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To: Kent and Medway Police and Crime Panel – 2 February 2016

Subject: Panel Annual Report and review of Panel work since 2012

Introduction

1. The Panel has considered and agreed an Annual Report on its work each year since 2013. As the Kent Police and Crime Commissioner is now approaching the end of her term of office this report is in 2 parts. The first is the proposed Annual report for 2015 and the second is a review of the Panel's work since its establishment in November 2012.

PART 1 - 2015 Annual report

2. During the year the membership of the Panel was adjusted following Council elections to ensure appropriate representation of the political parties in Kent and Medway. The Panel currently comprises 12 Conservative, one UKIP and one Liberal Democrat Member; these are Leader nominations from each district council, Medway Council and KCC. The Panel also co-opts one additional Member from Medway Council in recognition of the size of Medway and then 3 additional Council Members to, as far as practicable, ensure political balance across Kent and Medway (one UKIP and two Labour Members). Gurvinder Sandher remained as one of the two required independent members and Elaine Bolton was appointed as an independent member in place of Dan MacDonald, who stood down following his election as a Medway councillor. Mike Hill was Chairman and Gurvinder Sandher Vice-Chair throughout the year.

Meetings

3. During the year the Panel met 6 times and the Complaints Sub-Panel met once. In addition to the formal meetings Panel members also met with the Commissioner and her staff for a briefing on the work of her Office. The Chairman and Vice-Chair held meetings with the Commissioner from time to time to assist and support the smooth running of Panel business.

Panel business

4. The Panel met its statutory duty to consider and make recommendations on the Commissioner's draft Police and Crime plan and her proposed precept. The Panel

supported the Commissioner's Police and Crime Plan and approved her recommended 2% precept increase.

5. The Panel met its statutory duty to consider the Commissioner's Annual Report and accounts for 2014/15. In noting the accounts the Panel congratulated the PCC and the Force on their work so far in managing the financial pressures successfully.
6. The Panel also held a confirmation hearing for the Commissioner's new Chief of Staff and approved her proposed appointment of Mr Harper.
7. The Panel received 2 reports during the year on the Commissioner's work to support victims and the establishment of a Victim Centre. The Chairman and Vice-Chair also visited the Centre, accompanied by the Commissioner. The Panel expressed its support for this work.
8. Following the Commissioner's decision to create a Youth Advisory Group after the end of the second Youth Commissioner's term, the Panel considered a report on youth engagement. The Panel supported the work and the decision to seek views from a wider group of young people, while noting that this should not be limited to the civic-minded but should also seek views from hard-to-reach groups.
9. Following the HMIC report into crime recording data accuracy in 2014 the Panel sought and received 2 reports on crime recording and crime performance. The Panel were pleased to note that recording accuracy is now at 96% and were also pleased to see that, once data at this level of accuracy was available for a full twelve month period, it showed reducing levels of crime. The Panel commended the Commissioner and the Chief Constable for their progress in this area.
10. During the year the Panel also received and noted reports on value for money, working with the business community and the work of the Commissioner's Ethics Committee. The Panel received a report on complaints against the Commissioner and were pleased to note that, as in the previous year, the number of complaints was very low and none had been upheld.
11. The Force received a critical HMIC report on its Custody suites and the Panel sought and received assurances from the Commissioner that the issues identified were being addressed and that she was holding the Chief Constable to account for achieving the necessary improvements.
12. In September 2014 the Panel Chairman was told of a possible misconduct matter involving the PCC and, in accordance with Regulations, arranged to refer the matter to the IPCC to investigate. The Panel received and considered an IPCC report of their investigation in October 2015. The Panel expressed its concern at the time taken to investigate and to produce the report and also concluded that the whole episode had caused damage to the PCC herself, to her Office and to the administration of justice.

Commissioner's decisions

13. The Commissioner met her responsibility to inform the Panel of decisions of significant public interest at each meeting. Towards the end of the year a format was adopted which enabled the Panel to understand more fully the reasons for those decisions. Generally, decisions were noted by the Panel but there were a few occasions when members sought clarity or further explanation, which the Commissioner provided. The Commissioner also published details of expenditure in excess of £500 and Panel members were briefed by officers on expenditure of particular interest.

PART 2 - 2012-1015

Panel's functions, duties and meetings

14. The Panel has both general and specific duties. Its general duties are to review or scrutinise decisions made by the Commissioner or actions taken by her (Police Reform and Social Responsibility Act s28(6)) and to exercise its powers with a view to supporting the effective exercise of the PCC's functions (PRSR Act s28(2)).
15. The Panel has specific duties to
 - Agree or otherwise the PCC's proposed precept
 - Consider and publish a report on the PCC's Police and Crime plan
 - Consider and report on the PCC's Annual Report
 - Agree or otherwise the proposed appointment of a Chief Constable, PCC's Chief Executive and PCC's Chief Finance Officer
16. The Panel was formally established in November 2012, coinciding with the election of the Police and Crime Commissioner. In 2012 the Panel met formally on one occasion but also met once, prior to November 2012, as a Shadow Panel in order to determine its method of operation. In 2013, 2014, and 2015 the Panel met on 6 occasions (plus 2 informal meetings in 2014).

Initial arrangements

17. In the early months of 2013 the Panel established its method of operating and worked with the Commissioner to establish sound working relationships. An initial procedure for advising the Panel of significant decisions was adopted in 2013 but, in 2014, this was found to be too onerous and was replaced by adoption of Local Government Association guidelines on notifying Panels of PCC decisions.
18. The Panel also established a work programme setting out draft agendas for meetings over the next twelve months. The purpose this programme was to give sufficient flexibility to enable current topics to be discussed, to give the PCC adequate warning of matters the Panel wished her to report on and also to ensure that, over her period of office, all aspects of the PCC's Police and Crime Plan were considered by the Panel.

19. Panel members were briefed at the outset on their role and the powers of the Panel. The Deputy Chief Constable also gave Panel members a briefing on the policing priorities at the time. As new members have joined the Panel a briefing on the role of the Panel has been offered by officers.

Review of the Commissioner's decisions and actions

20. The topics that were considered most frequently at Panel meetings (in addition to those which the Panel is required to consider each year) were:
- Youth Commissioner and youth engagement
 - Crime performance and crime recording
 - Victim support and Victim Centre
21. The Commissioner has a duty to publish decisions of significant public interest and the Panel asked that these be reported to the Panel at each meeting. The Commissioner decided to discharge her duty to hold the Chief Constable to account through a series of Governance Boards, held in public, and the Panel asked that the minutes of these meetings be added to Panel agendas for information. Panel members have also attended Governance Board meetings to observe her holding the Chief Constable to account at first hand.
22. Over the PCC's period of office the Panel has sought to be supportive of the PCC wherever possible. The Panel has been particularly supportive of the work undertaken by the PCC to remove a target-driven culture within the Force and of her and the Force's very positive response to the HMIC report that identified some inaccurate crime recording. The Panel was pleased to note that the current level of accuracy is very high and that crime levels are generally falling.
23. The Panel has also been supportive of the work by the Commissioner, following her acquisition of responsibility for victim support in 2014, to establish a Victim Centre in Kent.
24. With the exception of 2014, all precept proposals have been approved by the Panel, the Police and Crime Plan has been supported each year and the proposed appointments of a Chief Constable, 2 Chiefs of Staff and a Chief Finance Officer have all been supported.
25. Where necessary the Panel has been critical of the Commissioner and has asked her on occasion to reflect on the Panel's views. In 2014, the Panel did not agree to the PCC's proposal to increase the precept by 3.5%, if permitted without a referendum, although there was not a sufficient majority to veto the proposal. In the event the PCC raised the precept by 2%, the maximum permitted without a referendum.
26. When the Commissioner explained her decisions (in both 2013 and 2014) to recruit a Youth Commissioner the Panel's view was that a single appointment was not the best way to achieve the laudable goal of engaging more fully with young people and it made its views clear on several occasions. When, in 2015, the Commissioner

decided to establish a Youth Advisory Group the Panel expressed their support for this approach.

27. The Panel was also critical of some of the PCC's public relations work in the first part of her term of office and this culminated in some specific recommendations to her following her appearance in a Channel 4 documentary. The Panel is pleased to note that the PCC has taken note of the Panel's views.

Panel communications

28. The Panel adopted a Communications Protocol to ensure that public statements were made by the Chairman and that, where appropriate, there is liaison with the PCC and any statements she might wish to make. The Panel agreed that all its public meetings should be webcast so that the public can see it doing its work. In 2015 the Panel established its own webpage, where all its papers and minutes are available, to explain its work more fully and to provide a commentary on its meetings.

Conclusions

29. The Panel has settled into its role since its establishment in 2012 and has provided both support and challenge to the Police and Crime Commissioner. It has discharged all its specific responsibilities whenever required and has ensured that, over her period of office, it has discussed and reviewed all aspects of the Commissioner's work. The Panel has welcomed the Commissioner's willingness to meet informally with Panel members and to explain the work she and her staff are doing. Panel members have been encouraged by the Commissioner to observe her work at Governance Boards and on other public occasions. The Panel has always sought a constructive working relationship with the Commissioner and, particularly since the latter part of 2014, the relationship has been generally constructive.

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