

Warwickshire Police and Crime Panel

Thursday, 18 June 2020

Minutes

Attendance

Committee Members

Councillor David Reilly (Chair) (North Warwickshire Borough Council)
Councillor Nicola Davies (Warwickshire County Council)
Andy Davis (Independent Member)
Councillor Ian Davison (Warwick District Council)
Councillor Jenny Fradgley (Warwickshire County Council)
Councillor Peter Gilbert (Warwickshire County Council)
Bob Malloy (Independent Member)
Councillor Maggie O'Rourke (Warwickshire County Council)
Councillor Sarah Whalley-Hoggins (Stratford-on-Avon District Council)
Councillor Christopher Watkins (Nuneaton and Bedworth Borough Council)
Councillor Andrew Wright (Warwickshire County Council)

Office of the Police and Crime Commissioner (OPCC)

Sara Ansell, Chief Finance Officer
Zeynab Gamielien, Development and Policy Lead (Criminal Justice and Equality)
David Patterson, Development and Policy Lead (Performance and Scrutiny)
Philip Seccombe, Police and Crime Commissioner
Neil Tipton, Head of Media and Communications

Warwickshire Joint Audit and Standards Committee

John Anderson, Chair of Warwickshire Joint Audit and Standards Committee

Warwickshire County Council Officers

John Cole, Trainee Democratic Services Officer
Jane Pollard, Legal Services Manager
Virginia Rennie, Strategy and Commissioning Manager (Strategic Finance)

1. General

In recognition of the global response to the killing of George Floyd in Minneapolis, USA, the Chair delivered a statement to the Police and Crime Commissioner on behalf of the members of Warwickshire Police and Crime Panel:

The anger about the killing of George Floyd and its impact on our communities is felt by us all, as are the concerns and the anxieties of many following the release of Public Health England's report into the disproportionate impact of COVID-19 on ethnic minority communities.

In contemplating our duty as a Police and Crime Panel, we remember the cultural change across the Police Service of England and Wales to eradicate 'institutional racism' following the murder of Stephen Lawrence in 1993.

We remember the critical importance of training, leadership and peer challenge in ensuring that a police officers' use of force in the course of their duties is always proportionate and lawful.

We remember our enshrined duty to challenge and tackle all aspects of discrimination and hate, as we remember our shared duty to protect those who are vulnerable and frightened.

We remember and value the importance of the right to peaceful and lawful protest that is enshrined in our Democracy.

As a Police and Crime Panel, it is our duty to refocus on these fundamental priorities, and never assume that our work is done.

Only by constantly supporting you, the Police and Crime Commissioner, to resolutely fight all aspects of discrimination and hate, will we be able to say we are doing our duty to protect and serve all Warwickshire residents, our police officers and our police staff.

The Commissioner thanked the Panel and stated his support for the sentiments expressed within the statement. He advised that the outcry resulting from the killing of George Floyd, including the recent protests in support of the Black Lives Matter movement had been given consideration in his Report to the Panel. He indicated his intention to address this subject in more detail during his presentation of the Report.

(1) Apologies

Apologies were received from Councillor Derek Poole (Rugby Borough Council) and Neil Hewison (Chief Executive, Office of the Police and Crime Commissioner).

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

There were none.

(3) Minutes of the previous meeting

Sara Ansell (Chief Finance Officer, OPCC) referred to page 4 of the minutes and suggested the following amendment:

In response to Councillor Whalley-Hoggins, the Police and Crime Commissioner advised that a separate COVID-19 emergency reserve of £0.5million had been set aside, and a general reserve of £5million could be accessed in response to the outbreak of the virus if necessary.

The Panel supported the introduction of the amendment.

The Chair highlighted the foresight demonstrated by Councillor Whalley-Hoggins and Councillor Davison in their analysis of the emerging pandemic crisis at the last meeting.

Resolved: That the minutes of the meeting held on 16 March 2020 be confirmed as a correct record and signed by the Chair.

(4) Public Speaking

There was none.

2. Report of the Police and Crime Commissioner

The Police and Crime Commissioner introduced the report. He observed that, when the Panel met in March 2020, the wider implications of the COVID-19 crisis were not yet apparent. He confirmed that as an outcome of the postponed Police and Crime Commissioner elections, his term in office had been extended to May 2021. He advised that a COVID-19 Supplement to his Police and Crime Plan had been produced to address the change in circumstances brought about by the pandemic.

The Police and Crime Commissioner reported that the Office of the Police and Crime Commissioner (OPCC) had adapted well to the constraints imposed by the outbreak of coronavirus with personnel working from home and holding meetings remotely. He reported that an increase in correspondence from members of the public had been observed but that the OPCC had reacted efficiently to the additional pressures. He advised that his weekly meetings with the Chief Constable had continued during the period of lockdown and the process of challenging and holding the Force to account was undiminished.

The Police and Crime Commissioner advised that he had provided funding to the Stephen Lawrence Charitable Trust to support research initiatives examining race relations and inclusivity in policing. He denounced the killing of George Floyd in Minneapolis and acknowledged the global impact of this event, including six demonstrations in support of the Black Lives Matter movement within Warwickshire. He advised that Warwickshire Police had liaised effectively with the organisers of the demonstrations, and with the wider community, to ensure that the right to peaceful protest could be exercised safely. He stated that, throughout his tenure as Commissioner, he had promoted equality and sought to address racism in every aspect of policing.

The Police and Crime Commissioner advised that of the approximate 1027 police officers within Warwickshire Police, 5% were of black, Asian or minority ethnic (BAME) heritage. He added that amongst staff the figures showed that 8% of the 833 employees were of BAME heritage; of the 92 Police Community Support Officers in the County, 10% were of BAME heritage; and amongst Special Constables (89), 8% came from a BAME background. He commented that these statistics showed that Warwickshire Police was performing well as an organisation that represented the population demographics of the area. However, he emphasised that BAME police officers were still underrepresented within the Force. To address this, a 'positive action' programme had been developed to engage with BAME communities and encourage individuals to consider a career in policing. He reported that this approach had already attracted candidates who had expressed an interest in joining the organisation.

The Police and Crime Commissioner stated that there was evidence to suggest that stop and search practices impacted disproportionately upon BAME individuals in the County. However, he

highlighted that 40% of individuals of BAME heritage who were subject to stop and search interventions in the past year were not resident in the County.

The Police and Crime Commissioner advised that a research project had been instigated to address the issues raised by the Black Lives Matter movement and examine the level of service provision for BAME communities. He advised that the findings of the review would feedback into the Force and partner agencies to react appropriately.

The Police and Crime Commissioner stated that a Strategic Alliance termination agreement had been reached that included provision of a settlement of £10.77million from West Mercia Police to Warwickshire Police. He reported that half of this sum had been received and it was anticipated that the remaining amount would be paid by West Mercia Police over a period of 12 months.

He advised that four services (IT, Forensics, Transactional Services and File Storage) were subject to a Section 22 Agreement with West Mercia Police to enable continued joint service provision for an interim period up to April 2021 (with an option to extend, if necessary). He added that, after this date, it was anticipated that Warwickshire Police would enter into a partnership agreement with West Midlands Police for the provision of IT Services, Forensics and Transactional Services. He reported that Warwickshire Police had committed to investing in a continued service hosted by West Mercia Police for file storage facilities, however, he emphasised that this would not be a permanent arrangement as the retention periods for the items stored were finite.

The Police and Crime Commissioner stressed that Warwickshire Police had responded effectively to the challenges posed by the termination of the Alliance; it held reasonable funding reserves and a robust budget.

The Police and Crime Commissioner reported that the additional council tax revenue secured by increases in the precept had been utilised to strengthen Patrol Services including bases at Bedworth, Coleshill, Stratford upon Avon and Alcester; he emphasised that this would improve emergency response times.

The Police and Crime Commissioner reported that two Vehicle Crime Teams had been established with bases at Bedworth and Greys Mallory (near Warwick). He added that these teams would focus on the causes of vehicle crime and that conditions following lockdown had improved detection rates in this area.

The Police and Crime Commissioner reported that proposals to reinforce the Rural Crime Team were due to take effect shortly with separate teams operating in the north and south of the County. He added that Warwickshire Police had consolidated policing numbers to over 1000 officers which represented delivery of a key priority of his Police and Crime Plan; recent figures showed that Warwickshire Police had recruited more new police officers as a percentage of its overall strength than any other police force in England and Wales.

The Police and Crime Commissioner reported that disruption resulting from the outbreak of coronavirus had negatively impacted upon the criminal justice system and prevented cases from being brought to the courts in a timely manner. To address the backlog of cases, the Commissioner advised that he had taken steps towards the introduction of 'Nightingale Courts' which would see public buildings such as leisure centres or town halls adapted for use by the

courts. He emphasised that this would not only benefit the delivery of justice but also provide reassurance to the victims of crime.

The Police and Crime Commissioner reported that, to date in the 2020/21 period, a total of £2.25million had been awarded in grant funding to service providers in support of the objectives of his Police and Crime Plan. He stated that measures had been enacted to award funding ahead of schedule to some organisations that had experienced challenges due to the COVID-19 pandemic. He advised that a new fund had been established to provide additional support to service providers which had been most affected by the virus. He emphasised that the increased demand for services to address domestic abuse during the lockdown period had been treated as a priority. Of the commissioned grant services, he advised that these had continued to operate a robust ongoing service without personnel being furloughed.

In response to Andy Davis, the Police and Crime Commissioner acknowledged that there was a disappointing lack of representation from BAME communities amongst senior level Warwickshire Police personnel. He advised that he had challenged the Force on this issue and would continue to do so, however, in order to improve representation a vacancy would need to arise. He added that prospect of creating a new Chief Superintendent post to redress the racial imbalance had been ruled out due to budgetary constraints. The Commissioner advised that levels of BAME representation amongst sergeant and inspector ranks was good within the County.

Within the OPCC, the Police and Crime Commissioner advised that levels of representation were very good with two members of staff from a total of 12 being of BAME heritage, with a third BAME colleague due to join the organisation in September 2020.

Zeynab Gamielien (Development and Policy Lead, Criminal Justice and Equality, OPCC) stated that the recruitment, retention and progression of BAME personnel within the Force had been identified as priorities. She advised that the 'positive action' initiative had placed an emphasis on issues of trust and confidence in policing to encourage applications from underrepresented communities. She added that the Force and the OPCC had enacted measures to develop coaching and mentoring strategies, and to examine the barriers to the progression of BAME officers to higher ranks. She emphasised that this was a long-term project but that its progress would be closely monitored. The Chair recommended that attention be given to the scope of BAME officers to escalate their concerns to the Force leadership during the adoption of this process.

In response to Councillor Davison, the Police and Crime Commissioner stated that he had introduced measures to examine the disproportionate impact of 'stop and search' practices on BAME individuals. He reported that body worn video technology had been deployed to provide an accurate record of interventions which provided an assurance to both the individual being searched and the officer. He commented that he had been satisfied with the Chief Constable's response to his challenge on this issue to date, but that the disproportionality of 'stop and search' interventions was symptomatic of a broader societal problem which required wider consideration.

Councillor O'Rourke commented that, in the wake of the Black Lives Matter protests, the demand for transparency in public sector recruitment exercises was more urgent than ever. She asked the Police and Crime Commissioner if it would be appropriate to follow the example of Andy Street, Mayor of the West Midlands Combined Authority, in mandating the presence of at least one BAME

individual on recruitment panels. She asked if scope to do so had been factored into the partnership agreement with West Midlands Police.

The Police and Crime Commissioner responded to say that work in partnership with West Midlands Police would ensure that recruitment procedures were fair to BAME candidates and in-line with the principles of the 'positive action' scheme. Zeynab Gamiieldien added that a recommendation emerging from the 'positive action' initiative would enable a community representative to be present on interviewing panels when appropriate.

In response to Councillor Fradgley, Zeynab Gamiieldien acknowledged that the rate of BAME individuals leaving the Force was disproportionately high. She commented that this was a national trend and that it had been proved that BAME officers were more likely to be the subject of complaints from the public. She advised that the 'positive action' team would examine the causes of individual cases of BAME employees leaving the Force and that the Professional Standards Department would enact measures to ensure that unconscious bias training was available throughout the organisation. The Police and Crime Commissioner highlighted the importance of a robust complaints and grievances procedure for these incidences.

In response to Councillor Fradgley, the Chair advocated that this matter be examined in more detail as an agenda item at the November meeting of the Panel.

Action:

Democratic Services to liaise with the Chair to coordinate a request from the Panel to the OPCC for a response to the issue of the disproportionately high rate of BAME personnel leaving Warwickshire Police Force.

In response to Councillor Whalley-Hoggins, the Police and Crime Commissioner advised that the urgency of responding to bids for funding of services most affected by the outbreak of coronavirus (such as support for the victims of domestic violence) had been acknowledged. He stated that proper procedures needed to be observed but that the OPCC had demonstrated deftness in expediting the process for those organisations most in need.

In response to Councillor Whalley-Hoggins, Sara Ansell (Chief Finance Officer, OPCC) advised that the settlement money received from West Mercia Police would be added to reserves; the Reserve Strategy would show how this money would be reappportioned. In respect of payments to pension funds, Sara Ansell advised that the projected increased contribution to the LGPS scheme would be factored into budgetary plans; and that funding from reserves would be drawn upon to support the Police Pensions Scheme in anticipation of balanced income and expenditure for this scheme in the period beyond 2022.

In respect of the Warwickshire Police Monthly Performance Report (April 2020), Bob Malloy highlighted the improvement in outcome rates and asked the Police and Crime Commissioner if a sustained improvement could be anticipated. In response, the Commissioner indicated his aspiration to continue to improve outcome rates but acknowledged that the impact of COVID-19 was likely to have affected the results for this period.

Councillor O'Rourke drew attention to the reported 79.2% increase in vulnerable adult offences during the period leading up to the Performance Accountability Meeting (PAM) on 26 May 2020.

She observed that minutes for the meeting indicated that a detailed breakdown of these offences had been requested and asked the Police and Crime Commissioner if the Force had provided this information.

In response, the Police and Crime Commissioner commented that the increase in vulnerable adult offences could be traced to conditions arising from lockdown. He emphasised that work in partnership with Warwickshire Multi-Agency Hub (MASH), Social Services and the NHS was ongoing to address the issue.

3. COVID-19 Supplement to the Police and Crime Plan

The Police and Crime Commissioner introduced the Supplement to his Police and Crime Plan and invited questions from the Panel.

In response to Andy Davis, the Police and Commissioner advised that the measures introduced in response to the pandemic were in accord with governmental guidance. He stated that a strategy for emergence from the crisis had not been included within the document as the duration of the pandemic was not known and the social and economic impacts were likely to be long-lasting. He suggested that the subject of emergence from the virus be considered at the September meeting of the Panel.

In response to Councillor Davison, the Police and Crime Commissioner agreed that the measures implemented to limit the impact of the COVID-19 virus could lead to a long-term environmental benefits and feed into Warwickshire Police's response to the climate emergency. He cited home working as an example and highlighted the improvements to air quality experienced during the period of lockdown. He underlined his aspiration for electric vehicles to be utilised by the Force as well as improved energy efficiency standards in buildings. He referred to the refurbishment of the Leek Wootton Headquarters which had been undertaken with an awareness of energy efficiency. The Chair indicated that consideration of the climate emergency had been timetabled in the Panel's Work Programme.

4. Warwickshire Joint Audit and Standards Committee

Mr John Anderson, Chair of Warwickshire Joint Audit and Standards Committee (WJASC), provided a presentation to the Police and Crime Panel to explain the role of the Committee and the options for future collaborative working between the two bodies.

Mr Anderson described the role that WJASC performed in ensuring that the Police and Crime Commissioner and Chief Constable maintain high standards of corporate governance by providing an independent and high-level focus on the audit, assurance and reporting arrangements in place. He explained that WJASC received regular briefings from the Commissioner and Chief Constable in respect of key risks and areas of concern, including how they are proposed to be addressed.

Mr Anderson explained that, through the review of regular reports at its quarterly meetings, WJASC provided independent advice and recommendations to the Police and Crime Commissioner and Chief Constable with a focus on the adequacy and effectiveness of governance frameworks, processes and assurance; risk management and internal control frameworks; financial reporting; and ethics and standards. He explained that by these means, efficient audit and assurance arrangements could be secured in compliance with recognised standards.

Mr Anderson reported that WJASC received quarterly reports (including input from HMICFRS) covering annual financial statements and governance reports; external and internal auditor's workplans, progress reports and assessments; treasury, strategy and management updates; risk registers; codes of ethics; and the Warwickshire Assurance Board and Force Crime & Incident Registrar's workplan, audits and assurance.

Mr Anderson commented that the scrutiny work undertaken by the Panel had featured in material considered by WJASC and was referred to as part of the reporting of actions taken within risk register documents. He explained that the Panel's work was included within the Annual Governance Statement which considered delivery of the Police and Crime Plan.

Mr Anderson observed that, whilst there was some visibility of the work of Panel for WJASC, the scope of the Panel to view the activities of WJASC appeared to be more restricted. He drew attention to the similarities in the conduct and work of the two bodies, noting that they each had defined statements of purpose; an annual work plan; received regular briefings and reports; published agendas and minutes of meetings; and reported annually on their work.

Mr Anderson presented five suggestions for improved coordination between the two bodies:

- i. The sharing of each body's agendas, minutes and annual work plan and report;
- ii. Circulation to the members of WJASC of the regular reports of the Police and Crime Commissioner to the Panel as well as any reports of the Panel's sub-committees;
- iii. Briefing to the Panel of WJASC's Annual Governance Statement;
- iv. The Chairs of each body to meet half-yearly to discuss common issues;
- v. For a member of each body, by rotation, to attend the other's meetings and provide feedback to their fellow members.

On behalf of the Panel, the Chair thanked Mr Anderson and expressed his gratitude for the recommendations for improved joint working arrangements.

Action:

Democratic Services to liaise with the Chair and Mr John Anderson to develop a shared statement identifying the terms of working in unison including lines of engagement to ensure compliance with statutory roles.

5. Report of the Planning and Performance Working Group: Review of the Police and Crime Commissioner's Funding of Substance Misuse Services

Bob Malloy introduced the Report of the Planning and Performance Working Group (the Group) and provided a summary of the Review into the Police and Crime Commissioner's funding of programmes designed to address substance misuse. He explained that the exercise had enabled an opportunity for the Group to examine an aspect of the Commissioner's wider role in more depth and detail. The Review was undertaken between April and November 2019 with contributions from Councillor Nicola Davies, Andy Davis, Councillor Neil Dirveiks and Bob Malloy.

Bob Malloy reported that the larger service providers contacted by the Group had expressed their satisfaction with the outcome of the transition from grant aiding to a commissioning model,

however, they had expressed a preference for contracts to be longer in duration. He commented that many of the individuals contacted by the Group had praised the professionalism and expertise demonstrated by Zeynab Gamielien at the Office of the Police and Crime Commissioner. He drew attention to the issue of 'off-rolling' which had been considered within the recommendations of the Report and suggested that this was an area where the Commissioner could take an active role to utilise his influence to reduce the risk to young people posed by this practice.

The Police and Crime Commissioner expressed his thanks for the Report and its recommendations. He commented that he was aware of the problems associated with 'off-rolling' and that he had recently held a meeting with headteachers which touched upon this subject. He stated that he would consider exploring the matter in more detail. He commented that the OPCC would be renewing its funding of substance misuse services in April 2021 and the timing of the report was therefore advantageous.

Councillor Davies commented that the Review had been a rewarding experience and indicated her hope that the Commissioner would examine the recommendations proposed, particularly recommendation five (in respect of 'off-rolling') and provide an update to the Panel. She moved that the Panel endorse the Report and its recommendations. Councillor O'Rourke seconded the motion.

The Chair called a vote on the motion which was accepted unanimously by those present.

Resolved:

That the Police and Crime Panel endorses the Report of the Planning and Performance Working Group: Review of the Police and Crime Commissioner's Funding of Substance Misuse Services, and requests that the Police and Crime Commissioner considers the Report and its recommendations.

6. Recruitment of a New Independent Panel Member

The Chair introduced the item and praised the contribution of Bob Malloy, who had indicated his intention to stand down from his role as an Independent Member of the Panel at the conclusion of his term on 5 December 2020.

Jane Pollard (Legal Services Manager) advised that she would circulate the draft job pack, application form and press release to the members of the Panel for consideration prior to formally advertising the vacancy in July 2020; this would enable a long period to receive applications. She suggested that interviews for shortlisted candidates be scheduled for September 2020 and recommended that an interview panel of three Panel members be convened.

Councillor O'Rourke highlighted the lack of ethnic diversity within the Panel and requested that efforts be made to promote the vacancy to BAME groups by means of advertising on the service 'Equip'. Jane Pollard indicated that this would be possible.

Action:

Democratic Services to liaise with members of the Panel to request volunteers to sit on the three-person interview panel.

7. Annual Report of the Police and Crime Panel

The Panel noted the Annual Report.

8. Work Programme

The Panel noted the Work Programme.

9. Dates of Meetings

The Chair invited the Panel to take note of the future meeting dates:

- Thursday 24 September 2020
- Thursday 19 November 2020
- Monday 1 February 2021
- Thursday 1 April 2021

10. Any Urgent Items

There were none.

11. Reports Containing Confidential or Exempt Information

Resolved:

That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 3 of Schedule 12A of Part 1 of the Local Government Act 1972.

12. Exempt Minutes

Resolved:

That the exempt minutes of the meeting held on 16 March 2020 be confirmed as a correct record and signed by the Chair.

13. Complaints

There were none.

14. Any Urgent Items

The Panel received an update on the Ministry of Justice's COVID-19 Extraordinary Fund and actions taken to ensure compliance with social distancing measures.

The meeting rose at 13:05

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Chair