

**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 the 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.