

## 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 Thursday, 8 September 2016.

PRESENT: Mr P M Hill, OBE (Chairman), Mr Gurvinder Sandher (Vice-Chairman), Cllr P Clokie, OBE, Cllr F Gooch (Substitute for Cllr F Wilson), Cllr A Horton, Cllr K Morris, Cllr Sloan, Cllr P Todd, Mr R A Latchford, OBE, Dr M R Eddy and Mrs E Bolton

ALSO PRESENT: Mr M Scott (Kent Police and Crime Commissioner), Mr A Harper (PCC's Chief of Staff) and Mr P Curtis (Chief Finance Officer - Kent Police)

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

### UNRESTRICTED ITEMS

#### **187. Minutes of the Police and Crime Panel held on 14 June 2016**

*(Item 4)*

RESOLVED that the minutes of the meeting held on 14 June be signed by the Chairman as an accurate record.

#### **188. Confirmation Hearing - Commissioner's Chief Finance Officer**

*(Item 5)*

1. The Panel was provided with a report by the Commissioner in advance of their meeting. That report set out the Commissioner's proposed job description and person specification for his Chief Finance Officer and explained the recruitment process in detail. The report advised the Panel that, at the conclusion of the selection process, the Commissioner proposed to appoint Mr Robert Phillips and set out the reasons for this proposal. The Panel was satisfied that this report provided them with the information set out in Schedule 1(9) of the Police Reform and Social Responsibility Act 2011.
2. The Panel noted that the Commissioner had advertised nationally and locally and had decided, on grounds of value for taxpayers' money, not to use a recruitment agency. The Panel noted that 11 applications had been received, which they felt was a good number, and that 4 were shortlisted, although one unfortunately withdrew before the interview stage. The Commissioner advised the Panel that he felt Mr Phillips was very well suited to the role, had a great deal of relevant experience, and that he had particularly welcomed Mr Phillips' positive approach to collaboration.

3. The Panel heard from Councillor Todd, who had observed the interview process at the invitation of the Commissioner. Councillor Todd said that 3 high calibre candidates had been robustly and fairly tested through the selection process and that he commended the proposal to appoint Mr Phillips.
4. Mr Phillips described to the Panel his extensive background in a variety of local government finance roles and his experience as Deputy Chief Finance Officer to 2 PCC's.

RESOLVED that the Panel support the Commissioner's proposed appoint of Mr Phillips as Chief Financial Officer.

### **189. Updated Police and Crime Plan** *(Item 6)*

1. The Panel were provided with the Commissioner's draft updated Police and Crime Plan, together with a report explaining the main changes. The Panel were satisfied that the draft Plan met the legal requirements placed on the Commissioner. The Panel noted that, as the plan was being introduced partway through the year, the budget and medium-term financial strategy were unchanged.
2. The Panel noted that the updated Plan honoured the commitments made in the previous Plan for commissioning allocations to Community Safety partnerships and others. The Panel also noted that the updated Plan contained changes to governance arrangements with an increased focus on the Commissioner's Governance Board, where the Commissioner holds the Chief Constable to account in a meeting held in public. The Panel noted the Commissioner's invitation to all Panel members to attend meetings.
3. The Panel noted that the updated plan was based on the six-point Plan put forward by the Commissioner during the election and that mental health was a "golden thread" running through the Plan.
4. The Panel noted that value for money appeared to be given a higher priority than in the previous Plan and asked what the Commissioner intended. The Commissioner explained the collaboration work being undertaken with Essex in relation to back office work and also drew attention to the options to collaborate more closely with Kent Fire and Rescue Service. The Commissioner also commented that he saw opportunities to work more closely with other police forces and partners, referring in particular to the KCC Community Warden service.
5. The Panel asked whether the budget still contained provision for additional firearms officers, as provided for in the previous Plan. The Commissioner confirmed that funding for 24 additional officers remained in the budget, and it

was an operational decision for the Chief Constable whether he chose to recruit a higher number. The Panel noted that the Commissioner was working with the Chief Constable to encourage officers to consider volunteering for this role but noted the difficulties as other Forces were also seeking additional officers.

6. The Panel asked about the proportion of the pay budget that was spent on overtime and asked whether this money could be better spent on additional officers. The Commissioner explained that, of the £258m pay budget, approximately £5m related to police officer overtime and £1m related to police staff overtime (including PCSO's). The Panel felt this was a very low proportion and that it could be shown separately in the budget to highlight the relatively low proportion.
7. The Panel noted with approval the emphasis in the Plan to increase the visible presence of police officers, noted the intention to recruit police officers and asked whether this was replacing losses or was a net gain. The Commissioner confirmed that this would enable a net gain of personnel to officer strength of 3260 and PCSO strength of 300, based on current expected funding.
8. The Panel pointed out that the Commissioner's priorities, based on his six-point plan, placed emphasis on local policing, which they felt probably reflected the priorities of local people and asked about the Commissioner's commitment to national priorities and strategic policing issues. The Commissioner explained that he was fully committed to national priorities and that he felt that local people would also understand Kent's strategic position and the need to devote resources to counter terrorism and other national priorities.

RESOLVED that the Panel note the Commissioner's updated Police and Crime Plan.

#### **190. Accounts 2015/16 - Statutory Requirement** (Item 7)

1. The Commissioner introduced the report on historical accounts for information as it was a statutory requirement and that consideration by the panel of previous funding arrangements would be helpful in his long term financial planning. Since taking office, the Commissioner had met with the external auditors to scrutinise the historic accounts and was pleased to report that 6 weeks ahead of schedule, the 2015/16 accounts had been approved with an unqualified opinion.
2. Responding to Panel questions regarding use of Reserves, the Commissioner explained that the majority had been earmarked for use on specific projects in relation to larger revenue and capital investment programmes, while a smaller amount was planned for re-investment into core frontline policing. It was anticipated that almost all the earmarked reserves would be spent by 2020.
3. Paul Curtis (Kent Police's Chief Financial Officer) explained that 10% of reserves were always maintained for addressing additional risk factors, managing change and taking advantage of unplanned policing opportunities. Mr Phillips advised the

Panel that the level of reserves held by Kent were not excessive and that many other Forces maintain higher levels.

4. Responding to questions from the Panel, Mr Curtis explained that the pension deficit of £3bn related to the complicated calculations of Actuary Valuations and that these had been significantly impacted by market instability. Work was ongoing to monitor this issue and manage it accordingly.

RESOLVED that the Panel note the Accounts from 2015/16.

## **191. Mental Health Strategy - Initial Thoughts**

*(Item B1)*

1. The Commissioner advised the Panel that he was pleased to have the opportunity to explain why mental health was such an important topic and why he was keen to focus on its relationship with Policing during his time as Commissioner. He described mental health as the 'golden thread' of how he wants to improve policing, given that it is so heavily involved in a large amount of policing activity. The Commissioner gave an example showing that dealing with one case of significant mental health issues could occupy two Police Constables for their entire shift, preventing them from dealing with other calls from the public or undertaking any kind of meaningful neighbourhood policing. The Commissioner was concerned that the support and interventions for people suffering from mental health were available from the agencies responsible for providing them, but they do not have the capacity to meet the demand and manage the issues effectively.
2. The Commissioner further explained that current estimates suggest that 33% of all police time is spent dealing with mental health issues. To address this, he has already set up a system of employing representatives from the mental health charity, MIND, to work in the Force Control Room to offer support and assistance at the peak times for when such issues present. The Commissioner explained that he had been working with partners across Kent and that the CEO of the Kent and Medway Partnership Trust is very committed to working with the Police on joint mental health plans. Similarly, the Commissioner stated that he was planning to set up a Mental Health Board to link with partners both locally and nationally. A capital bid has been submitted to the Department for Health (as part of a tranche of bids relating to s136) and that this will be supported through some revenue support from his office and the Clinical Commissioning Groups.
3. To highlight the growing issue, the Commissioner advised that Panel that s136 detentions (where a person is detained on the grounds that their mental health presents a risk to themselves or others), are increasing year on year. However, from 2017, Police custody cells would no longer be a legal option for such detention for adults except in extreme circumstances and never for children. As a result, the responsible organisations would need to develop and manage legally compliant alternatives. He explained that this would not mean that Kent Police had no involvement with working with people with mental health issues but he was encouraged that there were already many positive internal discussions taking place regarding improved plans for managing mental health better in terms of how it impacts on policing.

4. The Panel welcomed the Commissioner's initial thoughts on his Mental Health Strategy and expressed broad support, particularly the use of MIND staff in the Force Control Room at times of peak demand for mental health related police support. It was suggested that the Commissioner should involve the Clinical Commissioning Groups as much as possible to share good practice and resources where possible, in addition to working on joint bids for funding.
5. Responding to additional questions, the Commissioner explained that he was optimistic that close working with KMPT would help raise awareness of this key issue and attract support from relevant bodies. Additionally, he advised the Panel that he was aware of the need for good training for Officers and staff on how to deal with mental health issues effectively, both in terms of members of the public but also in terms of supporting colleagues. However, a key priority within this was improved demand management that ensured the Police were not the default service when other agencies more suited to dealing with mental health issues were not available.

RESOLVED that the Panel note the Commissioner's update on mental health and that a further report be brought back to the Panel in 2017.

## **192. Roads Policing (oral item)**

*(Item B2)*

1. The Commissioner noted that Kent includes a very large strategic road network and that roads policing was a subject often raised by the Public and councils. He advised the Panel that he works with the Safer Roads Strategy Board and Highways England.
2. The Commissioner stated that he was supportive of Community Speedwatch programmes but that the issue of road safety needed to be broadened out beyond speeding and the 'killed and seriously injured' figures (KSI). He advised the panel that Assistant Chief Constable Tony Blaker had recently been appointed and one of his responsibilities was roads policing. The Commissioner advised the Panel that he was mindful of the issues presented by HGVs parking inappropriately around the county and reassured them that he was working with relevant organisations to consider the wider strategic issues and would continue to highlight the importance of achieving long term solution, including additional lorry parking facilities. He was hopeful that the proposed lorry park in Kent would help alleviate the problems caused by Operation Stack and he noted that it was positive that this had now been recognised as a national issue.
3. Members raised local traffic issues of concern relating to the Thanet Way and Dover, commenting on a perceived lack of police presence and capability to provide enforcement. The Commissioner advised that he would look into specific issues outside the meeting and commented generally that while enforcement was an important part of managing traffic issues, preventative measures and behaviour change initiatives were far more effective at delivering improvements to road safety and traffic calming.

RESOLVED that the Commissioner's verbal update be noted by the Panel.

### **193. Independent Members - Possible Allowance Payment**

*(Item C1)*

*(The Independent Members, Mr Sandher and Mrs Bolton, withdrew from the meeting room for the duration of the item, both having potential financial interest in the decision to award allowances to Independent Members.)*

1. The Chairman explained the proposal to introduce an allowance of £500 annually, in line with KCC's constitution rate for independent co-optees. Consideration of such an allowance had been deferred when the Panel was created due to an expectation of further Home Office Guidance, which never materialised. The Chairman highlighted the positive contribution of the current and previous independent members, in terms of the wider experience and expertise they provided and recommended the proposed allowance to the Panel.
2. Officers responded to Member questions regarding allowances, clarifying that the allowance would be reviewed when KCC next reviewed its allowance scheme.

RESOLVED that the Panel's Terms of Reference be amended to show that Independent Members of the Police and Crime Panel will, from the 2016/17 financial onwards, receive an annual allowance of £500, in addition to any other reasonable travel expenses (in line with claim processes for elected Panel Members).

### **194. Review of Panel Communications Protocol**

*(Item C2)*

1. A Member commented on the need to consider Social Media in addition to engagement with professional media.

RESOLVED that the updated Panel Communication Protocol be approved.

### **195. Future work programme**

*(Item C3)*

RESOLVED that the Work Programme be noted.

### **196. Questions to the Commissioner**

*(Item )*

1. Mr Hill:

*I see from a recent blog that you had a meeting with New Schools Network "to talk about the now Prime Minister's suggestion that PCCs could be involved in the setting up of new kinds of free schools". You stated that "I am a supporter of this idea in principle and will be working with NSN to scope the possibilities in the county based on need". Please can you explain your thinking to the Panel?*

The Commissioner explained that his plans to investigate the potential for being involved in the development of Free Schools were based on proposals made by Theresa May when she was the Home Secretary. This work had been piloted by the Northamptonshire Commissioner and the feasibility of this taking place in Kent

was still being scoped. The Commissioner explained that he was supportive of working with young people and that the Free School element was just one avenue being explored.

2. Mr Sandher:

*Please could the PCC explain how he intends to ensure that his proposed cadet scheme will reflect the diversity of Kent in terms of socio-economic background and ethnicity?*

The Commissioner explained that Police Cadets are being reintroduced around the county on a phased basis, with cohorts initially planned in Tonbridge, Canterbury and Medway. The Commissioner stated that he believed the cadet scheme was a good opportunity for young people to learn about the Police and the wider public sector and that thirty enquiries about places on the scheme had already been received. He noted that it was important that the scheme be open to all and be inclusive. To that end, referral schemes and bursaries were being investigated to ensure financial or social pressures were not barriers to young people taking part.

3. Mr Latchford:

*Please can the Commissioner provide an update on the Police Investigation into the alleged electoral fraud in Thanet South in the 2015 Parliamentary election?*

The Commissioner explained that he could make no comment as the investigation was still ongoing. He provided reassurance that he had raised the issue with the Chief Constable at the last Governance Board meeting. The Commissioner stated that no update would be possible until the investigation had been concluded.

4. Mrs Bolton:

*It was recently reported in the media that Kent Police had been ordered to pay aggravated damages in a race discrimination case at an Employment tribunal. The Employment Tribunal panel were damning about a range of issues, which included the actions of the Chief Constable, the Professional Standards department and a Detective Chief Inspector.*

*This will obviously affect public confidence and staff morale. What is the Police and Crime Commissioner doing to hold the Chief Constable to account to ensure that this does not happen again?*

The Commissioner explained that he was unable to comment as Kent Police were appealing the decision and it was therefore still an ongoing legal matter. However, he reassured the Panel that relevant issues in regard to preventing discrimination had been raised with the Chief Constable and that he expected all recommendations from the eventual judgement to be complied with.

RESOLVED that the Panel thank the Commissioner for providing answers to Member questions.

**197. Procurement of External Audit Services**  
*(Item E1)*

1. The Chairman commented on the positive development of the decision recording system now in place and noted that it was helpful for the Panel in their considerations.

RESOLVED that the Panel note the Commissioner's decision.

**198. Mind Project - FCR**

*(Item E2)*

RESOLVED that the Panel note the Commissioner's decision.

**199. Interim s151 Officer**

*(Item E3)*

RESOLVED that the Panel note the Commissioner's decision.

**200. Minutes of the Commissioner's Governance Board meeting held on 2 August 2016**

*(Item F1)*

1. A Member commented that it would be useful if an action sheet was included within the Governance Board minutes to assist with monitoring outcomes.

RESOLVED that the 2 August 2016 Governance Board minutes be noted.

The next Governance Board was scheduled for 7 November 2016 at 14:00