

## AGENDA

### KENT AND MEDWAY POLICE AND CRIME PANEL

Dear Councillor

Notice is hereby given that a meeting of the **KENT AND MEDWAY POLICE AND CRIME PANEL** will be held in the **Council Chamber, Sessions House, County Hall, Maidstone** on **Friday, 20th December, 2013, at 10.00 am** when the following business will be transacted

Members of the public who require further information are asked to contact Anna Taylor on 01622 694764

*Tea/Coffee will be available 15 minutes before the start of the meeting in the meeting room*

#### Membership

Councillor Gerry Clarkson	Ashford Borough Council
Councillor Pat Todd	Canterbury City Council
Councillor Anthony Martin	Dartford Borough Council
Councillor Sue Chandler	Dover District Council
Councillor John Burden	Gravesham Borough Council
Mr Mike Hill (Chairman)	Kent County Council
Councillor Annabelle Blackmore	Maidstone Borough Council
Councillor Les Wicks	Medway Council
Councillor Peter Fleming	Sevenoaks District Council
Councillor Malcolm Dearden	Shepway District Council
Councillor Andrew Bowles	Swale Borough Council
Councillor Mrs Iris Johnston	Thanet District Council
Councillor Mark Rhodes	Tonbridge and Malling Borough Council
Councillor John Cunningham	Tunbridge Wells Borough Council
Mr Roger Latchford	Co-opted member – Kent County Council
Councillor Gordon Cowan	Co-opted member - Dover District Council
Councillor Ian Chittenden	Co-opted member - Maidstone Borough Council
Councillor Rupert Turpin(Vice-Chairman)	Co-opted member - Medway Council
Mr Dan McDonald	Independent Member
Mr Gurvinder Sandher	Independent Member

### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

- 1 Introduction/Webcast Announcement
- 2 Membership Update
- 3 Apologies and Substitutes
- 4 Declarations of Interests by Members in Items on the Agenda for this Meeting
- 5 Minutes of the Meeting held on 5 November 2013 (Pages 3 - 10)

#### **B - Commissioner's Decisions**

- B1 Commissioner's Decisions (to follow)

#### **C - Commissioner's reports requested by the Panel**

- C1 Confirmation Hearing for the Commissioner's Proposed Chief Constable (to follow)
- C2 Commissioner's initial thinking in the light of recent published crime data and future police funding (Oral)

#### **D - Future Work Programme**

- D1 Future work programme (Pages 11 - 12)

### **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Peter Sass  
Head of Democratic Services  
(01622) 694002

**Thursday, 12 December 2013**

**KENT COUNTY COUNCIL**

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**KENT AND MEDWAY POLICE AND CRIME PANEL**

MINUTES of a meeting of the Kent and Medway Police and Crime Panel held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 5 November 2013.

PRESENT: Mr P M Hill, OBE (Chairman), Cllr R Turpin (Vice-Chairman), Cllr Mrs A Blackmore, Mr A H T Bowles, Mr I S Chittenden, Cllr N Collor (Substitute for Cllr Mrs S Chandler), Mr G Cowan, Cllr M Dearden, Cllr Mrs I Johnston, Mr J A Kite, MBE (Substitute for Cllr T Martin), Cllr M Lowe (Substitute for Cllr P Fleming), Mr Dan McDonald, Cllr M Rhodes, Mr Gurvinder Sandher, Cllr N Shorter (Substitute for Cllr G Clarkson) and Cllr P Todd

ALSO PRESENT: Mrs A Barnes, (Kent Police and Crime Commissioner), Mr M Stepney (Chief of Staff), Mr S Nolan (Chief Finance Officer) and Ms C Gatward (Policy Officer)

IN ATTENDANCE: Mr M Campbell (Policy Officer) and Mrs A Taylor (Scrutiny Officer)

**UNRESTRICTED ITEMS****48. Minutes of the Meeting held on 8 October 2013**

*(Item 4)*

1. Under minute 47.2 the Chairman explained that there had been a suggestion to hold an 'away day' for the Panel, the Commissioner and her Office and the Force. This idea was welcomed by the Chairman and the Commissioner and further work would be undertaken on this suggestion.
2. Under minute 47.3 the Chairman asked Mr Campbell to update the Committee on the discussions around the Decision Making Protocol. Mr Campbell explained that the Decision Making Protocol had been adopted when the Commissioner took up office as an interim arrangement. Since the protocol had been adopted further statutory guidance had been issued and the Local Government Association had issued advice to all Panels, it was considered that the law and the national guidance provided a reasonable framework for decision making and there was no need for an additional document. The Panel and Commissioner agreed.

RESOLVED that the minutes of the meeting held on 8 October 2013 be signed by the Chairman as a correct record.

**49. Commissioner's Decisions**

*(Item B1)*

1. The Commissioner had taken three decisions during October 2013, these were to:

- a. Support Kent Police with one off funding of £77k on a pilot scheme working with the local NHS to divert those with mental health needs from inappropriate custody
- b. Recruit a new Chief Constable
- c. Launch the recruitment of Youth Commissioner

RESOLVED that Members note the key decisions taken by the Commissioner in October 2013.

**50. Commissioner's Proposals for Stage 2 Transfers**  
(Item B2)

1. The Commissioner explained that staff previously employed by the former Kent Police Authority had transferred to the Police and Crime Commissioner in November 2012. The Commissioner also explained that now that the Chief Constable had become a corporation sole he could employ staff so there was a requirement to determine who would be employed by the Chief Constable.
2. The Commissioner confirmed that stage 2 transfer proposals had been agreed between the Commissioner and the Chief Constable and had been put forward to the Home Secretary. A decision regarding the proposal was expected, from the Home Secretary, in November 2013 and the Commissioner would report back at the earliest opportunity.
3. The Chairman explained that it was his understanding that some other Commissioners had shared their proposals before receiving a decision from the Home Secretary; the Commissioner confirmed that HR advice had been to wait for consultation to commence before sharing detailed proposals.
4. In response to a query about the transfer of responsibilities for employees Mr Nolan explained that the view that the Commissioner was minded to take was that all liabilities, assets and contracts, including staff pension liabilities, remained with the Commissioner. The Chief Constable would be responsible for employer matters. Appropriate arrangements would be put in place to protect both the tax payer and the corporation sole. Mr Nolan confirmed that there had been no decision on redundancies taking place at the point of transfer to the Chief Constable.

RESOLVED that Members note the Commissioner's Stage 2 Transfers report and request further information once a decision has been received by the Home Secretary.

**51. Initial thinking on Budget, Grants and Commissioning for 2014/15**  
(Item C1)

1. Mr Nolan presented the report to the Panel with two powerpoint slides which are appended to these minutes.
2. Mr Nolan said that the annual revenue budget was just under £317million a year, 70% was financed by Government grants and 80% was spent on employees. The grant cut for Comprehensive Spending Review 1 (CSR1) which ran to the end of 2014/15 was 20%. This required £50million savings, and involved the loss

of 500 police officers and 700 police staff. The Force and former Kent Police Authority worked hard to make the savings and was well on target to meet the savings requirements for CSR1. Work was now being undertaken on CSR2 which was timed for 2015/16 and was in theory just one year. CSR2 implied a 5% grant cut but the Government's intention to increase the employer National Insurance (NI) costs also needed to be considered. The increase in employer NI would have the similar quantitative impact as the grant cut. Mr Nolan also advised that there was a risk that the Government might also redistribute the Police Grant and deprivation factors were due to be introduced. It was expected that these combined factors would result in a budget gap of £20million in 2015/16. This gap could increase if there were further grant cuts in 2016/17. The Commissioner would be presenting her Police and Crime Plan for 2014/15 in February to the Panel.

3. The Commissioner explained that the Force and Office staff were working hard on the implications of CSR2. The Commissioner was offering every councillor in Kent and Medway the opportunity, including Panel members, to come and discuss with the Commissioner's Office the budget issues in early December 2013, further details would be supplied.
4. In relation to the re-distribution of the Police Grant and the potential for this to be influenced by deprivation factors in the north of the country a Member commented that areas of Kent had high levels of deprivation and it was assumed that this point was made very strongly to the Government.
5. A Member asked whether there had been any analysis to measure the impact of the previous cuts to the Force and Police staff, to inform any future cuts. The Commissioner confirmed that this piece of work was underway and would be shared with Members at the Commissioner's budget briefing in early December.
6. Mr Nolan explained that of the £317million around £2million was spent with partners, the Commissioner's Police and Crime Plan set out her vision which would determine her partner priorities. Key to the Plan was 'victims being at the heart of the process'.
7. Mr Nolan said that the Commissioner's emerging priorities were set out on page 15 of the report. Staff within the Commissioner's Office were trying to provide as much certainty as possible to partners. The Commissioner gave some one off support during 2013/14 but it was not possible to do this in future years, beyond this 5% per annum cuts were expected for the next three years and partners had to bear this in mind. It was not considered acceptable by the Commissioner to impose further cuts on the force to subsidise community budgets.
8. Mr Nolan explained that the Commissioner was minded to set up a Commissioner's Fund to work with smaller bodies to give them opportunities and these plans would be brought back to the Panel in the future as part of the overall budget proposals.
9. The Chairman welcomed the priorities which aligned almost exactly with the Kent Community Safety Partnership priorities, the commitment to work with key partners was also welcomed.

10. A Panel Member noted that the police precept was used to fund an additional 60 Police Community Support Officers in 2013/14, was it possible to retain this? It was considered that visible neighbourhood policing was vitally important. The Commissioner agreed and confirmed that visible community policing was key to Kent residents. The only way to get more officers on the street was through local taxation. To save another £20million in CSR2, on top of the £50million in CSR1, it was necessary to look at creative ways of policing including investing in technology, predictive policing and mobile police stations.
11. In response to a query on the precept the Commissioner explained that to increase the precept over and above 2% would require a referendum to be held. This would be costly, and further consultation would be undertaken with Kent residents to determine their views and requirements.
12. In relation to reserves, a Member asked if it was likely that money would be taken out of reserves. It was understood that other Commissioners had used reserve money to fund police officers, The Commissioner said that Kent Police and Crime Commissioner's Office had general reserves at 2% which was considered best practice. Mr Nolan confirmed that the Government had no current legal power to single out those authorities with high levels of reserves to disproportionately reduce their future grants.
13. The Commissioner said that it was vital to have an honest debate with Kent residents around the precept, to enable the issues to be fully understood. In relation to a query around the Commissioner's Fund, there would be a Governance structure surrounding the fund and charity providers would be considered.
14. The Chairman explained that local authorities were currently engaged in transformation, looking at every single service to see if there was a better way of delivering that service. Members asked for confirmation that the Commissioner's Office was doing the same. For example in relation to Community Wardens which had delivered an excellent service, it was important to engage with the Wardens to determine whether parts of operational policing could be delivered in a different way. The Commissioner explained that there was a joint platform for support services between Kent and Essex Police Force, and work was being undertaken, successfully, to find further savings. Operationally a joint Serious Organised Crime division existed with Essex Police Force and the other protective services were also being looked at with a view to increasing resilience as well as making savings. The Commissioner also highlighted that one of her election promises was not to privatise Kent Police. The Commissioner confirmed that she was not averse to having outside agencies reviewing services to see if it was possible to provide them in a more efficient way.

RESOLVED that Members note the report on the Commissioner's Initial thinking on Budgets, Grants and Commissioning for 2014/15 and request further information on the Commissioner's Fund when it is available.

## **52. Support for Victims** *(Item C2)*

1. Ms Gatward set out the national changes to the commissioning of victim support services and how processes were being developed locally to ensure victims were at the heart of the criminal justice system. A presentation is appended to these minutes.
2. Ms Gatward explained that it was the Ministry of Justice's (MOJ's) intention that Commissioners would take responsibility for the funding and commissioning of victim support services from 2014. Final budgets were expected in April 2014, but detail around the services and volume of services expected was also required. There were a number of variables surrounding the final decisions on what funding would be devolved to commissioners. The MOJ had recently published the Code of Practice which set out the minimum standards of care that victims of crime were entitled to receive from criminal justice organisations. The Commissioner had delivered a joint design event which looked to map the delivery of victim services across Kent and Medway, to identify gaps and enhance services. One recommendation of the recent work was to consider the development of a Victim Centre which would support victims in providing a 'one stop shop' service; discussions were currently taking place around the governance of this approach.
3. In response to a query about the funding, the Commissioner said this was not new money, currently around £38million of funding from MOJ was attributed to victim support services, and 3.09% was received by Kent. It was extremely difficult to plan until the level of funding was known. Organisations relied on funding and this was an uncertain time.
4. A Member asked how, if you were a victim of crime, you would know where to go to get help and the Commissioner explained that this was one reason behind the victim centre.
5. A Member asked whether the victim support centre would ensure a consistent standard of care across the county, and would the support extend to the innocent partners involved. The Commissioner confirmed that it was her hope that this centre would help ensure that no-one slipped through the cracks.
6. A Member asked that bearing in mind nearly 30,000 victims were referred to support services last year, could pressure be put on the ministry of justice to encourage early indication of funding, the Commissioner shared the frustration of members but this was in the hands of the ministry of justice.

RESOLVED that the Panel note the Commissioner's report on Support for Victims and request a report back, including mapping of victim support across Kent and Medway, in Summer/Autumn 2014.

### **53. Annual Report 2012/13 and Accounts 2012/13**

*(Item D1)*

1. The Chairman reminded members that this was a historic document and referred to the period November 2012 – March 2013.
2. A Member asked for clarification that the Commissioner's websites were the ownership of the OPCC rather than Mrs. Barnes personally. This was confirmed.

3. In response to a question from a Member on the level of police pension alongside the reduction in the number of staff Mr Nolan explained that there were two pensions, Police Staff (LGPS) and Police Officers (National Pension scheme). There was an impact on existing staff of carrying a larger proportion of the overhead of pension costs; this was true of every local authority.
4. Members of the Panel noted the report and accounts and noted that the accounts related to the final period of the Kent Police Authority as well as the first 4 months of the Police and Crime Commissioner. They also noted that the Annual Report related just to the first four months of the Commissioner's period of office.
5. The Panel were content that the report was a fair summary of the Commissioner's first four months and were also content that the accounts set out the financial position clearly.
6. The Panel had a statutory duty under the Police Reform and Social Responsibility Act 2011 and associated Regulations to report on the Commissioner's Annual Report and Accounts.

RESOLVED that Members noted the Annual Report 2012/13 and Accounts 2012/13 and would formally report to the Commissioner to confirm that the Panel were content with the report.

**54. Kent and Medway Police and Crime Panel - the first twelve months**  
(Item E1)

1. The report provided a summary of the Panel's work in the first year, The Chairman was pleased with the progress of the Panel and it was considered that success for the Panel would be a successful Commissioner and a successful Force.
2. A Member explained that he felt reassured by the work of the Panel and the willingness of the Commissioner to work with the Panel.
3. The Chairman confirmed that despite three letters to Mr Vaz, no response had been received, the Commissioner confirmed that same.

RESOLVED that Members note the Kent and Medway Police and Crime Panel – the first twelve months report.

**55. Membership of the Kent and Medway Police and Crime Panel**  
(Item E2)

1. The Chairman introduced this item and explained that the Panel should adjust its membership where it is 'reasonable and practicable' to do so.
2. This would result in the loss of a Liberal Democrat Member and the inclusion of a UK Independence Party Member.

RESOLVED that Members adjust the membership of the Panel to Conservative 13, Labour 3, Liberal Democrat 1, UK Independence Party 1.



## **56. Future Work Programme**

*(Item E3)*

1. The Panel dates for 2014 were confirmed as:

- 4 February 2014
- 18 February 2014 (in case the Panel veto the Commissioner's proposed precept)
- 8 April 2014
- 28 May 2014
- 3 September 2014
- 4 November 2014.

RESOLVED that Members of the Panel note the programme of future reports.

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**Panel programme of future reports from the Commissioner as at 20<sup>th</sup>  
December 2013**

**4<sup>th</sup> February 2014**

Draft Police and Crime plan 2014/15	Statutory requirement
Precept proposal 2014/15	Statutory requirement
Impact of police contact points	Requested by Panel April 2013
Crime Recording in the Force	Requested by Panel October 2013
Stage 2 Transfer details	Requested by Panel November 2013

**8<sup>th</sup> April 2014**

Report on a non-policing responsibility	Offered by the Commissioner
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**28<sup>th</sup> May 2014**

Report on a non-policing responsibility	Offered by the Commissioner
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**3<sup>rd</sup> September 2014**

Impact of Youth Commissioner	Requested by Panel April 2013
Victim Services – implementation of Commissioner’s new legal responsibilities	Requested by Panel November 2013

**4<sup>th</sup> November 2014**

Initial thinking on budget, grants and commissioning for 2015/16	Requested by Panel
Annual report 2013/14 and accounts 2013/14	Statutory requirement

Items to note at each meeting

Commissioner’s decisions

Governance Board minutes

Note – the work programme for 2014 will be further developed following publication of the Commissioner’s Police and Crime Plan in early 2014

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