

## Cheshire Police and Crime Panel Agenda

---

**Date:** Wednesday, 10th January, 2018  
**Time:** 2.00 pm  
**Venue:** Wyvern House, The Drummer, 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 at the foot of each report.

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

#### **1. Apologies**

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

#### **2. 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.

#### **3. Public Participation**

---

**Contact:** Julie North, Democratic Services Manager  
**Tel:** 01270 686460  
**E-Mail:** [julie.north@cheshireeast.gov.uk](mailto:julie.north@cheshireeast.gov.uk)

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

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

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

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

The Cheshire Police and Crime Panels' Twitter account @CheshirePCP

4. **Minutes of Previous meetings** (Pages 3 - 16)

To approve as a correct record the minutes of the meeting held and adjourned on 22 September 2017 and the reconvened meeting held on 1 December 2017 and the minutes of the ordinary meeting of the Panel held on 1 December 2017.

5. **Scrutiny Items** (Pages 17 - 60)

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

Notes of the Special Scrutiny Board held on 3 July 2017.

Notes of the Scrutiny Board held on 23 August 2017.

**2.15pm - THE POLICE AND CRIME COMMISSIONER WILL BE IN ATTENDANCE FOR THE FOLLOWING PART OF THE MEETING**

6. **Overview and Scrutiny of the Police and Crime Commissioner - Questions for the Police and Crime Commissioner**

7. **Date of Next Meeting**

2 February 2018, at 10am, at Wyvern House, The Drummer, Winsford.

**CHESHIRE EAST COUNCIL****Minutes of a meeting of the Cheshire Police and Crime Panel**

held on Friday 22 September 2017 in  
The Karalius Suite, Halton Stadium, Widnes

**PRESENT**

Councillors:

Cheshire East	Councillors H Murray (Chairman), S Edgar and P Findlow
Cheshire West & Chester	Councillors R Bisset, A Dawson and M Delaney
Warrington	Councillor B Maher
Halton	Councillors N Plumpton Walsh and D Thompson
Independent Co-optees:	Mrs S Hardwick, Mr R Fousert (items 4-8) and Mr Evan Morris (from item 5)
Officers:	Mr B Reed and Mr M Smith,

The Chairman indicated that unfortunately, due to illness, Mr David Keane, Police and Crime Commissioner was unable to attend. Whilst sending him their best wishes a number of Panel members expressed concern that the Commissioner would not be represented by his Deputy.

**1. APOLOGIES**

Apologies were received from Councillor A King.

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

Mrs S Hardwick declared an interest in item 5, the appointment of independent members of the Panel, noting that she would leave the room during discussion of that item.

**3. Public Participation**

There were no members of the public in attendance.

The Chairman, via the webcast of the meeting, encouraged members of the public to both attend and submit questions in advance of future meetings.

#### **4. Minutes of previous meetings**

The Minutes of the meeting of the Panel held on 23 June 2017 were approved as a correct record; with two minor typographical errors being noted and corrected in the formal record.

Mrs Hardwick noted that she had recently attended a meeting at Police Headquarters in Winsford and had observed that the accommodation vacated by the Commissioner was still unoccupied.

Concern was expressed by a number of members of the Panel at the length of time that it had on occasion taken the Commissioner to respond to questions; including ones that had been submitted in writing, in advance of meetings. Councillor Dawson gave an example of a question submitted in advance of the meeting of the Panel held on 23 June to which he had received a reply the previous week. The Panel were of the view that a letter should be sent to the Commissioner expressing concern at the length of time replies to questions could take and recommending a timescale for responses.

#### **RESOLVED**

That the Commissioner be written to requesting that an initial response be received to questions within ten working days, and that if a full response would take longer an indication of the likely timescale be provided in the initial response.

Councillor Dawson noted that at the previous meeting he had asked that consideration be given to amending the Panel's Procedure Rules to enable the Chairman to limit excessively long answers to questions by the Commissioner. The Secretariat was asked to research this issue; looking at best practice from other Police and Crime Panels and report back to the next meeting.

The Minutes of the meeting of the Panel (Confirmation Hearing for the Commissioner's Chief of Staff) held on 12 July 2017 were approved as a correct record.

Having declared an interest, Mrs S Hardwick left the meeting during consideration of the following item. Mr R Fousert; who had not been present for item 2 also left the room.

#### **5. Appointment of Independent Members**

The Panel noted the process that had been followed by the Recruitment Panel appointed in January which had led to recommendations being made over the

appointment of a new independent member and the reappointment of Mr R Fousert and Mrs S Hardwick.

**RESOLVED**

That Mr Evan Morris MBE be appointed as a member of the Panel to serve until 30 September 2019, and Mr Robert Fousert be reappointed to the Panel to serve until 30 September 2020 and Mrs Sally Hardwick reappointed to serve until 30 September 2021.

**6. Police and Crime Panels (PCPs) – Consultation on proposals for national representation**

Notification had been received that Councillor Tim Hutchings, Chairman of the Hertfordshire Police and Crime Panel had over recent months been coordinating discussion on the subject of a national representative body for PCPs. The Panel welcomed these discussions and discussed the range of options that were available; taking the view that creating a Special interest group of the Local Government Association would be the most sensible way forward, at least in the short term.

**RESOLVED**

That the following be submitted as the Panel's response to the consultation:

"With regard to the proposals for a national representative body for PCPs, Cheshire PCP considers that a Special Interest Group (SIG) within the LGA is likely to be a more effective first step.

PCPs can often see a rapid turnover of political representation, which may prove difficult when giving life to an Association. It is considered beneficial that professional decision makers in the public sector have their own Associations. However, PCP members are scrutineers and not decision makers charged with developing policy positions and shaping services. The PCP receives good sources of reference information and has even received direct consultations for consideration, in the past. There are also means by which PCP members across the country can come together to network, such as conferences etc.

It is suggested that contact be made with central Government to ascertain whether the formation of such an Association would be welcomed and if so, what degree of interaction central Government would expect to give to supporting and listening to such a body.

It is considered that a SIG, under the umbrella of the LGA, would better facilitate an evolutionary process towards a full Association of Police and Crime Panels (APCP), should that position be reached. A SIG within the LGA, providing support, continuity and design, aligned to the question of Government willingness towards a formalised APCP could provide a more robust foundation."

**7. Overview and Scrutiny of the Police and Crime Commissioner – Questions for the Police and Crime Commissioner**

In the absence of the Commissioner this item was deferred.

**8. Work Programme**

The Panel's work programme was noted.

The Secretariat was asked to contact the Commissioner's Office with a view to seeking a date when the Panel could reconvene to meet with the Commissioner, options for a reconvened meeting should include evenings.

Members of the Panel asked for the agenda for the meeting in December to include an update on complaints.

**9. Date of next meeting**

The next meeting of the Panel would be held on Friday 1 December at 10.00am in the Council Chamber, Municipal Buildings, Earle Street, Crewe.

***The meeting was adjourned to a time when the Police and Crime Commissioner could attend.***

## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cheshire Police and Crime Panel**  
held on Friday, 1st December, 2017 at Council Chamber, Municipal Buildings,  
Earle Street, Crewe CW1 2BJ (Reconvened from 22 September 2017)

### PRESENT

Cheshire East	Councillors H Murray (Chairman), S Edgar and P Findlow
Cheshire West & Chester	Councillors R Bisset, A Dawson and M Delaney
Warrington	Councillors B Maher and A King
Halton	Councillors N Plumpton Walsh and D Thompson
Independent Co-optees:	Mr R Fousert and Mr Evan Morris
Officers:	Mr B Reed, Mr M Smith, Mrs J North

### Apologies

Councillor D Thompson and Mrs S Hardwick

### 94 MINUTES OF ADJOURNED MEETING

The draft minutes of the adjourned meeting held on 22 September were noted.

### 95 OUTSTANDING ITEMS FROM THE AGENDA FOR THE MEETING OF THE PANEL HELD ON 22 SEPTEMBER 2017

The Chairman reported that Mr David Keane, Police and Crime Commissioner, had been unable to attend the meeting of the Panel held on 22 September 2017 and the meeting had been adjourned to a time when the Police and Crime Commissioner could attend, however, it had not been possible to identify a suitable date.

It was proposed that an additional meeting of the Panel take place and it was agreed that this should take place on the date scheduled for the next informal meeting of the Panel.

### RESOLVED

That an additional of the Cheshire Police and Panel be scheduled to take place on 10 January 2017, at 10am.

The meeting commenced at 10.00 am and concluded at 10.10 am

Councillor H Murray (Chairman)

DRAFT

## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cheshire Police and Crime Panel**  
held on Friday, 1st December, 2017 at Council Chamber, Municipal Buildings,  
Earle Street, Crewe CW1 2BJ

### PRESENT

Cheshire East	Councillors H Murray (Chairman), S Edgar and P Findlow
Cheshire West & Chester	Councillors R Bisset, A Dawson and M Delaney
Warrington	Councillors B Maher and A King
Halton	Councillors N Plumpton Walsh and D Thompson
Independent Co-optees:	Mr R Fousert and Mr Evan Morris
Officers:	Mr B Reed, Mr M Smith, Mrs J North

### Apologies

Councillor D Thompson and Mrs S Hardwick

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

There were no declarations of interest.

### 97 PUBLIC PARTICIPATION

There were no members of the public present, wishing to use the public speaking facility.

The Chairman reported that there had been two questions submitted by members of the public. It was not appropriate for the Panel to respond to one of the questions and the other related to the complaints process. The Chairman stated that he would take questions of clarification from Panel members in respect of this issue, but would not take questions regarding the details of the complaints.

Suzanne Antrobus, Deputy Monitoring Officer (DMO) for Cheshire East Council, who was dealing with the complaints, was present at the meeting and provided an update in respect of the complaints received. There had been six in total and four of these covered broadly into the same matter. She had been liaising with an outside organisation, to see if the Panel

could proceed with them and the position had now been reached where they could be progressed. The other two were at the start of the process, the reason for this being that clarification was being sought from the complainant, to assist them and the Panel. Her role was to compare the complaint with the code of conduct and to get further information. With regard to the last complaint, she had been trying to bring together information for the Chairman, as it had a long history and she had needed to ascertain what was relevant. It would now be necessary to bring all the complaints together into a report for the Chairman, Monitoring Officer and Head of Governance and Democratic Services to consider and there was certain criteria to go through. She thanked Panel members for their patience. It was noted that the complaints could be considered by the Chairman or by a Sub-committee, however, there was not any guidance in the Panel's procedures as to where the complaints should be dealt with. She reported that she had been keeping the complainants as well informed as possible.

Following the update, the Chairman stated that he was happy to act as a filter for the complaints, along with the DMO and Head of Governance and Democratic Services, but for transparency he would like a Sub-committee to be formed to consider anything further than this.

The DMO reported that procedures stated that the Sub-committee should be made up of the Chairman, Deputy Chairman and an independent co-opted person. The Chairman proposed that another member should also be included and it was agreed that this should be a Labour member, excluding Warrington Members.

## **RESOLVED**

That a sub-committee be established to consider the submitted complaints, to comprise the Chairman and Deputy Chairman of the Panel and an independent co-opted member of the Panel, with representation from one of the Labour Members of the Panel, excluding Warrington Members, subject to availability.

## **98 FEEDBACK FROM THE SIXTH NATIONAL CONFERENCE FOR POLICE AND CRIME PANELS**

Mr Bob Fousert had attended the sixth national Conference for Police & Crime Panels on 6 November 2017, at the Warwick Conference Centre, on behalf of the Panel and provided an update to the Panel.

His initial observations had been that some panels had sent as many as eight delegates and, as such, were able to attend many of the workshops, when he had only been able to attend one of three.

From networking throughout the day, he had felt that it was clear that Cheshire PCP was well ahead of many other Panels in terms of the use of

webcasting, social media, number and types of meetings held and the recent move to rotating meeting locations around the county.

**RESOLVED**

That the report be noted.

**99 LIMITING RESPONSE TIME TO QUESTIONS**

At the meeting of the Panel held on 22 September, the Secretariat had been asked to look into the options for the way in which the Police and Crime Commissioner answered individual questions from Panel members.

A paper was submitted, which provided a summary of the research undertaken and provided the Panel with a number of options.

The Panel was recommended to consider whether it wished to amend its Procedure Rules to place limitations on the time taken by the Commissioner to answer questions from Panel members; or to otherwise change its Procedure Rules to give the Chairman the discretion to limit the time allocated to the Commissioner to answer individual questions.

In considering the options, the Panel did not consider it necessary to place limitations on the time taken by the Commissioner to answer questions, or to change its Procedure Rules, as the Chairman already had powers to use his discretion, and it was considered sensible to continue with the current approach of relying on the Chairman's discretion.

**RESOLVED**

That the report be received and no further action be taken.

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

The Commissioner was welcomed to the meeting.

1. Councillor Paul Findlow asked the Commissioner for an update on the most significant and material issues that had arisen since the last time the Commissioner had met with the Panel. He particularly requested an update on the suspension of the Chief Constable and the interim arrangements that had been put in place in response to the suspension. The Commissioner indicated that having received legal advice he was unable to comment in any way on the suspension of the Chief Constable. Following a discussion with the Chairman, the Commissioner agreed, that upon receipt of a request in writing, he would seek further legal advice on this issue and respond to the Panel in writing.

2. Having received an assurance that the situation in relation to the Chief Constable would be clarified in writing, the Chairman asked the Commissioner to focus on the other key issues that had arisen over the previous few months. The Commissioner responded by indicating that much of his time had been taken with budgetary matters. He had been concerned that the Chancellor of the Exchequer's budget in November had made no reference to Policing. However, he did indicate that he had met with Nick Hurd MP, Minister of State for Policing and the Fire Service and applauded the Minister for the consultation that he was undertaking with Police and Crime Commissioners. Information about the central Government funding available for 2018/19 was likely to be announced in the Autumn Statement, expected before Christmas.
3. The Vice Chairman asked the Commissioner if he thought his membership of the Association of Police and Crime Commissioners, at an annual cost of £23,700, provided good value for money. The Commissioner responded by saying that he thought it did, but offered to go into the issue in more detail at a future informal meeting with Panel members.
4. Returning to the subject of the key issues, the Commissioner had addressed over the proceeding few months, Councillor Robert Bisset asked the Commissioner to briefly update the Panel. Noting that crime was on the increase, but that funding was reducing, the Commissioner particularly highlighted concerns over organised crime, modern slavery and cyber crime. He noted that some of his fellow Police and Crime Commissioners elsewhere in the country had indicated that they would cease to fund PCSOs, but that he was committed to what he saw as an important role continuing in Cheshire.
5. The Chairman followed up the issue of PCSOs by asking the Commissioner for the outcome of the comprehensive consultation exercise which had been ongoing for some time and sought clarity over the cost to partner organisations of funding PCSOs. The Commissioner responded by saying that the overall cost of funding a individual PCSO had not increased and that he was committed to equality of provision across Cheshire, with each community having a PCSO at no cost to a town or parish council. The Chairman sought clarity over how PCSOs would be deployed. The Commissioner confirmed that he would set the vision for how they should be used, but that the Constabulary would deploy them operationally.
6. Councillor Andrew Dawson sought clarity over the data that was published on the Commissioner's website and also on the date of the last Scrutiny Panel. He was concerned that no recent data appeared to have been published. The Commissioner indicated that the last public scrutiny meeting had been on 23 August and that the

next meeting would be on 4 December. With reference to crime data he noted that this was only published when it had been subject to rigorous audit. Responding to the Chairman the Commissioner clarified his policy in relation to openness and transparency, noting that his approach was to publish significantly more information than was legally required.

7. Councillor Andrew Dawson, noting that the latest available figures appeared to show that there appeared to have been an increase in absent children, asked the Commissioner how he was responding to this. The Commissioner agreed that the figures had increased, noting that he had asked the Police to look into the issue. He had suggested to the Constabulary that there may be things to learn from applying the Herbert Protocol for missing persons to absent children.
8. Mr Evan Morris asked the Commissioner if he would give consideration to evaluating an “emergency first” model of providing services. Such a model would combine elements of a retained fire fighter and a PCSO. Similar, but not identical approaches had been developed elsewhere in the country. The Commissioner indicated that he was aware of the concept and would research the issue. The Chairman responded by saying that the Panel would revisit this issue at a future meeting.
9. The Vice Chairman asked the Commissioner, how after nineteen months in office, he would describe his relationship with the Panel. He also sought a degree of clarity over the Commissioner’s approach to openness and transparency. The Commissioner responded by indicating that all of his formal decisions were published on his website; he encouraged the Panel to scrutinise him over these decisions. The Commissioner also offered to have a wider discussion at an informal meeting over ways of working.
10. Councillor Amanda King had submitted a question in advance of the meeting, in relation to the award of white ribbon status to the Commissioner’s Office, Cheshire Constabulary and Cheshire Local Authorities. She also sought clarity over concerns that some women were being placed in custody for their own safety. The Commissioner noted that once accreditation had been achieved by Halton Council (who would be accredited very shortly and the delay had been purely administrative) all four local Councils in Cheshire would have been accredited, as were his Office, the Constabulary and the Cheshire Fire and Rescue Service. He paid particular tribute to the Fire Authority’s Chair and the Fire and Rescue Service’s Chief Officer for the leadership that they had provided in this area. The Commissioner informed the Panel about a recent visit to Styal Prison, where he had met with a number of inmates, all of whom had been victims of domestic violence before committing an offence which had seen them imprisoned. Some of the women

he had met had said that they felt safer in prison than they did living in the community. The Panel and the Commissioner agreed that there was still much work to do in this area which would be revisited by the Panel in the future.

11. Councillor Amanda King asked the Commissioner if Cheshire Constabulary had yet been financially recompensed for the support it had provided to Greater Manchester Police (GMP) in the day's after the Manchester Arena bombing in June. The Commissioner reassured the Panel that mutual aid arrangements had worked well, but that funding had not yet been forthcoming. He noted that GMP would require additional funding from central Government in order to meet the costs incurred by Cheshire Constabulary. However, he hoped that the issue would be satisfactorily resolved during the current financial year.
12. Councillor Stephen Edgar asked the Commissioner for clarification over the issuing of additional hand held IT equipment to Police Officers, seeking information on the rationale behind its use and also its the cost. The Commissioner agreed to respond in writing.
13. The Vice Chairman noted that it has been reported in the national press that many forces were turning off their speed cameras in a bid to save money. As Road Safety was high on the list of public concerns, he asked the Commissioner to tell the Panel how many road safety cameras there were in Cheshire and how many of these, if any, had been decommissioned in order to save money. The Commissioner outlined the various ways in which speeding was enforced across Cheshire; this included 37 fixed "yellow box" cameras, four mobile vans and hand held units used by Officers. He confirmed that he had been informed by the Constabulary that no cameras had been turned off to save money. He also outlined his plans to see all PCSOs trained in the use of hand held mobile units. Mr Evan Morris asked about the status of Community Speed Watch. The Commissioner confirmed that the scheme was well resourced and was working well and outlined the links between such schemes and the potential role of PCSOs. The limitations of enforcing 20 mph speed limits around schools was noted by Panel members.
14. Councillor Dave Thompson, who was absent from the meeting due to illness, had submitted a question in advance relating to the extremely serious incident which had been reported of a PCSO being directed into a woodland into a situation that had become a knife attack involving a gang. He had asked the Commissioner, in his role as a scrutineer of the Acting Chief Constable he was satisfied that there was every support available to help safeguard frontline officers and PCSOs when on duty. In particular was the force considering a widening of the use of CCTV bodycams which could be both a deterrent and essential in identifying offenders. The

Commissioner responded by saying that he was satisfied that there were adequate safeguards in place to support front line officers. He noted that the PCSO who had been attached was now back at work and had thanked his colleagues for the support he had received. The Commissioner indicated that body worn cameras were going to be rolled out to all Police Officers and PCSOs in Cheshire during 2018.

**Note - The following questions had been submitted in advance of the meeting, but due to time constraints were not asked at the meeting:-**

**Bob Fousert**

1. What impact upon Cheshire forensic submissions and associated criminal investigations do the recent findings of inappropriate activity at Randox Testing Services (Manchester) have? What actions if any are being taken to mitigate any fall out from this recent disclosure?

**Councillor Amanda King**

**The November Budget and what this means for policing?**

2. It is clear that November reports from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services revealed that the Police budgets nationally are set to lose £700 million by 2020 – which is a huge loss considering crime is increasing, last year recorded crime was up 11%, for those crimes actually reported. This may mean slightly different challenges to policing by County however, how will the terrible lack of any additional support in this month budget effect Cheshire Policing? Police forces are having to make tough decisions effecting neighbourhood policing especially for the increasing crimes against vulnerable people and the ability to provide resources to support against the ever increasing cybercrime. There seems to be a demanding increase in deed and yet a reduction in funding, surely there is a breaking point and Government has missed the warning signs! Does this mean the Cheshire Police will have to rely more and more on community programs and be propped up by charity or community funded initiatives, which include low paid staff or volunteers with no statutory authority to action against crimes.

101 **WORK PROGRAMME**

Consideration was given to the Work Programme.

It had been agreed at the reconvened meeting of the Panel, which had taken place earlier in the morning, that an additional formal meeting of the

Panel should take place on 10 January 2018, the date scheduled for the next informal meeting of the Panel

It was agreed that an item relating to crime data should be included for consideration at the 10 January meeting. It was suggested that the Acting Chief Constable should be invited to attend the meeting, or the following meeting, subject to her availability.

On the issue of data, it was noted that Cheshire Police had published the Community Safety Strategic Needs Assessment, which gave a total analysis of crime and priorities and how this was used to shape the Police Commissioner's delivery plan. It was suggested that this should be looked at more closely and it was agreed that it should form the basis of a report for consideration at the next meeting, to enable a comparison with the statistics in the Crime Plan and budget for 2018/19.

It was noted that a meeting of the Scrutiny Board had taken place in August. The minutes of the meeting would be included on the agenda for next formal meeting of the Panel on 10 January 2018.

**RESOLVED**

1. That the Community Safety Strategic Needs Assessment form the basis of a report for submission to the next meeting of the Panel, to enable a comparison with the statistics in the Crime Plan and budget for 2018/19.
2. That the Acting Chief Constable be invited to attend one of the next two formal meetings of the Panel, subject to her availability.

102 **DATE OF NEXT MEETING**

The next meeting would take place on Wednesday 10 January 2017, at 10am. (Note – Subsequently changed to 2pm).

The meeting commenced at 10.10 am and concluded at 12.35pm

Councillor H Murray (Chairman)



**NOTES OF THE SPECIAL SCRUTINY BOARD HELD ON 3 JULY 2017 IN THE CONFERENCE ROOM, OFFICE OF THE POLICE & CRIME COMMISSIONER, CLEMONDS HEY, WINSFORD.**

*Present:*     Office of the Police & Crime Commissioner  
D Keane, Police & Crime Commissioner  
B McCrorie, Head of Policy and Partnerships  
M Walton, Performance Analyst

Cheshire Constabulary  
S Byrne, Chief Constable  
J McCormick, Deputy Chief Constable  
P Woods, Head of Planning & Performance

Four members of the public were also present to observe the meeting

**HER MEJESTY'S INSPECTORATE OF CONSTABULARY (HMIC) CRIME DATA INTEGRITY REPORT**

The Commissioner opened the meeting outlining that the purpose of the Special Scrutiny Board was to consider the findings of, actions taken as a result of and the future plans to respond to the HMIC report into Crime Data Integrity in Cheshire, the overall rating of which was 'inadequate'.

The Commissioner invited the Chief Constable to provide an overview of the inspection report and outlined how the Constabulary has responded. The Chief Constable delivered a presentation focused on:

- National Crime Recording Standards
- Key Findings from 2017 Cheshire Inspection
- Initial actions undertaken in response
- Previous actions since 2014 Inspection
- New recommendations
- Key Points of learning
- Offences committed by children

A copy of the presentation is included as an appendix to the notes

Following the presentation the Commissioner considered in depth the HMIC report raising a number of questions and concerns with the Chief Constable.

The Commissioner stated that as it is estimated over 11,600 reports of crime have not been recorded by the Constabulary; this raises significant public concern that there has been a potential lack of justice for victims. Fundamental to resolving this, the Constabulary must take seriously HMIC observations with regard to the need to ensure a greater emphasis is placed on the initial account of victims and that correct recording processes are in place to make certain that victims are subsequently referred to appropriate support, for example Cheshire Cares.

The Commissioner enquired which recommendations were yet to be completed from the 2014 HMIC crime recording inspection report and what action has been taken. The Chief Constable outlined a range of work undertaken by both the Constabulary and

through internal audit processes to both complete actions set in 2014 and provide assurance that crime recording in Cheshire was to an adequate standard. The Chief Constable highlighted that the Constabulary had been provided feedback from the then HMIC Liaison to Cheshire that the 2014 action plan was completed. The Commissioner also noted that there had been assurances provided through internal audit. HMIC have now indicated that given the inadequate rating, and indicated as such the 2014 action plan cannot have been completed.

The Commissioner noted that crimes disclosed as part of multi-agency safeguarding arrangements have not always been recorded and asked the Chief Constable to outline the action taken to remedy this and whether any feedback had been received from partners. The Chief Constable confirmed that A standard pro-forma has been put in place and is completed by officers attending multi-agency safeguarding meetings to identify any disclosures that need to be recorded as a crime. The matter had been discussed at both the pan-Cheshire Vulnerable People Board, Domestic Abuse Steering Group and the Criminal Justice Board. Partners have raised concerns that third hand reporting could lead to misplaced crime recording and consequences.

The Commissioner questioned what actions were being taken to ensure officers and staff adequately understand their crime recording responsibilities. The Chief Constable outlined that this is a live issue and there has been a challenge given the high volumes of newly recruited front-line officers. The Chief Constable confirmed that work is being undertaken to review and improve crime recording and accuracy for all staff. This includes specific training for new recruits.

The Commissioner enquired about what capacity is being put in place to support the Force Crime Registrar to ensure effective audit, training and quality assurance processes are in place. The Chief Constable confirmed that a Deputy Crime Registrar is to be recruited to enhance capacity as well as additional audit capacity being introduced into the Planning & Performance Department. The Chief Constable raised an issue with the limited training opportunities available to accredit Crime Registrars. It was agreed that the Commissioner and Chief Constable will write to the NPCC and APCC leads to raise this concern and request additional training given that this is a national issue.

The Commissioner outlined his concern that 25% of domestic abuse incidents reviewed by HMIC were not recorded at the earliest opportunity. The Chief Constable outlined that addition training is now being delivered to staff by SaferLives alongside building a greater awareness of harassment and stalking legislation. The Chief Constable conceded this was the area of most concern for him particularly given the Constabulary's reputation as a 'caring Constabulary' and agreed to an offer from the Commissioner for additional audit support through the OPCC Call Audit Scheme. The Commissioner and Chief Constable agreed that there needed to be a firm culture in the Constabulary where reports from victims are believed, recorded and investigated.

The Commissioner questioned the Chief Constable on HMIC's finding on inconsistent processes and scrutiny of crime recording. The Chief Constable highlighted the need to ensure that front-line officers and staff were trained and supported to make certain crime recording is correct at the first instant and that there is the correct balance between audit and supervisory roles to make best use of resources.

Following the HMIC findings that two rape victims were found to have not been provided with adequate support and safeguarding the Commissioner enquired about what measures had now been put in place. The Chief Constable provided assurance that support has now been provided – no further details could be shared in the public meeting. A clear direction has been given by the Chief Constable to the Constabulary that where an allegation is made, it is recorded immediately and investigated.

Whilst acknowledging the complex nature of the issues, the Commissioner raised serious concerns regarding HMIC's finding regarding cancelled crimes. The Chief Constable confirmed that training has been provided to the Dedicated Decision Makers and that various check points have now been included to ensure victims are notified prior to any cancellation of a crime. The Commissioner requested further detail on the 3 cancelled rape cases – it was agreed that this would be provided outside of a public forum.

The Commissioner requested an update on the HMIC area of improvement with regards to the collection of appropriate diversity information to ensure a full understanding as to how crime is affecting different communities. The Chief Constable outlined that his understanding was that this was an area for improvement included in all CDI reports published to date. As this is not currently mandatory and can cause data protection issues the Constabulary is seeking national guidance.

The Commissioner and Chief Constable discussed the impact of crime recording on the potential criminalisation of young people. Both accepted that this was a matter that needed to be debated at a national level and with front-line officers.

The Commissioner concluded by outlining the following next steps which were agreed with the Chief Constable:

- To support the Commissioner's response to HMIC the Chief Constable agreed by the end of July to provide:
  - Progress update on all immediate recommendations and areas for improvement which are due to be completed by the end of July;
  - A commitment to ensure a fully developed action plan be presented at the 23 August Public Scrutiny Board that will include timescales, progress to date and completed actions; and
  - A summary of the outcomes for the additional 271 crimes referred by HMIC to the Constabulary
- The Chief Constable agreed to develop a full action plan in response to the HMIC recommendation and areas for improvement which include timescales, progress to date and completed actions. The Commissioner requested that this be prepared for presentation at the 23 August 2017 Scrutiny Board
- The Chief Constable agree to the Commissioner's request to complete a further dip sample of reported incidents recorded in June across all five areas (domestic, violence, sexual, rape and vulnerable victims) and report back to the 23 August Public Scrutiny Board. It was noted that the sample size would need to be such as to ensure that it is statistically significant.
- The Commissioner outlined that he may give consideration to commissioning HMIC to complete additional inspections in future years but given the that HMIC have indicated that they will return in early 2018 this will not be progressed at this time.
- The Commissioner outlined the need to ensure steps are taken to ensure that public confidence is maintained in the police service in Cheshire. The Chief Constable agreed and outlined work that had been undertaken both with key partners and the public to communicate the findings of the inspection and actions taken. It was agreed that this will continue to secure public understanding.

- The Commissioner and Chief Constable re-enforced the importance of supporting officers and staff to make certain morale and well-being is not adversely effected. No concerns were raised at this point but this will be monitored.
- The Chief Constable through the NPCC will continue discussions at a national level with HMIC regarding the current crime recording expectations.

**ACTIONS:**

1. The Commissioner and Chief Constable to write to the NPCC and APCC to raise the issue of limited Crime Registrar Accreditation Training
2. The Chief Constable to provide details to the Commissioner on the three occurrences rape crimes being incorrectly cancelled
3. The Commissioner to be provided with the feedback from the staff survey undertaken by HMIC as part of the inspection
4. By the end of July the Chief Constable to provide:
  - a. Progress update on all immediate recommendations and areas for improvement which are due to be completed by the end of July;
  - b. A commitment to ensure a fully developed action plan be presented at the 23 August Public Scrutiny Board that will include timescales, progress to date and completed actions; and
  - c. A summary of the outcomes for the additional 271 crimes referred by HMIC to the Constabulary
5. The Chief Constable to develop a full action plan in response to the HMIC recommendation and areas for improvement which include timescales, progress to date and completed actions presentation at the 23 August 2017 Scrutiny Board
6. The Chief Constable arrange for a DIP sample of incidents recorded in June to be completed in all five areas (domestic, violence, sexual, rape and vulnerable victims) and report back to the 23 August Public Scrutiny Board.

*Duration of meeting: The meeting commenced at 13.00 and finished at 16.15pm.*

# **Review of HMIC Crime Data Integrity Inspection 2017**

July 2017

# Agenda

- National Crime Recording Standards
- Key Findings from 2017 Cheshire Inspection
- Initial actions undertaken in response
- Previous actions since 2014 Inspection
- New recommendations
- Key Points of learning
- Offences committed by children

# National Crime Recording Standards

- **Vision:** That all police forces in England and Wales have the best crime recording system in the world: one that is consistently applied; delivers accurate statistics that are trusted by the public and puts the needs of victims at its core.
- General principles
  - An incident will be recorded as a crime (notifiable offence) for ‘victim related offences’ if, on the balance of probability:
    - (a) the circumstances of the victims report amount to a crime defined by law (the police will determine this, based on their knowledge of the law and counting rules); and
    - (b) there is no credible evidence to the contrary immediately available.
  - A belief by the victim, or person reasonably assumed to be acting on behalf of the victim, that a crime has occurred is usually sufficient to justify its recording.
  - Once recorded, a crime will remain recorded unless additional verifiable information (AVI) is found and documented which determines that no notifiable crime has occurred or crimes are transferred or cancelled i.e. where crimes are created in error, or as a duplicate of an existing crime.
- 21 chapters, 600+ pages

- Previous national Inspection programme in 2014.
- New national rolling programme commenced in 2016.
- Cheshire inspection commenced February 2017.
- Cheshire Force Crime Registrar accredited by College of Policing.
- 10 Force reports now published
  - 5 graded 'Inadequate'
  - 3 'Requires Improvement'
  - 2 'Good'

# HMIC Published Reports

	Overall crime recording compliance rate (%)	Overall grading
Sussex	94.6	Good
Northumbria	92.7	Requires Improvement
Staffordshire	91.0	Good
Avon and Somerset	89.6	Requires Improvement
Cambridgeshire	87.8	Requires Improvement
Greater Manchester	85.5	Inadequate
Merseyside	84.2	Inadequate
Cheshire	83.6	Inadequate
Kent	83.6	Inadequate
Devon and Cornwall	81.5	Inadequate

# Inspection Approach

- Review policy documents / previous action plans.
- Pre-inspection survey (completed by 200+ officers and staff)
- Reviewed over 1500 incidents.
- Listen to call, review incident log, review associated crime logs.
- Review sample of Child Protection Strategy Meetings documented.
- Interviews with officers and staff.

# Key findings from 2017 Cheshire Inspection

- Overall compliance rate of 83.6%
- “Under recording of violence, rape and sexual offences”
- “Some improvements in crime recording since 2014.”
- “Some progress against national action plan”
- “Good progress in developing understanding of modern day slavery”
- “Insufficient progress implementing changes since 2014”

- Gold Group chaired by Deputy Chief Constable
- Review of all incidents referred back to the Force
  - Crimes recorded where required
  - Victims / offenders informed where possible
  - Victim / safeguarding arrangements reviewed
- Review of existing crime recording process commenced
- Advice provided to key staff (Rape Unit, Public Protection Department, Occurrence Management Unit)

# Initial Actions – review of records referred back to Force by HMIC

Category	HMIC compliance	Number referred back to Force by HMIC	Additional Crimes now recorded	Not recorded	Rationale
<b>Domestic Incidents</b>	260 out of 340 (76.5%)	80	76	4	In 2 cases the crime has been recorded in another Force area, in 2 cases additional information confirms there is no requirement to record an offence
<b>Violence Incidents</b>	80.3%	89	90	0	Additional crime identified
<b>Sexual Incidents</b>	84.8%	46	40	6	In 2 cases the crimes have been identified as having been recorded, in 1 case the crime has been recorded in another force area, in 3 cases additional information has now verified that there is no requirement to record an offence
<b>Rape Offences</b>	109 out of 138 (79%)	29	25	4	1 already recorded in another Force area, 3 x 3rd party reports reviewed - existing N100 status confirmed as appropriate
<b>Vulnerable Victim Records</b>	17 out of 44 (38.6%)	27	28	0	Additional crime identified
<b>Total</b>		271	259	14	

# Domestic Incidents

Category	Additional crime type	Number
Domestic Incidents	Criminal Damage	13
	Theft	2
	Public Order	5
	Harassment	17
	Interfere with a motor vehicle	1
	Malicious Communication	6
	False Imprisonment	1
	Assault	27
	Threats to Kill	1
	Blackmail	1
	Breach of Non-Molestation Order	1
	Rape	1
	TOTAL	76

- A number of incidents where officers and staff have not provided the service we would expect.
- Some incidents where crimes were recorded but other offences were not.
- Some calls involve complex situations with multiple allegations which have not been negated by attending officers
- Further training / guidance for officers and staff is required - particularly in relation to Harassment.

# Violent Incidents

Category	Additional crime type	Number
Violent Incidents	Criminal Damage	8
	Theft	1
	Public Order	25
	Harassment	19
	Malicious Communication	7
	S39 Assault	17
	S47 Assault	5
	Threats to Kill	1
	Blackmail	1
	Robbery	3
	S18 Assault	2
	Witness Intimidation	1
	TOTAL	90

- Over a quarter of the additional crimes relate to public order.
- Further training / guidance for officers and staff is required - particularly in relation to Harassment.

# Sexual Incidents

Category	Additional crime type	Number
Sexual Incidents	Take/Make Indecent images	3
	Engage Sexual activity in presence of child	1
	Sexual Assault	10
	Incite child to engage in sexual activity	4
	Display Sexual photo to cause distress	1
	Sexual activity with a child	3
	Rape of a female	1
	Indecent Exposure	2
	Outrage public decency	2
	S39 Assault	3
	Stalking	1
	Malicious Communication	6
	Sexual communication with a child	1
	Public Order	1
	Sexual activity with a person with a mental disorder	1
	TOTAL	40

- Vast majority of cases vulnerability and victim care had been addressed.
- Some offences involving children as perpetrators and victims.
- Some offences involving technology / social media

# Rape Offences

Activity	Number
New N100's created	5
Historic offence from safeguarding meeting - now identified as recorded in another force area	1
New crimes recorded - original incidents investigated but involved multiple offenders / offences and not all offences had been correctly recorded	7
New crimes recorded but no further action - victim non-compliant	2
Recorded - victim not recontacted due to health issues	3
Re-recorded - crime status had been deleted in error	1
Recorded - identified through safeguarding meeting - ongoing investigation	4
Recorded - ongoing investigation	2
<b>Total</b>	<b>25</b>

- Change in recording rules in relation to rape offences involving multiple offenders in July 2016.
- A number of 3<sup>rd</sup> party reports where alcohol and mental health issues are complicating factors – safeguarding arrangements had been put in place
- 6 ongoing investigations

# Vulnerable Victim records

Category	Additional crime type	Number
Vulnerable Victim Records (Child Protection Strategy Meetings and Vulnerable Person Assessments)	Assualts	10
	Theft	1
	Public order	1
	Malicious Comms	1
	Sexual activity with child	2
	Inciting sexual activity with child	1
	Harassment	1
	Sexual Assault	2
	Neglect	8
	Rape	1
	TOTAL	28

- Safeguarding arrangements in place.
- 8 child neglect offences from 2 strategy meetings stem from a misunderstanding of counting rules - 1 'offence' per child.
- Additional advice provided to PPD staff and new process to record offences following Strategy Meetings

# Key activities - 2014

- March 2014 – HMIC de-brief
  - Crime Management Group chaired by ACC to manage initial response.
  - Authority for crime cancellations restricted to 4 staff.
- Summer 2014
  - pilot starts of 'enhanced crime recording facility' in Force Control Centre.
  - Policy Statement published and training for officers and staff commences.
- August 2014
  - Force report published and action plan developed.
- November 2014
  - National Inspection report published – action plan developed.
  - Options developed to roll out enhanced crime facility.
- December 2014
  - Internal Audit report on response to HMIC recommendations and provide 'significant assurance'
  - Report provided to public Scrutiny Panel

# Key activities - 2015

- January 2015
  - Crime recording standards becomes standing agenda at monthly Force Performance meeting
- February 2015
  - Budget agreed to invest additional 40 staff (over £1m) in central crime facility
- March 2015
  - Internal audit in relation to Sexual Incidents, Violence Incidents and Domestic Incidents provides 'significant assurance'.
- April 2015
  - Work to implement full enhanced crime recording facility commences
- June 2015
  - Implementation of new Operating Model starts including the gradual roll out of a facility for officers to contact central facility directly
- November 2015
  - More than 4000 violence / harassment incidents reviewed following audit by Force Crime Registrar.

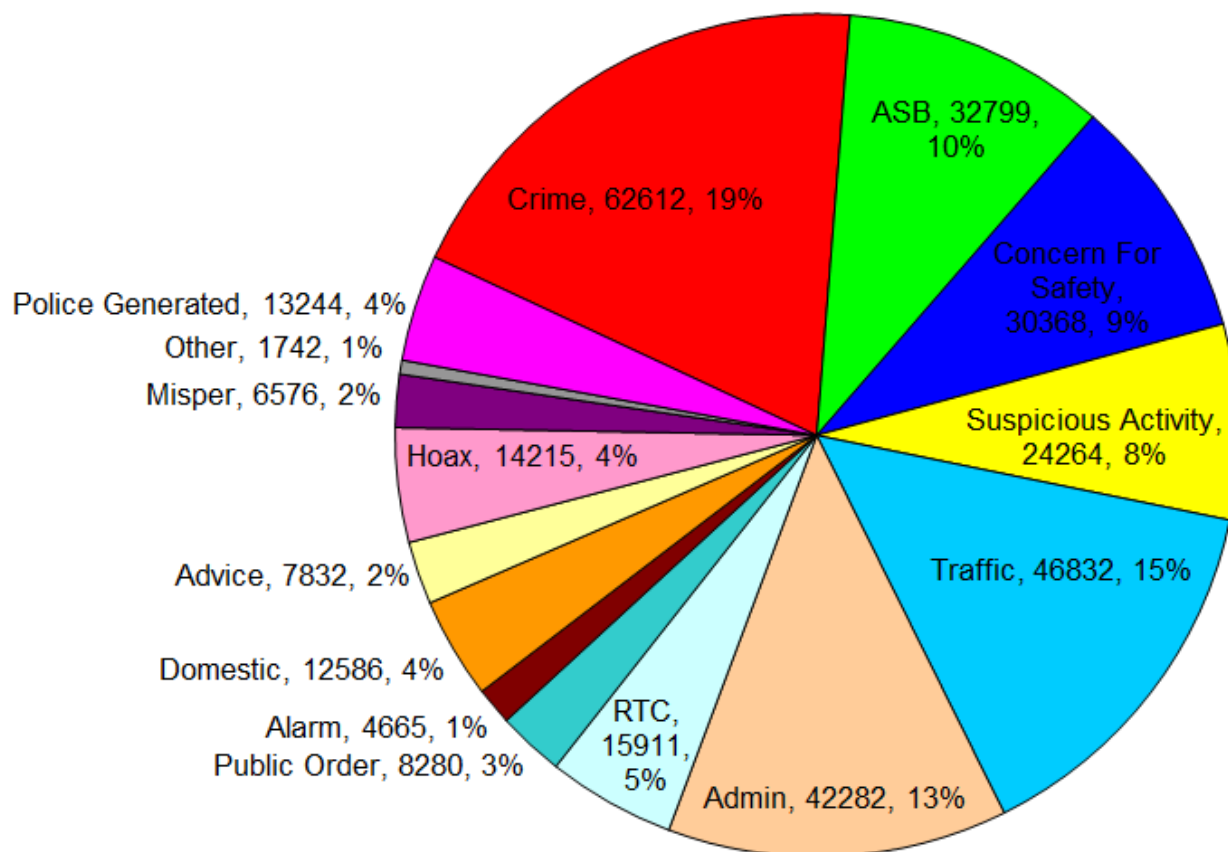
# Key activities - 2016

- January 2016
  - Staffing in enhanced central facility increased
- March 2016
  - HMIC Force Liaison Officer agrees action plans in relation to 2014 inspection can be closed
  - End of year crime figures show 32% increase in recorded violence with injury offences as a result of improved monitoring and closure within enhanced central facility.
- May 2016
  - Internal audit of Domestic Violence incidents provides 'significant assurance'
- July 2016
  - Enhanced central facility starts to consider all violence / harassment incidents 'live time'.
- September 2016
  - Force wide 'ask FLT' webinar on Crime Recording
- October 2016
  - Internal audit of violence incidents, sexual incidents and ASB incidents provides 'significant assurance'

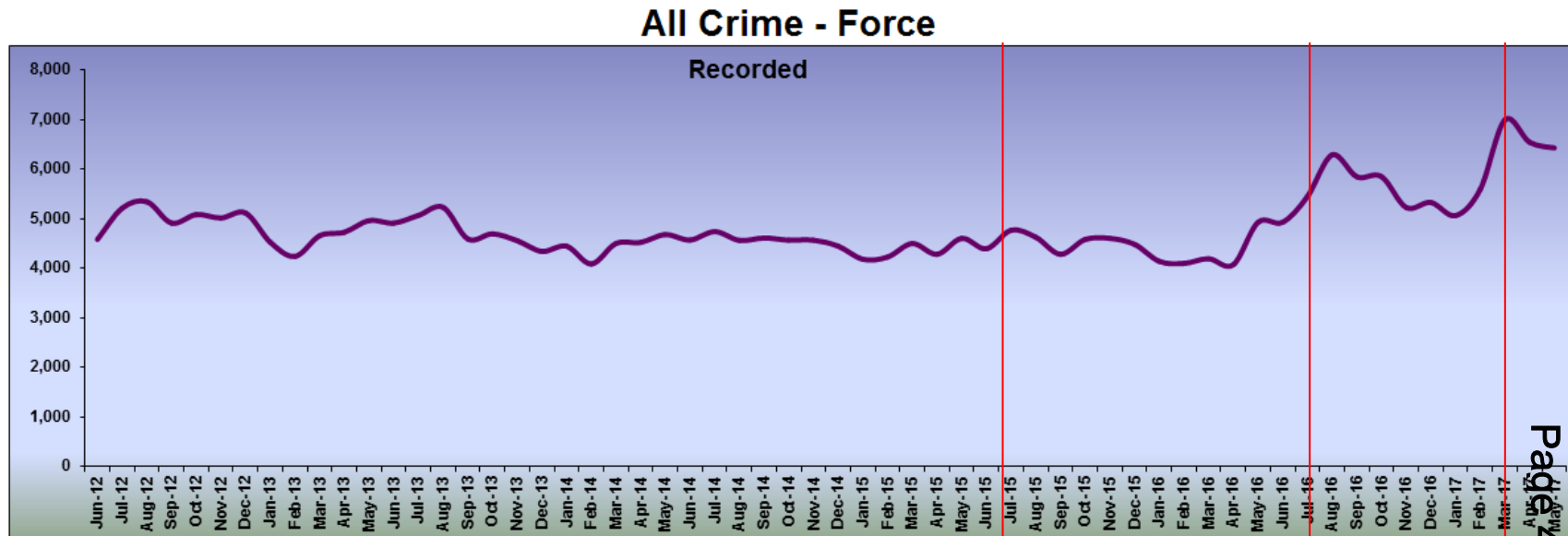
- National Action Plan
  - 5 recommendations
  - HMIC view that 3 recommendations had not been completed fully due to audit results
- Force Action Plan
  - 11 recommendations
  - HMIC view that 7 recommendations had not been completed fully due to audit results

- For 12 months to end of May 2017 Cheshire recorded:
  - 282,000 ‘incidents’ (+4.1%)
  - 69,509 recorded crimes (+30.8%)
    - Public Order + 244% (extra 8,000+ offences)
    - Violence +37% (extra 5,300 offences)
    - Sexual Offences +24% (extra 360+ offences)

**Incidents during last 12 months  
(to end of previous month)  
Closing Group**



# Future Impact



- HMIC report estimates under-recording of 11,600 offences
- Average monthly crime for June 16 – Nov 16 = 5596
- Average monthly crime for March 17 – May 17 = 6652

Central  
Crime  
facility  
starts –  
focus on  
certain  
incidents

Central  
Crime  
facility  
fully  
staffed

HMIC  
feedback

Over the year this would equal an additional 12,678 offences recorded.

- Initial actions commenced against all recommendations.
- Communication to officers and staff on 'immediate' recommendations by end of July
- Training requirements being scoped.
- Audit programme for the remainder of the year being finalised in light of report.
- Likely additional crime registrar resource – potential for additional 'audit' resource.
- Likely re-visit early in 2018

- Process challenges
  - Initial call details - incident record - officer attendance – crime log – supervision & closure
- Training & Awareness
  - Greater awareness of basic principles required
  - More to do on vulnerability / mental health / domestic incidents
- Resource challenges
  - Audit resources / time
  - Access to skills / expertise - limited pool of accredited Crime Registrars
  - Use of Internal Audit (MIAA)

# Offences committed by children

The following is a scenario from guidance provided to Force Crime Registrars

- Mother calls police saying that her 11 year old daughter has taken money from her purse. She does not consider herself to be a victim of crime, but would like one of the local officers to pay her a visit and give words of advice to her daughter. Officer attends and does as requested. The mother is very happy with the service. No crime is recorded.
- Upon audit, the circumstances as reported are deemed to be a crime, in law, and recorded accordingly.
- Officers revisit the mother, who is adamant that she is not a victim of crime and simply wanted some 'old fashioned police advice' to be given to her daughter. She further states that, if she had known the police were going to deal with the incident in this way, she would never have called.

# Offences committed by children

One interpretation of the counting rules.

- Given the drive for a return to neighbourhood policing and local engagement, we expect to see an increasing number of incidents whereby parents ask police to ‘have a word’ with their child. There is a risk that a literal application of the Counting Rules will run contrary to this aim. In this particular incident, for example, the complainant has been absolutely clear that she would never have engaged with us if she had known the outcome.
- The force seek clarification from the Home Office as to whether, in the circumstances described, a crime should have been recorded.

# Offences committed by children

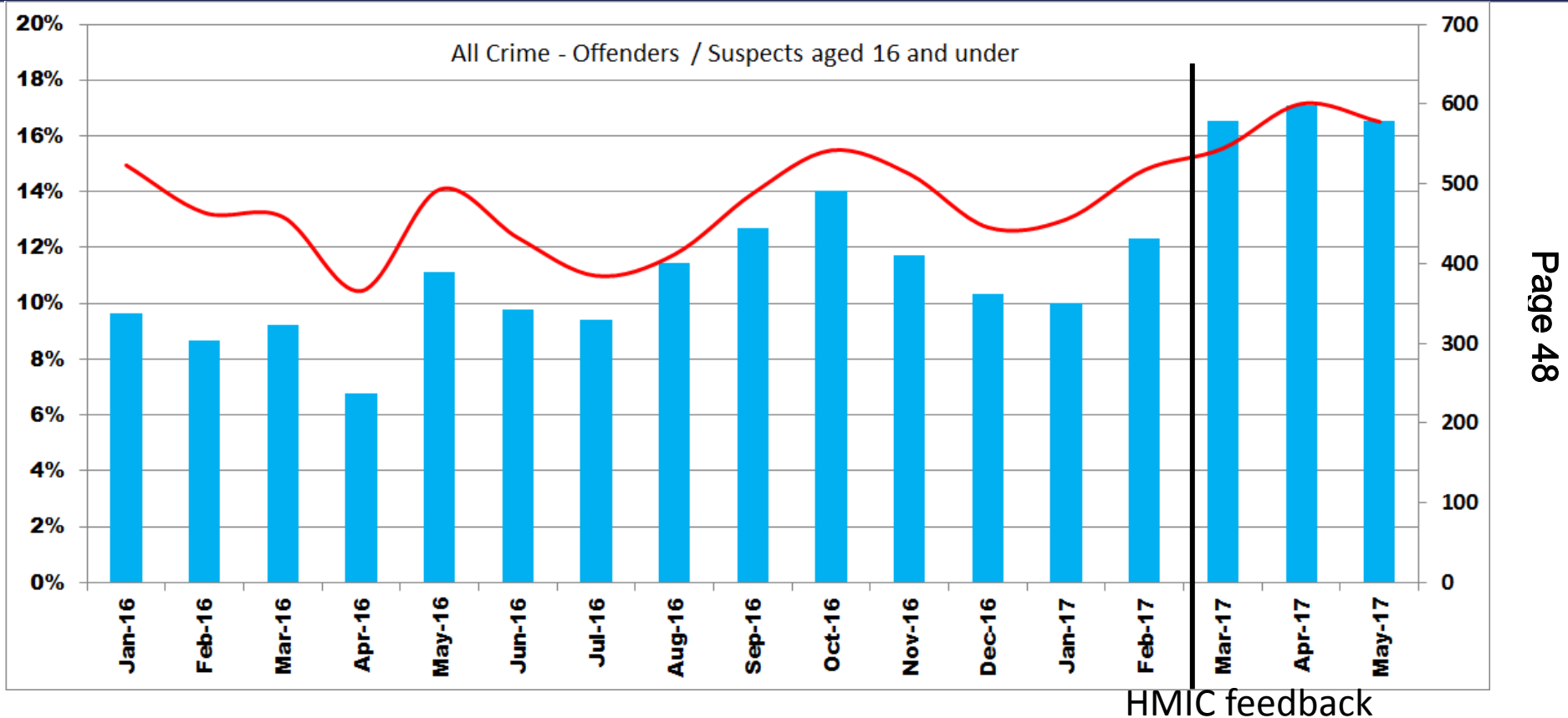
## Comments from Home Office

- The Force was correct to record this as a crime, the circumstances as reported amount to a crime in Law.
- However it should be noted that recording a crime does not criminalise the suspect or mean that the crime has to be investigated and dealt with. It is not detailed above why the officer has had to revisit the mother, as no extra action needs to have been taken apart from recording the crime. It is the decision of the Chief Constable of each force to decide which crimes are allocated further resources for investigation to achieve an appropriate outcome.
- The outcome in this case could still have been exactly as wanted by the victim. Recording a crime does not affect this.

# Offences committed by children

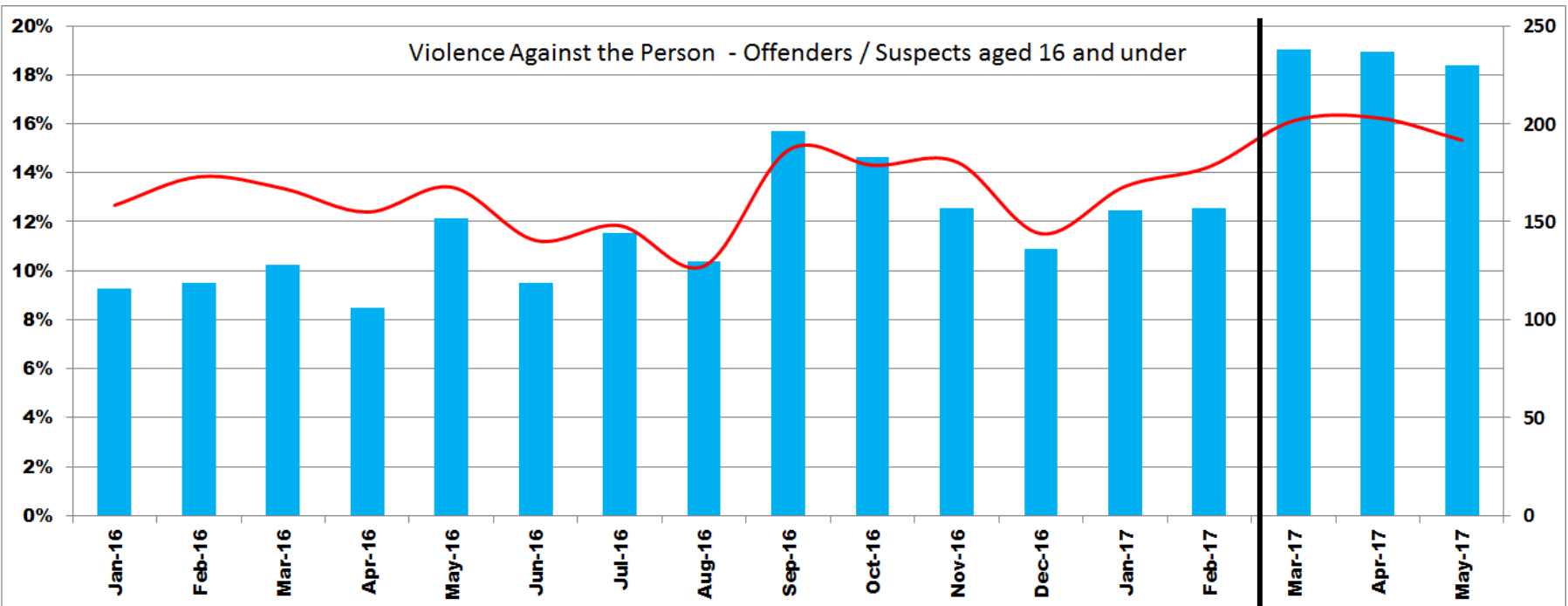
- Proliferation of mobile devices and use of social media.
- Updated offences relating to malicious communications.
- Increased emphasis on compliance in relation to public order offences.

# Offences committed by children



- The number of recorded offenders / suspects aged 16 or under for any offence is shown by the blue bar on the right hand axis
- The proportion of all offenders made up of this age group is shown by the red line on the left hand axis

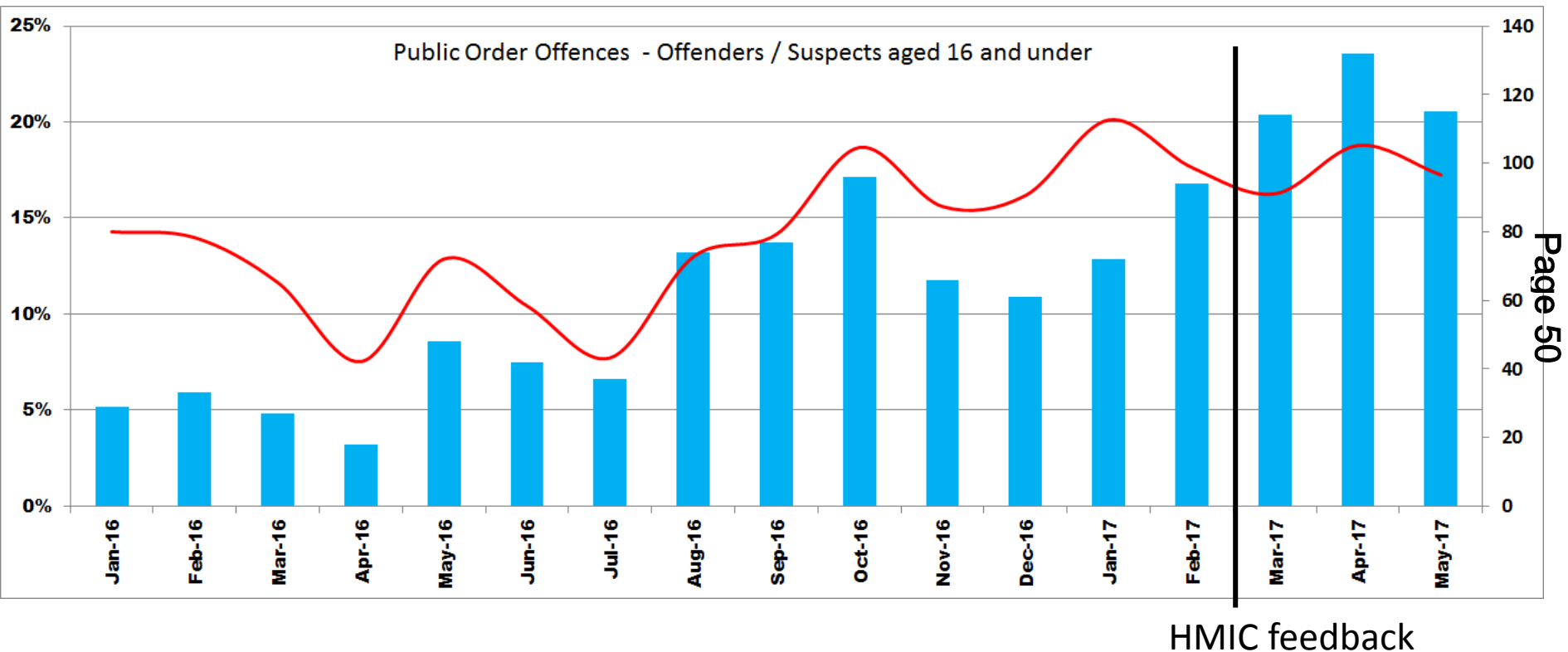
# Offences committed by children



HMIC feedback

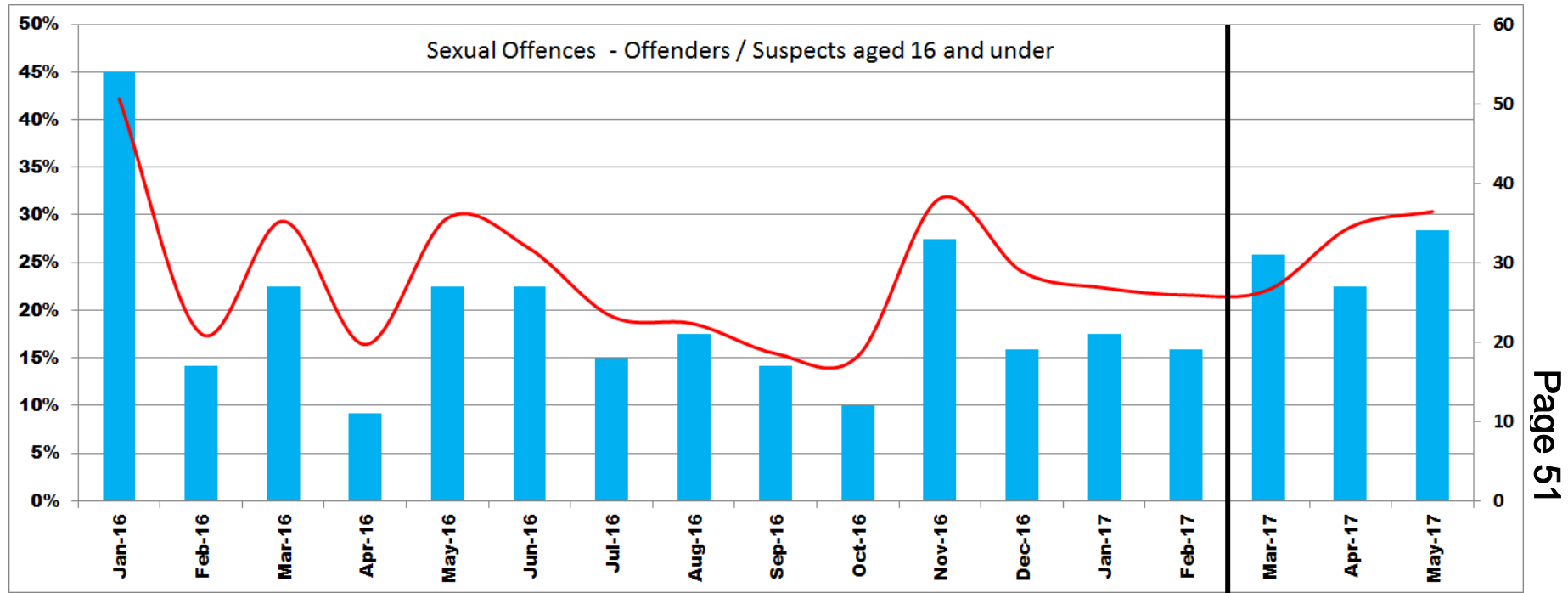
- The number of recorded offenders / suspects aged 16 or under for Violence Against the Person offences is shown by the blue bar on the right hand axis
- The proportion of all offenders made up of this age group is shown by the red line on the left hand axis

# Offences committed by children



- The number of recorded offenders / suspects aged 16 or under for Public Order offences is shown by the blue bar on the right hand axis
- The proportion of all offenders made up of this age group is shown by the red line on the left hand axis

# Offences involving children



HMIC feedback

- The number of recorded offenders / suspects aged 16 or under for Public Order offences is shown by the blue bar on the right hand axis
- The proportion of all offenders made up of this age group is shown by the red line on the left hand axis

**This page is intentionally left blank**



**NOTES OF THE SCRUTINY BOARD HELD ON 23 AUGUST 2017 IN THE  
CONFERENCE ROOM, OFFICE OF THE POLICE & CRIME COMMISSIONER,  
CLEMONDS HEY, WINSFORD.**

*Present:*        Office of the Police & Crime Commissioner  
D Keane, Police & Crime Commissioner  
P Astley, Chief of Staff  
S Dirir, Deputy Police & Crime Commissioner  
M Walton, Performance Analyst

Cheshire Constabulary  
J McCormick, Acting Chief Constable  
D Martland, Acting Deputy Chief Constable  
K Byrom, Corporate Research and Analysis Manager  
E Atkinson, T/Sergeant  
S Blanchflower, Investigative Skills Development

Two members of the public were also present to observe the meeting.

**1. 2017/1 NOTES FROM 3 MAY 2017 MEETING & 3 JULY 2017 EXTRAORDINARY  
MEETING**

1.1 The notes from both meetings were noted and approved.

**2. 2017/2 POLICE & CRIME PLAN: PERFORMANCE REPORT**

2.1 The Commissioner considered in detail a revised performance pack aligned to the 2016-21 Police & Crime Plan, with detail on performance for the period up to 30 June 2017. It was acknowledged by the Acting Chief Constable that the measures within the performance pack were still under developed and would be further refined to ensure the Commissioner was able to scrutinise the Constabulary's performance against the Police & Crime Plan.

2.2 The Commissioner recognised and celebrated the continued high level of public perception and stated that public perception is good when compared nationally. Nevertheless, the Commissioner expressed concern that all three measures had decreased slightly and that he wouldn't want such measures to continue to decrease in the future. The Acting Chief Constable stated that whilst such decreases were within the margin of error, the Constabulary will not be complacent and this remains a clear area of work. Although there has been a significant increase in physical workload (c.30% increase in crime), the Constabulary will focus on continuing to manage this workload and become more effective in its response.

2.3 The Commissioner stated that visibility continues to be of significant importance to the public and noted a decrease of 1.2pp in Police Officer/PCSO visibility. The Acting Chief Constable stated that the small decrease was due to a number of factors, such as Police Officers spending more time in the station due to increased workload and a current high PCSO vacancy level. That said, a recent intake of 30 PCSOs and a shift change will increase visibility of PCSOs at key times. Furthermore, the Acting Chief Constable suggested that whilst the introduction of tablets will start to increase visibility, the current estates review, the introduction of bases within local communities and a named PCSO per ward will have a significant impact upon visibility. The Commissioner noted that whilst he was disappointed not to see a significant increase (as agreed previously by the Chief Constable), he continues to

support the direction of travel and that he wishes to work with the Constabulary to understand the barriers that currently prevent significant increases in visibility.

- 2.4** The Commissioner stated that response times remained a key area for the public and that he was pleased with the current results, especially given the methodology adopted by the Constabulary in that dispatch time is included in response time. The Commissioner applauded this methodology as the perception of the public is key and stressed that other Forces vary this methodology. Whilst recognising a significant increase in calls, as well as current challenges and resources, the Commissioner stated that he still expects the Constabulary to perform well with regard to response times but this should be equal across the whole of Cheshire. As such, the Commissioner questioned what the impact was on the 4.5% of Grade 1 calls responded to in over 20 minutes. The Acting Chief Constable stated that a dip sample of Grade 1 calls responded to in over 20 minutes would be completed to provide assurance and that satellite plans within the estates strategy would improve response times across Cheshire. The Commissioner requested information with regard to the Constabulary's policy on 'downgrading' calls and the Acting Chief Constable agreed to provide this information.
- 2.5** The Commissioner congratulated the Constabulary on the recent HMIC dip sample of stop and search records and stated this showed a significant culture shift given the number of stop searches has reduced considerably, although the proportion which result in arrest had increased. The Acting Chief Constable stated that although there is still work to be done with regard to unconscious bias, officers are now clear and are following national guidelines. Contrary to national press headlines, the Acting Chief Constable confirmed that the Constabulary continues to stop those individuals that need to be stopped. The Deputy Police and Crime Commissioner questioned whether data was available with regard to repeat stops and the Acting Chief Constable confirmed that this work is ongoing and will form part of the equality refresh.
- 2.6** The Commissioner was pleased to see an increase in equality and reaffirmed the direction of travel in this area. The Commissioner did, however, request that the Constabulary continues the effort to increase equality within senior Constabulary ranks. The Acting Chief Constable stated that the Constabulary remains committed to increasing equality. The Acting Chief Constable also expressed disappointment with regard to the prevalence of racial abuse some Police Officers are faced with during day to day operations and that the message is clear that this will not be tolerated. The Deputy Police and Crime Commissioner offered support in this area.
- 2.7** The Commissioner commended the Constabulary of having the fourth highest victim satisfaction rate nationally but stressed this is still an area for improvement and challenged the Constabulary to go the extra mile, particularly in terms of increasing ASB satisfaction rate and the response rate of domestic abuse victims. The Acting Chief Constable stressed that with regard to ASB, the 'follow up' and keeping the victim updated is key and that a change in attitude and culture is required to ensure victims are satisfied. With regard to domestic victims, the Acting Chief Constable stated that again, the 'follow up' is key and that the Constabulary needed to improve in ensuring investigations are instigated at the earliest opportunity. The Acting Deputy Chief Constable confirmed that there continues to be ongoing work to improve evidential capture to increase the solved rate of domestic abuse with violence and that following notification of nine month external funding, Operation Enhance will go live in September 2017.
- 2.8** The Commissioner stated that whilst there had been reductions in both mental health detentions and overnight juvenile detentions, he wished to see these continue to decrease in the future. The Acting Chief Constable stated that there had been a massive improvement with regard to mental health work due to relationships with local authorities and CCGs. The Acting Chief Constable agreed that there was still work to do in terms of overnight juvenile detentions to ensure Officers understand the implications of such detentions but the October Force Performance meeting will focus upon young people. The Acting Deputy Chief

Constable confirmed that the monthly exception report on overnight juvenile detentions is scrutinised.

- 2.9** The Commissioner expressed concern with regard to the increase in CSA recorded crimes. The Acting Chief Constable stated although there had been an increase, the ratio of recent vs non recent had remained similar. Extra resource, such as the Historical Sexual Abuse Team, had been provided to aid the process of investigations but that extra resource may be required. The Commissioner expressed concern in that providing additional resource would ultimately take from elsewhere but did acknowledge that despite the additional funding from the Home Office, this funding will run out at some point and that CSA record crimes are wider than just the Crewe Alexander case. The Commissioner questioned how does the Constabulary balance diminishing resources and solved rate? The Acting Chief Constable stressed that those who are at risk or vulnerable remain the priority but the Constabulary will continue to manage realistically to provide victims a voice and a chance of justice. Whilst there had been significant operational successes, the Constabulary will continue to explore whether investigators are required to have warranted powers and whether an earlier intervention from Cheshire Cares could alleviate some pressures. The Commissioner commended the Constabulary with regard to current work and acknowledged the difficulties with regard to additional resources. The Acting Deputy Chief Constable stated that current challenges are exacerbated given the involvement of children and the internet.
- 2.10** The Deputy Police and Crime Commissioner noted the increase (sixth highest nationally) in domestic violence with injury crimes and enquired what action is being taken by the Constabulary. The Acting Deputy Chief Constable stated that whilst an increase in reporting was encouraging, the decrease in the number of positive outcomes remains an area of focus for the Constabulary. The importance of securing early evidence remains paramount but the introduction of body worn video is expected to improve this. The Acting Chief Constable stated that the CPS threshold and victims not supporting prosecution also impacts upon the solved rate but that the Constabulary expects a shift given the introduction of body worn video, as well as Operation Enhance and Operation Encompass. The Acting Deputy Chief Constable confirmed that Domestic Violence Prevention Orders (DVPO) are used in addition to court (which are sometimes better outcomes for victims) and provided the Commissioner with reassurance that the Constabulary continues to use the bail process effectively.
- 2.11** The Deputy Police and Crime Commissioner noted the significant increase in the number of rape offences and questioned the current resources within the DRU given the decrease in the number of rape offences solved. The Acting Chief Constable stated that the increase in reporting was positive given that the figures nationally suggest Cheshire is low for reporting. There has been a significant increase in recent and non recent offences and there are currently a high number of active investigations which should increase the solved rate. Furthermore, additional staff and resource has been tasked and discussions are ongoing with regard to how best to resource the DRU. The Constabulary is currently in the process of refreshing the rape problem profile and there is significant preventative work ongoing with regard to Freshers' Week. The Acting Chief Constable stated that there is potential for victim consultation in the future although this is a very sensitive area. The Commissioner reiterated the importance of public confidence in the Criminal Justice System.
- 2.12** The Deputy Police and Crime Commissioner noted the significant increase in the number of hate crimes post the Manchester attack. The Acting Chief Constable confirmed that there had been a significant increase post the Manchester attack with one offender within Cheshire having 55 offences to date. With approximately 20% of hate crime now online, the Constabulary supports the new CPS guidelines. The Constabulary will continue to respond and investigate as well as continuing to focus upon education and prevention with corporate communications raising awareness. The Acting Chief Constable stated that under reporting remains an issue so there is still work to be done. The Commissioner commended the Constabulary on the recent Chester Pride event and stated that he had received excellent feedback from stakeholders.

- 2.13** The Commissioner stated that he was disappointed to see a decrease in enforcement activity in relation to speed (TOR) given the commitment to local community issues but was, nevertheless, pleased to see a vast increase in enforcement activity in relation to drug drive (arrests) / use of devices (TOR). The Acting Chief Constable stated that the training of PCSOs in the use of TruCam will start to increase enforcement activity in relation to speed (TOR). The Commissioner commended the Constabulary in recognition of success with regard to Fatal 4 enforcement and also praised to work of Superintendent Martin Cleworth with regard to the ability for public to submit dashcam footage via the website to ensure prosecution. The Commissioner believes this is a great idea and requested to be kept informed with progress.
- 2.14** The Commissioner welcomed the progress that the Constabulary had made in developing performance measure aligned with the Police & Crime Plan and confirmed that his office was also assisting to ensure a finalised suite is available in the future.
- 2.15** The Commissioner thanked the Constabulary for providing the following reports: i) Streetsafe; ii) Missing Children; iii) Child Sexual Abuse Offences; and iv) Domestic Violence Disclosure Scheme (Clare's Law). In addition, the Commissioner stated that he was impressed with the various local activities undertaken by the Constabulary with regard to Streetsafe.
- 2.16 ACTION:-**
- (2017/21) LPU data with regard to visibility to be added to the Performance Pack for the 16 October Scrutiny Board.
  - (2017/22) A separate meeting is to be arranged to discuss response times in more detail and on an LPU basis.
  - (2017/23) The Constabulary is to undertake a dip sample of Grade 1 response times over 20 minutes and report back to the Commissioner during the response times meeting.
  - (2017/24) Prior to the 16 October Scrutiny Board, the Commissioner is to be provided with the current policy on the 'downgrading' and 'upgrading' of emergency calls.
  - (2017/25) The Commissioner is to be provided with a briefing on the process of downgrading emergency calls including number of calls downgraded and the time at which such calls are downgraded. This will be presented during the response times meeting.
  - (2017/26) The Commissioner is to be provided the current data with regard to % of domestic victims satisfied with whole experience at the 16 October Scrutiny Board. This survey is currently being conducted via Leicestershire Constabulary.
  - (2017/27) The Commissioner is to be provided with a briefing in relation to the monthly exception report detailing incidents of mental health and juvenile detentions. Presented during the 16 October Scrutiny Board.
  - (2017/28) The refreshed Rape Problem Profile is to be presented at the 16 October Scrutiny Board.
  - (2017/29) Prior to freshers' week, the Commissioner is to be provided with a briefing detailing RASSO and preventative work in the run up and throughout freshers' week.
  - (2017/30) The Commissioner is to be provided with an evaluation briefing with regard to uploading dashcam footage on the Constabulary website.

### **3. 2017/3 CRIME DATA INTEGRITY ACTION PLAN AND PROGRESS REPORT**

- 3.1** The Commissioner requested that the Acting Chief Constable provide an update with regard to the Action plan and progress to date.
- 3.2** The Acting Chief Constable stated that a huge amount of work had been completed by the Constabulary and all immediate actions had been completed. The OMU had now been upstreamed with new processes in place, additional training was ongoing to enable an internal audit to be completed and the process of upskilling call takers was ongoing. The Acting Chief Constable confirmed that the Constabulary was on track with regard to the remaining actions and that HMIC are expected to return in March 2018 to check and challenge progress.

**3.3** The Commissioner stated that he was less than satisfied with the progress made and believed that some recommendations had not been delivered sufficiently. The Commissioner questioned why there appeared to be three recommendations/actions that were due to be completed by 15 July 2017 that remain outstanding (Page 52 Ref 2.2, Page 54 Ref 2.6 and Page 60 Ref 4.4).

Ref 2.2: The Acting Chief Constable confirmed that training for call takers was ongoing and that the OMU now check and challenge calls as opposed to answering them. The Commissioner accepted that the Constabulary has identified 'gaps' but stated that he didn't feel that these had been addressed with immediacy. The Acting Chief Constable confirmed there continues to be enhanced training for various staff that will be supervised by HMIC. The mini internal audit is ongoing and although not 100%, vast improvements have been made. The Commissioner stated that he wishes for a separate meeting to be arranged to discuss the action plan and progress to date in more detail. It is expected that the action plan would be updated accordingly prior to this meeting.

Ref 2.6: With regard to informing victims when a crime has been cancelled, the Commissioner recognised that work has been done in this area but stated that this was not a huge process and it was never agreed to roll up into a strategic review. The policy requires victims to be informed immediately if a crime has been cancelled. The Acting Chief Constable confirmed that there is a process in place as well as a Gold Group to provide reassurance.

Ref 4.4: The Commissioner stated that the recommendation for the Constabulary to start collecting diversity information should have been completed and a change in culture was required. The Acting Chief Constable stated this was a national system issue and negotiations were ongoing with tri-force. The Commissioner requested that the Constabulary provides HMIC with an update on progress at the earliest opportunity.

**3.4** The Commissioner requested an update with regard to his previous request that the Constabulary completed a dip sample of incidents recorded in June 2017. The Acting Chief Constable stated that the Constabulary attempted to commission this work but this was not possible due to a lack of availability and costs. The process of training internal staff under the supervision of HMIC associates was ongoing and that the audit would be completed in the near future. It was confirmed that upon completion of this audit, the Commissioner would be provided with a report.

**3.5** The Commissioner commended the Constabulary in that much work had been completed on the whole, but stressed the importance of completing actions within the timescales agreed.

### **3.6 ACTION:-**

- (2017/31) Immediately, the Constabulary is to update the CDI Action Plan and forward to the Commissioner.
- (2017/32) DPCC to meet with PPD to discuss how recommendations from Dame Vera Baird presentation are being implemented.
- (2017/33) The Constabulary is to meet formally with HMIC and discuss progress to date with regard to CDI actions. The minutes of this meeting will be provided to the Commissioner.
- (2017/34) Upon completion of the above meeting, a separate meeting is to be arranged to discuss the HMIC action plan and progress to date in detail.

## **4. 2017/4 PEOPLE STRATEGY: PROGRESS REPORT**

**4.1** The Commissioner reviewed performance against the key measures included in the People Strategy. The report summarised the establishment figures for officers and staff; recruitment and progression; health and wellbeing initiatives and included a detailed breakdown by rank/post and diversity factors.

- 4.2** The Commissioner stated that he was pleased to see that the Constabulary was recruiting a second cohort of 12 Level 2 Business Administration apprentices and reiterated his support for this.
- 4.3** The Commissioner enquired about the current high number of vacancies, in particular staff vacancies. The Acting Chief Constable stated that the vacancy factor is currently at 10% (anticipated 5%) but this is not due to the process of vetting as there is currently no backlog. It is believed the issues relate to the high number of references applicants are asked to provide and that supervisors are not flagging vacancies soon enough. MIAA will conduct a process review to investigate efficiency.
- 4.4** The Acting Chief Constable stated that although some stress related sickness is linked to work, debrief training is ongoing and there are some instances of stress due to financial/relationship issues. It was suggested that short term sickness is in hand and a high proportion of medium/long term sickness is a result of serious illness/injury. That said, the Acting Chief Constable did confirm that Police staff sickness is above the national average. The Commissioner expressed concern that 20,000 hours of sickness are stress related which is a huge number for the organisation. The Acting Chief Constable agreed that this was high but a recent Champs report suggests this is low compared to local authorities. It was confirmed that signposting and help is available but it is recognised that the Constabulary has more work to do in this area. The Commissioner stated that the table for long term sickness included recordings of six, seven and nine hours lost through long term sickness and enquired whether, as these are relatively low numbers to be attributed to long term sickness, was this an error. The Acting Chief Constable agreed and stated this would be discussed with HR.
- 4.5** The Commissioner reiterated his request that the Constabulary continues the effort to increase equality within senior Constabulary ranks. In addition, the Commissioner stated he was looking forward to Cheshire hosting the National Association of Black Police Officers conference in October.

**4.6 ACTION:-**

- (2017/35) The Commissioner is to be provided with a copy of the recent Champs report with regard to stress related sickness as well a briefing. Presented during the 16 October Scrutiny Board.

**5. 2017/5 COMPLAINTS, GRIEVANCES & EMPLOYMENT TRIBUNALS: QUARTERLY REPORT**

- 5.1** The Commissioner scrutinised the number, nature and frequency of public complaints; performance against key complaint measures for the 2016/17; and details of employment tribunals and grievances.
- 5.2** The Commissioner commended the Constabulary following the recent HMIC inspection as compliance with stop and search records indicated that 199 out of 200 reviewed were in line with legislation.
- 5.3** The Commissioner stated that his Office continues to have an involvement and role to play within the complaints process via the dip sampling of complaints but that various meetings and discussions are planned with regard to future involvement following the introduction of the Police and Crime Act 2017.
- 5.4** The Acting Chief Constable noted that approximately 50% of incivility complaints are made from prisoners. The Commissioner acknowledged that the Constabulary will always receive some, but he expects the introduction of body worn video will reduce such complaints in the future.

**5.5 ACTION:-**

- (2017/36) The Commissioner is to be provided with a briefing detailing stop and search outcomes with regard to sex, ethnicity, age and repeat stops. Presented during the 16 October Scrutiny Board.

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

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

<i>Item Section</i>	<i>Section</i>
<i>Action Log</i>	<i>(31) Law Enforcement</i>
<i>Conduct Matters and IPCC Referrals</i>	<i>(40) Personal Information</i>

### **6. 2017/6 SCRUTINY BOARD ACTION LOG**

**6.1** The action log was reviewed and updated.

### **7. 2017/7 CONDUCT MATTERS AND IPCC REFERRALS**

**7.1** The Commissioner considered a report on the number of conduct matters relating to police officers and police staff, and incidents which had been statutorily or voluntarily referred to the Independent Police Complaints Commission. The Commissioner identified that there were no particular trends emerging.

*Duration of meeting: The meeting commenced at 10.15 and finished at 13:00.*

**This page is intentionally left blank**