

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 **Tuesday, 14th April, 2015, at 2.00 pm** when the following business will be transacted

Members of the public who require further information are asked to contact Joel Cook on 03000 416892

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

Membership

Councillor Paul Clokie	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 Peter Campbell	Thanet District Council
Councillor Mark Rhodes	Tonbridge and Malling Borough Council
Councillor Don Sloan	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	Co-opted member - Medway Council
Mr Dan McDonald	Independent Member
Mr Gurvinder Sandher (Vice-Chairman)	Independent Member

UNRESTRICTED ITEMS

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

- 1 Introduction/Webcast Announcement
- 2 Apologies and Substitutes
- 3 Declarations of Interests by Members in Items on the Agenda for this Meeting
- 4 Minutes of the Police and Crime Panel held on 3rd February 2015 (Pages 3 - 6)

B - Commissioner's reports requested by the Panel/offered by the Commissioner

- B1 Partnership working (Pages 7 - 10)
- B2 Commissioner's Ethics Committee (Pages 11 - 14)
- B3 IPCC report - Complaints against Kent Police (Pages 15 - 20)
- B4 Violent Crime update (Pages 21 - 24)

C - Commissioner's Decisions

D - Panel Matters

- D1 Future work programme (Pages 25 - 26)

E - For Information

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
03000 416647

Thursday, 2 April 2015

KENT COUNTY COUNCIL

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, 3 February 2015.

PRESENT: Mr P M Hill, OBE (Chairman), Mr Gurvinder Sandher (Vice-Chairman), Cllr P Todd, Cllr T Martin, Cllr Mrs S Chandler, Cllr Mrs A Blackmore, Cllr L Wicks, Cllr R Turpin, Cllr M Rhodes, Mr R A Latchford, OBE, Mr G Cowan, Mr Dan McDonald, Cllr K Pugh (Substitute), Cllr M Lowe (Substitute) and Cllr H Scobie (Substitute)

ALSO PRESENT: Mrs A Barnes, Mr M Stepney and Mr S Nolan

IN ATTENDANCE: Mr M Campbell (Policy Officer) and Mr J Cook (Scrutiny Research Officer)

UNRESTRICTED ITEMS

113. Minutes of the Police and Crime Panel held on 4th November 2014
(Item 4)

RESOLVED that, subject to amending the attendance to show Cllr Rhodes was present at the 4th November 2014 meeting, the Panel agree that the minutes of the 4th November 2014 meeting were a correct record and that they be signed by the Chairman.

114. Draft Police and Crime plan 2015/16 and Precept proposal
(Item B1)

1. The Commissioner introduced her draft Police and Crime Plan, explaining that it was a high level strategic document that outlined key spending plans. The Force maintains the relevant delivery plans that will be used to implement the strategic outcomes. The Plan represented a refresh of previous years' versions, the significant alterations being the additional measures taken to respond to reviewed priorities. The Commissioner commented that this annual refresh approach was useful as it kept the stability of maintaining key priorities but allowed the flexibility to respond to changing circumstances. The Plan had been developed through wide consultation, including public engagement, social media, a Policing in Kent conference, and discussions with District, Town and Parish councils. Throughout the consultation, visible community policing remained a key priority.

2. The Commissioner outlined some of the key points of the refreshed plan;
- £200k additional funding per annum for the next three years being provided to the Chief Constable expressly for improving police and partner agency work on dealing with Child Sexual Exploitation (CSE).
 - Victim Services are now being commissioned by the Commissioner. The development of the Victim Centre and the associated multi-agency

working agreements represent a good opportunity to improve victim experiences and place them at the heart of policing.

- Increased support for challenging the use of legal highs and the promotion of e-safety.
- Increased emphasis on the key role of partnership working to address the varied issues impacting on young people.

3. The Panel noted the extent of the Commissioner's consultation on the draft Plan and precept and asked about the level of response to consultation. The Commissioner explained that the response to formal consultation had been low but that informal consultation (for example at public meetings) had shown strong support for increasing precept.

4. The Commissioner explained that she sought approval for an increase in the police precept of 1.99%, which would enable the Force to retain 30 officers who would otherwise be lost due to grant reductions. The Panel noted the Commissioner's comment that the police precept in Kent was still well below the national average and that, even with her proposed precept increase, the Force would have to lose 53 officers during 2015/16. In total, the Force would be losing 115 jobs, including 62 civilian police staff. The Commissioner explained that medium term financial planning was being conducted on the basis that the Force budget would need to be reduced by a further £60m by 2019 and that this was based on reasonable rather than worst case scenario assumptions.

5. The Panel expressed support for the work of the Youth Commissioner and asked the Commissioner what her plans were for continuation of this work once the Youth Commissioner completed her contract. Panel members were advised that work had been commissioned to consider how to continue to engage with young people who, in the Commissioner's view, did not engage with Councils. Panel members drew attention to existing channels of communication with young people and reminded the Commissioner of her commitment to discuss her future plans for the Youth Commissioner role with the Panel. The Commissioner undertook to consult with the Panel and the interested parties.

6. The Panel noted the provision of resources to support work to combat child sexual exploitation. The Panel sought information from the Commissioner as to the intended use of the money and were advised that the Chief Constable was developing a plan. Panel members asked the Commissioner to bear in mind the roles of other partners across the County in this work.

7. Panel members welcomed the Commissioner's continued financial commitment to support Community Safety Partnerships and to visible neighbourhood policing. The Panel noted with approval the Commissioner's frequent references to partnership working in her Plan.

8. The Panel noted the Commissioner's intention that there would not be any satellite victim centres across the County and encouraged her to make sure that the victim centre in Ashford linked up with other victim support work going on across the County. The Commissioner explained that the new Victims Centre was on target for completion in April 2015 and explained that the Centre was a hub for victim support

work across the County and a location where both the police Witness Care Team and Victim Support could work together to provide a first class service to victims.

9. The Panel outlined concerns relating to increases in complaints against Kent Police and sought an update as to the Commissioner's views. The Commissioner was requested to provide an update to the next Panel meeting on the action she was taking to hold the Chief Constable to account in light of the report.

10. Panel members sought and received an explanation of the bids made by the Commissioner to the Innovation Fund. These related to Digital Evidence processes, 7 days a week Virtual Court, CSE investment in partnership with the Child Exploitation Online Protection Centre (CEOP) and Liverpool University, in addition to the ongoing Athena Programme which will overhaul Police IT systems.

11. The Commissioner responded to comments relating to privatisation of 'back office' police functions; stating that she and the Chief Constable had considered the approach but could not support its adoption. The Commissioner stated that to reduce the current significant transformational change in policing to one simplistic solution was the wrong strategy at this time. The Commissioner explained that whilst she was not wedded to keeping everything under local control, the Home Secretary was calling for collaboration, not privatisation. The Commissioner highlighted that Kent Police is not a stand-alone organisation and already has a 'mixed economy' approach with cleaning, catering and some IT already contracted out. The Commissioner also explained that much of the back office function is tied in with Essex which had already delivered 15% savings and to unpack this would be foolhardy. The Commissioner expressed her hope that the national structure of police forces would soon be reviewed properly and that this would provide guidance on how to progress such radical organisational changes. With this in mind, the Commissioner stated that whilst everything is always considered she had no intention of implementing piecemeal changes on staffing and would focus instead on developing the savings identified through collaboration with Essex Police.

12. After discussion the Panel decided that it supported the Commissioner's draft plan, noting especially the commitment to partnership working, support for Community Safety Partnerships and the focus on tackling child sexual exploitation. The Panel also approved the Commissioner's proposal to increase the precept by 1.99%

RESOLVED that the Panel support the Commissioner's Police and Crime Plan and that the Panel approve the proposed Precept.

115. Commissioner's decisions for November & December
(Item C1)

RESOLVED that the Panel note the Commissioner's decisions.

116. Panel Annual report
(Item D1)

RESOLVED that the Panel approve the Panel Annual Report.

117. Future work programme
(Item D2)

RESOLVED that the Panel require the Commissioner to report on the action she is taking to hold the Chief Constable to account in respect of an increase in Violent Crime to the next Panel meeting.

118. Notes of the Commissioner's Governance Board meeting held on 14th October 2014
(Item E1)

RESOLVED that the Panel note the notes of the Commissioner's Governance Board meeting.

From: Ann Barnes, Kent Police and Crime Commissioner
To: Kent and Medway Police and Crime Panel
Subject: Partnership working
Item & Date: Item B1 14 April 2015

Executive summary: One of the core principles underpinning the Police and Crime Plan is the value of partnership working and this is also reflected in the Commissioner and Chief Constable's joint vision for policing in the county.

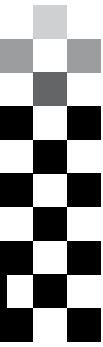
The priorities within the Police and Crime Plan, developed through consultation, are the 'golden thread' that runs through the Commissioner's approach. To reduce duplication and strengthen established services, the Commissioner is committed to working with existing partners whilst ensuring there is effective and proportionate governance. Where required though, the Commissioner will also develop working arrangements with new partners in order to support the Police and Crime Plan priorities.

In addition to providing support to both county wide and district based initiatives, the Commissioner has provided funding for three years to identified partners to give certainty in these austere times. There are many examples of the OPCC working successfully with partners and making a real difference, including the victims centre in Ashford and Sexual Assault Referral Clinic.

The Commissioner works with a range of public, voluntary and community sector partners and is represented at a number of strategic partnership boards. In the face of further public sector spending cuts though, there are significant challenges ahead - particularly in terms of contraction in services. However, the Commissioner is committed to working with community safety partners, criminal justice agencies and the voluntary sector to deliver what's important to local communities.

Introduction:

1. Community safety, tackling issues such as anti-social behaviour and domestic abuse, and protecting the vulnerable are not just matters for the police. To deliver effective and sustainable change requires the involvement of statutory organisations such as Local Authorities, fire and rescue, Youth Offending Service and voluntary organisations and community groups.
2. The Police Reform and Social Responsibility Act 2011 put in place a framework for Police and Crime Commissioners to work in partnership. It includes two related, reciprocal duties that are deliberately broad and flexible, to allow partnership working arrangements to develop in a way that is most meaningful locally.
3. Though the two duties are worded slightly differently, their aim is the same - to make sure that local leaders work together to achieve the most effective outcomes:
 - Community safety duty - states the Commissioner and responsible authorities on a Community Safety Partnership must act in co-operation and, in carrying out their functions, 'have regard to' each others' priorities.
 - Criminal justice duty - states the Commissioner and criminal justice organisations must work together, 'so far as is appropriate', to 'provide an efficient and effective criminal justice system for the police area'.



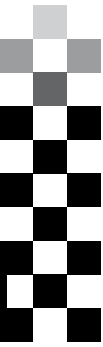
Commitment to partnership working:

4. One of the core principles underpinning the Police and Crime Plan is the value of partnership working in recognition of the fact that crime and anti-social behaviour cannot be tackled by the police alone. For communities and victims, it does not matter which agency is responsible for the issues they face; what they care about is whether or not the issue is being resolved.
5. In light of the challenging financial environment, the Plan also acknowledges the importance of eradicating 'silo working', reducing duplication and working in collaboration so the community safety and criminal justice system provides a seamless service to victims and witnesses in Kent
6. This commitment is clearly articulated through the Commissioner and Chief Constable's joint vision for policing in the county:

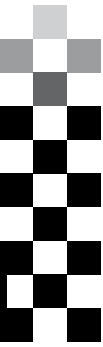
"Our vision is for Kent to be a safe place for people to live, work and visit and by protecting the public from crime and anti-social behaviour, we will allow our communities to flourish. We will work closely with our partners to ensure that a seamless service is provided and that opportunities for joint working are explored. By working with partners and listening to the public we will provide a first class policing service that places the victim first and is visible and accessible. We will ensure local visible community policing is at the heart of everything we do. We will be there when the public need us and we will act with integrity in all that we do."

Approach to partnership working:

7. The priorities within the Police and Crime Plan are the 'golden thread' that runs through the Commissioner's approach to partnership working and commissioning. These priorities have been developed in consultation with key partner agencies to ensure alignment between the Commissioner's approach, partner's priorities and the needs of Kent's communities.
8. There are a number of partnerships in existence in Kent and it is important that duplication is avoided, therefore, the Commissioner is committed to working with existing partners to enhance and strengthen established services. This can be evidenced through the support provided to those organisations and groups documented in the Police and Crime Plan, for example Community Safety Partnerships, Kent Criminal Justice Board and Drug and alcohol Action Teams. Ensuring accountability and effectively monitoring services through existing governance structures, including participation in the business planning process and regular review of performance returns is central to this approach.
9. However, in addition, the Office of the Police and Crime Commissioner (OPCC) will develop separate working arrangements with new partners to develop projects that support effective delivery of the priorities within the Police and Crime Plan. This may include the development of commissioning prospectuses or direct liaison with providers.
10. Historically, funding to partners including the Community Safety Partnerships was awarded on an annual basis, which affected the viability of projects that were making a significant difference both at a district and county level. To support the delivery of projects by providing greater certainty, the Commissioner has provided funding for three years to identified partners. This has enabled more effective long term planning, and coupled with the monitoring process ensures the 'golden thread' of the Police and Crime Plan is delivered.



11. However, Kent is a large and diverse county, and whilst there are common themes across the county, the Commissioner's approach also recognises that each district may have bespoke and individual needs. A 'one size fits all' approach doesn't necessarily allow for these needs to be met and the Commissioner provides support to both county wide initiatives such as the Independent Domestic Violence Advisers and more district based initiatives such as youth diversion programmes and Community Speedwatch.
12. Examples of successful partnership working include:
 - Development of the victims' centre / victims' centred approach, which has seen the OPCC working in collaboration with Kent Police and Victim Support to improve access and support through the victims' centre. This approach has now been extended, with the OPCC jointly chairing the co-design meeting with the Kent Criminal Justice Board, which is tasked with improving the experience of all victims across Kent.
 - The Sexual Assault Referral Clinic (SARC) saw the OPCC working closely with partners, to ensure the delivery of a new fit for purpose SARC. This is now established in Maidstone and replaces the previous service, which was generally accepted as not fit for purpose. Work is ongoing to further develop the provision of this service.
 - Developing support for rural and business communities as both face a number of challenges, which has included re-energising the Crime Rural Advisory Group (CRAG) and the Business Crime Advisory Group.
 - Developing links with organisations representing Kent's diverse communities, such as the Independent Police Advisory Group, to ensure their views are represented.
13. To support delivery of the Police and Crime Plan, the OPCC works with a broad range of public, voluntary and community sector partners. These include:
 - Community Safety Partnerships
 - Drug and Alcohol Action Teams
 - Youth Offending Service (YOS)
 - The National Probation Service and recently formed Community Rehabilitation Company
 - Criminal Justice Board
14. In addition to a regular cycle of visits to local Community Safety Partnerships, the PCC's senior officers also represent the Commissioner at a number of strategic partnership boards including:
 - The Joint Kent Chiefs Meeting
 - Kent Criminal Justice Board
 - Kent Community Safety Partnership
 - Crisis Care Concordat Steering Group
 - Kent Fire Officers Meeting
 - Medway Drug and Alcohol Group
 - SARC Management Board
15. The partnership landscape in Kent is complex and diverse in nature, which at times can create its own challenges particularly when managing competing demands. It is important that where possible duplication is avoided and the overlap between various structures reduced. During these times of austerity, this ensures a more streamlined and co-ordinated approach to service provision.



16. Engagement with the Commissioner is strong at district, parish and Community Safety Partnership level (including Kent and Medway Community Safety Partnerships), yet the Commissioner feels there are opportunities for further development at county-wide level with other elected leaders.
17. In conclusion, there is a mature and very strong partnership approach in Kent and a number of structures in place to support the delivery of collaborative approaches across a range of topics. The value of a partnership approach in tackling crime and ASB is recognised by the Commissioner and this is reflected in both the Police and Crime Plan and grants provided to partners. The Commissioner believes in supporting a range of organisations as it is important to have diverse services in place for the people of Kent.

Challenges to partnership working:

18. Commissioners hold the ultimate statutory responsibility for resourcing police and crime services and are democratically accountable to the community for that role. Their position as the interface between police, partners and the public places them in a unique position with a perspective on:
- local and national expectations, risks, opportunities and priorities;
 - resilience of local services; and
 - the needs of increasingly diverse communities.
19. The spending cuts since 2010 have already increased local risks and created pressures which have impacted adversely on communities. Nationally, there are examples of partners withdrawing, or threatening to withdraw funding, or organisations increasingly focusing inwards.
20. The impact at a local level of police funding cuts is multiplied when it occurs at the same time as a contraction in other local public services. The contraction in police resource has not been accompanied by any reduction in public or partner expectations. As the only 24/7 service, the police are becoming the agency of 'first and last resort'.
21. However, since most agencies are facing similar austerity cuts, the Commissioner recognises the importance of public services aligning their objectives, funding streams and delivery mechanisms. The Commissioner will continue to work with community safety partners, criminal justice agencies and the voluntary sector to help deliver what's important, locally. Where partnerships work well, the Commissioner will always encourage practices that prevent duplication, reduce costs and tackle issues by using a joined-up approach.
22. The Commissioner recognises that while in some cases she may not have a statutory role, she does have an important enabling role on behalf of the public. For the Commissioner, partnership working is part of core business and integral to the Police and Crime Plan as it is essential in order to effectively reduce crime and tackle anti-social behaviour.
23. Undoubtedly, effective partnership working has led to positive outcomes for the communities of Kent – the county continues to be among the safest to live and work in the UK.

From: Ann Barnes, Kent Police and Crime Commissioner
To: Kent and Medway Police and Crime Panel
Subject: Commissioner's Ethics Committee
Item & Date: Item B2 14 April 2015

Executive summary: The Code of Ethics was introduced by the College of Policing in June 2014 and aims to professionalise the police service. Consisting of nine policing principles and ten standards of professional behaviour, the Code is intended to help officers and staff make ethical decisions.

The Code requires forces to establish an internal Ethics Committee, but to maintain public trust and confidence the Commissioner has also established an external Ethics Committee. The Committee will meet twice a year and act as a forum to debate complex issues and support the Commissioner and Chief Constable in fostering a culture of ethical decision making.

The Committee consists of five Independent Members, the Commissioner, the Chief Constable and the Commissioner's Chief of Staff and the first formal meeting is scheduled for 26 May 2015.

Introduction:

1. In June 2014, the Code of Ethics was introduced by the College of Policing and was subsequently approved by Parliament. The code of practice was created to professionalise the police service and introduced using new powers under the Anti-social Behaviour, Crime and Policing Act 2014.
2. The Code applies to all police officers and staff; Special Constables; staff in the Office of the Police and Crime Commissioner (OPCC); contractors and volunteers.
3. The Code provides a framework to support individuals in making the complex judgements they are faced with every day, often in highly challenging situations. It emphasises what good policing looks like and encourages self-awareness, ensuring that everyone feels able to do the right thing and are confident to challenge colleagues, irrespective of their rank, role or position.
4. In policing, as in society, there are occasions when there is no clear cut 'right or wrong' solution. The intention is that living by the Code, individuals can be confident that they tackle ethical dilemmas in the best way and are able to account for their decisions with pride.
5. The code sets out nine policing principles based on the 'The Seven Principles of Public Life' (or Nolan Principles), and additionally includes fairness and respect. Alongside the Code, sit the ten standards of professional behaviour:

Policing principles	
Selflessness	Honesty
Integrity	Leadership
Objectivity	Fairness
Accountability	Respect
Openness	

Standards of professional behaviour	
Honesty & Integrity	Duties & responsibilities
Authority, respect & courtesy	Confidentiality
Equality & diversity	Fitness for work
Use of force	Conduct
Orders & instructions	Challenging & reporting improper behaviour

6. The Code of Ethics requires forces to establish an internal Ethics Committee. In Kent, this Committee is chaired by the Deputy Chief Constable and is comprised of police officers and staff from across the organisation. The Committee is responsible for enhancing trust and confidence in the ethical governance and actions of the Force and discharges its responsibilities by:
- promoting the highest standards of ethical behaviour;
 - providing a focus for education into ethical issues;
 - acting as a source of support to others; and
 - ensuring compliance with organisational values.

The Commissioner's Ethics Committee:

7. The Commissioner and Chief Constable recognise that officers and staff are the organisation's greatest asset, and they need to act with integrity at all times to retain public confidence. They also recognise that public trust and confidence in policing is paramount, and to maintain this, policing in Kent needs to be transparent and open to scrutiny.
8. In order to support and sustain this, the Commissioner has established an external Ethics Committee. The Committee will introduce independent, external expertise to the consideration of ethical issues and also serve to advise and support decision making by the Chief Constable.
9. The Committee will act as a forum to debate complex issues and perform an oversight function by examining current decisions, advising on future decisions and providing objective assurance in relation to decision making. The Committee will also support the Commissioner and Chief Constable in fostering a culture where ethical decision making drives Kent Police actions, and ensures a quality service is consistently delivered.
10. The Committee is scheduled to have two formal and two informal meetings per year and its scope is divided into a number of areas including (but not limited to):
- leadership;
 - debating complex operational or personnel issues
 - proactively challenging Kent Police on themes of national significance, especially the use of resources in austere times;
 - ensuring senior leaders' decision making is in keeping with the Force's Mission, Vision, Values and Priorities;
 - influencing police culture; and
 - fostering attitudes and practices which are ethical.
11. In addition, it will examine issues arising from:
- the Force's internal Ethics Committee;
 - the Commissioner's People Board;
 - individuals within the Force (at any rank) or the OPCC directly; and
 - suggestions by Committee members concerning matters of national or local importance.

12. Membership of the Committee consists of five Independent Members, the Commissioner, the Chief Constable, the Commissioner's Chief of Staff and other people by invite (if deemed appropriate). The Independent Members are as follows:
- Elizabeth Bilton - a qualified accountant, and Director of Internal Audit at MUFG. Elizabeth is also a Non-Executive Trustee and Honorary Treasurer of Plantlife International Conservation Charity.
 - John Clarke - following an extensive career in the medical profession, John retired in 2013. While working for the NHS, John sat on the Local Medical Committee and the Professional Executive Committee of a NHS Primary Care Trust.
 - Teresa Murray – a local elected Labour councillor and deputy leader of the Medway Labour Group. Teresa is also the spokesperson for Health and Community Affairs.
 - Vyramuthu Navaratnam - a retired Senior Civil Servant with an extensive clinical career in the NHS before joining the Home Office. Vyramuthu has also been a Justice of the Peace since 2006.
 - Chrys Short - has held a range of high level nursing, teaching and management roles in the healthcare profession. Chris was previously a Member of the Dartford and Gravesham Ethics Committee and also a Justice of the Peace.
13. Due to unforeseen delays in the recruitment of the Independent Members, the first informal meeting of the external Ethics Committee only took place on 10 December 2014. As an introductory meeting, this had a limited agenda, including agreeing the Terms of Reference and discussing induction training opportunities.
14. Therefore, the first formal meeting of the Committee is scheduled for 26 May 2015. At this meeting, amongst other matters, the Committee will consider:
- outcomes from the Force's internal Ethics Committee;
 - their role in the complaints process;
 - issues arising from the recently published HMIC and HMI Prisons joint inspection of Kent custody suites; and
 - stop and search.
- The Committee will also have the opportunity to raise issues of concern they would like to discuss, and the Independent Members will be asked to consider their own personal development.
15. Whilst still subject to agreement, it is proposed that Elizabeth Bilton will Chair the Committee in 2015/16 and that Chairmanship will rotate on an annual basis. In addition to a number of standing items, there will be an agenda setting meeting between the Committee Chair and the OPCC prior to each meeting.
16. The Committee's second formal meeting is scheduled for 8 December 2015.

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From: Ann Barnes, Kent Police and Crime Commissioner
To: Kent and Medway Police and Crime Panel
Subject: IPCC report on complaints against Kent Police
Item & Date: Item B3 14 April 2015

Executive summary: The most recent IPCC report was published on 2 February 2015. In Kent, recorded complaint cases increased by 25% (15% nationally) and allegations increased by 15% (10% nationally). The report explains that some of the increase is due to a change in data collection, but suggests people being less satisfied about their contact with the police or more willing to make a complaint may be other reasons.

The Commissioner is responsible for monitoring complaints made against police officers and staff and holds the Chief Constable to account through formal governance structures and regular scrutiny. Formal structures include the Governance Board and Independent Audit Committee, regular scrutiny includes monthly reviews of PSD complaint case files.

However, for Commissioners the police complaints and disciplinary landscape is changing. On 12 March 2015, the Home Secretary announced a range of reforms, part of which requires PCC's to choose from three options when determining how to structure their local complaints system. The reform also seeks to transfer responsibility for hearing some appeals from police forces to Commissioners.

Reform may be affected by the outcome of the General Election and will require legislative change, but Commissioners are already considering the implications.

Introduction:

1. Every year since 2004/05 the Independent Police Complaints Commission (IPCC) has published statistics on complaints recorded by police forces in England and Wales.
2. Under the Police Reform Act 2002, police forces must record all complaints made by the public about the conduct of those serving with the police. The Police Reform and Social Responsibility Act 2011 broadened the definition of a complaint to include those regarding matters such as general policing policies, known as 'direction and control'.
3. In addition to information about the number and type of complaints, the report also includes how complaints were subsequently dealt with and demographic data about who complained and who was subject to a complaint. The report includes a range of data broken down by individual police force.
4. The most recent report was published on 2 February 2015 and compares data for 2013/14 with 2012/13.

Latest statistics:

5. Nationally, the report shows a 15% increase in recorded complaint cases compared to 2012/13 – representing a 52% increase since 2004/05. To varying degrees, the majority of police forces across England and Wales (38) experienced an increase compared to 2012/13 - the highest being 98%. Kent showed a 25% increase.
6. A complaint case may have one or more allegations attached to it. For example, a person may allege that a police officer pushed them and that the officer was rude to them. This would be recorded as two separate allegations forming one complaint case. Nationally, the report shows allegations increased by 10% compared to 2012/13. In Kent, allegations increased by 15%.
7. However, to provide a meaningful comparison of allegations recorded across forces, the report uses an allegation rate per 1,000 employees. In 2013/14, the rate per 1,000 employees reflected the increase in allegations, at 251 compared to 228 in 2012/13. The figure in Kent was 218 compared to 209 in 2012/13. Across police forces, in 2013/14 the rate ranged from 98 to 436 per 1,000 employees.
8. The most common complaints involved allegations that an officer had been neglectful or failed in their duty, or that an officer's behaviour had been uncivil, impolite or intolerant.
9. The report explains that some of the increase in the number of allegations is because 2013/14 was the first year the IPCC was able to collect data for direction and control complaints. It also suggests other reasons possibly include people being less satisfied about their contact with the police than in previous years or more willing to make a complaint.

Holding to account:

10. Under the Police Reform and Social Responsibility Act 2011, Police and Crime Commissioners are responsible for recording and investigating complaints against Chief Constables. In dealing with any such complaints, the Commissioner follows the statutory guidance issued by the Independent Police Complaints Commission and the Police (Complaints and Conduct) Regulations 2012.
11. The Commissioner is also responsible for monitoring complaints made against police officers and staff and holds the Chief Constable to account through both formal governance structures and regular scrutiny of those complaints managed by the Professional Standards Department (PSD).
12. In terms of formal accountability, the Governance Board enables the Commissioner to shine a light on areas of policing that she has concerns about and hold the Chief Constable to account. Held in public, the Chief Constable is required to submit papers ahead of the meeting and attend in person to address questions/concerns the Commissioner may have.
13. Public complaints were an agenda item at the Governance Board as recently as 26 August 2014. The following extracts are from the Minutes and evidence how the Commissioner both challenges and supports the Chief Constable:

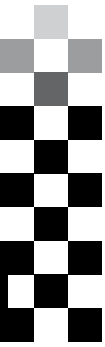
'The CFO asked if the increased complaints could directly correlate with the new policing model. The Deputy Chief Constable clarified that there is a national trend in complaints, but not all forces have the same policing model...'

'...the Police Federation Chair raised the issue that there was a lack of IPCC clarity about what they felt made a case serious and sensitive. Currently they appeared to investigate cases that were not, and asked the Force to handle cases which were. Additionally more timeliness around IPCC investigations because many investigated officers are suspended far too long. The Commissioner requested a report on this matter from the Chief Constable and the Federation and indicated her intent to pursue the matter with the IPCC.'

14. Complaint trends are also considered at the Commissioner's Independent Audit Committee. In fact, the latest IPCC statistics on complaints (the basis of this paper) was an agenda item at the most recent Audit Committee held on 10 March 2015. The Committee, required under regulation, scrutinises spend, internal control and risk management in the round.
15. In addition, at the first formal meeting of the Commissioner's external Ethics Committee on 26 May 2015, members will consider their role in providing effective oversight of the complaints process.
16. In terms of regular scrutiny, the Commissioner receives management reports in relation to complaints and every month conducts a formal review, as set out below:
 - The Office of the Commissioner receives a summary of all complaints finalised in the previous month from PSD.
 - The Head of Standards and Regulation selects 10% of the complaints at random – the sample includes any allegations of discriminatory behaviour, and where possible a good spread of different allegations and outcomes.
 - The Head of Standards and Regulation reads and reviews the case files to monitor compliance with the published complaints process and relevant legislation, and subsequently writes a report. The report highlights any areas of concern in relation to the process, and occasionally captures issues concerning broader policing practice. It also highlights where complaints have been particularly well-handled.
 - The report is circulated to the Commissioner, Chief of Staff and to PSD.
 - PSD formally respond to any queries or questions, and this is forwarded to the Commissioner and Chief of Staff.
 - Areas of particular concern are further discussed by the Head of Standards and Regulation at quarterly meetings with the Head of PSD. Where appropriate, issues are also deferred to the Governance Board or Audit Committee.

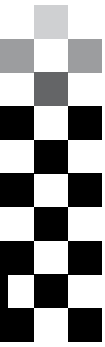
Government's proposal to transfer complaints to the Commissioner:

17. The Home Office consultation document 'Improving Police Integrity: reforming the police complaints & disciplinary systems – December 2014' set out the Government's plans for reform of the police complaints and disciplinary systems.



18. The document stated 'the effective and efficient operation of the complaints system is an essential element of ensuring public confidence' and quoted the following as part of the rationale for change :
- 35% of people lack confidence in the ability of the police to deal with their complaints fairly;
 - 78% were dissatisfied with how their complaint was handled; and
 - 46% of appeals to the IPCC against decisions taken by forces were upheld.
19. In addition to a range of other reforms, to improve the independence of the complaints system, the Government proposed a greater role for PCC's. In particular, the consultation sought views on the degree of flexibility PCC's should have in choosing whether or not to take on responsibility for parts of the complaints system:
- Receiving and recording a complaint.
 - Assessing and allocating a complaint either for local resolution, local investigation or national investigation by the IPCC.
 - Acting as a single point of contact and communication for the complainant, explaining the process to the complainant and acting as the main link between the complainant and the complaints system, including where a complaint requires an investigation by the police; and
 - Resolving complaints that are appropriate for local resolution, driving proportionate remedies such as an apology or independent mediation
20. The main thrust of the Kent Commissioner's response to the consultation concerned the demarcation of roles, between: investigation of complaint; resolution of complaint (Appropriate Authority); and hearing of any appeals (Appellant Body). In none of the proposed models or suggestions within the consultation were these three roles separated. In fact, it was felt that the consultation overlooked the Appropriate Authority role completely. A further point concerned the impact on PCC resources.
21. Following the consultation, on 12 March 2015, the Home Secretary announced a range of long-term reforms to the police complaints and disciplinary systems.
22. In relation to the role of PCC's, the Government acknowledged that the proposed changes could lead to a more fragmented complaints system, confusion for the public and there was a need to ensure a degree of consistency. Therefore, in order to strike the right balance between flexibility for Commissioner's and consistency in the way complaints are handled, the reforms enable PCC's to implement one of three options when determining how they'll structure the local complaints system. The models are as follows:

	Model 1	Model 2	Model 3
Receiving and recording a complaint	POLICE	PCCs	PCCs
Assessing and allocating a complaint	POLICE	PCCs	PCCs
Acting as single point of contact and communication	POLICE	POLICE	PCCs
Resolving complaints through local resolution	POLICE	POLICE	PCCs/ POLICE



23. The proposed legislation enables PCC's to take on responsibility for the functions directly, leave the functions with the police (where they sit currently), or identify an alternative arrangement. Where PCC's wish to involve other organisations or locally appointed advisory panels, they are free to do so.
24. In addition, the Government will also seek to introduce legislation to transfer responsibility for hearing appeals brought by complainants from police forces, to the Commissioner in cases dealt with through local resolution. There will be no option to leave the appeal function with forces - the choice will be either PCC's take on responsibility for appeals directly, or identify an alternative arrangement that is independent of the police force.
25. Changes to the complaints system may be affected by the outcome of the General Election in May 2015 and any reform will require legislative change. However, the Office of the Kent Police and Crime Commissioner has started to consider the implications of the proposed changes in order to best serve the public of Kent and enhance confidence in the local complaints system.



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From: Ann Barnes, Kent Police and Crime Commissioner
To: Kent and Medway Police and Crime Panel
Subject: Violent Crime
Item & Date: Item B4 14 April 2015

Executive summary: Under the Police Reform and Social Responsibility Act 2011, Commissioners are required to hold their Chief Constable to account for performance on behalf of local people, but must not fetter their operational independence.

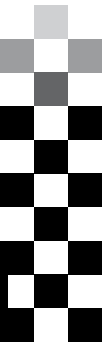
In Kent, formal accountability is through the Commissioner's Governance Board, regular reviews of performance data and senior PCC staff attending Force performance meetings. However, this is complemented by weekly meetings between the Commissioner and Chief Constable, regular liaison between senior PCC staff and chief officers and bespoke briefings by the Force. The Commissioner also receives regular objective performance assessments from HMIC.

Recently published crime figures showed a 31% increase in violence against the person offences in Kent (16% nationally). Analysis indicates a large proportion of this is because the time periods used represent different stages in the Forces journey to improve crime recording accuracy following a critical inspection. HMIC acknowledge that a true performance comparison will not be available until the comparison is like for like in terms of recording accuracy.

The first HMIC national inspection of crime recording accuracy was conducted in 2014. For Kent, this was actually the third inspection and found a 96% accuracy rate, with HMIC concluding that the people of Kent could have confidence in the crime figures. However, HMIC found varying degrees of accuracy ranging from 60% upwards and estimated one in five offences that should have been recorded as crimes were not. For a number of forces therefore, the journey to improve crime recording accuracy has just begun.

Holding Kent Police to account:

1. The governance for policing is set out in the Police Reform and Social Responsibility Act 2011. Police and Crime Commissioners are required to hold their Chief Constable to account for the effectiveness and efficiency of their force, including performance against the priorities within the Police and Crime Plan.
2. However, Commissioners must also not fetter the operational independence of the police force or Chief Constable. Therefore, holding to account requires Commissioners to develop proportionate, balanced and sustainable structures/processes.
3. Kent Police is clear that success is a reduction in recorded crime levels, and as outlined above, on behalf of the public the Commissioner holds the Chief Constable to account for delivery.
4. The Commissioner achieves this through both formal governance structures and informal processes, such as ad-hoc discussions with the Chief Constable and/or other senior officers.



5. In terms of formal accountability, the Governance Board enables the Commissioner to shine a light on areas of policing that she has concerns about and to hold the Chief Constable to account in a public forum.
6. Force performance, including levels of recorded crime, has been a standing agenda item since the inception of the Governance Board. Supported by a paper from the Chief Constable, this item provides an overview of latest performance and enables the Commissioner to challenge and probe issues of concern, but equally acknowledge and celebrate success.
7. Importantly, whilst performance is a standing agenda item, this does not prevent the Commissioner also requesting specific performance related items or receiving updates from thematic reviews. It also does not prevent the Commissioner reviewing performance via an alternative format – for example, at the last Governance Board (25 February 2015) the Force gave an in-depth presentation.
8. The Office of the Police and Crime Commissioner receives and reviews performance data on a regular basis and senior PCC staff attend a range of Force performance meetings. This includes the two-monthly Performance Management Committee which is chaired by the Deputy Chief Constable, has senior representation from across the Force and focuses on understanding and improving performance.
9. All of this is complemented by weekly meetings between the Commissioner and Chief Constable to discuss policing issues as well as regular liaison between senior PCC staff and chief officers on general and specific matters. The Commissioner can also request bespoke briefings from the Force; recent examples include Serious and Organised Crime and Integrated Offender Management.
10. In addition, the Commissioner receives regular objective performance assessments from HMIC, and where necessary, the Commissioner can commission HMIC to conduct inspections into any aspect of Force performance. This happened in relation to Kent's crime recording accuracy, leading to significant improvements locally and also precipitating the national HMIC inspection into recording practices (see below).

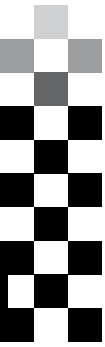
Violent crime in Kent:

11. The Crime in England and Wales quarterly publication is produced by the Office for National Statistics (ONS) in partnership with the Home Office. The most recent publication was released on 22 January 2015 and compared recorded crime figures for the 12 month period to September 2014 with the 12 month period to September 2013.
12. As stated by the Vice Chair of the Panel at the last meeting, this publication showed a 31% increase in violence against the person offences in Kent compared to a 16% increase nationally.
13. At face value, this of course appears to be of concern. However, whilst the Force is not complacent, it is agreed and accepted that the majority of the increase is due to improved crime recording practices, underpinned by a significant change in organisational culture.

14. Following Her Majesty's Inspectorate of Constabulary (HMIC) initial inspection into crime recording accuracy in Kent commissioned by the PCC (published June 2013), the Force implemented a comprehensive action plan to ensure the public of Kent could have greater confidence in the crime figures.
15. In addition to restructuring the crime recording process, the Chief Constable supported by the Commissioner commenced a significant culture change programme – from an organisation numerically based to one focused on 'doing the right thing'.
16. A subsequent follow up interim HMIC inspection of Kent Police (published January 2014) found the accuracy rate had increased by 6 percentage points (90-96%).
17. Analysis indicates a large proportion of the 31% increase in violence against the person offences is due to the two time periods not being comparable. The 12 month period to September 2013 was largely prior to changes being implemented to improve crime recording accuracy. The 12 month period to September 2014 includes a number of months post restructuring of the crime recording process and commencement of the culture change programme – as a result, the force recorded more offences.
18. Corroborating this, projections based on provisional data indicate the next ONS publication will show a smaller increase. HMIC also recently stated that Force performance is improving and acknowledged that a true performance comparison will not be available until the 12 month period to June 2015 data, when year on year comparison will be like for like in terms of recording accuracy.
19. However, other factors contributing to the increase include a 9% rise in domestic abuse incidents due to a campaign encouraging victims to come forward and police officers actively seeking and recording historic offences. Both the Commissioner and Chief Constable welcome this as it indicates victims feel more confident to report incidents and officers are 'doing the right thing'.
20. There is no complacency though. Kent Police continues to work tirelessly with partners to reduce crime, protect the public from harm and provide a first class service to the communities of Kent.

Crime recording accuracy – national picture:

21. During 2014, as part of an inquiry by the Public Administration Select Committee (PASC) into crime statistics, allegations of under recording of crime by the police were made. As a result, HMIC carried out their first national inspection of crime data integrity.
22. HMIC concluded that across England and Wales an estimated one in five offences that should have been recorded as crimes were not. They also found that the greatest levels of under recording were in violence against the person offences (33%) and sexual offences (26%) – although there were considerable variations across different offence types.
23. For Kent Police, the national inspection was the third in relation to crime recording and was intended to provide both HMIC and the Commissioner with reassurance that improvements had been sustained since the initial and interim reports. HMIC found the Force had maintained a 96% accuracy rate and concluded that the people of Kent could have confidence in the crime figures.



24. However, the same could not be said for a number of other forces - HMIC found varying degrees of accuracy ranging from 60% upwards. It should therefore be recognised that there isn't a level playing field in terms of crime recording accuracy and this will be reflected in published crime figures for many months to come.
25. In addition to Kent, the most recent ONS publication showed 40 other forces had experienced an increase in violence against the person, with the highest being 38%. For a number of these forces, the journey to improve crime recording accuracy has just begun.
26. HMIC will continue to monitor the accuracy of crime recording through their annual all-force inspection programme known as PEEL (Police Efficiency, Effectiveness and Legitimacy).

Police and Crime Panel Forward work programme

2 June 2015

Election of Chairman and Vice-Chairman	Annual requirement
Membership of Panel	Review following District Council elections
Membership of Complaints Sub-Panel	Annual requirement
Complaints against the PCC and policy review	Report by Panel officers or Sub-Panel
Force performance in 2014/15, as compared with PCC's Police and Crime plan objectives	Requested by Panel
Delivering value for money	Requested by Panel
PCC's Annual report 2014/15	Statutory requirement

22 September 2015

Working with the business community	Requested by Panel
Update on funding for body worn cameras	Requested by Panel September 2014
Accounts 2014/15	Statutory requirement
Review of Panel Communications Protocol	Review agreed by Panel (report by Panel officers)

17 November 2015

Protecting the public from Serious harm	Requested by Panel
Update on Victim Centre and Victim support work	Requested by Panel September 2014

February 2016

Draft Police and Crime plan 2016/17	Statutory requirement
Precept proposal 2016/17	Statutory requirement

Panel Annual report	Requested by Chairman
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Items to note at each meeting

Commissioner's decisions

Commissioner's forward plan of decisions

Governance Board minutes