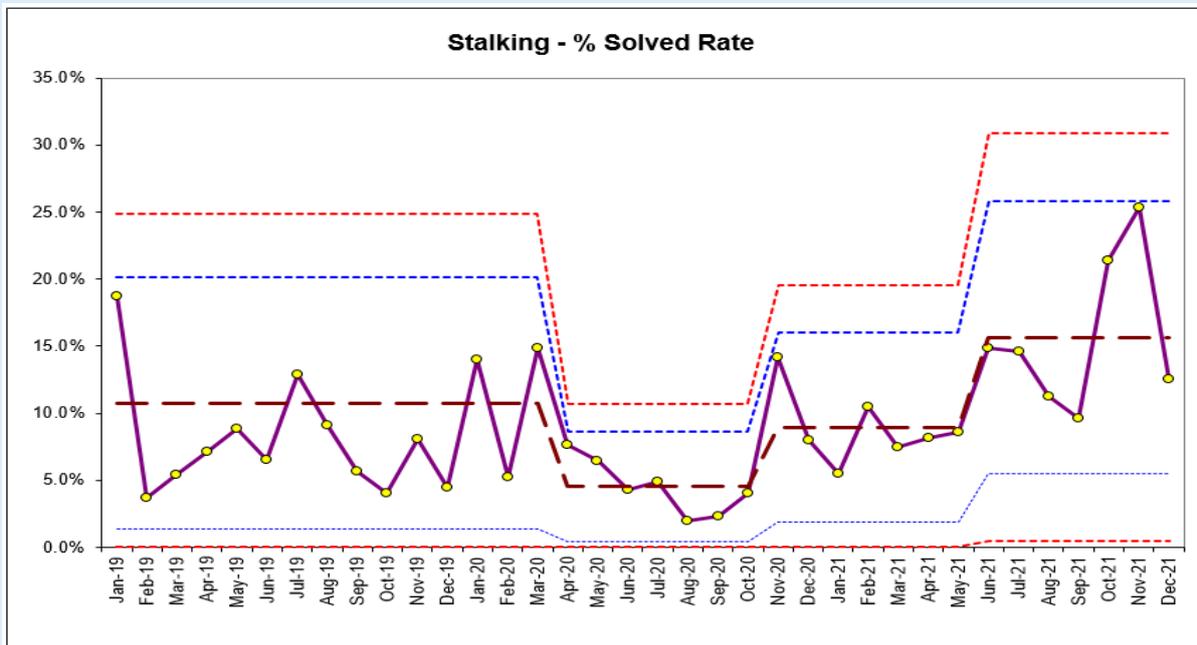


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
DA Offences Solved Rate	January - December 2021	9.7%	12.5%	2.8%	April - December 2021	9.5%	12.4%	2.9%	NA

Stalking Offences and % Stalking Offences Solved

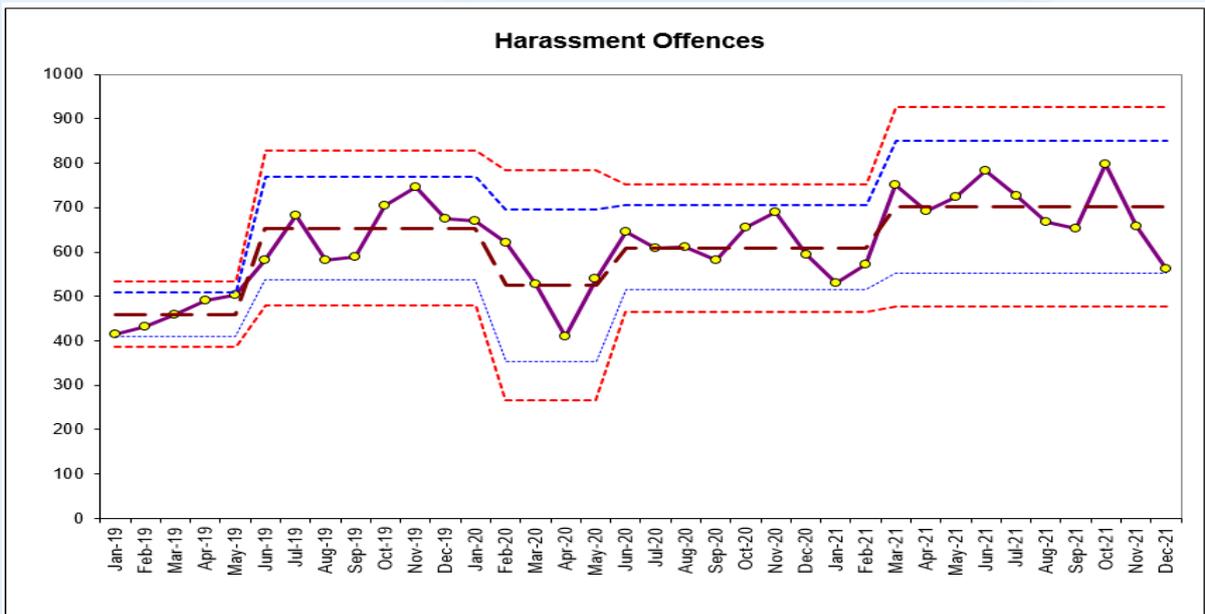


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Stalking Offences	January - December 2021	2,280	2,517	9.4%	April - December 2021	2,011	1,877	-7.1%	8 out of 8 (Highest)

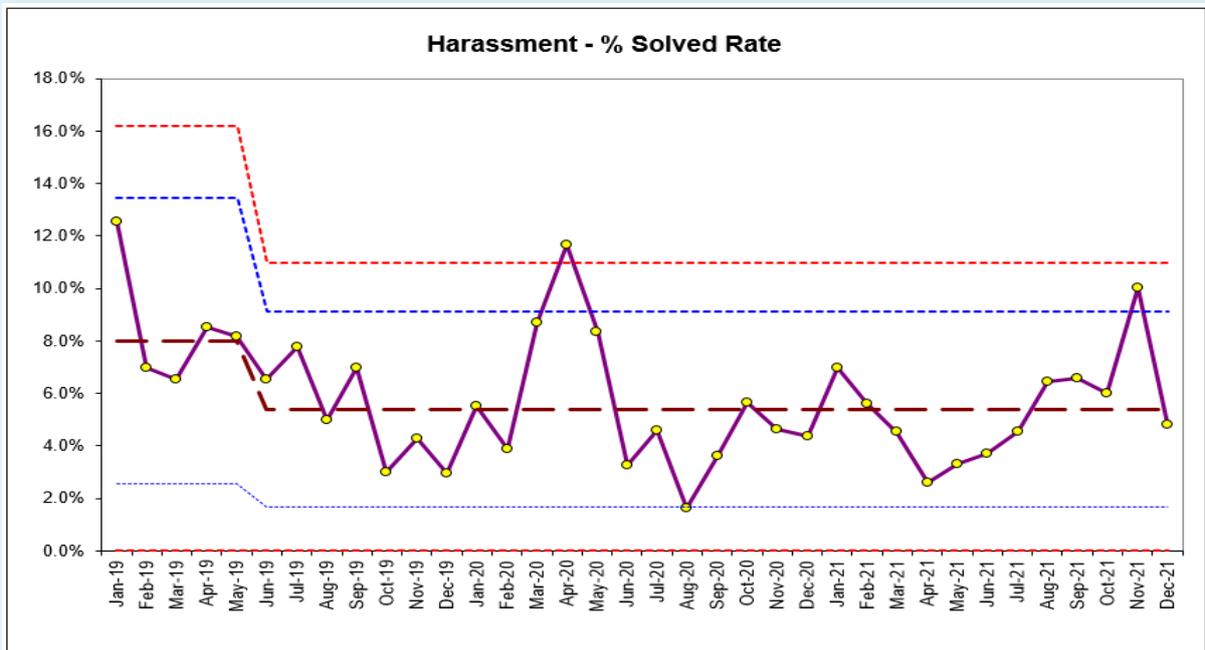


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Stalking Offences Solved Rate	January - December 2021	6.3%	12.4%	6.1%	April - December 2021	5.6%	14.0%	8.3%	3 out of 8 (3rd Highest)

Harassment Offences and % Harassment Offences Solved

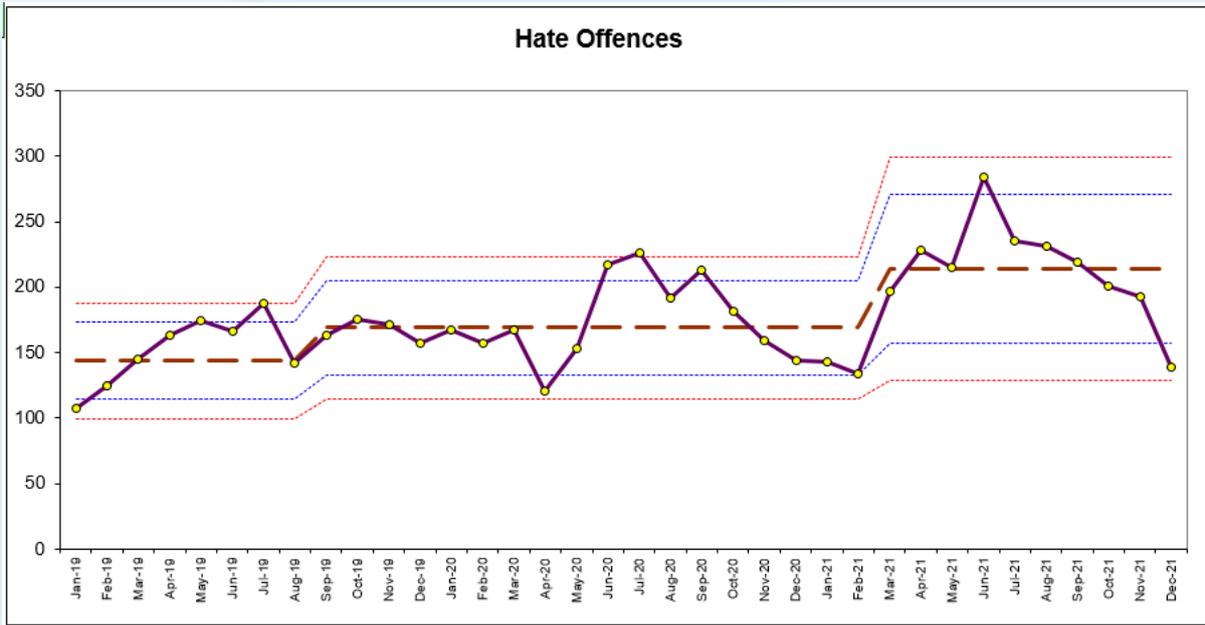


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Harassment Offences	January - December 2021	7,157	8,117	11.8%	April - December 2021	5,338	6,266	14.8%	8 out of 8 (Highest)

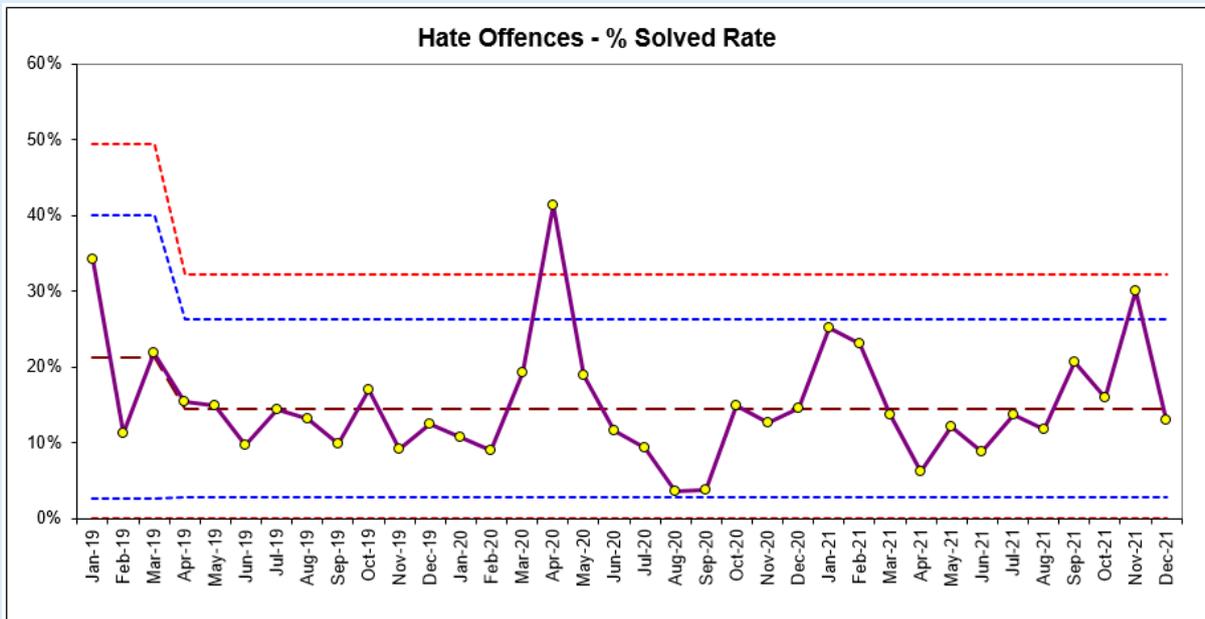


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Harassment Offences Solved Rate	January - December 2021	5.2%	5.3%	0.1%	April - December 2021	5.0%	5.3%	0.3%	3 out of 8 (3rd Highest)

Hate Offences and % Hate Offences Solved

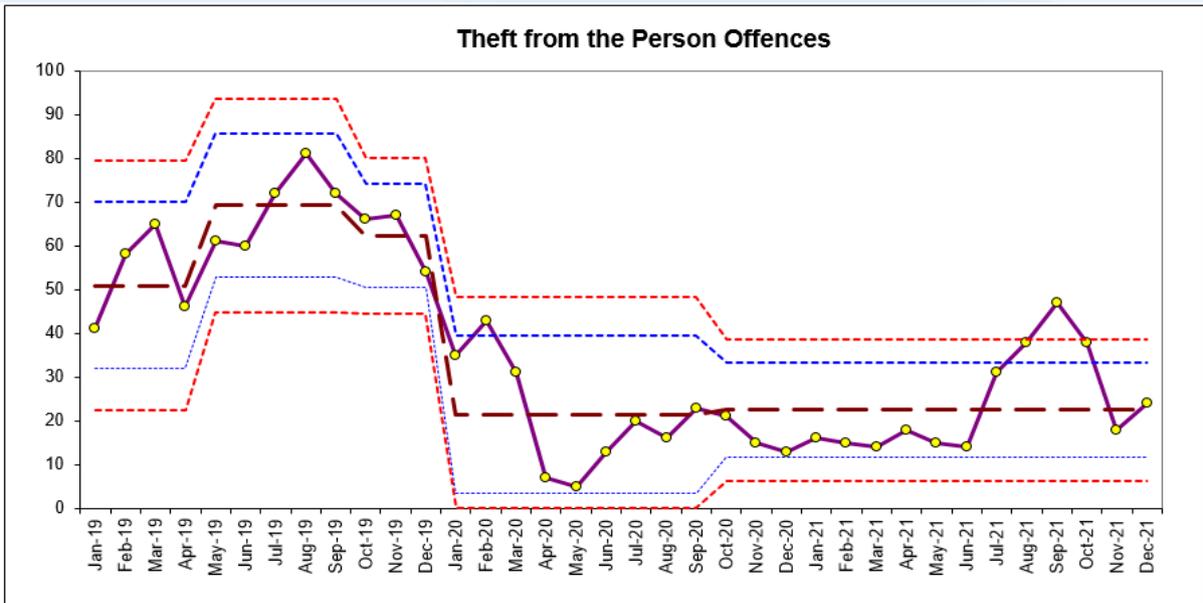


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Hate Offences	January - December 2021	2,098	2,419	13.3%	April - December 2021	1607	1,945	17.4%	NA



	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Hate Offences Solved Rate	January - December 2021	13.0%	15.3%	2.4%	April - December 2021	12.9%	14.2%	1.3%	NA

Theft From the Person Offences and % Theft From the Person Offences Solved

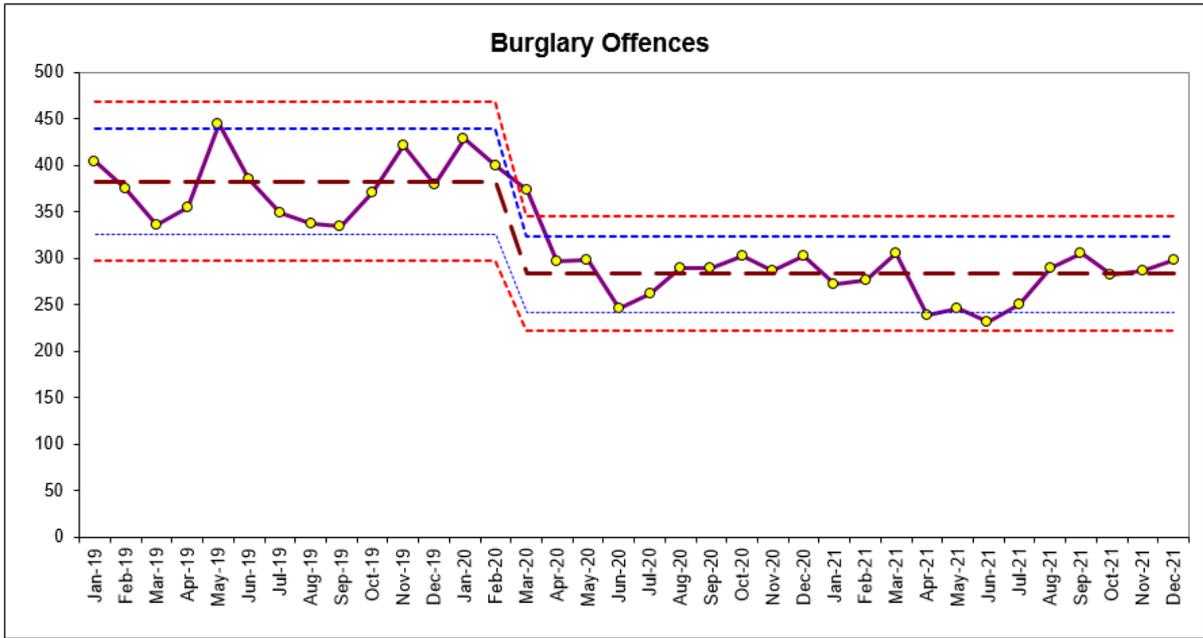


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Theft from the Person Offences	January - December 2021	242	288	16.0%	April - December 2021	133	243	45.3%	3 out of 8 (3rd Lowest)

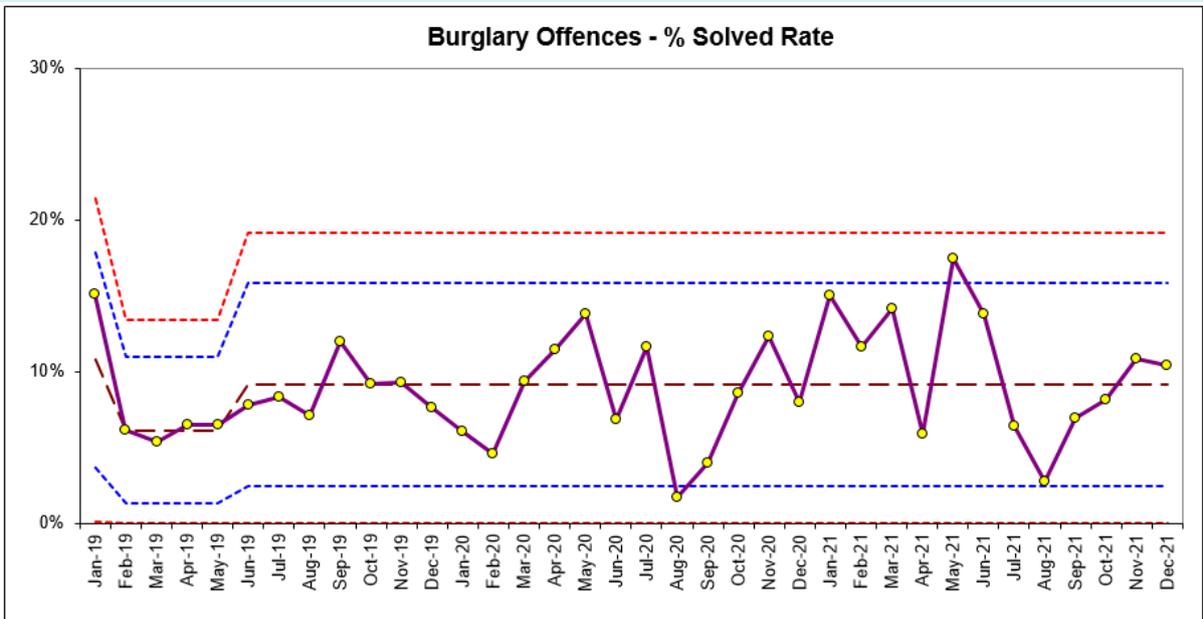


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
TFP Offences Solved Rate	January - December 2021	8.7%	2.8%	-5.9%	April - December 2021	11.3%	1.6%	-9.6%	3 out 8 (3rd Highest)

Burglary Offences and % Burglary Offences Solved

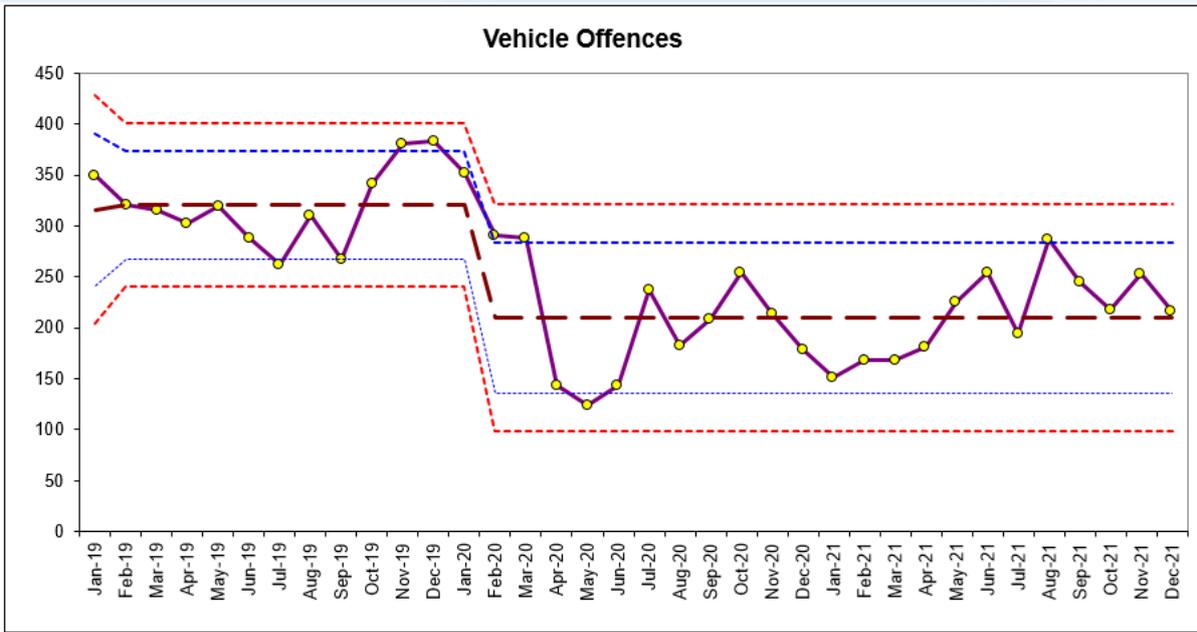


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Burglary Crimes	January - December 2021	3,773	3,282	-15.0%	April - December 2021	2,573	2,428	-6%	5 out of 8 (4th Highest)

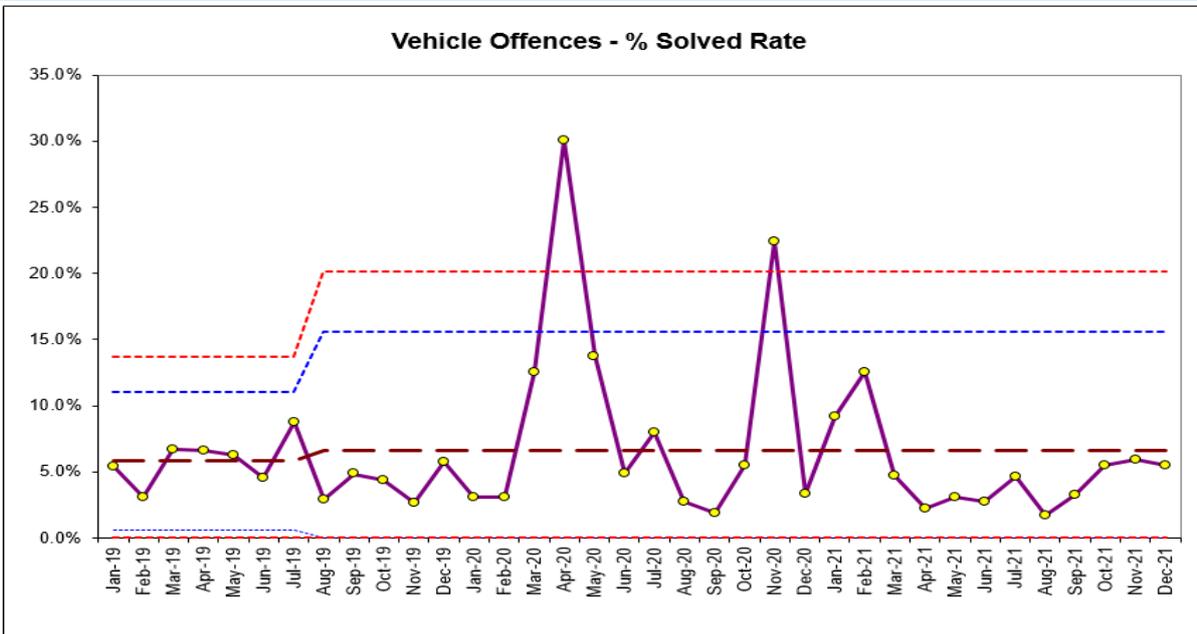


	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Burglary Offences Solved Rate	January - December 2021	8.1%	10.2%	2.1%	April - December 2021	8.8%	9.0%	0.2%	1 out of 8 (Highest)

Vehicle Offences and % Vehicle Offences Solved

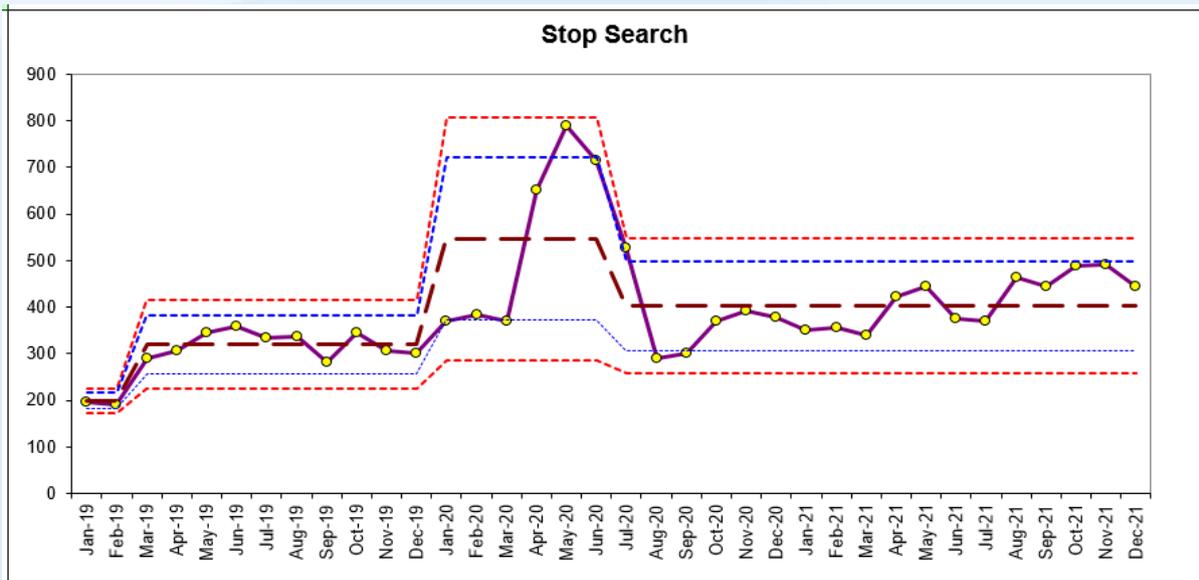


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Vehicle Offences	January - December 2021	2,618	2,565	-2.1%	April - December 2021	1687	2076	18.7%	2 out of 8 (2nd Lowest)

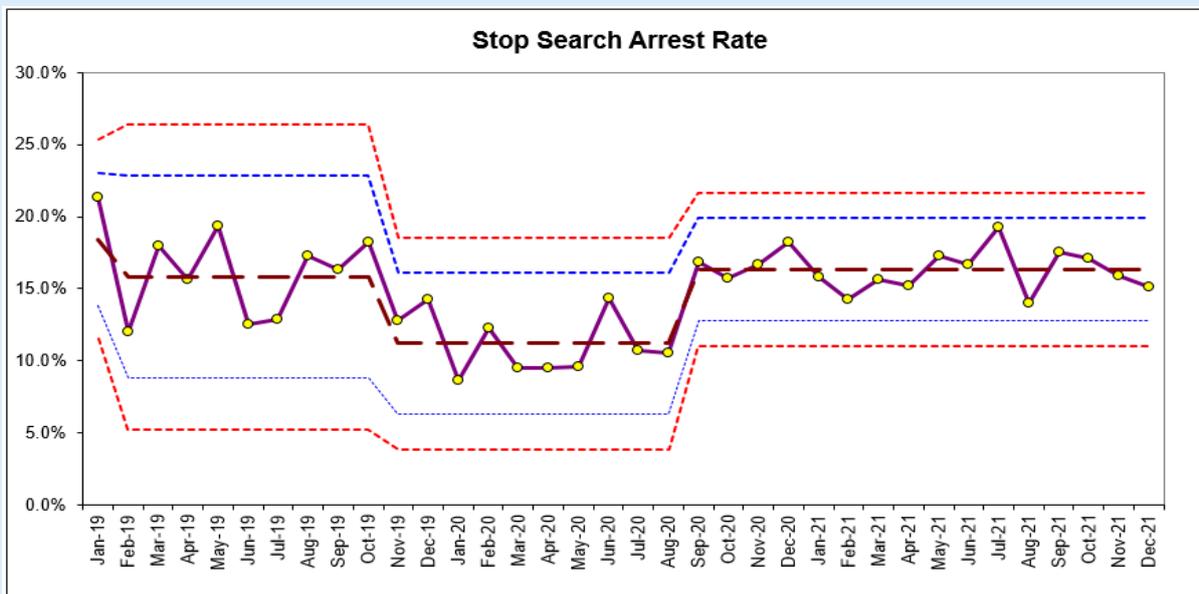


	Rolling 12 months	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Vehicle Offences Solved Rate	January - December 2021	8.4%	4.8%	-3.6%	April - December 2021	9.7%	3.8%	-5.9%	5 out of 8 (4th Lowest)

Stop Search and Stop Search Arrests



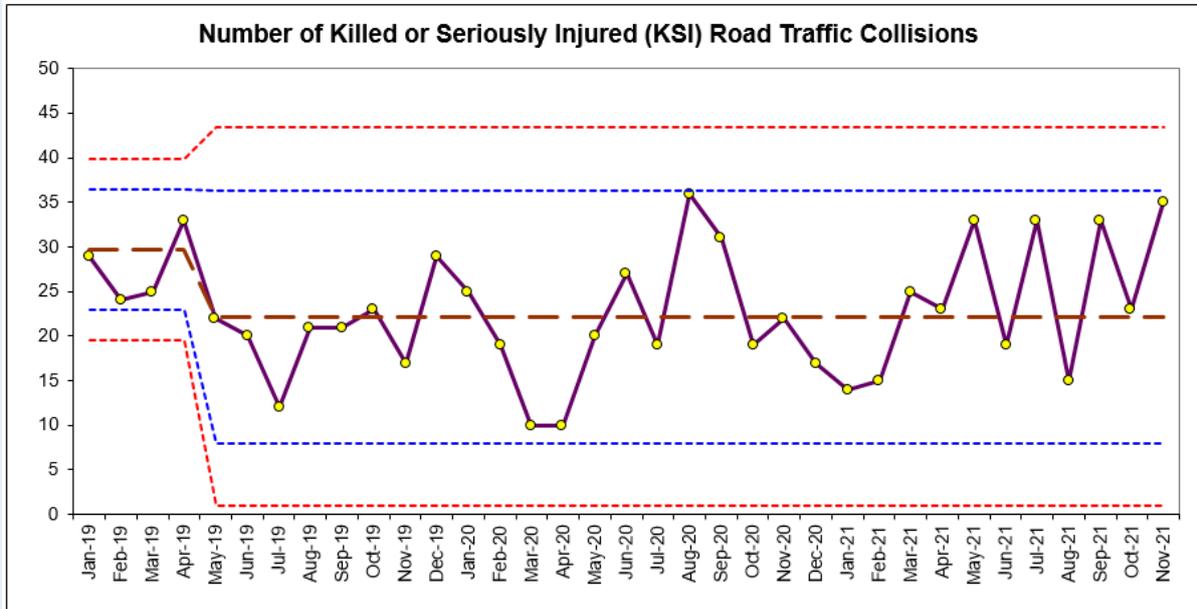
	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Stop Searches	January - December 2021	5,539	4,995	-10.9%	April - December 2021	4,415	3,948	-11.8%	NA



	Rolling 12 month period	Last Year	This Year	PP Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	PP Change This Year Compared to Last Year	MSG Position
Stop Search Arrest Rate	January - December 2021	13	16	3.0%	April - December 2021	14	16	2.0%	NA

KSIs:

KSI Collisions

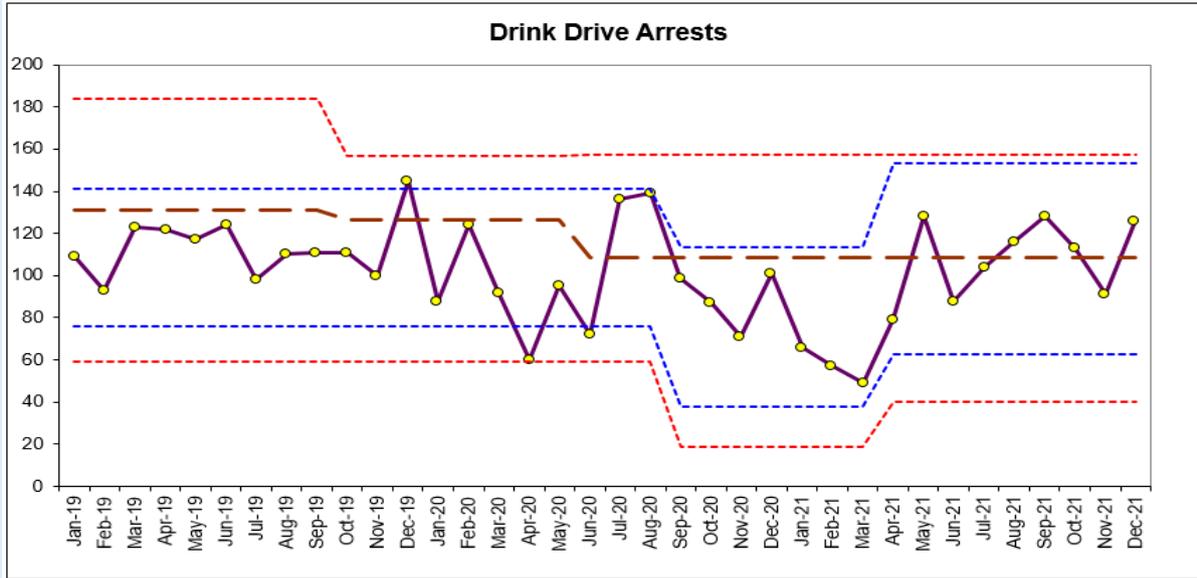


	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of Killed or Seriously Injured RTCs	December 2020 - November 2021	267	285	6.3%	April - November 2021	184	214	14.0%	NA

Data Note: Injury classifications can alter up to 30 days after a collision, and as such, KSI data is reported one month behind.

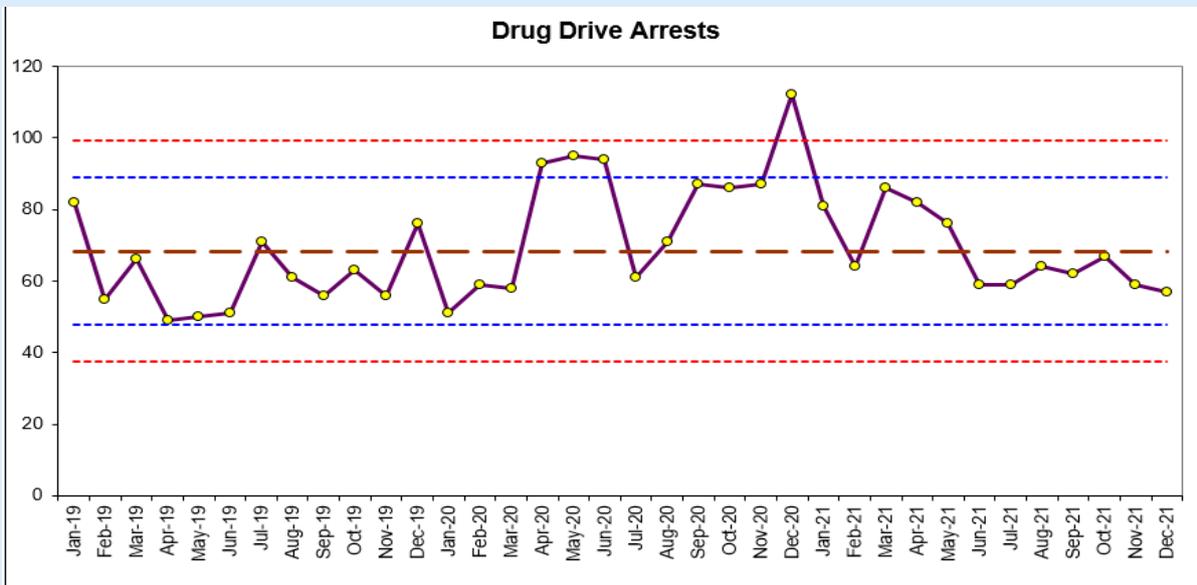
ENFORCEMENT:

Drink Drive Arrests



	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of drink drive arrests	January - December 2021	1,164	1,145	-1.7%	April - December 2021	860	973	11.6%	NA

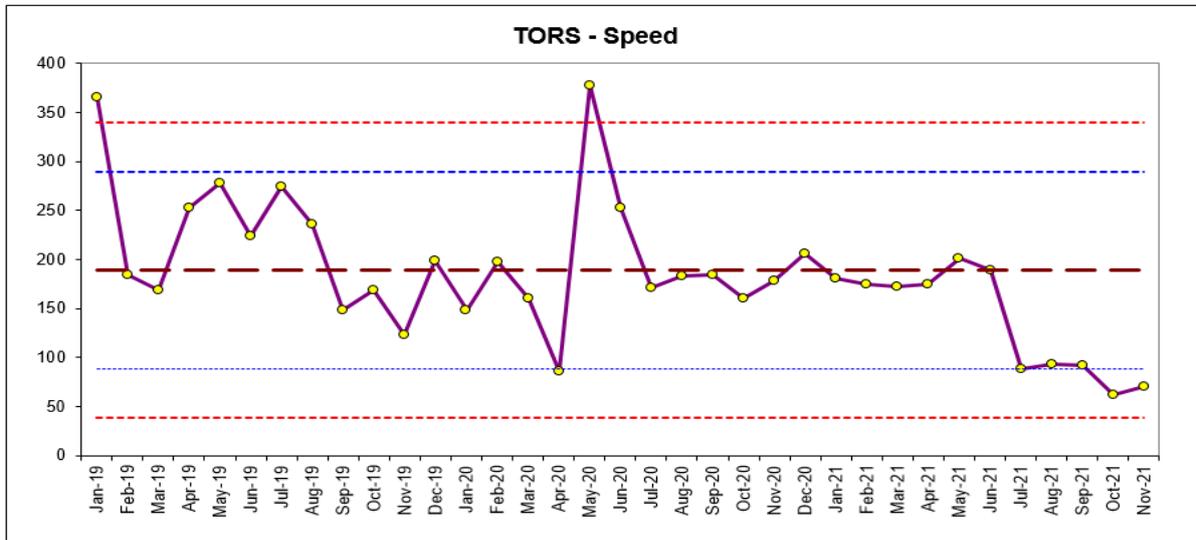
Drug Drive Arrests



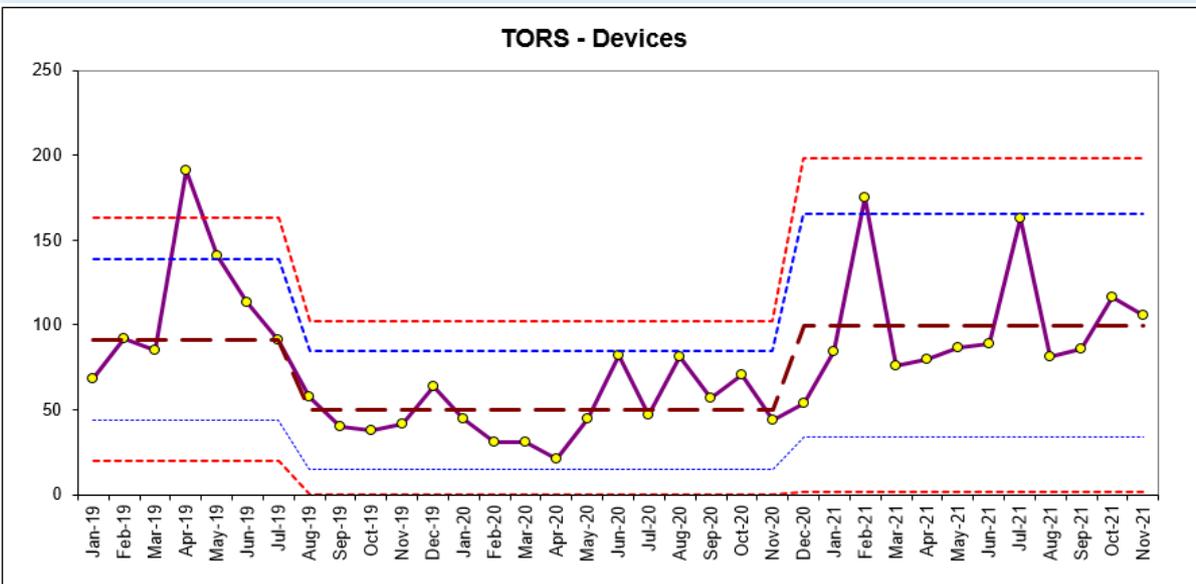
	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of drug drive arrests	January - December 2021	954	816	-16.9%	April - December 2021	786	585	-34.4%	NA

ENFORCEMENT:

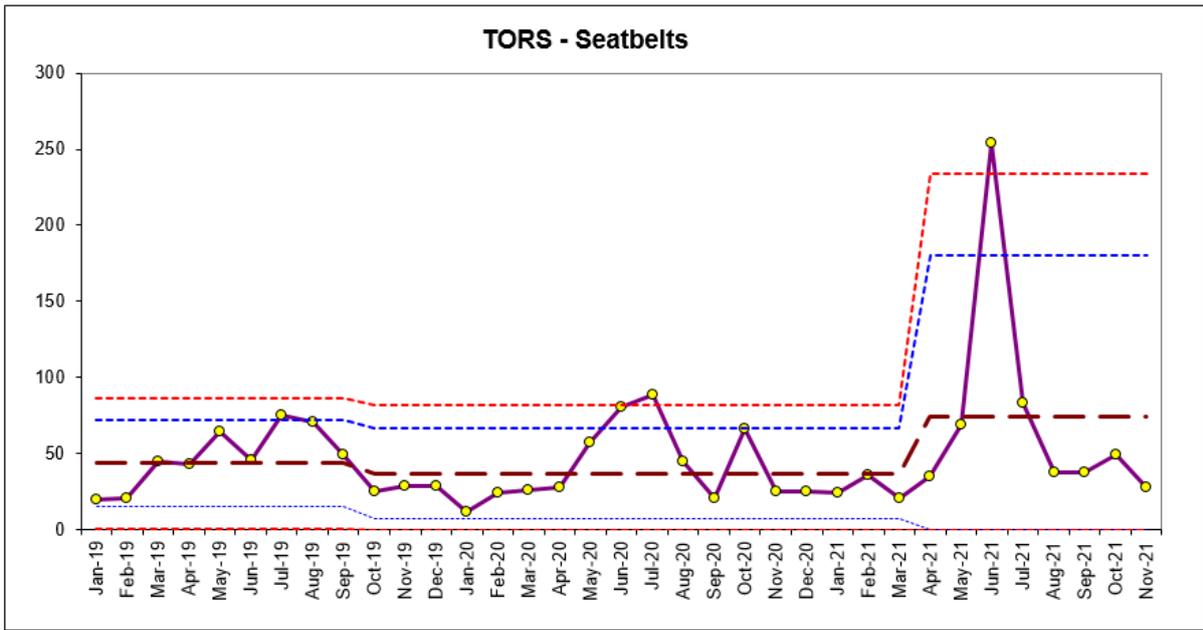
Traffic Offence Reports – Speed, Devices and Seatbelt



	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of TORS for Speed	December 2020 - November 2021	2,301	1,706	-34.9%	April - November 2021	1,595	971	-64.3%	NA



	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of TORS for Devices	December 2020 - November 2021	619	1,197	48.3%	April - November 2021	448	808	44.6%	NA



	Rolling 12 month period	Last Year	This Year	% Change This Year Compared to Last Year	Year to Date period	Last Year	This Year	% Change This Year Compared to Last Year	MSG Position
Total number of TORS for Seatbelts	December 2020 - November 2021	503	700	28.1%	April - November 2021	412	594	30.6%	NA

PUBLIC SCRUTINY BOARD

JANUARY 2022

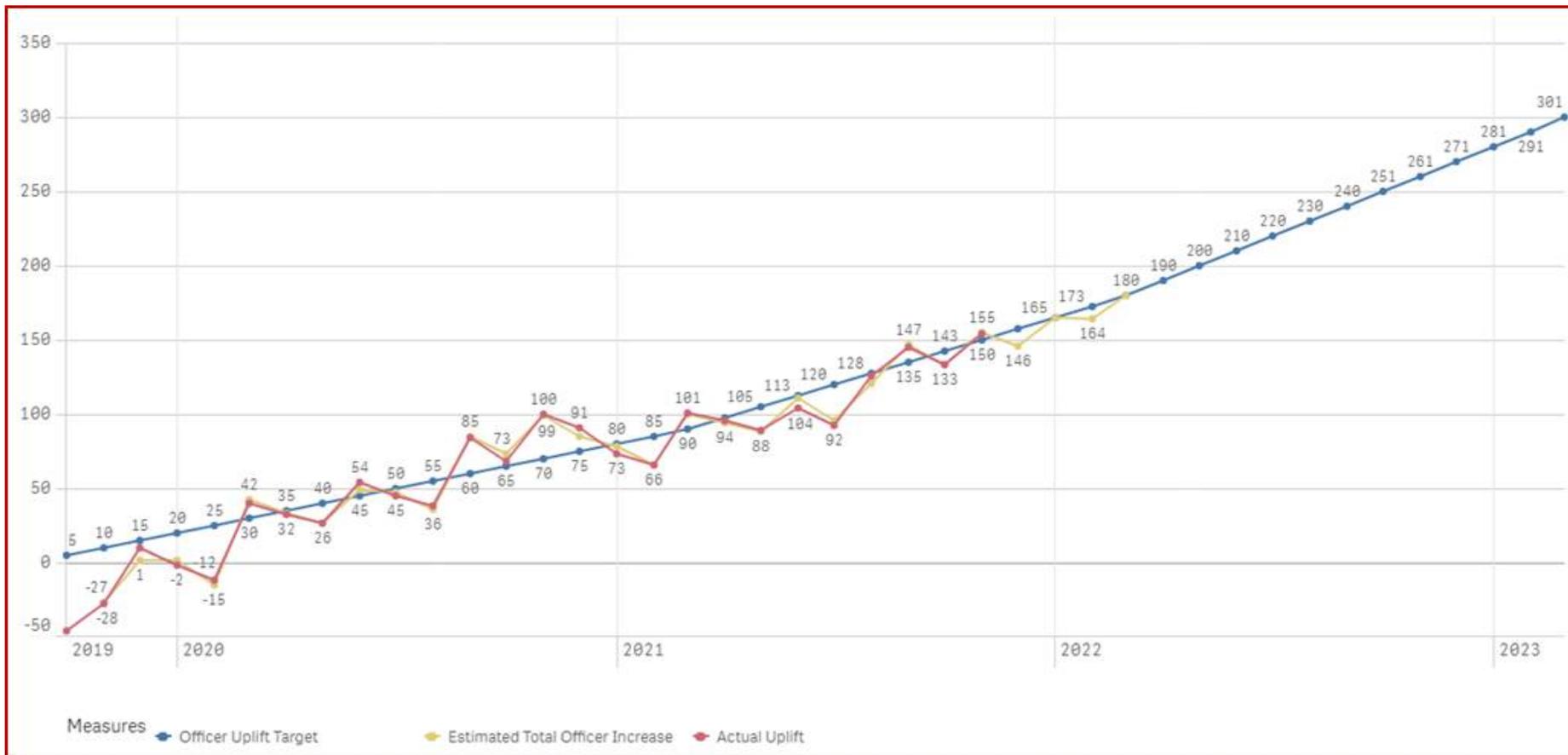
CHESHIRE CONSTABULARY PEOPLE SERVICES PERFORMANCE REPORT

QUARTER 3 SEPTEMBER 2021 – DECEMBER 2021

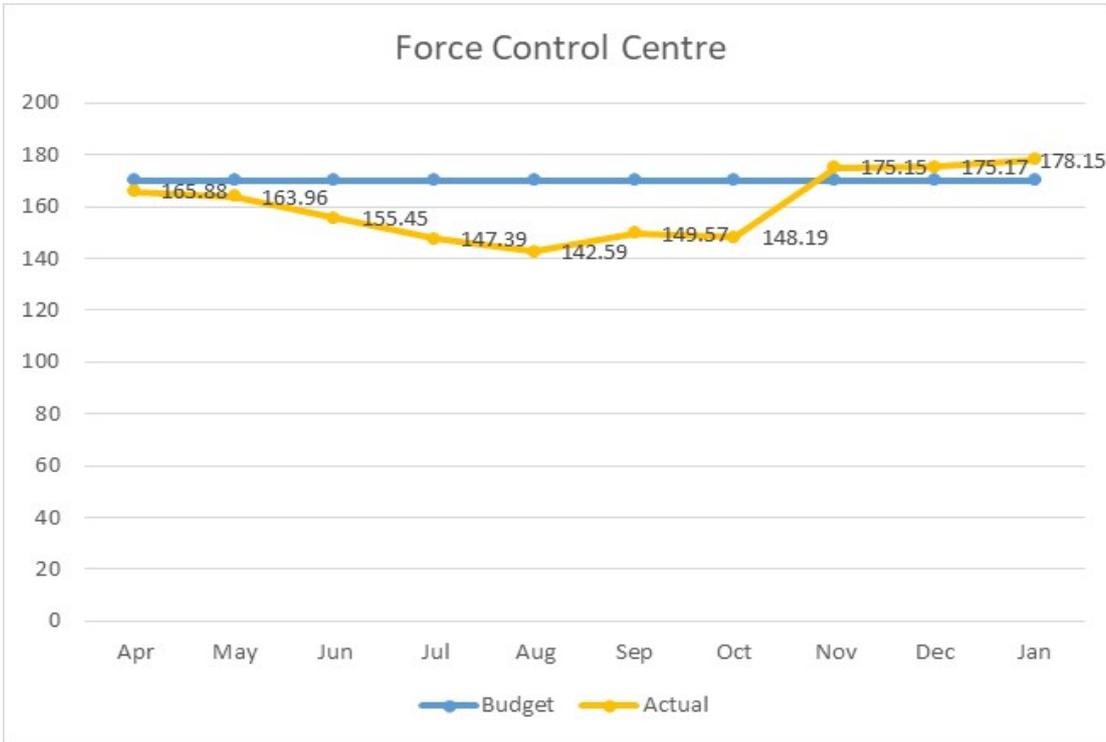
WORKFORCE CAPACITY

Police Officer Recruitment - Uplift Glidepath

As part of the Police Officer Uplift Programme the force closely monitors Officer recruitment. The following shows the glidepath to the additional 301 officers required to achieve our commitment. The latest return currently has Cheshire registered as Amber in terms of its progress with numbers -1 against predictions. Since completion the force have already had an additional intake of transferees which as put for the force in line with year end targets.



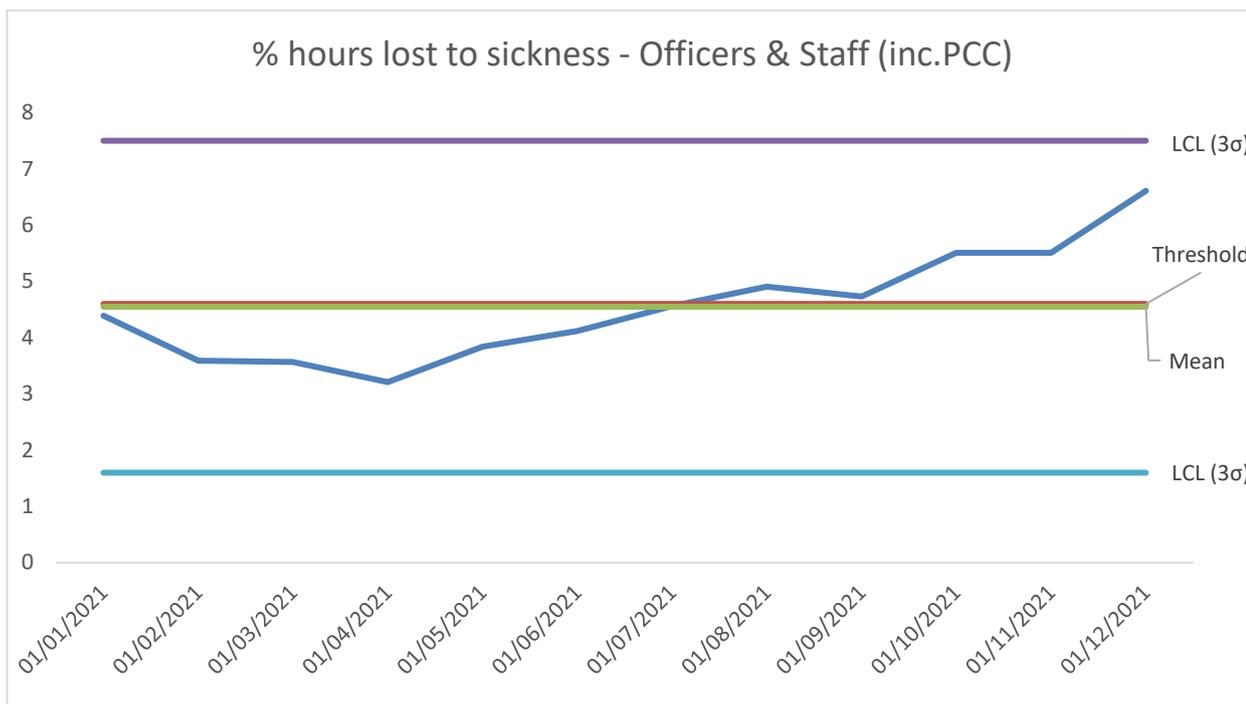
Force Control Centre Recruitment Glidepath



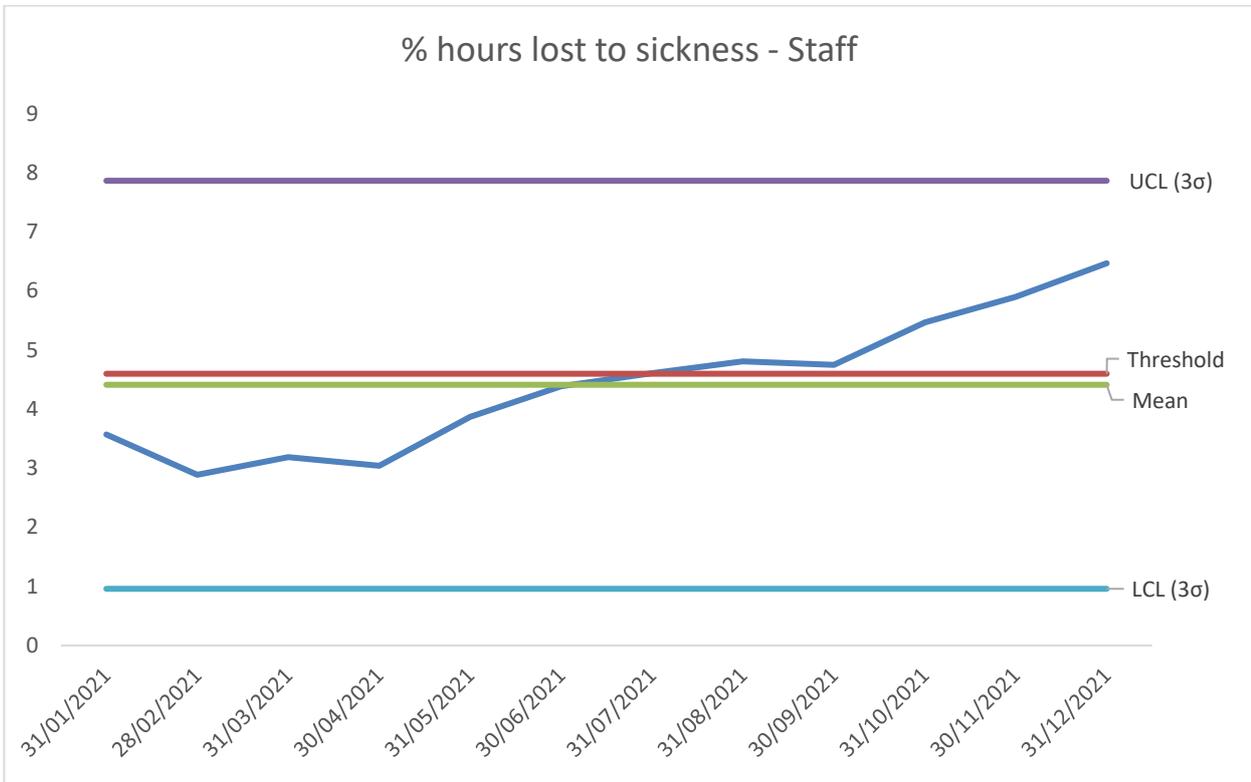
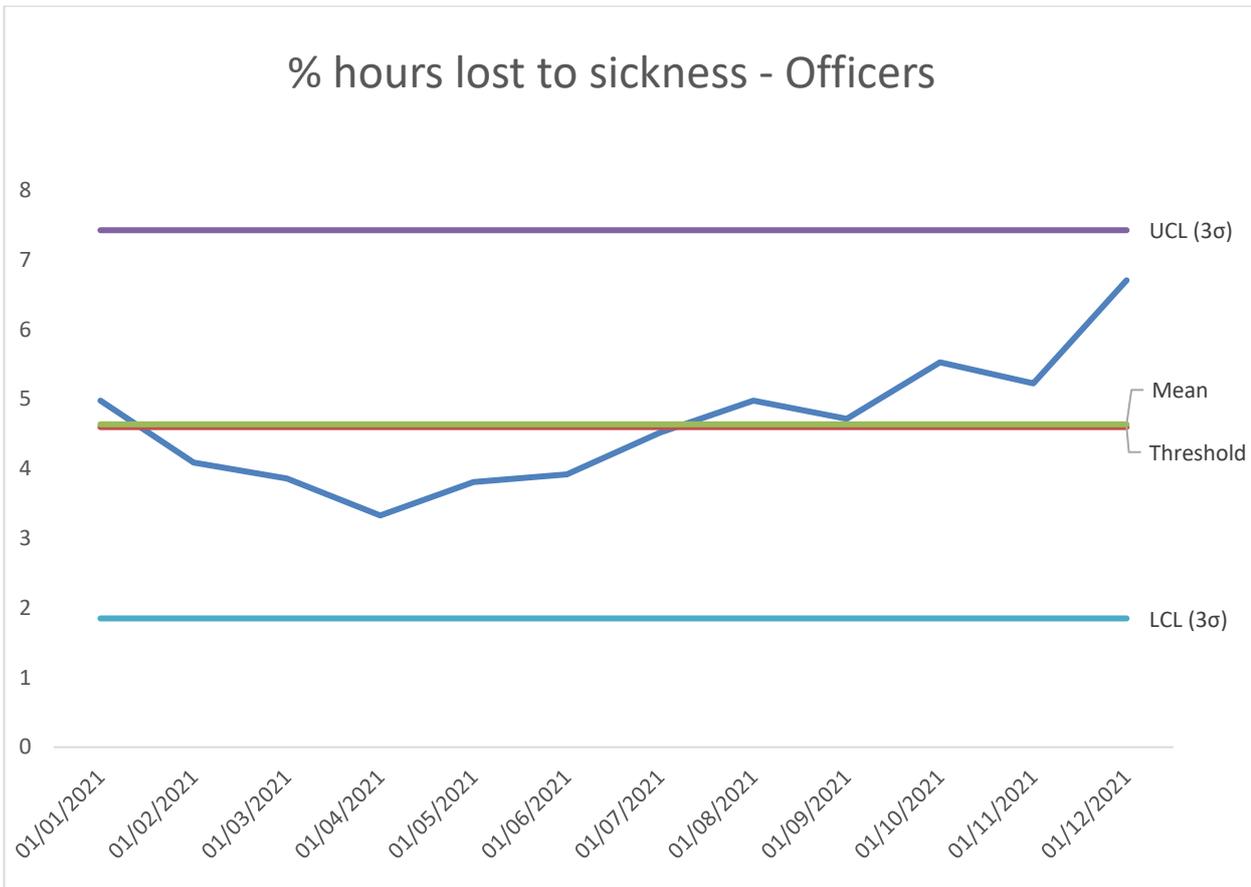
Close scrutiny is in place in relation to the Forces Control Operators with a double intake of recruits achieved in November 2021. Further intakes in January and March 2022 will ensure the force are ahead of achieving its uplift as part of the budget plans for 22/23. The pipeline of applicants remains strong with a further 96 candidates progressing.

WELLBEING AND ENGAGEMENT

% hours lost due to sickness													
	Jan 21	Feb 21	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Total
Officers	4.98 %	4.09 %	3.86 %	3.33 %	3.81 %	3.92 %	4.52 %	4.98 %	4.72 %	5.53 %	5.23 %	6.71 %	4.65 %
Staff	3.57 %	2.89 %	3.19 %	3.04 %	3.87 %	4.39 %	4.61 %	4.81 %	4.75 %	5.47 %	5.9 %	6.47 %	4.43 %
Officers and Staff	4.39 %	3.59 %	3.57 %	3.21 %	3.84 %	4.12 %	4.56 %	4.91 %	4.73 %	5.51 %	5.51 %	6.61 %	4.56 %



Covid related absence and other seasonal illnesses have significantly contributed to the overall increase in sickness absence for both Police Officers and Police Staff. Anxiety/Depression/Stress remains as a top 3 cause of absence for both Police Officers and Police Staff. HR are working in partnership with Managers and the Police Federation/Unison to review all of these absence cases to ensure that appropriate support is in place to assist recovery and facilitate a return to work where appropriate.



Breakdown of sickness cases as at 31st December 21

Long term – 29 days +	77 cases
Medium Term – 8 – 28 days	49 cases
Short Term – 1 – 7 days	173 cases

Highest reasons for absence over the last three months Officers & Staff

	Reason 1	Days	Reason 2	Days	Reason 3	Days
October	Anxiety / Stress / Depression / other	1181 days	Pandemic	685 days	Minor Illness	654 days
November	Anxiety / Stress / Depression / other	1357 days	Pandemic	736 days	Minor Illness	593 days
December	Pandemic	1576 days	Anxiety / Stress / Depression / other	1274 days	Minor Illness	578 days

Officers only

	Reason 1	Days	Reason 2	Days	Reason 3	Days
October	Anxiety / Stress / Depression / other	833 days	Pandemic	396 days	Minor Illness	234 days
November	Anxiety / Stress / Depression / other	892 days	Pandemic	308 days	Minor Illness	185 days
December	Pandemic	908 days	Anxiety / Stress / Depression / other	777 days	Minor Illness	220 days

Staff only

	Reason 1	Days	Reason 2	Days	Reason 3	Days
October	Minor Illness	420 days	Anxiety / Stress / Depression / other	348 days	Pandemic	289 days
November	Anxiety / Stress / Depression / other	465 days	Pandemic	428 days	Minor Illness	408 days
December	Pandemic	668 days	Anxiety / Stress / Depression / other	497 days	Minor Illness	358 days

Medical retirements 2021

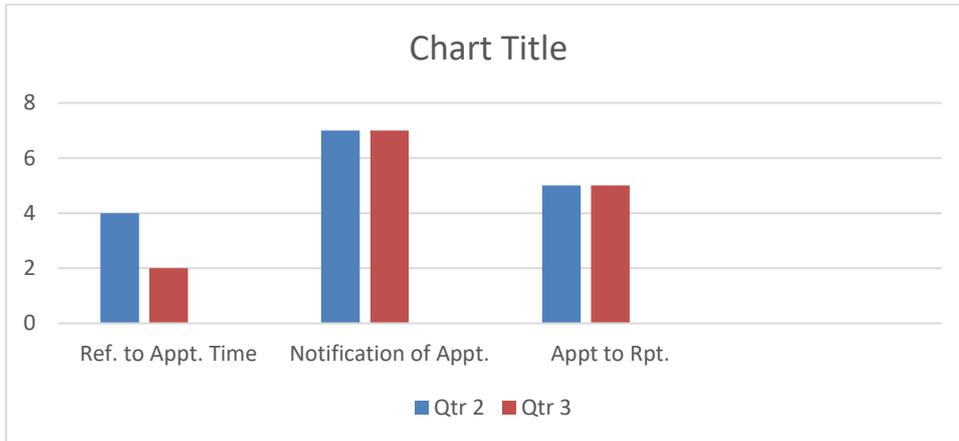
	Officer	Staff
January	4	
February	1	
March	0	
April	0	
May	1	
June	0	
July	1	
August		1
September	1	
October	2	
November	0	
December	1	

The Constabulary budget for 15 Ill Health Retirements for Police Officers. We are currently under budget with a further potential 3 IHR cases in process prior to the end of the financial year.

Overview of Staff Referral Rates

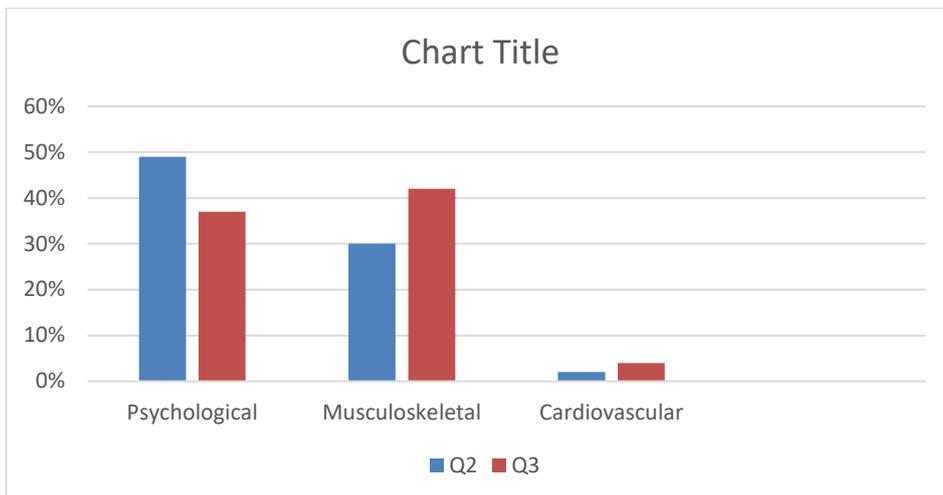
This report outlines referral rates and the reasons for referral for Quarter 3 for the Constabulary’s Occupational Health provider HealthWork, EAP provider Health Assured, North Staffs Mind and NWPBF. The purpose of the report is to highlight if there has been an increase in medical and psychological referrals and to highlight any trends identified

Occupational Health Provision – HealthWork



Referral to notification time has reduced from 4 days in Q2 to 2 days in Q3 against the KPI of 10 days. Referral to appointment time remains the same as Q2 at 7 days against the KPI of 10 days. Appointment to report available remains the same as Q2 at 5 days against the KPI 4 days. HealthWork have recruited additional clinical staff in order to meet the required KPI.

Top 3 referrals by medical condition show a decrease in psychological referrals and an increase in musculoskeletal and cardiovascular cases:

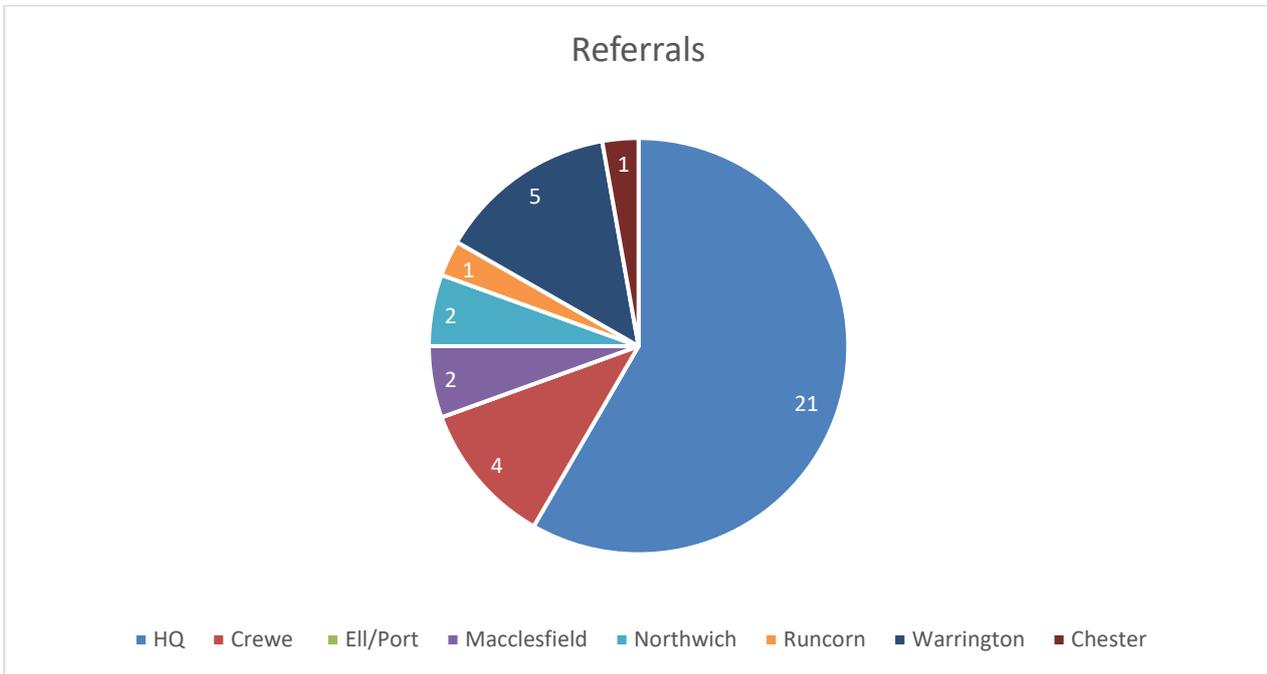


Counselling referrals have increased from 24 in Q2 to 43 in Q3. In addition, 90 Consultative Support sessions took place during Q3.

There were 6 DNA’s for consultative support and 7 DNA’s for counselling appointments during Q3 a review of reason and how to reduce DNA’s in the future is underway.

North Staffordshire MIND

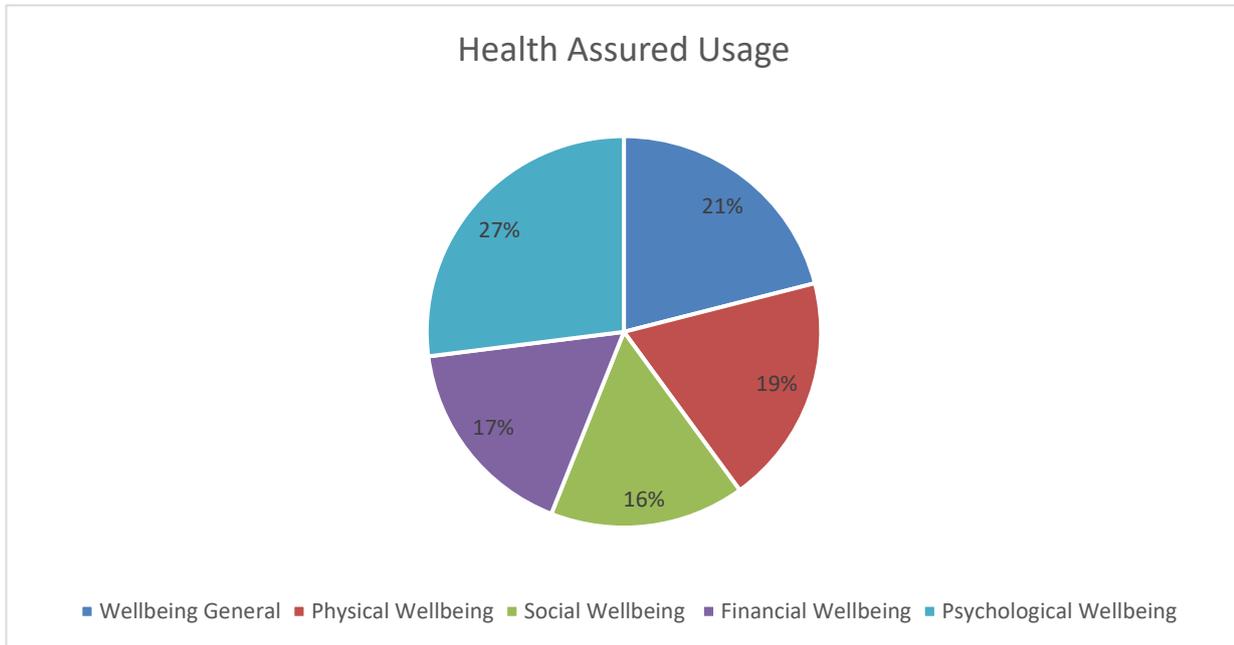
There has been a decrease in referrals from 39 referrals in Q2 to 36 referrals in Q3. The number of referrals per area in Q3 are detailed below:



The highest presenting condition reported in Q3 related to anxiety followed by depression. During Q3 290 counselling sessions were booked and 224 attended. 44 were cancelled by the individual and there were 22 DNA's.

Health Assured – Employee Assistance Programme

The usage in Q3 was 18% lower than Q2. It is felt that this is due to people working from home during covid-19 and also individuals being on leave during the festive period. Psychological wellbeing remains the highest area where support has been accessed.



Traumatic Incident Stress Management (TISM) Report

In line with audit requirements a TISM report will be provided on a quarterly basis. The report provides a detailed account of the number of traumatic incidents requested; the confirmed timescales outlining the date a TISM is requested and the date it has been completed. It also details the date a follow-up has taken place with line supervisors/line managers. Line Managers are contacted to ensure follow up support is in place week 1, week 4 and 6 months following a TISM Debrief.

The report covers Q2 and Q3 TISM referrals and follow-ups.

Date TISM Requested	Date TISM Held	LPU/ Department	Incident Type	HR Follow-up Week 1	Follow-up Comments	HR Follow-up	Follow-up	HR Follow-up
						Week 4 Contact	Comments	6 months Contact
25/10/2021	05/11/2021	Crewe	Sanitised meeting 2	12/11/2021	Staff engaged really well with the TISM and using strategies to help cope with flashbacks	05/12/2021	No issues raised - doing well	05/05/2022
16/11/2021	16/11/2021	Crewe	Sanitised meeting 3	22/11/2021	The person involved engaged really well with the TISM and is using strategies to help cope with flashbacks	16/12/2021	no further action needed	16/05/2022
12/10/2021	12-Oct-21	Crewe	SUDIC	19/10/2021	TISM well received - officers were really supportive of each other	12/11/2021	the person involved unfortunately attended a similar incident a short period after this TISM but is doing well besides that	12/04/2022
15/12/2021	15/12/2021	E/Port	Fatal RTC	21/12/2021	All were really engaging and clearly had impact upon emotions and thoughts	15/01/2022		15/06/2022

Diversity, Equality & Inclusion

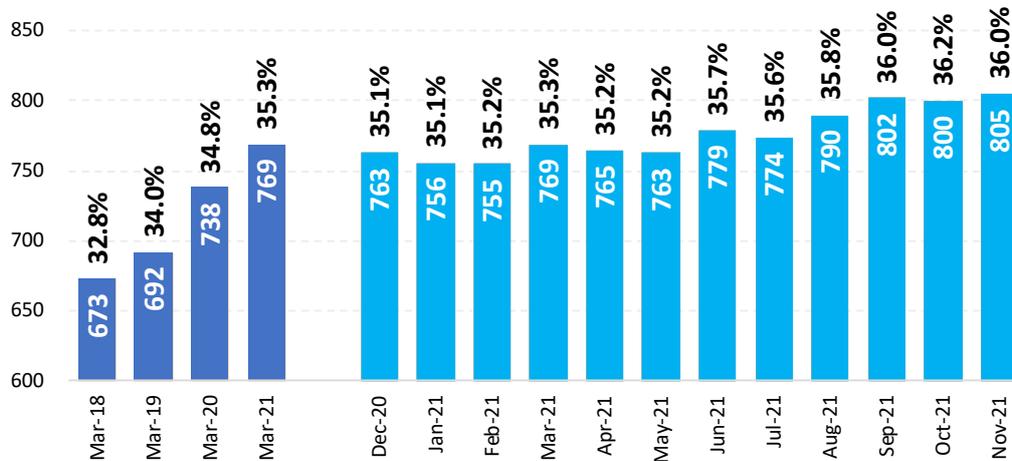
As part of the Police Uplift Programme, the Constabulary submit monthly data returns including Diversity data. The following shows progress in respect of female representation. Cheshire are currently classified as Status level 1: This level means that the representation of females within this force is greater than the overall England and Wales rate.

Female Representation

Indicator 1: Current female representation

Number and proportion of FEMALE officers (HC)

FEMALE population 51.0%



as at Nov-21	Male	Female	Prefer to self describe	PNTS/NOT KNOWN	TOTAL
Headcount	1,429	805	-	-	2,234
% FEMALE	36.0%				

Indicator 1: Female representation in this force compared with England and Wales

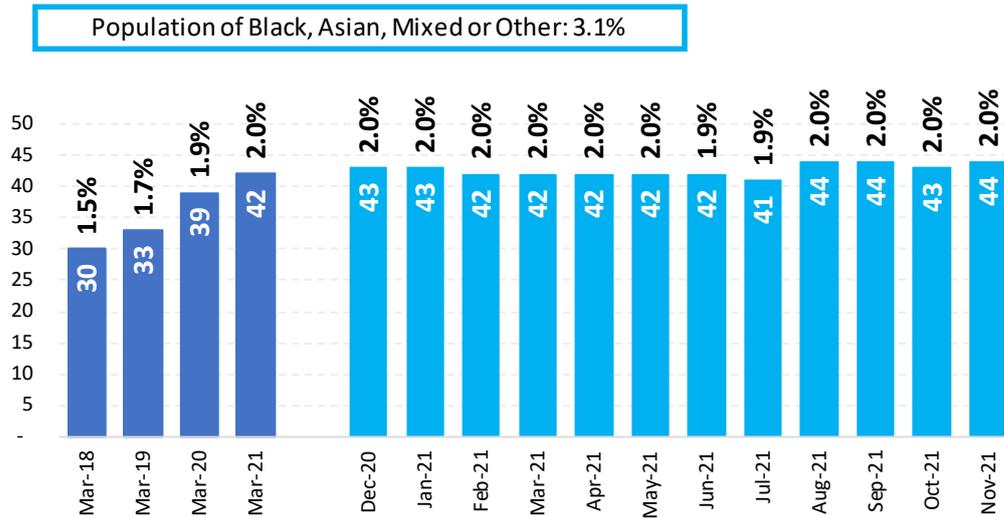
Female representation across all forces:	34.0%
This force:	36.0%
Status level:	1

Ethnicity Representation

The following shows progress in respect of ethnicity representation. Cheshire are currently classified as Status level 2: Status level 2: This means that the Black, Asian, Mixed or Other joiner representation is below the population rate, but quite close.

Indicator 1: Current Black, Asian, Mixed or Other representation

Number and proportion of officers who identify as Black, Asian, Mixed or Other (HC)



as at Nov-21	WHITE	Black, Asian, Mixed or Other	PNTS/NOT KNOWN	TOTAL
Headcount	2,162	44	28	2,234
% Black, Asian, Mixed and Other	2.0%			

Indicator 1: Black, Asian, Mixed or Other representation in this force compared with force population

Force Area population (Black, Asian, Mixed and Other):	3.1%
This force:	2.0%
Status level:	2

Breakdown of protected characteristics by headcount

Police Officers, PCSOs, Police Staff & Specials Ethnicity

NB. Includes staff from Tiers 1 – 3 including those on secondment

NB. This data is headcount and includes therefore part time / job share posts. Data as at 31st December 2021.

Employee Type	Grade	Asian		Black		Mixed		Not Known/Provided		Other		White		Headcount	%
		Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%		
1. Officer	1. Chief Officers					1	16.67%					5	83.33%	6	100.00%
1. Officer	2. Chief Superintendent											5	100.00%	5	100.00%
1. Officer	3. Superintendent											19	100.00%	19	100.00%
1. Officer	4. Chief Inspector	1	3.03%					1	3.03%			31	93.94%	33	100.00%
1. Officer	5. Inspector			1	0.95%	2	1.90%	3	2.86%			99	94.29%	105	100.00%
1. Officer	6. Sergeant	2	0.56%	1	0.28%	3	0.84%	3	0.84%			347	97.47%	356	100.00%
1. Officer	7. Constable	13	0.76%	3	0.17%	15	0.87%	23	1.34%	2	0.12%	1663	96.74%	1719	100.00%
1. Officer Total		16	0.71%	5	0.22%	21	0.94%	30	1.34%	2	0.09%	2169	96.70%	2243	100.00%
2. PCSO	PCSO	1	0.57%			2	1.14%	2	1.14%			170	97.14%	175	100.00%
2. PCSO Total		1	0.57%			2	1.14%	2	1.14%			170	97.14%	175	100.00%
3. Staff	1. SM Grades							1	4.00%			24	96.00%	25	100.00%
3. Staff	2. PO Grades	1	0.57%			1	0.57%	6	3.41%			168	95.45%	176	100.00%
3. Staff	3. SO Grades			1	0.59%	2	1.18%	3	1.78%	1	0.59%	162	95.86%	169	100.00%
3. Staff	4. Scales 4-6	2	0.22%	6	0.67%	3	0.34%	27	3.02%			857	95.75%	895	100.00%
3. Staff	5. Scales 1-3			2	0.48%	3	0.72%	12	2.88%			400	95.92%	417	100.00%
3. Staff Total		3	0.18%	9	0.54%	9	0.54%	49	2.91%	1	0.06%	1611	95.78%	1682	100.00%
4. Special	Special	2	0.97%	2	0.97%			4	1.94%			198	96.12%	206	100.00%
4. Special Total		2	0.97%	2	0.97%			4	1.94%			198	96.12%	206	100.00%
Grand Total		22	0.51%	16	0.37%	32	0.74%	85	1.97%	3	0.07%	4148	96.33%	4306	100.00%

Police Officers, PCSOs, Police Staff & Specials by gender

NB. Includes staff from Tiers 1 – 3 including those on secondment

NB. This data is headcount and includes therefore part time / job share posts. Data as at 31st December 2021

Employee Type	Grade	Female		Male		Headcount	%
		Headcount	%	Headcount	%		
1. Officer	1. Chief Officers	2	33.33%	4	66.67%	6	100.00%
1. Officer	2. Chief Superintendent	2	40.00%	3	60.00%	5	100.00%
1. Officer	3. Superintendent	7	36.84%	12	63.16%	19	100.00%
1. Officer	4. Chief Inspector	13	39.39%	20	60.61%	33	100.00%
1. Officer	5. Inspector	32	30.48%	73	69.52%	105	100.00%
1. Officer	6. Sergeant	78	21.91%	278	78.09%	356	100.00%
1. Officer	7. Constable	674	39.21%	1045	60.79%	1719	100.00%
1. Officer Total		808	36.02%	1435	63.98%	2243	100.00%
2. PCSO	PCSO	87	49.71%	88	50.29%	175	100.00%
2. PCSO Total		87	49.71%	88	50.29%	175	100.00%
3. Staff	1. SM Grades	11	44.00%	14	56.00%	25	100.00%
3. Staff	2. PO Grades	107	60.80%	69	39.20%	176	100.00%
3. Staff	3. SO Grades	101	59.76%	68	40.24%	169	100.00%
3. Staff	4. Scales 4-6	592	66.15%	303	33.85%	895	100.00%
3. Staff	5. Scales 1-3	314	75.30%	103	24.70%	417	100.00%
3. Staff Total		1125	66.88%	557	33.12%	1682	100.00%
4. Special	Special	53	25.73%	153	74.27%	206	100.00%
4. Special Total		53	25.73%	153	74.27%	206	100.00%
Grand Total		2073	48.14%	2233	51.86%	4306	100.00%

Police Officers, PCSOs, Police Staff & Specials by disability

NB. Includes staff from Tiers 1 – 3 including those on secondment

NB. This data is headcount and includes therefore part time / job share posts. Data as at 31st December 2021..

Person Type	Grade	No		Yes		Headcount	%
		Headcount	%	Headcount	%		
1. Officer	1. Chief Officers	6	100.00%			6	100.00%
1. Officer	2. Chief Superintendent	5	100.00%			5	100.00%
1. Officer	3. Superintendent	15	78.95%	4	21.05%	19	100.00%
1. Officer	4. Chief Inspector	28	84.85%	5	15.15%	33	100.00%
1. Officer	5. Inspector	85	80.95%	20	19.05%	105	100.00%
1. Officer	6. Sergeant	327	91.85%	29	8.15%	356	100.00%
1. Officer	7. Constable	1642	95.52%	77	4.48%	1719	100.00%
1. Officer Total		2108	93.98%	135	6.02%	2243	100.00%
2. PCSO	PCSO	167	95.43%	8	4.57%	175	100.00%
2. PCSO Total		167	95.43%	8	4.57%	175	100.00%
3. Staff	1. SM Grades	23	92.00%	2	8.00%	25	100.00%
3. Staff	2. PO Grades	149	84.66%	27	15.34%	176	100.00%
3. Staff	3. SO Grades	142	84.02%	27	15.98%	169	100.00%
3. Staff	4. Scales 4-6	794	88.72%	101	11.28%	895	100.00%
3. Staff	5. Scales 1-3	374	89.69%	43	10.31%	417	100.00%
3. Staff Total		1482	88.10%	200	11.89%	1682	100.00%
4. Special	Special	201	97.57%	5	2.43%	206	100.00%
4. Special Total		201	97.57%	5	2.43%	206	100.00%
Grand Total		3958	91.92%	348	8.08%	4306	100.00%

Police Officers, PCSOs, Police Staff & Specials by age

NB. Includes staff from Tiers 1 – 3 including those on secondment

NB. This data is headcount and includes therefore part time / job share posts. Data as at 31st December 2021.

Employee Type	Grade	25 and Under		26 to 40		41 to 55		56 and Over		Headcount	%
		Headcount	%	Headcount	%	Headcount	%	Headcount	%		
1. Officer	1. Chief Officers					5	83.33%	1	16.67%	6	100.00%
1. Officer	2. Chief Superintendent					4	80.00%	1	20.00%	5	100.00%
1. Officer	3. Superintendent			1	5.26%	18	94.74%			19	100.00%
1. Officer	4. Chief Inspector			6	18.18%	27	81.82%			33	100.00%
1. Officer	5. Inspector			27	25.71%	76	72.38%	2	1.90%	105	100.00%
1. Officer	6. Sergeant			116	32.58%	236	66.29%	4	1.12%	356	100.00%
1. Officer	7. Constable	196	11.40%	903	52.53%	596	34.67%	24	1.40%	1719	100.00%
1. Officer Total		196	8.74%	1053	46.95%	962	42.89%	32	1.43%	2243	100.00%
2. PCSO	PCSO	23	13.14%	70	40.00%	61	34.86%	21	12.00%	175	100.00%
2. PCSO Total		23	13.14%	70	40.00%	61	34.86%	21	12.00%	175	100.00%
3. Staff	1. SM Grades			1	4.00%	15	60.00%	9	36.00%	25	100.00%
3. Staff	2. PO Grades			46	26.14%	93	52.84%	37	21.02%	176	100.00%
3. Staff	3. SO Grades	4	2.37%	56	33.14%	77	45.56%	32	18.93%	169	100.00%
3. Staff	4. Scales 4-6	59	6.59%	286	31.96%	352	39.33%	198	22.12%	895	100.00%
3. Staff	5. Scales 1-3	67	16.07%	93	22.30%	129	30.94%	128	30.70%	417	100.00%
3. Staff Total		130	7.73%	482	28.66%	666	39.60%	404	24.02%	1682	100.00%
4. Special	Special	54	26.21%	103	50.00%	40	19.42%	9	4.37%	206	100.00%
4. Special Total		54	26.21%	103	50.00%	40	19.42%	9	4.37%	206	100.00%
Grand Total		403	9.36%	1708	39.67%	1729	40.15%	466	10.82%	4306	100.00%

Police Officers, PCSOs, Police Staff & Specials by Sexual Orientation

NB. Includes staff from Tiers 1 – 3 including those on secondment

NB. This data is headcount and includes therefore part time / job share posts. Data as at 31st December 2021.

Person Type	Grade	Bisexual		Gay/Lesbian		Heterosexual		Not Known		Prefer Not To Say		Headcount	%
		Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%		
1. Officer	1. Chief Officers					1	16.67%	5	83.33%			6	100.00%
1. Officer	2. Chief Superintendent					3	60.00%	2	40.00%			5	100.00%
1. Officer	3. Superintendent					10	52.63%	8	42.11%	1	5.26%	19	100.00%
1. Officer	4. Chief Inspector			1	3.03%	16	48.48%	15	45.45%	1	3.03%	33	100.00%
1. Officer	5. Inspector	1	0.95%	4	3.81%	56	53.33%	36	34.29%	8	7.62%	105	100.00%
1. Officer	6. Sergeant			2	0.56%	139	39.04%	196	55.06%	19	5.34%	356	100.00%
1. Officer	7. Constable	14	0.81%	28	1.63%	552	32.11%	1075	62.54%	50	2.91%	1719	100.00%
1. Officer Total		15	0.67%	35	1.56%	777	34.64%	1337	59.61%	79	3.52%	2243	100.00%
2. PCSO	PCSO	1	0.57%	2	1.14%	67	38.29%	99	56.57%	6	3.43%	175	100.00%
2. PCSO Total		1	0.57%	2	1.14%	67	38.29%	99	56.57%	6	3.43%	175	100.00%
3. Staff	1. SM Grades			1	4.00%	11	44.00%	13	52.00%			25	100.00%
3. Staff	2. PO Grades	1	0.57%			70	39.77%	99	56.25%	6	3.41%	176	100.00%
3. Staff	3. SO Grades	1	0.59%	3	1.78%	77	45.56%	81	47.93%	7	4.14%	169	100.00%
3. Staff	4. Scales 4-6	6	0.67%	5	0.56%	351	39.22%	505	56.42%	28	3.13%	895	100.00%
3. Staff	5. Scales 1-3	1	0.24%	4	0.96%	106	25.42%	300	71.94%	6	1.44%	417	100.00%
3. Staff Total		9	0.54%	13	0.77%	615	36.56%	998	59.33%	47	2.79%	1682	100.00%
4. Special	Special	1	0.49%	3	1.46%	59	28.64%	143	69.42%			206	100.00%
4. Special Total		1	0.49%	3	1.46%	59	28.64%	143	69.42%			206	100.00%
Grand Total		26	0.60%	53	1.23%	1518	35.25%	2577	59.85%	132	3.07%	4306	100.00%

Police Officers, PCSOs, Police Staff & Specials by Religion/Faith

NB. Includes staff from Tiers 1 – 3 including those on secondment

NB. This data is headcount and includes therefore part time / job share posts. Data as at 31st December 2021.

Person Type	Grade	Any other religion		Buddhist		Christian		Hindu		Jewish		Muslim		No Religion		Not Known/not provided		Prefer not to Say		Sikh		Headcount	%
		Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%	Headcount	%		
1. Officer	1. Chief Officers					4	66.67%							1	16.67%	1	16.67%					6	100.00%
1. Officer	2. Chief Superintendent					5	100.00%															5	100.00%
1. Officer	3. Superintendent					16	84.21%									3	15.79%					19	100.00%
1. Officer	4. Chief Inspector					22	66.67%							4	12.12%	7	21.21%					33	100.00%
1. Officer	5. Inspector					61	58.10%			1	0.95%			20	19.05%	21	20.00%	2	1.90%			105	100.00%
1. Officer	6. Sergeant	1	0.28%	1	0.28%	204	57.30%					2	0.56%	71	19.94%	74	20.79%	3	0.84%			356	100.00%
1. Officer	7. Constable	8	0.47%	3	0.17%	825	47.99%					8	0.47%	514	29.90%	345	20.07%	15	0.87%	1	0.06%	1719	100.00%
1. Officer Total		9	0.40%	4	0.18%	1137	50.69%			1	0.04%	10	0.45%	610	27.20%	451	20.11%	20	0.89%	1	0.04%	2243	100.00%
2. PCSO	PCSO					73	41.71%	1	0.57%					56	32.00%	41	23.43%	4	2.29%			175	100.00%
2. PCSO Total						73	41.71%	1	0.57%					56	32.00%	41	23.43%	4	2.29%			175	100.00%
3. Staff	1. SM Grades					14	56.00%							4	16.00%	7	28.00%					25	100.00%
3. Staff	2. PO Grades	2	1.14%	2	1.14%	79	44.89%	1	0.57%			1	0.57%	33	18.75%	54	30.68%	4	2.27%			176	100.00%
3. Staff	3. SO Grades	3	1.78%			64	37.87%					1	0.59%	49	28.99%	50	29.59%	2	1.18%			169	100.00%
3. Staff	4. Scales 4-6	9	1.01%	1	0.11%	340	37.99%					3	0.34%	216	24.13%	315	35.20%	11	1.23%			895	100.00%
3. Staff	5. Scales 1-3	2	0.48%	1	0.24%	158	37.89%					1	0.24%	121	29.02%	132	31.65%	2	0.48%			417	100.00%
3. Staff Total		16	0.95%	4	0.24%	655	38.94%	1	0.06%			6	0.36%	423	25.15%	558	33.17%	19	1.13%			1682	100.00%
4. Special	Special	1	0.49%	1	0.49%	66	32.04%	1	0.49%			1	0.49%	91	44.17%	42	20.39%	3	1.46%			206	100.00%
4. Special Total		1	0.49%	1	0.49%	66	32.04%	1	0.49%			1	0.49%	91	44.17%	42	20.39%	3	1.46%			206	100.00%
Grand Total		26	0.60%	9	0.21%	1931	44.84%	3	0.07%	1	0.02%	17	0.39%	1180	27.40%	1092	25.36%	46	1.07%	1	0.02%	4306	100.00%

Police and Crime Measures – Quarterly Statement

Measure: Reduce Murder and other homicide	
Recorded crime levels	For the 12 months to the end of December 2021 the Constabulary has recorded 5 homicides, lower than for the same period in 2020 (9) and in 2019 (10). Following an increase in homicides during 2018/19 the 2020 and 2021 is a return to the average homicide levels over a relatively consistent 10 year period.
Force Response	Major Investigation Team (MIT) resourcing has been increased in terms of officers and staff to ensure investigative response to homicides does not detrimentally impact upon area detective resources. MIT now has a dedicated Detective Superintendent with this post and the additional resources into MIT being retained. MIT specialist investigative resources are also providing support to area investigation resources via a focused initiative – “MIT Assist”. This initiative ensures the specialist MIT skills are able to influence investigations locally, relieves some pressure on area based investigative teams and ensures MIT investigators retain knowledge and experience of non-homicide investigations. The existing Homicide Reduction Strategy is also being refreshed. The new strategy will focus on homicide data in Cheshire, regionally and nationally but more importantly will consider a broader data set to inform preventative actions. This broader data set will include “near miss” offending and “pre-cursor” offences that have the potential to progress to future homicides. This approach will enable the strategy to have a truly preventative focus and is entirely consistent with the recently (January 2022) communicated direction from the National Homicide Working Group.
Ongoing Focus	
	Homicide Reduction Strategy and how this relates to Domestic Abuse and Violence and Intimidation Against Women and Girls is a big part of the ongoing focus of MIT. In addition, development of specialist skills in MIT and the distillation of these specialist skills into area investigation teams will take place. Suspect interviewing and court presentation of complex, multi-media evidence are just two areas of focus.

Measure: Reduce Serious Violence	
Measure: Disrupt drugs supply and county lines	
Recorded crime levels	For the 12 months ending December 2021 the Constabulary recorded 85 offences involving the discharge of a firearm* which is similar to the same period in 2020 (84) and 2019 (88) <i>*this includes weapons covered by the Firearms Act(s) which includes air weapons, paint ball guns and toy guns</i> For the 12 months ending December 2021 the Constabulary recorded 336 knife crime offences which is a 13% reduction on the same period in 2020 and similar (349) to 2019.
Force Response	Clear direction across all departments from Strategic and Tactical leads for Firearms, Knife Crime and in particular Serious & Organised Crime (SOC) – including County Lines Drug dealing encapsulates the force response to serious violence. Firearm and Knife enabled offending is often associated with SOC, with extreme violence being used to further advance criminal enterprises such as drug dealing. Enhanced understanding and threat scoring of Organised Crime Groups (OCGs) and County Lines drug dealers have enabled greater focus of Level 2 proactive departments on the highest harm offenders. In addition, focusing on the vulnerability associated with County Lines has enabled early interventions in relation to new teams operating in Cheshire – thus reducing disputes between rival

	dealers. Enhanced governance is also now in place locally and at a force level regarding our identification, assessment of the harm caused and operational tasking in relation to OCGs and County Lines drug dealers. The management of this serious criminality has tangible governance from the local neighbourhood level, through area, force and regional level to ensure appropriate dedicated and specialist resources address the Organised Criminals causing the most harm to communities.
Ongoing Focus	
	Focus will continue as described above with further investment into additional analytical and research resources focusing on OCGs and County Lines drug markets. In addition, the further development of our alignment with regional and national best practice in relation to the management of OCGs across the 4 P's (Pursue, Prevent, Protect, Prepare) continues with the North West Regional Organised Crime Unit (NWROCU), with particular enhanced focus on Prevent, Protect and Prepare.

Measure: Reduce neighbourhood crime	
Recorded crime levels	For the 12 months ending December 2021 the force recorded 6087 overall 'neighbourhood' crimes, this is a 9% reduction on the same period ending 2020 and a 33% reduction on the same period ending 2019. All of the constituent elements of neighbourhood crime have seen large reductions over the 2 year period with Burglary down 29%, Robbery down 22%, Vehicle offences down 35% and theft from person down by 62%.
Force Response	Performance reducing Neighbourhood Crime by 33% in 2 years is extremely positive. Reductions have been achieved through effective understanding of current crime trends and problem solving with an increased focus on prevention. Reductions in theft from person partially related to increased social distancing due to the Covid pandemic. The constabulary currently has ongoing cross border acquisitive crime operations including Op Fierce, involving multiple tactics such as sting vehicles. The roll out of operation Shield marketing and the deterrent effect this has, is being further increased through National Neighbourhood Policing Week in January.
Ongoing Focus	
	The force is increasing the prevention focus on a force wide and local level; Forensic Property Marking under Operation Shield, and deterrent activity using Operation Yellow Card complements the problem solving approach the force has taken to prevent crime and deter criminality. From December 2021 all vehicle crime is owned by default by neighbourhood team leading to location focused problem solving.

Measure: Improve satisfaction among victims, with a particular focus on victims of DA	
Recorded crime levels	Overall satisfaction from domestic abuse victims surveyed is currently at 83.8% compared to 87.2% in 2020 and 85.4% in 2019 although these changes are not significant with confidence intervals that range from +/-5% to +/-8.

	Overall satisfaction from a sample of other crime victims surveyed (burglary, vehicle crime, hate crime and violent crime) is currently 77.6% compared to 80.8% in 2020 2019 although this change is not significant with confidence intervals ranging from +/-3% to +/-3.6%.
Force Response	<p>ACC Welsted now has responsibility for Victims Code and satisfaction and will be working across the organisation to</p> <ul style="list-style-type: none"> • Understand and improve compliance with the 12 rights of the victim’s code • Maximise the force’s understanding of what victims think of the services provided • Develop, test and implement new ways of working to maximise victim satisfaction <p>The work is intended to provide outstanding services to all victims but also to prioritise and focus on victims of domestic abuse.</p> <p>Work is also ongoing at this time to design an Area Investigation Team to reduce the investigative burden on response officers and allow investigators more time to focus on their investigations and service to victims.</p>
Ongoing Focus	
	<p>Design, construction and implementation of an Area Investigation team coupled with additional capability regarding suspect management and prosecution file progression are all intended to improve quality and timeliness of investigative response and therefore satisfaction.</p> <p>There is ongoing work with the OPCC to review and improve the approach to seeking feedback from Domestic Abuse victims with opportunities being explored to gather feedback from a broader range of victims and to establish regular focus groups in addition to existing surveys.</p>

Measure: Tackle Cyber Crime	
Recorded crime levels	Not applicable. The national measures in this are relate to confidence in the law enforcement response to cyber-crime (cyber aware tracker) and the percentage of businesses experiencing a cyber-breach or attack (Dept for DCMS survey)
Force Response	<p>The alignment of Online Child Abuse Investigation Teams (OCAIT), Digital Forensics and the Cyber Investigation Team under the management of a single Detective Chief Inspector, creating a Digital Media Investigation Unit (DMIU) has enabled the Constabulary to realise efficiencies and improve the effectiveness and timeliness of investigations in this area. This approach has resulted in Digital Forensics being ISO accredited by UKAS in recent weeks.</p> <p>The DMIU, as part of the Serious Organised Crime Command, also work closely with the Serious Organised Economic Crime (SOEC) Team, who, amongst other responsibilities, investigate online fraud. A proactive approach is taken in relation to</p>

	<p>these crime types, particularly regarding an asset recovery approach to the proceeds of crime.</p> <p>Cyber breach or attacks have not been prevalent in Cheshire.</p>
<p>Ongoing Focus</p>	
	<p>There will remain a continued focus on improving efficiency and effectiveness with options being explored to increase the technical capability of the teams to ensure their capability matches that of offenders. Work in collaboration with the North West Regional Organised Crime Unit (NWROCU) also offers opportunity for greater proactivity via proactive covert assets.</p> <p>Finally, additional resource allocation has been agreed via Priority Based Budgeting (PBB) to increase the capacity of the DMIU. Increased resources and departmental restructures will enable the DMIU to more effectively deal with the increasing demand in this area of offending, removing digital forensic examination and investigative delays during 2022.</p>

COMPLAINTS: QUARTERLY REPORT**PURPOSE OF THE REPORT**

1. To provide an overview of the nature, type and frequency of public complaints, relating to police officers and members of police staff, employment tribunals and grievances from 01 October to 31 December 2021.¹

BACKGROUND

2. Complaints from members of the public with regard the actions and conduct of police officers and staff are currently recorded centrally through the Professional Standards Department. The case management system, Centurion, which is used by most Home Office police forces, is used to record all public complaints. The Independent Office for Police Conduct (IOPC) uses this data to understand how forces handle public complaints and assess trends. Quarterly meetings are held with the IOPC to review complaint handling and to consider those cases which are subject to independent investigation.
3. Cheshire Police has an internal grievance procedure to investigate internal issues. The process is publicised through the intranet and staff induction process.
4. Organisational learning from public complaints, internal conduct matters, grievances and other civil litigation, together with the IOPC's lessons learnt publication, is reviewed and shared with the wider organisation.
5. On 01 February 2020 planned changes to the statutory complaint framework were implemented. The reforms have changed the way in which 'expressions of dissatisfaction' are recorded and handled, changed the terminology previously associated with complaint handling and given the Office of the Police and Crime Commissioner (OPCC) greater opportunity to be involved in the oversight of complaints given 'reviews' (previously known as appeals) against the outcome of complaints are now undertaken by the OPCC.
6. The key reforms to the regulatory framework are set out below:
 - The complaints system has been expanded to cover a broader range of matters. Formerly the way the term 'complaint' was defined meant it needed to relate to the conduct of an individual officer. Now a complaint can be made about a much wider range of issues including the service provided by the police as an organisation. This will increase the number of recorded complaints.
 - Reforms ensure that matters can be dealt with at the most appropriate level. Less serious and straightforward issues which can be dealt with quickly with the member of the public, do not need to be subject to the framework detailed within Schedule 3, Police Reform Act 2002 however they are still recorded for the purposes of learning and understanding.

¹ Data from the Independent Office for Police Conduct (IOPC) is not available for this period

- Those complaints not suitable to be dealt with in this way or where the member of the public considers a more formal process is more appropriate, will be subject to the framework set out in Schedule 3. Here complaints will be dealt with in a 'reasonable and proportionate' manner and will either be resolved (otherwise than by way of investigation) or more serious / complex cases will be subject to investigation.
 - The most serious allegations will still be subject to independent investigation by the IOPC.
 - The outcome of investigations will no longer be finalised as 'upheld' or 'not upheld' but will determine whether the service was 'acceptable' or 'not acceptable'. Other terminology, such as 'local resolution', 'disapplication of complaints', does not form part of the new regime.
 - Cases handled in accordance with Schedule 3 have a right to 'review' where the member of the public is not satisfied with the outcome. 'Reviews' in the majority of cases will be considered by the OPCC. More serious matters or where the complaint has been referred to the IOPC will be 'reviewed' by the IOPC. The whole process of undertaking a 'review' has been streamlined and made less bureaucratic.
 - Misconduct proceedings are now focussed on serious breaches of the Standards of Professional Behaviour with a new process being introduced (Reflective Practice Review Process) which encourages reflection and learning when mistakes and errors have been made.
 - The IOPC have revised the way in which allegations are categorised, with new categories and sub-categories for complaint allegations being introduced. This, over time, should allow greater understanding of concerns raised by the public.
7. Changes to the regulatory framework has meant changes to the type of data which is produced to help determine performance measures. As such information in this report will change as the new framework is developed by the IOPC. Up to date data published by the IOPC is not yet available for 2021 / 2022. Comparison of new data, which includes the new recording framework and allegation categories should not be undertaken with previous data (pre February 2020).

PUBLIC COMPLAINTS AND ALLEGATIONS

8. Between 01 October 2021 and 31 December 2021 Cheshire Police logged 57,063 incidents. All data with regard public complaints in this period should be considered against the level of interaction the police service has with the public, which over a three month period is extensive.

Chart 1 Overview of complaint data October to December 2021

Measure	Oct - Dec 2020	Oct - Dec 2021	Direction of travel
Recorded complaint cases	404	403	Decrease
Schedule 3 cases	181	146	Decrease
Non – Sch. 3 cases	223	257	Increase
Recorded allegations	585	582	Decrease
% Allegations Not acceptable/ Upheld	8%	4.4%	Decrease
Average days to finalise complaint cases	31.40	35.19	Increase
Appeals/Reviews received	28 (2 Appeals, 26 reviews)	23 (0 Appeals, 23 reviews)	Decrease
Common allegations (top 5)	A1 – Police Action Following Contact (136) A4 – General Level of Service (75) A2 – Decisions (69) A3 – Information (44) B4 – Use of Force (29)	A1 – Police Action Following Contact (119) A4 – General Level of Service (88) A2 – Decisions (57) A3 – Information (52) B4 – Use of Force (43)	

9. In previous reports recorded complaints had risen considerably due to the change in the regulatory framework and recording requirements, where all ‘expressions of dissatisfaction’ are now recorded within Centurion. However as can be seen from this quarter this is now starting to even out in regards to total complaints, with an increase in non-schedule 3 cases. This reflects the increased recording of all ‘expressions of dissatisfaction’ and demonstrates how Cheshire Police have fully embraced the recording requirements of the new regulations.
10. Of the 403 recorded complaints 257 of these (64%) have been handled outside of the formal requirements of schedule 3, Police Reform Act 2002, meaning such matters are being handled in a proportionate manner which is the whole ethos and intention behind the statutory reforms in 2020. We would hope to maximise the opportunities to handle complaints in this way moving forward. This proportion is consistent with quarter 2.
11. The number of recorded allegations has decreased, which is to be expected now that the number of complaints has become even in comparison to last year as the new regulation recording standards are becoming fully embedded.
12. The ratio of allegations to complaints has decreased. Historically the allegation to complaint ratio would be (average) 2.5:1. The ratio since the regulatory change has fallen to 1.4:1. This decrease is as a result of the ‘expressions of dissatisfaction’ which were not previously recorded being largely single issue concerns. For example, the police have not returned my property, the police were late attending an appointment.

13. The average days to finalise complaints cases has increased to an average of 35.19 days in the period October to December 2021 when compared to the same period in 2020. However this has decreased from 37 days in quarter 2 and is due to an increase in demand in recording. In August 2021 the Professional Standards Department introduced a 'customer service' approach to handling public complaints. Two additional members of staff have been recruited who now seek to resolve complaints directly with the public.
14. The number of appeals / reviews has decreased in this period (by 05) compared to 2020 and a decrease from quarter two (02) which is a positive sign for complainant satisfaction. This is an area where comparison to previous data can still be undertaken. In the period October to December 23 reviews were received, with 14 being directed to the OPCC and 09 to the IOPC. The relevant review body is determined by the nature of the complaint. Those more serious allegations are reviewed by the IOPC.
15. As set out above, changes to the regulatory framework also saw the IOPC implement changes to the way in which complaint allegations are classified. New categories of complaints have been introduced which use different terminology and include sub-categories, which over time should help in identifying trends in the data more accurately. For example the category of allegations previously known as 'incivility allegations' are now classified as 'individual behaviours allegations' with a number of sub-categories forming part of this overall category (impolite language or tone, impolite or intolerant actions, unprofessional attitude or disrespect, lack of fairness and impartiality, overbearing and harassing behaviours).
16. Similarly the category of allegations previously known as 'neglect of duty allegations' are now classified as 'delivery of duties and services allegations' with a number of sub-categories forming part of this overall category.
17. Category 'A' allegations relate to 'delivery of duties and service' and make up 54% of all allegations in this period. 20% (119) of allegations relate to 'police action following contact' which is where concern is expressed with regard police action following contact with the public. This could involve insufficient action in response to an incident, the quality of an investigation or general response to contact from the public. 15% relate to the general level of service provided, 10% relate to operational and / or organisational decisions and 09% relate to information provided to the public or the lack of it. 07% of complaints in this period relate to use of force, which given the level of contact we have with the public in confrontational situations, is a low number.

Chart 2 Cheshire Police data – allegations re LPU's and departments

LPU/Department allegations	Q4 20/21	Q1 21/22	Q2 21/22	Q3 21/22	Q3 21/22
Chester	60	91	76	63	
Congleton	-	-	-	27	
Crewe	75	70	86	43	
Ellesmere Port	38	32	44	38	
Macclesfield	74	72	88	71	
Northwich	44	31	56	40	
Runcorn	33	29	25	32	
Warrington	87	113	79	96	
Widnes	26	39	27	33	
Custody	18	25	15	15	
Public Contact	36	14	27	11	
IIT	2	13	11	6	
Headquarters	75	92	93	91	
PPD	8	8	14	3	
Roads and Crime	36	19	17	9	
ARV Firearms Alliance	-	-	1	4	
Criminal Justice	-	-	1	3	

18. In keeping with the increase in recorded 'expressions of dissatisfaction' there is an increase in the number of complaints recorded by local policing units and departments. These will now be shown as allegation numbers rather than complaint numbers. One complaint can consist of a number of allegations. Runcorn, Warrington and Widnes have all shown increases, however all others have remained stable or shown a decrease. Congleton as a new LPU is shown for the first time which will have impacted on the figures for both Macclesfield and Crewe. Chester, Macclesfield and Warrington local policing units have the highest proportion of allegations which continues to be consistent with their size and demographic and with previous data.
19. Through the Professional Standards Department (PSD) 'tasking and coordination' process, (which is held on a monthly basis), complaints at a local policing unit / departmental level are scrutinised and those officers with the highest volume of complaints or where patterns emerge, are subject to scrutiny and liaison with local managers to ensure appropriate understanding and intervention where necessary. People intelligence briefings are being undertaken with local policing unit commanders / department heads and the Head / Deputy Head of PSD to discuss local issues.

APPEALS / REVIEWS

20. Following the regulatory changes introduced on 01 February 2020, where a member of the public is not satisfied with the outcome of the concerns they have raised and the matter has been recorded as an 'expression of dissatisfaction' in accordance with Schedule 3, Police Reform Act 2002, they have a right to seek a 'review' of the outcome. The majority of 'reviews' will likely be considered by the OPCC, with a smaller number (more serious matters or those cases which have been subject to a referral to the IOPC) being considered by the IOPC.

Chart 3 Number of appeals / reviews received and upheld

01.010.21 - 31.12.21	Number of Appeals Received	Number of Appeals Upheld
Local Appeal	0	0
IOPC Appeal	0	0
Total	0	0

01.010.21 - 31.12.21	Number of Reviews Received	Number of Reviews Upheld
Local Review	14	0
IOPC Review	9	0
Total	23	0

21. Chart 3 shows the breakdown of reviews managed by the OPCC and IOPC. 28 appeals reviews were received in the same period last year. In the current period no reviews have been upheld, which is a good barometer of the manner in which complaints are handled and resolved.
22. The volume and outcome of appeals / reviews receives scrutiny between the Force and the IOPC during periodic oversight meetings.
23. Chart 4 shows the number of 'reviews' currently outstanding with both the IOPC and the OPCC. The OPCC have cleared a number of outstanding reviews in the current period (down from 26) and this number continues to decrease over this year.

Chart 4 Number of reviews outstanding

Reviews outstanding (as at 30.06.21)	Number
With OPCC	9
With IOPC	17

EMPLOYMENT TRIBUNALS

24. There has been one case registered with the Employment Tribunal during the period 01 October to 31 December 2021.

GRIEVANCES

25. The Constabulary strives to conclude grievances within 21 days. This is not always achievable given the complex nature of some cases and the requirement for additional evidence gathering. They are tracked for updates on a weekly basis.
26. Between 01 October to 31 December 2021, four grievances were raised.
27. Chart 5 sets out the grievances raised and details of protected characteristics.

Chart 5 Grievances raised between 01 July to 30 September 2021

Date Received	Employment Status	Summary	Status	Concluded
1 November 2021	Police Officer	Police Officer has raised a grievance in relation to a promotion / posting decision	Investigation Manager assigned – grievance investigation in progress	
17 November 2021	Police Officer	Police Officer has raised a grievance in relation to a promotion / posting decision	Investigation Manager assigned – grievance investigation in progress	
19 November 2021	Police Officer	Police Staff has raised a grievance in relation to treatment by colleague & lack of management action	Investigation Manager assigned – grievance investigation in progress	
26 November 2021	Police Officer	Police Officer has raised a grievance in relation to a management decision	Investigation Manager assigned – grievance investigation in progress	

Gender	
Female	2
Male	2
Disability	
No	4
Age	
41 – 55	3
Over 55	1
Ethnic Origin	
White British	4
Sexual Orientation	
Heterosexual	3
Not stated	1
Religion / Belief	
Christian	3
No Religion	1

RECOMMENDED:

(1) The report be received

Mark Roberts
CHIEF CONSTABLE

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**NOTES OF THE SCRUTINY BOARD HELD ON 27th JANUARY 2022
IN CONFERENCE ROOM 5, CONSTABULARY HEADQUARTERS, WINSFORD.**

Present: Office of the Police & Crime Commissioner
John Dwyer, Police & Crime Commissioner
David McNeilage, Deputy Police & Crime Commissioner
Damon Taylor, Chief Executive
Claire Deignan, Principal Scrutiny and Planning Officer
Via Teams
Sam Baxter, Principal Engagement Officer
Jen Van Deursen, Communications Officer
Lez Cowen, Office Support Assistant

Cheshire Constabulary
Mark Roberts, Chief Constable (*via Teams*)
Chris Armit, Deputy Chief Constable
Julie Gill, Assistant Chief Officer (*via Teams*)
Paul Woods, Head of Planning and Performance
Zoe Bowden, Staff Officer

Public
Ian Parkin (*via Teams*)
Evan Morris, Chair of Police and Crime Panel

Apologies: Clare Hodgson, Chief Finance Officer
Matt Welsted, Assistant Chief Constable
Una Jennings, Assistant Chief Constable

1. COMMISSIONER'S OPENING COMMENT

The Commissioner welcomed everyone to the meeting.

2. NOTE THE MINUTES FROM THE 27TH NOVEMBER 2022

The minutes from the 27th November 2022 meeting were noted.

3. REVIEW ACTION LOG

Progress against the following actions was noted:

Action 004 – Complete
Action 005 – Complete

Action 006 – Complete *[The PCC requested that this document presents 2-year data going forward]*.

Action 007 – Complete

Action 008 – Julie Gill to provide an update to this action.

4. POLICE AND CRIME PLAN: SUMMARY PERFORMANCE REPORT

The Commissioner noted there had been improvements in response times for both emergency and prompt response incidents. Acquisitive crime and anti-social behaviour offences have fallen which was attributed to pro-active work by neighbourhood policing teams. Operation Shield (a property marking campaign) is being used to good effect and has been delivered by Police Community Support Officers (PCSOs) to households in their local areas.

Violent crime has remained static despite the resumption of the night-time economy after Covid19 restrictions were lifted. The Constabulary were targeting activity where known problem areas exist. Preventative activity included encouraging licenced premises to replace glass items with plastic, as well as stopping weapons being taken into venues.

Solving robbery offences was a challenge as they often occur between children (theft of cycles for example) in residential areas where there was likely to be evidential difficulties due to limited CCTV and few witnesses.

The Commissioner enquired what progress had been made since the last meeting in improving outcomes for rape victims. Despite the Constabulary performing better than others in its Most Similar Group, it was a force priority to continually improve, with changes being made to dedicated rape units making available dedicated officers who specialise in the investigation of rape, child abuse and other areas of sexual assault.

Solved rates should be positively impacted by the improved response times enabling evidence to be secured at the earliest opportunity. The Commissioner was reassured that Crime Scene Investigators (CSI) are deployed to all burglaries.

Cheshire Youth Commission reported that young people are not comfortable being searched by the Police and have made some recommendations that the Constabulary was considering. This would be discussed further at the Ethics Panel.

The Constabulary was asked to provide a more detailed analysis of road traffic fatalities and serious injuries.

The Constabulary has made significant investment in tackling Child Sexual Exploitation (CSE) with increased staffing, digital capability and specialist training to protect vulnerable children from harm.

Domestic abuse arrests have increased significantly, with the Constabulary robustly dealing with perpetrators.

The Constabulary felt that victims were more confident in reporting stalking offences coupled with officers being able to identify it. Charging decisions remain a challenge but reassurance was given that victims were risk assessed with safeguarding put in place regardless of the Crown Prosecution Service (CPS) decisions.

The rise in theft from person offences were likely to be due to events in June and July, such as Creamfields and shops re-opening after lockdown.

ACTION:

(1) The Constabulary to provide a breakdown of Stop & Search outcomes and a more detailed analysis of road traffic fatalities and serious injuries to the next meeting.

(2) 999/101 performance data to be included in the performance pack for the next meeting

4. PEOPLE STRATEGY: QUARTERLY REPORT

The Commissioner considered the quarterly people services report for Quarter Three. The investment the Commissioner has put in place had enabled the Constabulary to invest in the public contact with improvements in 101 performance being seen already. The report highlighted that much sickness absence was attributed to stress, anxiety and depression. Whilst this was a societal issue and representative of where staff were drawn from, management had not lost sight of how police were continually dealing with stressful circumstances. Support and referral to services were available to officers and staff and the uptake of this offer was detailed in the report. Work was ongoing to address disproportionality, and this was an improving picture across the force, in particular recruiting more female officers.

The quarterly report was NOTED.

5. CRIME AND POLICING PERFORMANCE MEASURES

The report was NOTED. The Commissioner thanked the Deputy Chief Constable on the improvements being made by the Constabulary.

6. COMPLAINTS, EMPLOYMENT TRIBUNALS AND GRIEVANCES: QUARTERLY REPORT

The report provided an overview of the nature, type and frequency of public complaints, relating to police officers and members of police staff, employment tribunals and grievances for the third quarter of the year.

The report was NOTED

The two members of the public left the meeting at this point.

**NOTES OF PART 2 OF THE SCRUTINY BOARD HELD ON 27th JANUARY 2022 IN
OPCC CONFERENCE ROOM, CONSTABULARY HEADQUARTERS, WINSFORD.**

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</i>	<i>Section</i>	
<i>Conduct Matters/IOPC Referrals</i>	<i>40</i>	<i>Personal Information</i>

7. CONDUCT MATTERS/IOPC REFERRALS

The private report detailing conduct matters and referrals to IOPC was considered. The report provided further details on conduct matters, including a summary of allegations together with the outcome. There was also further detail set out on statutory and voluntary referrals to the IOPC.

The report be noted.

EXTRACT FROM HANSARD – 7TH MARCH 2022**Police and Crime Commissioner Review: Part 2****The Secretary of State for the Home Department (Priti Patel)**

Today, I am pleased to set out to the House a package of measures in support of this Government's manifesto commitment to expand and strengthen the role of our directly elected police and crime commissioners (PCCs), and those mayors with PCC functions, including the findings from the second part of our internal review into the role of PCCs.

Our two-part review will ensure PCCs can focus more sharply on local crime fighting, with stronger accountability to those they serve. As set out in the Government's beating crime plan, PCCs allow the public's voice to be heard on local policing and crime matters and hold chief constables to account for delivering what communities need. As such, PCCs continue to play a critical role in reducing crime and reoffending.

Part 1 of the review focused on making it easier for the public to hold their PCC to account for their record on delivering the safer streets that they deserve. In March 2021, I announced a package of reforms that will ultimately help people judge their PCC at the ballot box and we are making good progress in bringing about these important changes.

Today, I want to update the House on two specific measures from part 1, before I turn to our conclusions from part 2.

The first gets to the heart of equipping our PCCs with the right tools and powers to work with their partners to tackle crime and anti-social behaviour. Our targeted consultation last year found broad support for "levelling up" PCCs by providing them with a wider functional power of competence so they have parity with the equivalent powers held by fire and rescue authorities and most mayoral combined authorities. By equipping PCCs with this new power, we will make it easier for them to act creatively to reduce crime and to make better use of police resources.

Secondly, I pledged to consult on changes to the Policing Protocol Order. This is a document that sets out the roles and responsibilities of various people involved in policing, such as PCCs, chief constables and police and crime panels. I am therefore launching a targeted, stakeholder consultation to seek views from our policing partners on how we can refresh this document to provide a "brighter line" on the boundaries of operational independence and to better reflect my role as Home Secretary. If we are going to deliver on our shared mission to cut crime, it is essential that all those involved in policing understand their respective roles.

Having focused in part 1 on strengthening their role, we wanted to use the second part of our review to ensure that PCCs have the information, levers and tools to help cut crime, drugs misuse and anti-social behaviour. After almost a decade since their introduction, it is time to focus on the "and crime" part of the PCC role.

I will now give an overview of our part 2 conclusions. All our recommendations are set out in full as an annex (Annex A) and the attachment can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2022-03-07/HCWS664/>.

To cement PCCs' role in offender management: PCCs are held locally accountable for reducing crime, but to carry out their duties effectively, we must give them the levers to work across their local criminal justice system. We will create a new statutory duty to lock in collaborative working between PCCs and the Probation Service. This step, in conjunction with the other measures we will bring forward, will help align the work of PCCs and local probation services around their shared goal to break the chain of reoffending.

To improve the way PCCs work in partnership with others to fight crime and support victims: We need to see all public safety partners playing their full part in the fight against crime. It is essential that PCCs can bring local agencies together to tackle the issues that blight their communities—like drugs misuse, anti-social behaviour and neighbourhood crime. We will provide PCCs with the tools to do this by strengthening the guidance that underpins their role in convening partners to fight crime and drugs misuse, in line with Dame Carol Black's independent review on drugs. We will also give PCCs a central role on local criminal justice boards, support their work on violence reduction units and clarify the local crime prevention landscape through an in-depth review of community safety partnerships in England and Wales. Of course, PCCs continue to play a vital role in supporting victims of crime. The Ministry of Justice Victims' Bill consultation considered how to expand and strengthen PCCs' role in relation to oversight of victims' experiences in the criminal justice system and commissioning support services, and so it was not examined within part 2 of the PCC review, but the work is complementary and aligned. The consultation closed in February, and the Government will introduce the Victims' Bill as soon as possible.

To improve public confidence in policing: PCCs play an important role as the voice of victims and use their levers to tackle the issues raised by complainants. To do this well, PCCs must visibly hold the police to account on behalf of their whole community and use their role to help uphold police legitimacy. We will support PCCs by clarifying our expectations in this regard and work with the Association of Police and Crime Commissioners and the College of Policing to ensure PCCs have access to the best possible evidence about what helps foster local confidence in policing.

To improve PCC's access to criminal justice data: Without sharing information on a timely basis, local crime fighting activity cannot be delivered in a joined-up way. Local partners often deal with the same cohorts of offenders, but throughout the review, we heard that sharing data can be difficult and inconsistent. We therefore propose to take steps to support a more data-confident culture by issuing new central guidance, supported by examples of local good practice and bolstering the ability of PCCs to more confidently use this information. These steps will help PCCs to better understand how effectively and efficiently their police force is operating within the wider criminal justice landscape.

If we are to strengthen and expand the role of PCCs in this way, this must be balanced by robust accountability to the public. We are taking further steps to strengthen the checks and balances on PCCs.

To help ensure there is effective local scrutiny: We want to see police and crime panels acting as critical friends, helping the public to understand how their PCC is doing on the issues that matter to them. The review found that independent members on panels were important, bringing relevant skills, expertise and greater diversity; so we will focus on improving their recruitment and retention. We will also look at whether a regional model of panel support could improve the professionalism, quality and consistency of the support provided to panels.

To help ensure the public can complain about their PCC if needed and trust that their complaint will be handled fairly and consistently: Police and Crime Commissioners are elected representatives, held to account to the public via the ballot box. The Home Office will further consider the processes for how complaints of criminal misconduct are handled, and the scope to align a new code of conduct with the regime for mayors and councillors in local government. This will also consider how to address the problems of vexatious and political motivated complaints, especially those which stem from disagreements with the political views of the commissioner, or complaints which are nothing to do with policing.

The public, rightly, expect PCCs to behave appropriately and act with integrity. That is why there is already a high bar in place for PCC conduct. Having explored the options for introducing recall, the review has not recommended doing so, given the stringent disqualification rules in place for PCCs. I will keep this matter under review.

Now that this two-part review has concluded, my Department will work with our partners to deliver the recommendations, including legislating where necessary, and when parliamentary time allows.

I would like to put on the record my thanks to the advisory group which supported this review, comprising senior external stakeholders with expertise in the policing and criminal justice sector.

I am confident that, as a package, our recommendations will better equip PCCs to reduce crime and protect the public, solidify their position within the criminal justice system and make it easier for the public to hold PCCs to account.

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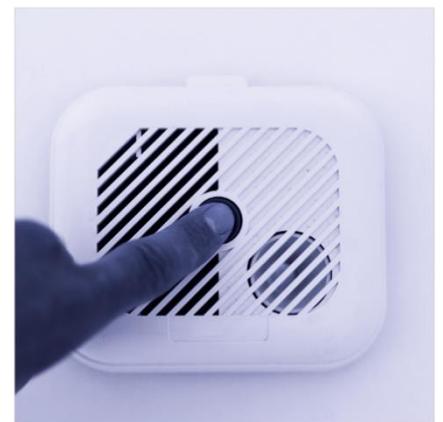
Home Office

Reforming Our Fire and Rescue Service

Building professionalism, boosting performance and strengthening governance

May 2022

CP 670





Reforming Our Fire and Rescue Service

**Building professionalism, boosting performance
and strengthening governance**

Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty

May 2022



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About this consultation

To: This white paper and consultation covers a package of proposals for the reform of fire and rescue services in England. The proposals cover three principal areas of the reform vision: People, Professionalism and Governance. Views are sought on the specific proposals and the wider package of reforms presented.

Duration: From 18/05/22 to 26/07/22

Enquiries (including requests for the paper in an alternative format) to: **Email:** firereformconsultation@homeoffice.gov.uk

Or

Fire Reform Consultation
Fire Strategy & Reform Unit
4th Floor, Peel Building
2 Marsham Street,
London
SW1P 4DF

How to respond: There are three thematic sections in this consultation. Each section is divided into topical chapters which provide background information to the lead question(s).

Respondents can answer as many or as few questions as they wish. You do not have to comment on every section or respond to every question in each section but can focus on where you have relevant views and evidence to share. If you wish to respond to all questions, you do not have to complete the whole form at once.

Please send your response by 11:59pm on 26 July 2022

Please respond to the questions in this consultation online at:

<https://www.gov.uk/government/consultations/reforming-our-fire-and-rescue-service>

Alternatively, you can send in electronic copies to: firereformconsultation@homeoffice.gov.uk; or,

Alternatively, you may send paper copies to:
Fire Reform Consultation
Fire Strategy & Reform Unit
4th Floor, Peel Building
2 Marsham Street,
London
SW1P 4DF

Additional ways to respond: If you wish to submit other evidence, or a long-form response, please do so by sending it to the email address or postal address above.

Response paper: A response to this consultation exercise is due to be published at:
<https://www.gov.uk/government/consultations/reforming-our-fire-and-rescue-service>

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Ministerial Foreword

Home Secretary



I never cease to be impressed by the dedication of our fire and rescue professionals. As Home Secretary, I have always regarded the police as the first public service but I have come to realise that the fire and rescue service plays an equal part. Together they provide vital pillars of support in the mission to keep the public safe which is the first duty of any government.

It has been a challenging period for us all. Despite the difficulties that we have faced, I have been immeasurably proud to witness the efforts of fire and rescue services in responding to the needs of our communities throughout the Covid-19 pandemic. Fire and rescue professionals have taken on a number of the responsibilities that the emergency demanded. From driving ambulances, supporting the vulnerable, to managing food and distribution hubs and administering vaccinations, fire and rescue services have been ready, willing and able to play a critical role in protecting communities. I would also like to acknowledge the important role on call firefighters provide in keeping their communities safe. Looking beyond our borders, I was proud to be able to offer the expertise of our fire and rescue services to help their Greek colleagues in the fight against horrific wildfires in the summer of 2021.

We are immensely grateful for their efforts. We should strip away any barriers that hold our fire professionals back and provide them with the support they deserve.

Our fire and rescue services protect communities and save lives. It is imperative that they are fully supported to respond to the changing risks they face. This means building on the response to the pandemic, learning from major public inquiries, and responding to the challenges identified by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) in relation to leadership, culture and collaboration.

Nonetheless, there is a compelling case for reform of our fire and rescue services. Both of Sir Thomas Winsor's HMICFRS State of Fire reports have concluded that significant reform is needed. The need to improve the emergency response of fire and rescue services to a major incident is compelling. The fire at Grenfell Tower was a national tragedy resulting in the greatest loss of life in a residential fire since World War 2. The Grenfell Tower Inquiry Phase 1 report made 46 recommendations for the London Fire Brigade (LFB), all fire and rescue services, other emergency services, building owners and the government. The government has committed to implementing all 46 recommendations in the most practical and proportionate way possible. An independent report (known as the Kerslake report) into the Manchester Arena bombing found that the Greater Manchester Fire and Rescue Service was "bought to a point of paralysis" as their response was delayed for two hours. The need to improve fire protection is also clear. Dame Judith Hackitt's review into building safety, alongside the Grenfell Tower Inquiry, has highlighted its importance.

Now the government must take action to enable fire and rescue services to perform and fulfil their core functions of prevention, protection, response and resilience effectively in a way that responds to the local needs, the changing risks and challenges faced, and that enables collaboration with other emergency services on a range of public safety challenges. This white paper sets out this government's vision for fire reform.

Fire Minister



The white paper concerns the reform and strengthening of fire and rescue services in England. This builds on fire and building safety system reform in recent years and the government response to the fire at Grenfell Tower. Our vision for the reform seeks to drive change and improvement in three key areas: People, Professionalism and Governance.

People

Our reform proposals seek to introduce changes that will allow fire professionals to further develop their skills and thrive in their work. We want to clarify the role of fire and rescue services and of the firefighter, unlock talent and improve diversity within services, take action to ensure that we are supporting the creation of a positive culture, and further develop schemes to consistently identify and nurture talent. Finally, we will commission an independent review into the current pay negotiation process and consider if it is fit for a modern emergency service.

Professionalism

Our reform proposals seek to modernise the fire and rescue service, to enable greater professionalism and to ensure that we are recruiting and training our fire and rescue services to be the best that they can be. We want to increase professionalism by moving from a Fire Standards Board (which sets clear expectations for the sector) to the creation of a College of Fire and Rescue. We want to develop a mandatory 21st century leadership programme for progression to senior roles, set clearer entry requirements for recruitment, and put in place a statutory code of ethics and a fire and rescue service oath.

Governance

Our reform proposals seek to strengthen governance arrangements across the sector. Out of 44 fire and rescue authorities, 38 operate a committee structure. We want to transfer fire functions to a single, elected – ideally directly elected – individual who would hold their operationally independent Chief Fire Officer to account. This person could be: a mayor who could delegate day-to-day oversight to a deputy mayor; or a council leader who could delegate to a cabinet member or a police, fire and crime commissioner. This effective political oversight would maintain and enhance public accountability.

Fire professionals put their lives on the line to protect and serve their communities. It is only right that they have our full support. This Fire Reform white paper is the first step towards reforms that will achieve this profoundly essential public interest objective.

Building on Success

The Case for Change

The government intends, through this White paper, consultation and future legislation to strengthen fire and rescue services across England.

Our ambition is to develop services with communities at their heart that provide excellent support and development for their teams. This will be underpinned by clear decision-making processes and operational leaders who are empowered to plan and respond quickly to new challenges held to account by a single executive leader, ideally a directly elected politician. We want to ensure that services play to their strengths in responding to emergencies, as well as sharpen their focus on their prevention and protection functions. This will allow service leaders and their professional teams to face the future with confidence, reduce the risk of harm, and help keep people safe.

Fire and rescue is already a highly skilled profession. We want to support staff further, ensuring that they are given the opportunities, development, and oversight to match their status. Our fire and rescue professionals and our communities deserve nothing less.

Fire and Rescue Reform to Date

The proposals in this white paper build on a legacy of reform of fire and rescue services introduced by the Home Office over recent years. Changes have been designed to make services and those working within them more able to work efficiently and effectively, and to adapt to the public safety challenges and emergencies we face, both now and in the future.

The reforms of the past five to ten years have seen the establishment of an independent inspection regime to report to the public on the efficiency and effectiveness of fire and rescue services, stronger national coordination amongst operational leaders, increased government funding for service improvement, and the development of clear and consistent expectations of fire and rescue services. We have supported fire and rescue services as they serve the most vulnerable in communities. We have done this by increasing both the focus and funding for fire protection, nationally and locally, by helping services across England to respond to the lessons highlighted by the Grenfell Tower tragedy, and by continuing to promote fire prevention, including through the national Fire Kills campaign.

We have also strengthened the governance of fire and rescue services by legislating to enable police and crime commissioners (PCCs) to take on responsibility for services, with the intention of improving their transparency, collaboration and accountability.

While meaningful national and local reform has taken place, recent inspections and inquiries have established that there is further to go to ensure both employees and the public are getting the support and service they should expect. That is why the government proposes to introduce a comprehensive reform programme, as set out in this white paper.

Stepping Up During the Pandemic

The Covid-19 pandemic has been a huge challenge for all emergency services, and we are proud of how fire and rescue employees across the country stepped up to support their communities.

Last January, HMICFRS highlighted how services continued to respond to fires and other emergencies, while also supporting communities through one of the most difficult periods in our country's history. Most services were involved in proactive work through their local resilience forums (LRFs) – from supporting strategic coordination of the multi-agency response, driving ambulances and joining multi-agency teams responding to deaths in the community, to delivering food and medicines to the vulnerable and using their skills to help others to work safely.

However, the report also highlighted the barriers services face to becoming more effective and efficient, including the challenges posed by a sluggish national negotiation system for pay and conditions, between unions and employers. For example, during the early stages of the Covid-19 pandemic, service leaders were not able to deploy their staff to support communities in a timely manner. Instead, a series of national agreements (the 'tripartite agreement') had to be painstakingly negotiated before fire and rescue professionals could act. In the pandemic this process slowed down – and in some places, stopped – services fully supporting their communities.

Following the end of the restrictive national agreements, services were freed up to safely provide an even greater range of support to their communities. Chief fire officers were able to work with local partners to take a leading role in testing and vaccine logistics, and in administering vaccinations in many areas. This work is rightly a source of pride for service leaders and fire and rescue professionals who, empowered to make operational decisions and risk assessments at a local level, were able to step up to serve their communities.

Shining a Light Through Independent Inspection

Independent, expert, objective and fearless inspection is essential to the promotion of improvement. On the basis of rigorous analysis of evidence and professional judgment, it establishes where policies and practices are working well, so they can be adopted everywhere, and it explains to services, elected representatives and the public where things are not as they should be. Its analysis and the reasons for its conclusions and recommendations for improvement are fully explained, so that services, the public and others can see and easily understand them.

Since 2018, every service in England has been inspected at least twice. Her Majesty's Chief Fire and Rescue Inspector, Sir Thomas Winsor, has produced three annual State of Fire and Rescue reports that have provided clear assessments of the state of the sector and highlighted where reform is needed. They have been significant catalysts for our proposals to further strengthen services.

The inspectorate found that while the fire and rescue services have many commendable strengths, the system needs national and local reform. Based on the inspectorate's reports, it is clear that the strength of fire and rescue services is rooted in their operational response. When the public dial 999, services will respond with highly skilled and committed crews. While response is the most urgent function of a fire and rescue service, some services have unduly neglected vital protection and prevention work. And while some services have taken steps to improve productivity, more could and should be done to ensure that they are making the best use of public resources in ways that always put communities first.

Sir Thomas recognised that in recent years some reform and innovation has been implemented, but improvements have been sporadic. To date, the inspectorate has made six national recommendations. These include: improving the governance of services by granting chief fire officers operational independence to enable flexibility; providing greater clarity on the precise scope of the role of the fire and rescue service, improving the transparency and effectiveness of the negotiation mechanism for pay and conditions; and putting in place measures to improve the culture in fire and rescue services.

Lessons from Grenfell

The fire at Grenfell Tower, on 14 June 2017, is an indelible tragedy in the history of our country. The Grenfell Tower Inquiry Phase 1 report (GTI phase 1) made 46 recommendations for the London Fire Brigade, all fire and rescue services, other emergency services, building owners and the government. The government has worked alongside service leaders to ensure that action is being taken across the country, supported by legislative change and significant additional funding to drive improvement. The reforms set out in this white paper will complement the work already underway to strengthen fire safety and protection - building the capacity and capability within services that our communities deserve.

Last April, the government secured the passage of the Fire Safety Act 2021. The Act establishes that the scope of the Regulatory Reform (Fire Safety) Order 2005 (FSO) applies to the structure, external walls and flat entrance doors. On 17 March 2021, the government published its response to the fire safety consultation which set out proposals to strengthen fire safety in all regulated buildings in England. Further changes will be introduced through the government's Building Safety Bill, which will enable the establishment of a Building Safety Regulator, as part of the overhaul of building and fire safety regimes for higher-risk buildings. Furthermore, the government held a consultation from 8 June to 19 July 2021 to seek people's views on proposals relating to the complex issue of Personal Emergency Evacuation Plans (PEEPs). While there was considerable support for the idea of PEEPs, the consultation also raised operational challenges to implementing PEEPs in high rise residential buildings which typically would have no staffing or very limited staffing. Concerns include the practical challenges of ensuring safety when evacuating using the stairs, both for the vulnerable persons with the PEEPs and for other residents using the same stairwell; and the operational impact on firefighters using the same space. Further, there are concerns that, if extra staff are needed to make PEEPs work, it would result in disproportionately increased costs for residents. We intend to shortly propose a collection of initiatives that

together seek to achieve our policy aim of enhancing the safety of residents in high rise residential buildings whose ability to self-evacuate may be compromised in a way that is proportional and implementable. While this package would not directly implement the PEEPs-related recommendations in the GTI Phase 1 report, we are confident that it will satisfy the principles of improved fire safety of vulnerable persons behind the recommendations. The government intends shortly to lay regulations that implement the majority of the recommendations made by the Inquiry's Phase 1 report which require a change in the law.

The need to strengthen fire protection is clear. Dame Judith Hackitt's review into building regulations and fire safety, the Grenfell Tower Inquiry, other fires and HMICFRS inspection findings have highlighted its importance. That is why we provided £30 million in additional funding during 2020/21 and have continued to provide further funding this financial year. This funding supports services to review or inspect every high-rise residential building in England by the end of 2021 and strengthen the response to risks in other buildings, including residential buildings under 18 metres, care homes and hospitals. £7 million of this funding helped services to implement Grenfell recommendations through new training, equipment (such as smoke hoods) and technology to support communications and control room systems. In addition, we have commissioned research to support the development of national guidelines on evacuations from high-rise buildings.

A Clear Role for Fire and Rescue Services

The role of the fire and rescue authority (FRA) is set out in the Fire and Rescue Services Act 2004 and the Civil Contingencies Act 2004. However, the work of fire and rescue services has evolved over the years. The built environment has become more complex and the nature of the risk facing communities has changed. The vulnerability of occupants is having a tangible impact on how services manage and respond to risk. Prevention, legislation, regulation, innovation and better building and product design have mitigated some longstanding public safety risks, and communities are safer as a result. This major public service success story does not get the recognition it deserves.

Historically, services have managed their resources to meet foreseeable risks to the public. But cumbersome industrial relationships have limited chief fire officers' ability to flexibly use their resources to truly meet changing risk, for example, by changing working patterns to respond to changing demand. Services need to plan for instances where they may need to simultaneously respond to large scale emergencies and a range of smaller incidents. Furthermore, staff need to be trained to respond to incidents safely, adapting to the ever-changing nature of malicious risks, such as terrorist incidents. The challenge, then, is to ensure flexibility so that fire and rescue professionals can fully serve their communities in partnership with other services. Crucially, local flexibility must be available to operationally independent service leaders to make the best use of their people and assets, balancing innovation with the core functions established in statute.

The Way Forward - Strengthening our Fire and Rescue Service

The case for strengthening fire and rescue services is clear. We want to improve the offer to professionals and the public, ensuring that services can adapt and change.

Our Vision

We want to see services providing excellence in their core prevention, protection, response, and resilience functions, responding to local needs in line with national expectations and guidance. Services will be helped to make the best use of the resources available to them, with the ability to come together quickly and respond safely to local and national emergencies, based on good data and evidence. Services need to be more able to adapt to changing threats and risks, working flexibly with other local partners.

Chief fire officers will be skilled leaders and managers, with clear responsibility to run and manage their services effectively and efficiently, in order to meet their local risk. Strong political, executive oversight will ensure services are properly accountable to the communities they serve and run in the public interest.

Twenty-first century fire and rescue services will embrace an ethical culture that attracts and retains talented people, values diversity and reflects the communities they serve. Their employees will be well supported and trained to do their jobs. At the same time, services will embrace learning, use data and evidence to inform their decision-making, and share best practice and innovation.

Employment arrangements across the sector need to be modernised. They need to be more transparent and should recognise staff for their skills and competence and not just for time served. The interests of all parties will be fairly represented during discussions on pay, terms and conditions and other workplace matters.

People, Professionalism and Governance

Our reform agenda seeks to drive improvement in three essential areas: well-trained and supported **people**; high levels of **professionalism**; and strong and effective **governance**.

On **People**, it is vital that fire and rescue services create an environment where they get the best out of their people. Staff should feel confident that they will be supported to reach their full potential, with accessible development opportunities and structured learning available. As recommended by HMICFRS, the role of fire and rescue services needs clarification with greater local flexibility for firefighters and staff to add value; the proposals in this white paper seek to address this recommendation, amongst others. Furthermore, fire and rescue professionals should be supported by a professional pay negotiation process. The current National Joint Council has strayed beyond its original scope and into negotiation of operational response, which should be a matter for operational leaders.

On **Professionalism**, this white paper examines how we can continue to support fire and rescue professionals to help them better protect their communities. Our reform plans set out

our ambition for an independent College of Fire and Rescue focussed on the following five areas:

- Research
- Data
- Leadership,
- Ethics
- Clear expectations for fire and rescue services

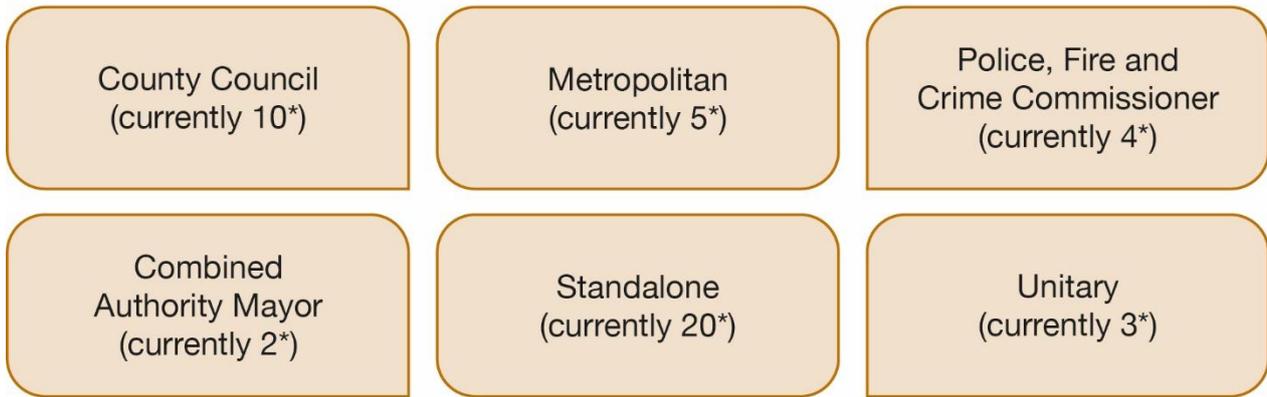
Subject to the response to the consultation, this College of Fire and Rescue could be located at an existing body such as a training provider, fire and rescue service or other professional body. This could include the Fire Service College (FSC) at potentially no cost, for example, given its historic links to government. The FSC is one of a number of training providers, all with a similar market share, available to fire and rescue services. We would like to hear from potential hosts to understand where the proposed college could be located given the potential benefit to both the host and the college of co-location. The proposed college should take on the functions carried out currently by the Fire Standards Board, which sets out clear expectations for the sector. Development opportunities for staff should include support for progression to leadership roles and development schemes to identify and nurture talent. Further, we want to examine the opportunity to support a consistently positive culture within services through the creation of a statutory code of ethics and a fire and rescue service oath.

On **Governance**, the lack of executive oversight in most FRAs and the variation and inconsistency between governance models have hampered accountability and transparency for the public. A review of the role of PCCs found that simplifying and strengthening the governance regime for fire services across England is critical to unlocking the wider reforms that are needed. We are setting out criteria for good governance and our ambition is to move governance to an executive leader, such as a combined authority mayor, a police, fire and crime commissioner (PFCC), or a county council leader. These options are illustrated in Figure 1. They, as ‘the Occupant’, would be able to delegate some or all of their day-to-day responsibilities to a deputy mayor, deputy PFCC or council cabinet member respectively. We also intend to implement HMICFRS’s recommendation to confer operational independence on chief fire officers. This will enable the chief fire officer to have direction and control over their resources to meet the executive leader’s priorities. We propose – whether in primary legislation or statutory guidance – to clearly define the role and responsibilities of both the executive leader and chief fire officer with clear demarcation between the two. Effective governance will ensure a publicly accountable figure can set clear priorities and hold the chief fire officer firmly to account for their performance in order to best deliver for the public.

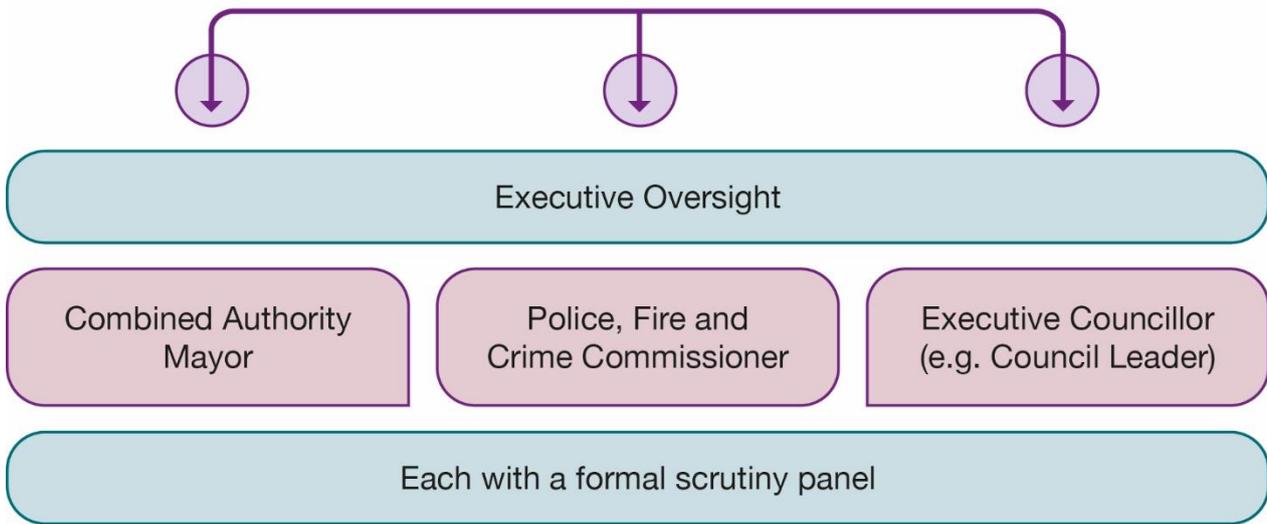
This could be alongside making chief fire officers corporations sole, thereby making them the employers of fire professionals.

We believe that these governance changes will enable effective executive oversight to hold an operationally independent chief fire officer to account with appropriate support and challenge. The executive would be required to produce a strategic fire and rescue plan listing their priorities while the chief fire officer would focus on their operational requirements to meet those priorities. Finally, we do not wish to lose the skills and experiences of existing councillors on the fire and rescue authority who could be used to scrutinise the decisions of this individual.

Current Types of Fire and Rescue Authority



Proposed reform



*fire and rescue authorities as at 1 January 2022

People

The biggest asset available to fire and rescue services is the people who work for them. Their dedication and skill, and the respect they command from their communities, make them a crucial part of the public safety system. We are committed to ensuring that fire and rescue employees are representative of the communities they serve and are equipped with the skills they need to reduce risk, save lives, and meet the challenges of the future.

However, current working practices are highly inflexible and, in some services, no longer reflect the range of incidents faced. In his 2020 State of Fire and Rescue report, Sir Thomas Winsor recognised that for services to better serve the public, they need to be able to adapt and do things differently. He noted substantial barriers to change and efficiency and recommended that the government takes an active role in clarifying fire fighters' true responsibilities and improves the mechanism for establishing pay and conditions.

The Role of Fire and Rescue Services

The principal role of fire and rescue services is to keep the public safe through prevention, protection and response work. The statutory functions of fire and rescue authorities are set out in the Fire and Rescue Services Act 2004. Furthermore, the Civil Contingencies Act 2004 sets out their role as Category 1 responders in response to civil emergencies. This includes their increasingly significant role in local resilience forums, civil protection and in incidents where there is the threat of serious damage to human welfare or the environment.

The Cabinet Office's Integrated Review 2021 put an increasing focus on building national resilience and commits the government to consider strengthening the roles and responsibilities of Local Resilience Forums in England alongside a wider National Resilience Strategy. Fire and rescue services and senior fire officers play key roles in the operation and leadership of LRFs in preparing for emergencies and in responding to emergencies in multi-agency Strategic Coordination Groups.

The Cabinet Office's National Resilience Strategy Call for Evidence closed in September 2021. The Home Office has consulted with the National Fire Chief's Council (NFCC), to ensure the fire sector continues to play a strong role in both national and local community resilience, across the resilience cycle.

In carrying out their functions, services must work with the public and businesses to reduce incidents of fire and ensure that appropriate measures are in place to mitigate their impact. Firefighters need to be prepared, equipped with the right skills and expertise to attend, assess the risk and respond to a range of incidents, across the complex, built environment and national infrastructure. They are supported, where necessary, by expert fire safety inspectors and engineers.

HMICFRS inspections have highlighted that operational response is a key strength of services but reported that there is considerable variation in how prevention and protection work is carried out, understood and prioritised. The most effective services have protected and extended their reach in this area, and we will continue to work with the NFCC on the development and implementation of prevention and protection programmes.

Modern Working Practices

Just as society continues to change, so have public safety challenges to which services must respond: from the increased risk from terrorism and environmental challenges, to pandemics and the increasing demands on local authorities, given that people are living longer and vulnerability is better understood. The role of services, and of those who work for them, needs to continuously evolve. Fire and rescue services provide a skilled, capable and engaged workforce that is ready, willing and able to step into these challenges in the Community Risk Programme. It is right that the public can expect them to be deployed to assist their communities as the need arises.

However, the barriers to doing so were seen during the sector's ongoing response to Covid-19, where the determination of fire and rescue staff to assist their communities was not always matched by flexible and modern employment practices. The national negotiation mechanism established by the National Joint Council has been recognised by inspectors and others as a barrier to a rapid and flexible response. These barriers have meant services have struggled to adapt and communities have not always been well served in the process. For example, previous collaborations with health partners have floundered in some places and in Greater Manchester, a team formed to respond to marauding terrorist attacks in the city withdrew their labour because of a dispute, leaving the community unacceptably vulnerable. While this capability has been restored through a local agreement that costs more taxpayer money, the government is clear that under current arrangements there is a role for services and their employees to respond to terrorism in all its forms.

Chief fire officers should be empowered to safely make decisions on the basis of risk and resources. While it is right that all relevant trade unions have a role to play in discussions on terms and conditions and the health and safety of their members, this must not come at the expense of safe and sensible progress and efficiency when communities need action.

We will work with fire and rescue leaders to ensure that services can fully support their communities. The need to identify emerging issues and continually assess risk extends to prevention and protection functions where services should ensure that they adapt to meet emerging issues and levels of risk, with their activity tailored to those they target.

Q1: To what extent do you agree/disagree that fire and rescue services should have the flexibility to deploy resources to help address current and future threats faced by the public beyond core fire and rescue duties?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Public Safety

Fire and rescue services play an important role in assisting communities with health and crime prevention and reduction. Services have already demonstrated their ability to support wider public safety. For example, StayWise is an NFCC-led partnership initiative that supports blue light and educational professionals in the provision of safety messaging to children. Some services have collaborated with local partners to help prevent crime and support their communities. For instance, a multi-agency partnership involving Tyne and Wear Fire and Rescue Service, local councillors, Northumbria Police, a local housing company and Sunderland City Council led to the formation of SARA (Southwick Altogether

Raising Aspirations). SARA brings together partners to help the most vulnerable members of the community – from supporting those with mental health problems, helping victims of crime and working in schools to divert and dissuade vulnerable teenagers from a life of crime.

Other activity ranges from identifying and referring those at risk of domestic abuse, modern slavery and hate crime, to diverting young people away from trouble through fire cadets and other schemes. The new Serious Violence Duty in the Police, Crime, Sentencing and Courts Bill, which proposes to bring together local agencies to prevent and reduce serious violence, will also apply to fire and rescue authorities.

As discussed later, as well as considering the merging of fire and policing governance under democratically elected combined authority mayors or police, fire and crime commissioners, we would also seek to strengthen the emergency service response to local issues and promote greater collaboration between agencies to support public safety needs.

Q2: To what extent do you agree/disagree that fire and rescue services should play an active role in supporting the wider health and public safety agenda?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Business Continuity

The first duty of any government is to keep the public safe. Unlike the police, firefighters and control staff can strike, which inevitably puts the public and non-striking fire professionals at risk. While we do not propose removing the freedom for staff to choose to participate in industrial action, we believe that public safety needs to be ensured.

Fire and rescue services are 'Category 1 responders' under the Civil Contingencies Act 2004. This requires them to carry out specific civil protection duties, which chief fire officers must bear in mind when considering their business continuity plans. Requirements for business continuity are also set out in the fire and rescue service National Framework for England. The Home Office will work closely with the NFCC to ensure that each service has a robust business continuity plan that considers a range of challenges, including the impact of industrial action. Working with the NFCC, the National Resilience Assurance Team and HMICFRS, we will commission that the plans are independently assured. As outlined later in this white paper, the operational independence of chief fire officers plays a crucial role in allowing them to manage risk within their service.

The Civil Contingencies Act 2004 is also under review, alongside the wider National Resilience Strategy and includes the duties on fire and rescue services in relation to civil emergencies and in collaboration with key local partners. As part this review, we will consider strengthening the basis on which all Category 1 and 2 responders cooperate and support local resilience structures, with FRS services being central to this.

Q3: To what extent do you agree/disagree that the business continuity requirements set out in the Civil Contingencies Act 2004 provide sufficient oversight to keep the public safe in the event of strike action?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Pay Negotiation

Everyone is entitled to be treated fairly. When it comes to public sector pay, those who provide public services, and those who pay for them, deserve no less. The process for determining pay should be open to scrutiny, so that all concerned can understand the decisions that are made.

The effectiveness of the National Joint Council (NJC) – the body that oversees decisions on firefighter pay and terms and conditions – has long been questioned. Adrian Thomas, in his review of conditions of service in 2015, concluded that it needs to be modernised and in the State of Fire and Rescue 2020 report, Sir Thomas Winsor called for fundamental reform. The negotiation of annual firefighter pay awards is a closed process until after any decisions is effectively made, with the views and agreement of only one union being sought and considered. HMICFRS have made recommendations on the current pay negotiation structure, including a suggestion to review its current operation and effectiveness. We welcome this recommendation and will consider how best to take it forward as part of our package for reform. The independent review would consider whether the current pay negotiation process is dynamic enough to respond to changing priorities. It could consider evidence from other employment models and sectors.

Q4: To what extent do you agree/disagree that the current pay negotiation arrangements are appropriate?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q5: Please provide the reasons for your response.

Nurturing New and Existing Talent

There is more to do nationally to stimulate the debate about talent and to ensure that services open and modern employers who value diversity and nurture talent. Fire and Rescue professionals deserve development and support to achieve their full potential. Inconsistent identification and management of talent limits the scope to specialise and professionalise, and means that high-potential individuals may be overlooked.

HMICFRS found that services need to do more to support future leaders, and that diversity in senior leadership positions is even more limited than in the wider workforce. They also found that services often do not actively manage talent, relying on traditional models of development and progression, often linked to time served.

Some services have talent and development schemes, but there are no standardised national progression routes or consistent levels of education or experience required for entry into roles, in contrast to comparable public services including health and policing. We seek views on whether we should explore clearer, consistent entry requirements for fire service roles, so that a consistent approach is applied across the country. In doing this, we need to consider the impacts not only on professionalising services, but also any unintended consequences on the recruitment and retention of people from the widest possible talent pool. Consistent entry requirements, along with consistently applied personal development and progression, could be key to developing the management and leadership cadre of the future.

We want to ensure that fire and rescue is open to the best and brightest. As well as a focus on developing the talent already working in the fire services, there have been positive recent steps to bring in people with experience from other sectors at a range of levels. The NFCC leadership hub is leading a project on direct entry schemes at station and area manager level, as well as developing a coaching and talent-focused culture. This is a welcome development and should be supported by all services. We will also explore the potential to learn from national talent and recruitment schemes such as Teach First, Police Now, Unlocked and the civil service’s Fast Stream scheme model to establish high-potential development programmes. Such schemes could be open to both new entrants and existing staff and would offer a structured development programme. Skills could be tested and extended through placements in a range of roles and projects.

Q6: To what extent do you agree/disagree that consistent entry requirements should be explored for fire and rescue service roles?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q7: Please provide the reasons for your response.

Q8: To what extent do you agree/disagree that other roles, in addition to station and area managers, would benefit from a direct entry and talent management scheme?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Professionalism

The vision in this white paper is for fire and rescue services to continue to be a vital asset to our communities, and a great public sector profession with a focus on continuous improvement and professional development. Services will continue to attract talented people who understand the communities they are serving. This will be supported with clear and consistent expectations and training opportunities that build on the effective use of data and evidence. To realise this vision, we need to have the right support structures at the head of the profession to ensure that the improvement cycle functions well, with clear expectations, strong implementation, and a robust inspection regime.

Leadership of the Profession to Date

The National Fire Chiefs' Council (NFCC) was established in 2017 with the goal of supporting operational leaders to transform services, thereby maximising effectiveness and partnership working. The independently chaired Fire Standards Board (FSB) was created in 2019 to produce and maintain a suite of national professional standards for fire and rescue services. Eight fire standards have now been published, ranging from operational matters such as community risk management planning to issues related to culture and ethics. Fire standards are intended to drive consistency and have a positive impact on the performance and professionalism of services, supporting continuous improvement and setting clear expectations for the service the public should receive. HMICFRS have regard to these expectations in their inspections.

This first wave of reform has clearly moved the fire and rescue profession forwards and government has provided significant financial support, totalling over £15 million over the last four years. The NFCC has provided leadership that the sector was lacking and is in the process of carrying out a significant programme of work. We want to explore how we can build on this success to further support professionals and strengthen fire and rescue services across five key areas of leadership, data, research, ethics and clear expectations.

Leadership

In several reports and inspections, leadership has been found to be problematical. Twenty years ago, an independent review (the Bain Report, 2002) reported “a lack of leadership throughout the service at the political, institutional and operational levels”. The report also detailed the need for senior staff to receive “more training in general and personnel management,” that “a proportion of officers should come from outside the Service” and the importance of sector organisations to provide “a body of expertise on technical matters and business processes.” By 2019, inspections identified that only 12 out of 45 services were ‘good’ at developing leadership and capability.

Effective leadership is not only about strengthening the role of the chief fire officer, but about building capability, embedding values and nurturing talent within services. Indeed, there are many accomplished individuals in the current leadership cadre, but there is no current structure or assessment that ensures that this is consistent. The work of chief fire officers is vital and could become even more complex and challenging if they are provided with operational independence, as recommended by HMICFRS.

Senior operational leaders require a range of skills. They must take on-the-spot decisions in highly pressurised circumstances, which can be matters of life or death. The aftermath of

such decisions can also present leadership challenges both in terms of public confidence and achieving organisational learning. Fire and Rescue leaders are also required to manage complex organisations through change, building positive and inclusive teams as well as taking account of contextual issues such as industrial relations.

A 21st Century Leadership Offer

In December 2020, the Home Office surveyed chief, deputy and assistant fire officers' views on leadership in three domains of command, leadership and organisational management. Around four in ten (42%) thought that services were 'not very' or 'not at all' effective at both identifying and developing high potential or talent and while most were at least 'fairly satisfied' nearly 70% said they would value a mandatory and standardised training programme for senior leaders.

In some sectors, a standardised assessment to reach levels equivalent to assistant chief officer and above provides greater national consistency, transparency and clarity. A new, statutory leadership programme designed for the challenges of the 21st century could allow for a standardised approach in how services identify and prepare the leaders of tomorrow. Officers completing the course should also find it easier to move between leadership roles in fire and rescue services. The police Strategic Command Course provides a model we wish to explore. As with policing, we will need to consider how direct entrants would be able to demonstrate comparable experience and competence gained outside fire services, particularly in relation to command, and how the skills and competence required could be developed in a fair and consistent way.

Q9: To what extent do you agree/disagree with the proposed introduction of a 21st century leadership programme?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q10: Please provide reasons for your response.

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Q11: To what extent do you agree/disagree that completion of the proposed 21st century leadership programme should be mandatory before becoming an assistant chief fire officer or above?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Smarter Use of Data

Data is a vital asset in helping services to deploy resources and manage services more effectively and professionally. While there are undoubtedly services where data is being used well, in his State of Fire and Rescue report in 2019, Sir Thomas Winsor identified that

“the sector is missing opportunities to use data and technology effectively” and lacks an overall national strategy to bring consistency and promote innovation.

We have provided funding to the NFCC for them to help set a common direction for services and to consider how best to provide central digital and data support. We want to explore how best to offer further data support to fire and rescue services. This could include improving national data analytics capability and developing data-focused training for those working with data in services and a consistent approach to structuring data. In addition, this could include setting expectations for data governance and for securing data-sharing agreements.

Central to this should be the capacity and capability of fire and rescue services to cooperate with other responding organisations under the Civil Contingencies Act 2004 and share data, when appropriate with local and national partners, including LRFs. This will support activity across the resilience cycle including preparation, response and recovery to ensure we make the best use of the data we have.

Q12: To what extent do you agree/disagree that each of the activities outlined above are high priorities for helping improve the use and quality of fire and rescue service data?

- A national data analytics capability.**
- Data-focused training.**
- Consistent approaches to structuring data**
- Clear expectations for data governance**
- Securing data-sharing agreements.**

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q13: What other activities, beyond those listed above, would help improve the use and quality of fire and rescue service data? Please give the reasons for your response.

Research

It is vital that the work of services is supported by the best available evidence and research to ensure that services can effectively serve their communities. The current landscape, with a variety of organisations pursuing research activities, presents the risk that research is not co-ordinated to an optimal degree. Further, many individuals in services who conduct research work are doing so alongside other pressing roles.

We want to explore whether central fire and rescue research personnel, working closely with services, could help to ensure that research carried out within the physical and social sciences is effectively prioritised, co-ordinated, quality assured, and disseminated.

A central fire and rescue research capability could undertake the following activities:

- **collaborating** – providing a permanent set of skilled analysts to collaborate with others, including services, to promote good quality research that will provide benefits to services
- **commissioning** – commissioning other organisations to conduct research on behalf of the central fire and rescue research function when national-level research is appropriate
- **conducting** – directly undertaking research, including reviews of existing evidence, using staff permanently housed within the central fire and rescue research function
- **collating** – identifying emergent issues, opportunities, and ongoing fire-related research undertaken across services, academia, industry and other organisations, ensuring that priorities are being addressed and learning is being shared to avoid duplication of effort

Q14: To what extent do you agree/disagree that each of the activities outlined above are high priorities for improving the use and quality of fire evidence and research?

- Collaborating**
- Commissioning**
- Conducting**
- Collating**

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q15: What other activities, beyond those listed above, would help improve the use and quality of evidence and research on fire and other hazards? Please provide the reasons for your responses.

Clear Expectations

A hallmark of professionalism is the creation and implementation of clear expectations. While local flexibility is important, robust and consistent national standards help improve the quality of service provided to the public.

Currently, the independently chaired FSB is tasked with creating and maintaining fire standards (the documents through which the FSB sets clear expectations for services) for fire and rescue services. Eight fire standards have now been published, ranging from operational matters such as community risk management planning to issues related to culture and ethics. A 9th fire standard on safeguarding is due to be published imminently. The FSB is supported in this work by the NFCC’s Central Programme Office. The Fire and Rescue National Framework for England requires services to implement these standards. HMICFRS will have regard to them in their inspections.

We want to build on the successes of the FSB and ensure we continue to set clear expectations. We want to ensure effective implementation in support of the fire and rescue

profession. We also want to consider how best to ensure that there is a continued close link between these common expectations and the guidance that supports their implementation, including National Operational Guidance.

Ethics and Culture

We want to see fire and rescue services where everyone is welcome, treated with respect and able to thrive. The need for more consistent application of a robust ethical framework is clear. HMICFRS found in their 2019 State of Fire report that “the culture in some services is toxic”, that 20 out of 45 services required improvement and that a further three were inadequate.

Code of Ethics

In response to the HMICFRS recommendation, the Local Government Association, the Association of Police and Crime Commissioners, and the NFCC developed a core code of ethics that all services should embed in their work. This is a positive first step, but we want to consider whether more is needed to ensure we have a consistently positive culture in all fire and rescue services.

The current code has no legal status but is supported by a fire standard (the documents through which the Fire Standards Board sets clear expectations for services) which requires services ‘adopt and embed’ the code. The Fire and Rescue National Framework for England, to which fire and rescue authorities must have regard, provides that all authorities must adhere to these clear expectations. The duty on fire and rescue services to adhere to the core code is therefore indirect and we are seeking views on whether to place a code on a statutory footing (a ‘statutory code’) to ensure its application in every service. This could involve the creation of powers in legislation, when parliamentary time allows, to create and maintain a statutory code. These powers could enable a statutory code to be created or amended via secondary legislation. If follow the outcome of this consultation the government proceeds with this proposal, the core code could be subject to review before being placed on a statutory basis.

Q16: To what extent do you agree/disagree with the creation of a statutory code of ethics for services in England?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q17: To what extent do you agree/disagree that placing a code of ethics on a statutory basis would better embed ethical principles in services than the present core code of ethics?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

If a statutory code were to be created, a duty would need to be placed on services to follow it. We are consulting on this duty being placed on chief fire officers who, under proposals outlined in the governance section of this document, could be operationally independent and therefore best placed to ensure their services act in accordance with the statutory code. We believe fire and rescue authorities would retain an important role in holding chiefs accountable for the discharge of their duties to ensure they and their services adhere to the code. However, we do not propose that the statutory code would apply to elected representatives in fire and rescue authorities.

We do not believe that the duty to adhere to the statutory code should be placed on individual employees of authorities as this would not address the need for a service's policies, as well as its people, to adhere to the statutory code. The need for individuals to adhere to ethical values is considered below in relation to the fire and rescue service oath.

We are consulting on the enforcement of the statutory code – and the related oath – being an employment matter for chiefs to determine within their services, in accordance with the proposal for operational independence contained elsewhere in this document.

Q18: To what extent do you agree/disagree that the duty to ensure services act in accordance with the proposed statutory code should be placed on operationally independent chief fire officers?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q19: To what extent do you agree/disagree with making enforcement of the proposed statutory code an employment matter for chief fire officers to determine within their services?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Fire and Rescue Service Oath

We are also consulting on introducing a fire and rescue service oath ('the Oath') in England. The Oath would be a promise to uphold the principles in the statutory code while undertaking tasks on behalf of fire and rescue authorities, to help address the cultural challenges identified above and provide a positive expression of the role services can play in their communities. A mandatory duty to take the Oath would need to be placed on all FRA employees although it would not apply to the elected representatives in the authority as separate ethical standards arrangements are already in place. As is the case with police officers and PCCs, the Oath would be specified and provided for in legislation. We consider that a requirement for all FRA employees to consciously affirm ethical principles through an Oath would make it more likely that the principles would be adhered to. We think this would be preferable to a voluntary option because it would provide a more consistent approach across all services.

As noted above, the core code may be subject to review before being placed on a statutory basis, if that option is pursued. However, by way of example, an Oath based on the core

code may include affirming such principles as acting with integrity, and supporting equality, diversity and inclusion. As we anticipate the Oath and the statutory code to be intrinsically linked, subject to the outcome of this consultation, we will continue to work closely with interested parties on the content and process associated with the statutory code and Oath.

If a breach of the Oath occurred, we believe it would be most appropriate for it to be dealt with by each service as an employment matter. Managers should exercise their professional judgment, reflecting service disciplinary procedures and the circumstances of the individual case. We consider that, in the absence of congruent criminal offence, it would be disproportionate for breach of the Oath alone to be a criminal offence.

Q20: To what extent do you agree/disagree with the creation of a fire and rescue service oath for services in England?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q21: Please give the reasons for your response.

Q22: To what extent do you agree/disagree that an Oath would embed the principles of the Code of Ethics amongst fire and rescue authority employees?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q23: To what extent do you agree/disagree with an Oath being mandatory for all employees?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q24: To what extent do you agree/disagree that breach of the fire and rescue service oath should be dealt with as an employment matter?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Professionalism Summary

We consider that action in these five key areas of improvement could help facilitate further professionalisation of fire and rescue services. Drawing on responses to this consultation, we intend to continue building capacity and capability across these five areas of leadership, data, research, ethics and clear expectations. It will be vital to make efficient use of resources in supporting services. We will therefore seek to prioritise those areas of delivery that are most beneficial in strengthening services and protecting the public.

Q25: To what extent do you agree/disagree that the five areas listed above are priorities for professionalising fire and rescue services?

- Leadership
- Data
- Research
- Ethics
- Clear Expectations

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q26: What other activities, beyond the five listed above, could help to professionalise fire and rescue services?

Independent Strategic Oversight

We believe there could be an opportunity for an independent body to build on the foundations laid and continue to drive forward the further professionalisation of services.

A key benefit of creating an independent professional body could be to provide an organisation independent of fire and rescue services and at arm's length from government to lead the continuing development of the fire and rescue profession. It could comprise and be led by staff working in the organisation as their primary role and providing a dedicated resource to support services rather than by those who also must undertake pressing operational roles. This would help it carry out important activities not currently conducted on a sustainable basis. While we see benefits to independence, it would be vital for any new organisation to work with services, employers, the NFCC, the unions, HMICFRS and others, to ensure that work is fully informed by the views of the sector.

A College of Fire and Rescue

We therefore want to explore our ambition for the creation of a College of Fire and Rescue (CoFR) to be the independent body to support our fire and rescue professionals to best protect their communities. Through providing a permanent body of independent expertise and sharing the outputs of its various proposed strands of work, the independent CoFR could provide a vital aid to services in implementing the reforms outlined in this white paper.

We will carefully consider the creation and appropriate remit of a CoFR using the views gathered through this consultation. We would want to ensure we prioritise areas of work that add greatest value to services, making best use of available resources. We are therefore seeking views on which of the five opportunities for further professionalisation should be priorities for the proposed independent CoFR.

By way of example, the proposed independent CoFR could have the following remit:

- on **Leadership**, developing and maintaining courses such as Leadership Programmes and direct entry schemes
- on **Data**, providing a home for a strategic centre of data excellence
- on **Research**, housing a central research function to ensure that research is prioritised, conducted effectively, and shared
- on **Clear Expectations**, taking on responsibility for the creation of fire standards, building on the work of the Fire Standards Board
- on **Ethics**, the proposed independent body could be provided with powers to create and maintain the proposed statutory code of ethics and fire and rescue service oath, and also keep practical implementation of the code and Oath under review

The remit outlined above could help ensure that these vital activities are conducted in a sustainable and independent manner by an organisation dedicated to undertaking this work. Placing multiple strands of work in the same organisation focused solely on their delivery would allow each strand to be supported by the others. Taking the examples above, a CoFR could allow expectations of services to be informed by the latest research and help leadership programmes to be imbued with strong ethical principles.

We also want to make sure that the proposed independent CoFR has the power to effect further improvement in fire and rescue services. We therefore wish to consider whether it should be given legislative powers to support its work. These could mirror the powers held by the College of Policing under the Police Act 1996, as amended by the Anti-Social Behaviour, Crime & Policing Act 2014, or could involve the extension to the College of Fire of the powers held by the Secretary of State under the Fire and Rescue Services Act 2004. For example, legislative powers provided to the CoFR could include the power to issue statutory codes of practice with the approval of the Secretary of State.

It should be noted that the remit of the NFCC extends significantly beyond the functions outlined above. Therefore, if the independent College of Fire were to be created, a strong co-operative working relationship with the NFCC would be vital in achieving the aims of both organisations.

Q27: To what extent do you agree/disagree with the creation of an independent College of Fire and Rescue to lead the professionalisation of fire and rescue services?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q28: Please provide your reasons for your response

Governance

Governance Structures

There are 44 FRAs across England operating under a range of different governance models. We believe this variation in the operation of models is unhelpful and leads to problems in relation to accountability and transparency.

Unlike FRAs overseen by PFCCs or combined authority mayors, the majority of authorities still operate a committee structure comprising many members (in the case of one authority, nearly 90). This can slow decision making and impair accountability. And across most of England, the public do not have a direct say in who is responsible for their fire service. In most areas, while members are elected (for example, as a councillor), they are not directly elected with a clear mandate in relation to fire.

Public awareness of FRAs and their members is not high. Our public polling as part of the review of PCCs found that the majority (89%) could not name a member of their FRA. In contrast, the awareness of PCCs (including police, fire and crime commissioners) is growing since the first candidates were elected in 2012. In the same polling, nearly two thirds (65%) of the public in these areas said they were either aware of their commissioner, or aware that they were responsible for policing (this figure is in line with other recent estimates from the Crime Survey for England and Wales). The 2021 PCC elections saw a significantly increased turnout – provisionally up 6.5 percent more than in 2016 - and more than double that of the 2012 elections. This shows the model is maturing and public awareness is growing.

After considering the conclusions of the PCC review, and reviewing inspection and other reports, the government view is that oversight of fire services needs to change. Our preferred governance model is one that meets the following criteria:

- there has a single, elected – ideally directly elected – individual who is accountable for the service rather than governance by committee
- there is clear demarcation between the political and strategic oversight by this individual, and the operationally independent running of the service by the chief fire officer
- that the person with oversight has control of necessary funding and estates
- decision-making, including budgets and spending, is transparent and linked to local public priorities

Therefore, to strengthen governance across the sector, we believe there is a strong case to consider options to transfer governance to an elected individual.

We seek views on this approach and who the most appropriate person may be. Options will need to be discussed with each local area. There are a number of options for who this person could be. These include a directly elected combined authority mayor or a PCC. Each is a single directly elected individual who can provide the accountable leadership that we envisage, enabling the public to have a say in who oversees their local service. But there may be other options, including retaining fire in county council's under a designated leader. We seek views on who else could provide this executive leadership.

Q29: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to a single elected individual?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q30: What factors should be considered when transferring fire governance to a directly elected individual?

Please provide the reasons for your response.

The Mayoral Model

An option to achieve directly elected oversight of fire could be through the combined authority mayoral model. The government would like to see more combined authority mayors exercising public safety functions.

As set out in the Home Secretary’s response to the PCC review (2021) and the Levelling Up white paper, combined authority mayors could also take on public safety functions where boundaries allow.

Of the eight existing MCAs without fire and rescue functions currently, four (Cambridgeshire & Peterborough, Sheffield City Region, West Midlands and West Yorkshire) are already coterminous with fire and rescue boundaries. Subject to this consultation, we will explore options for transferring the fire functions directly to the MCAs for exercise by the mayors in these areas at the earliest opportunity. The four remaining existing MCAs (Liverpool City Region, North of Tyne, Tees Valley and West of England) are not currently coterminous with fire and rescue boundaries and so, subject to this consultation, we will need to consult with those in the local areas to establish the way forward.

Q31: Where Mayoral Combined Authorities already exist, to what extent do you agree/disagree that fire and rescue functions should be transferred directly to these MCAs for exercise by the Mayor?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Police and Crime Commissioners

Another option could be to transfer responsibility to a police, fire and crime commissioner. In 2017, measures were introduced through the Policing and Crime Act 2017 to enable PCCs to take on oversight of their local fire services.

It is for each commissioner to determine whether they want responsibility for fire. If so, they need to produce a proposal for the Home Secretary that demonstrates how a governance transfer meets the statutory tests of economy, efficiency and effectiveness, and that it does not have a detrimental impact on public safety. To date, four areas have made the transition to a police, fire and crime commissioner.

The PCC review considered how PCCs' accountability could be strengthened, and their role expanded in line with the government's manifesto commitment, and considered the benefits of directly elected oversight of fire services. Those interviewed from both policing and fire in the review were broadly supportive of the benefits of bringing policing and fire governance together under a directly elected individual, particularly to maximise the benefits of emergency services collaboration and strengthen accountability and transparency to the public. To achieve a more consistent approach to fire governance, many were strongly in favour of mandating governance change across England, rather than the current bottom-up piecemeal approach.

We have seen the immense value in what PFCCs in the four areas who have responsibility for fire have provided, including strengthened local accountability, enhanced collaboration and improvements in what their fire services provide the public. The business cases for the first four PFCCs estimated savings of between £6.6 million to £30 million over the first ten years. In Northamptonshire, the financial autonomy provided by the commissioner enabled the service to recruit new firefighters and replace equipment and facilities, thereby improving the support it provides to people and businesses. In North Yorkshire, the 'Enable' service brings together police and fire back-office staff to work as one team, under one roof, improving efficiency and affordability for all. The enhanced collaboration driven by commissioners is not only improving organisational efficiency but is saving lives. In Staffordshire, the commissioner agreed a missing persons support protocol between Staffordshire Fire and Rescue Service, Staffordshire Police and West Midlands Ambulance Service in which 90% of relevant incidents attended by fire and rescue crews were lifesaving or injury preventing.

The PCC review crystalised our proposals on fire service governance which the Home Secretary set out in her Written Ministerial Statement of March 2021. We therefore seek views on whether this is another acceptable option.

Q32: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to police and crime commissioners?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Other Options, such as an executive councillor

We recognise, reflecting the circumstances of each local area, that it may be preferable for somebody a different option other than a PCC or mayor to be given responsibility. This may be where a fire service is currently part of a county council or local boundaries aren't aligned. We are therefore filling to consider other options, although any option will need to meet our

criteria for good governance as listed above, in particular the need for clear executive – rather than committee – leadership.

Q33: Apart from combined authority mayors and police and crime commissioners, is there anyone else who we could transfer fire governance that aligns with the principles set out above?

Yes	No

Q34: If yes, please explain other options and your reasons for proposing them.

As part of any governance change, we could take the opportunity to strengthen and clarify the legal basis against which fire and rescue authorities operate. The Fire and Rescue Services Act 2004 requires fire authorities to make provision to provide ‘core functions’ (for example, fire safety, firefighting, rescuing people from road traffic accidents, functions in emergencies). While the Fire and Rescue National Framework for England provides a little more in terms of defining the role of authorities, further work could be done to define their scrutiny and oversight function.

In transferring responsibility to a single individual, we could also put good governance principles in statute. For example, legislation could expressly set out the role and function of the FRAs including its oversight and scrutiny functions, specifying how transparency objectives should be met, and clarifying the relationship between political oversight and operational decision making. If not in statute, this could also be included in the Fire and Rescue National Framework for England.

Q35: To what extent do you agree or disagree that the legal basis for fire and rescue authorities could be strengthened and clarified?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q36: Please provide the reasons for your response.

Should we decide to bring forward governance change and transfer governance from existing fire and rescue authorities, we do not want to lose the skills and expertise built up by FRAs. And regardless of who the executive leader is, each would need a body to scrutinise their decision making. Part 2 of our PCC review is assessing the current scrutiny arrangements for PCCs in more detail and how they could be improved. In the light of this, we will consider carefully what may be the appropriate arrangements for fire, including the findings from Part 2 of our PCC review which considered how the current scrutiny arrangements for PCCs could be improved.

Boundaries

In order to transfer fire governance to an elected official, the boundaries of the fire and rescue service and the police force/combined authority/county council must align. This is to ensure that there is a consistent electoral mandate across the whole of the area concerned. Across most of England, the boundaries for fire and rescue services and police forces/combined authorities (where present) are coterminous, making the transfer of governance to combined authority mayors and PCCs practicable. In areas where there is more than one fire and rescue service within a police force area (for example, Sussex Police covers the area of both East Sussex and West Sussex fire and rescue services) a transfer of functions is still possible as the PCC can take responsibility for each fire and rescue service that falls within their area. We would not seek to combine services unless there was local appetite to do so.

However, in other parts of the country such as the south-west of England, fire and police boundaries do not align. This means the transfer of fire governance to someone like a PCC would not be practicable unless steps were taken to bring about coterminous boundaries. We will discuss options for these areas with interested parties to determine how to achieve the necessary change.

Q37: To what extent do you agree/disagree that boundary changes should be made so that fire and rescue service areas and police force/combined authorities (where present) areas are coterminous?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Fire Funding

We are aware that any governance change will have funding implications. This will be particularly acute in services that are part of a county council or unitary authority. Should any governance transfer be made, we will need to assess that impact, for example on staff, assets and revenue transferred, and council tax precept. We are keen to ensure that both the financial sustainability for all local authorities and the operational capabilities of fire services are maintained throughout, including during any transition period. The government's aim is that we will keep council tax bills low and this will not be adversely affected by our governance proposals.

Where fire is part of a county or unitary authority, we have seen that fire and rescue does not always receive the resources it might otherwise be allocated due to competing priorities within the parent authority. As a result, fire and rescue can see its budget reduced mid-year to meet pressures elsewhere in its parent authority. The fire and rescue service also must compete with other parts of the local authority for capital funding to replace essential equipment. Subject to the results of this consultation, should fire stay within a county council or unitary authority rather than be transferred to a PCC or mayor, we propose taking steps to ring-fence the operational fire budgets within all county councils and unitary authorities who run fire services. This will enable the executive leader and chief fire officer to have certainty at the start – and throughout – the financial year over what resources they have available to them in order to meet the requirements of their local plan.

On conclusion of this consultation, we will work with national and local government representatives to consider these issues further. Should any changes to governance be given effect, we will consider options to ensure that authorities in all their forms continue to take effective decisions on their service provision ahead of any governance change.

Q38: To what extent do you agree/disagree with ring-fencing the operational fire budget within fire and rescue services run by county councils and unitary authorities?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q39: Please provide the reasons for your response.

A Balanced Leadership Model

Chief fire officers, properly held to account for performance by stronger governance, must also be able to make operational deployments and use their resources in the most efficient and effective ways to meet known and foreseeable risks. Yet in many cases, they are required to engage in prolonged negotiation at both the national and local levels on matters that should be within their operational responsibility.

In their first inspections, HMICFRS found that the lack of clear operational independence of chief fire officers created a barrier to services becoming more effective and efficient, and they found examples where chiefs were prevented by their authorities from implementing operational changes. HMICFRS recommended that the Home Office should take steps to give chiefs operational independence, including issuing clear guidance on the demarcation between governance and operational decision making. We agree with this recommendation and will legislate to do so when parliamentary time allows. While good governance, accountability and robust political decision-making is critical, it should be for the chief fire officer to determine the operational deployment of their staff.

We want to move to a consistent position where the political, executive leader of the fire and rescue authority will be responsible for their fire service and will be accountable – ultimately at the ballot box – for the service’s performance. This will be alongside the chief fire officer being accountable for operational decisions, with the two working effectively together to ensure the best service to the public.

The table below illustrates the possible demarcation of responsibility between the political (executive) leader and the chief fire officer. For example, the chief fire officer would make decisions in relation to the appointment and dismissal of staff, and the configuration, deployment and organisation of fire service resources. They would also make decisions to balance competing operational needs aligned to the strategic priorities set by the executive leader, to which they must have regard; including operational decisions to reallocate resources to meet immediate and ongoing demand and allocate staff to specific duties to reduce risk and save lives. We will work with those in the fire sector and local government to define this further ahead of making the required legislative changes.

Task	Responsible
<u>Setting priorities</u>	<u>Executive leader</u>
<u>Budget setting</u>	<u>Executive leader</u>
<u>Setting precept</u>	<u>Executive leader</u>
<u>Setting response standards</u>	<u>Executive leader</u>
Opening and closing fire stations	Executive leader*
<u>Appointment and dismissal of chief fire officer</u>	<u>Executive leader</u>
<u>Appointment and dismissal of other fire service staff</u>	<u>Chief fire officer</u>
<u>Allocation of staff to meet strategic priorities</u>	<u>Chief fire officer</u>
<u>Configuration and organisation of resources</u>	<u>Chief fire officer</u>
<u>Deployment of resources to meet operational requirements</u>	<u>Chief fire officer</u>
<u>Balancing of competing operational needs</u>	<u>Chief fire officer</u>
<u>Expenditure up to certain (delegated) levels</u>	<u>Chief fire officer</u>

*Opening and closing of fire stations could be a joint decision; operationally fire chiefs could be responsible for decisions on moving teams, whilst ultimate political and executive responsibility lies with the executive leader.

There will be a bright, clear line demarcating the nature and extent of the chief fire officer’s operational independence against the role of the executive leader. We will consider best practice in local government to develop this, as well as learning from the relationships between PCCs and their chief constables. We could consider producing something akin to the Policing Protocol to clarify roles and responsibilities and provide safeguards.

To support that, the declaration of the acceptance of office of PCCs and mayors could be extended to respect the operational independence of chief fire officers in the same way it presently applies to the independence of police officers.

At all times, the strengthened governance model of an executive leader will hold the chief to account for their decisions and performance.

Q40. To what extent do you agree with this proposed approach (as outlined in the table above)?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q41. Do you have any other comments to further support your answer?

Q42. Are there any factors we should consider when implementing these proposals?

Q43: What factors should we consider when giving chief fire officers operational independence?

Please provide the reasons for your opinions.

Legal Entity of Chief Fire Officers

When considering the role of chief fire officers in the context of transferring governance to a PCC, the extent of operational independence granted to them becomes even more relevant.

In the PCC model for policing governance, chief constables have operational independence from their commissioner in relation to the running of their police forces. The Police Reform and Social Responsibility Act 2011 provides that a police force and its civilian staff are under the direction and control of the chief constable. The 2011 Act also makes each chief constable a corporation sole. That means that the chief constable is a legal entity in their own right, occupying a single incorporated office. It makes the chief constable the employer of all those who work for the police force, and gives them legal authority over certain decisions and functions.

We therefore will consider whether to legislate to make chief fire officers corporations sole. This could clarify their role and responsibilities, and make them the employers of all fire personnel. This would mirror the arrangement in policing, although we will ensure these new arrangements are appropriate for fire. Subject to the views of the consultation, should we decide to proceed, we recognise specific arrangements may need to be put in place for chief fire officers employed by fire and rescue services run by county-councils and unitary authorities due to how closely fire professionals and assets are embedded in those organisations. We will work with the Department for Levelling Up, Housing and Communities and others in local government to consider this further.

Q44: What factors should we consider should we make chief fire officers corporations sole?

Clear Distinction Between Strategic and Operational Planning

Fire and rescue authorities are required by the Fire and Rescue National Framework for England to publish an Integrated Risk Management Plan (or similar for mayors and PFCCs). Put simply, the plan should assess all foreseeable fire-and-rescue related risks the service may face, and list how they will be met or responded to.

We are seeking views on how best to clarify the distinction between strategic and operational planning. We believe there should be a clear distinction between a strategic fire and rescue plan established by the fire authority and for which it is responsible, that sets priorities for the service on behalf of the public, and an operational plan which would become the responsibility of the chief fire officer and would deal with how strategic priorities will be met and risks mitigated.

Regardless of whether we require a new strategic plan, we propose to change the title of the operational plan to ‘the Community Risk Management Plan’. This better reflects the focus that these plans should have on risks to communities and more closely aligns to the newly established Community Risk Fire Standard introduced by the Fire Standards Board.

Q45: To what extent do you agree or disagree that the responsibility for strategic and operational planning should be better distinguished?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q46: To what extent do you agree or disagree that the strategic plan should be the responsibility of the fire and rescue authority?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q47: To what extent do you agree or disagree that the operational plan should be the responsibility of the chief fire officer?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q48: Please provide the reasons for your response.

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About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (for example, member of the public)	
Date	
Company name/organisation (if applicable)	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details and how to respond

Please respond to this consultation online at:

<https://www.gov.uk/government/consultations/reforming-our-fire-and-rescue-service>

Alternatively, you can send in electronic copies to:

firereformconsultation@homeoffice.gov.uk

Alternatively, you may send paper copies to:

Fire Reform Consultation
Fire Strategy & Reform Unit
4th Floor, Peel Building
2 Marsham Street,
London
SW1P 4DF

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Home Office at the above address.

Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available online at:

<https://www.gov.uk/government/consultations/reforming-our-fire-and-rescue-service>

Alternative format versions of this publication can be requested from:
firereformconsultation@homeoffice.gov.uk

Publication of response

A paper summarising the responses to this consultation will be published online at:
<https://www.gov.uk/government/consultations/reforming-our-fire-and-rescue-service>

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the General Data Protection Regulation (GDPR) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Home Office.

The Home Office will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Impact Assessment

The Government is mindful of its duty to comply with the Public Sector Equality Duty in section 149 of the Equality Act 2010 and the need to assess the potential impact of any proposal on those with protected characteristics. In each part of the consultation, we invite views and evidence on the potential impact of the proposals and the package of proposals as a whole on such persons.

The impact assessment for this consultation can be found at:

<https://www.gov.uk/government/consultations/reforming-our-fire-and-rescue-service>

Consultation principles

The principles that government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<https://www.gov.uk/government/publications/consultation-principles-guidance>

