

Leicester
City Council

**MEETING OF THE LEICESTER, LEICESTERSHIRE AND RUTLAND POLICE
AND CRIME PANEL**

DATE: WEDNESDAY, 27 JANUARY 2021
TIME: 1:00 pm
PLACE: Virtual using Zoom

Members of the Panel

Councillors Harper-Davies, Kaur Saini, Loydall, Mullaney, Orson, Pantling,
Phillimore, Rae Bhatia, Rahman, Taylor, Walters, Whelband and
Woodman

Independent Members

Mr Keith Culverwell
Ms Mehrunnisa Lalani

Members of the Panel are invited to attend the above meeting to consider the
items of business listed overleaf.

For Monitoring Officer

Officer contacts:

Anita James (Senior Democratic Support Officer),
Tel: 0116 4546358, e-mail: committees@leicester.gov.uk
Leicester City Council, 3rd Floor Granby Wing, City Hall, 115 Charles Street

Information for members of the public

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- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

If you have any queries about any of the above or the business to be discussed, please contact:

Anita James, Democratic Support on 0116 4546358. Alternatively, email committees@leicester.gov.uk, or call in at City Hall.

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PUBLIC SESSION

AGENDA

NOTE: LIVE STREAM OF MEETING

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1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members will be asked to declare any interests they have in the business on the agenda.

3. MINUTES OF THE LAST MEETING: Item 3 page 1

The minutes of the meeting held on 9 December 2020 are attached and Members will be asked to confirm they are an accurate record.

4. PROPOSED PRECEPT 2021-22 AND MEDIUM TERM FINANCIAL PLAN (MTFP) TO FOLLOW

Members will receive a report setting out the proposed precept 2021-22 and medium term financial plan (MTFP).

5. ANNUAL REPORT OF COMPLAINTS RECEIVED AGAINST THE LEICESTER, LEICESTERSHIRE AND RUTLAND POLICE AND CRIME COMMISSIONER Item 5 page 9

Members to receive a report providing an update on complaints relating to the Police and Crime Commissioner over the last 12 months.

Members will be asked to comment and to note the contents of the report.

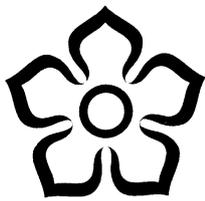
6. WORK PROGRAMME Item 6 page 13

Members to note the ongoing work programme and to consider any additional

items for inclusion.

7. ANY OTHER URGENT BUSINESS

8. DATE OF NEXT MEETING



Leicester
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Item 3

Minutes of the Meeting of the
LEICESTER, LEICESTERSHIRE AND RUTLAND POLICE AND CRIME PANEL

Held: WEDNESDAY, 9 DECEMBER 2020 at 2:00 pm as a virtual meeting using Zoom.

P R E S E N T:

Cllr Orson (Chair)
Cllr Pantling (Vice-Chair)
Cllr Kaur Saini, Cllr Mullaney, Cllr Harper-Davies
Cllr Phillimore, Cllr Westley (substitute), Cllr Woodman
Cllr Rahman, Cllr Taylor, Cllr Walters,
Mr Culverwell

In Attendance:

Lord Bach – Police and Crime Commissioner
Kirk Master – Deputy Police and Crime Commissioner

Also, Present:

Angela Perry – Executive Director, OPCC
Paul Hindson, Chief Executive Officer, OPCC
Paul Dawkins – Chief Finance Officer (temp), OPCC
Andrew Furlong – Advisor to Lord Bach, OPCC
Sallie Blair – OPCC
Kamal Adatia – Monitoring Officer

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36. APOLOGIES FOR ABSENCE

The Chairman led introductions and advised this was a virtual meeting as permitted under section 78 of the Coronavirus Act 2020 to enable meetings to take place whilst observing social distancing measures.

Apologies for absence were received from Councillor Whelband, Councillor Loydall, Councillor Rae Bhatia and the Chief Constable Simon Cole.

It was noted that Councillor Westley was in attendance as a substitute for Councillor Rae Bhatia.

37. DECLARATIONS OF INTEREST

Members were asked to declare any pecuniary or other interest they may have in the business on the agenda. There were no such declarations.

38. MINUTES OF THE LAST MEETING 1ST OCTOBER 2020

Item 29 Police and Crime Commissioners Annual Report

Regarding the Victim Surcharge it was noted that the Victim Surcharge was administered by the Court System and awarded to organisations that support victims. Therefore, the OPCC were not in a position to report on that as it was not within their remit. The Chair was satisfied with the response of the OPCC.

Item 33 IICSA Financial Impact

Regarding the Home Office response, it was noted that the PCC would pursue the grant option as necessary.

RESOLVED:

That the minutes of the meeting held on 1st October 2020 be confirmed as an accurate record.

39. POLICE AND CRIME PANEL CONSTITUTION- TERMS OR REFERENCE REVIEW

The Chair agreed to a change in the running order of the agenda to take this item next.

The Police and Crime Panel considered a report by Kamal Adatia, Monitoring Officer, presenting the results of a review of the Panel's constitution and proposed revisions and amendments as set out in the Schedule appended to the report.

It was noted that the adjustments proposed fell into 3 categories: formatting type amendments to make the constitution read more grammatically or to insert clearer citation; amendments specifically in relation to the section dealing with complaints, noting this was largely dictated by statutory instrument, but also to reference a person being able to access an electronic complaint form, which the secretariat would look to create if these amendments approved today; and substantive changes to Schedule 2, a procedure for public questions, to allow a protocol for questions from members of the public that allows them to ask their question at the public meeting and to include provision for a supplementary question.

It was noted that reference had also been inserted to make provision for virtual meetings in the Constitution although the current law permits virtual meetings anyway.

The Chair commented that the panel's constitution was originally set up around 2013 and therefore it was timely to have a fuller review. The Chair noted the schedule of changes and invited questions from members of the panel.

The Panel thanked officers for the work carried out to review and update the constitution.

Panel members discussed the procedure around public questions, noting a specific time had not been allotted to supplementary questions. The monitoring officer advised that the purpose of a supplementary was to seek clarity on the answer they had received to the original question to prevent them moving into another area or folly and so the provision for supplementary questions had been worded so as not to constrain the power of the Chair during the meeting. Panel members agreed it would be helpful to state the purpose of the supplementary by way of an explanatory note and noted the time provision for public questions in clause 2 which subject to the Chairs discretion could be extended.

RESOLVED:

That subject to the insertion of an explanatory note around supplementary questions, the proposed revisions and amendments to the constitution of the Leicester, Leicestershire and Rutland Police and Crime Panel as set out in the report and schedule of changes be approved.

40. OPCC PERFORMANCE REPORT - QUARTER 2

The Chair returned to the running order of the agenda.

The Police and Crime Panel received a report of the Police and Crime Commissioner which provided an update on performance of the Office of the Police and Crime Commissioner between for Quarter 2 (1 July 2020 to 30 September 2020).

The Chair noted that in Kevin Loydalls absence he had submitted some questions under this item which would be put on his behalf at the appropriate point during discussion.

Attention was drawn to several points including the following:

- The PCC had undertaken the same number of engagement events as the last quarter however this remained a lot less than usual due to current pandemic circumstances
- There had been an increase in the number of volunteer hours compared to last quarter 1 and it was notable that they had continued to do custody visits throughout whole pandemic crisis unlike other areas nationally.
- The position on annual leave days and flexi time was noted as set out in the report.
- Commissioning team had seen significant success with numerous bids to central government being achieved.

In terms of commissioning and the comment in the report suggesting funding

generated by the commissioning team, currently exceeds the total cost of the OPCC office it was clarified that the money the OPCC bid for was all spent on the contracts, and there was no surplus left over. The funding sought was not money for expenses but to fulfil contracts that have been applied for. Members were advised that a full break down of all the contracts issued and the amount awarded to them was available on the OPCC's website and it was agreed that detail would be shared by officers with members of the panel.

There was a brief mention of the Safer Streets Programme and local visits that had been undertaken by the PCC with local councillors to see the work being done and the positive effects on people.

It was noted that the staff survey undertaken at the beginning of lockdown to gauge how staff were feeling was to be run again so results could be analysed and compared. Those outcomes would then be considered in terms of giving any additional support that may be needed and to review future working practices such as office space usage and options around continued working from home.

Regarding the number of website hits, it was noted that most people tended to access the OPCC website to look for vacancies/jobs or to access grants.

RESOLVED:

1. That the contents of the report be noted.
2. That a full break down of all the contracts issued and the amount awarded be made available to members of the panel.

41. QUARTER 2 FORCE PERFORMANCE EXCEPTION REPORT

The Police and Crime Panel considered a report of the Police and Crime Commissioner which provided an update on the performance of the Leicestershire Police for Quarter 2 20/21 (1 July 2020 to 30 September 2020).

The Chair encouraged the Panel to ask strategic questions rather than get drawn into operational matters.

Lord Bach introduced the report noting that the report had also been before the OPCC Strategic Assurance Board at their meeting yesterday although there were no verbal updates from that discussion at this stage.

Paul Hindson outlined details from the report and advised members about the parameters for variations in performance, explained the drivers such as Crime Data and Integrity as well as the core rationale that have changed the recording methodology that sits behind the performance exception data.

It was noted that since the full introduction of dedicated decision makers (back office) who scrutinise offences going through STORM and NICHE to ensure quality and integrity, this had led to around 800 additional reclassified offences per month which was reflected in the exceptions. Therefore, Leicestershire had

seen an increase in some offences at more rapid rates than some similar forces with similar demographics. It was expected with higher level of compliance now at 95% to start seeing a plateau in figures in future reports.

During discussion the following points were also noted:

- Violence with Injury was still a concern, however in terms of regional comparison Leicester, Leicestershire and Rutland (LLR) had 7.8 offences per 1000 population compared to Nottinghamshire (Notts) at 10.4 per 1000, so although increased there was a reasonable level of assurance that LLR aren't an outlier.
- Regarding the pattern of rape cases, around April 2020 the figure was lower, the number of cases reported had since swung upwards around July, it was significant that reporting of historical rapes was also spiking at that same time however October figures showed some decline in rates again. There was supposition that the ease of lockdown restrictions around July 2020 had triggered reporting of more incidents and there was also a possibility of other drivers such as IICSA which may have encouraged a higher level of reporting together with a proactive campaign on domestic abuse.
- A high profile Hate Crime Campaign in early October with a lot of work prior to that on social media had seen an immediate response in terms of increase in the numbers of hate crimes being reported. It had been explored whether this was to do with lockdown or issues around lockdown but there did not seem to be any evidence to support that. It was anticipated this offence would see continued increase in reporting which was considered a positive as a lot of Hate Crime was believed to go unreported.

Members of the Panel discussed the content of the report and expressed their concerns and frustration that each time this report was presented it seemed the reporting mechanism had changed making it difficult to scrutinise and understand the underlying causes for certain offences, and whether that was attributed to incorrect recording or changes in behaviour.

Responding to comments about changing report mechanisms, it was advised that until last year there had been issues with correct recording/classification of offences and therefore this had to be improved, the introduction of dedicated decision makers had made a real difference in this area however that had impacted on the data in terms of how trends appeared. LLR Police were also required to record crime against set standards and when changes to those were introduced had no choice in compliance.

Regarding comments about underlying behaviour, this was being tested when OPCC/PCC talked with the police, although currently the best measure available was to compare to similar forces, this has been done by looking at prevalence by head of population. LLR were definitely not an outlier in those comparisons and through ongoing work there was better understanding of the drivers for the data, e.g. having established the Violence Reduction Network (VRN) police were working much more closely on what the drivers are, taking a much more preventative approach and looking at background factors that

influence behaviour, not just dealing with end behaviour. The police appetite to engage with that has been good.

Lord Bach commented that it was difficult to say what was down to one factor or another, but they were trying to do that and although there was no clear answer yet, the way this information was presented had greatly improved.

It was reiterated that if a level of 95% compliance had been reached in terms of correct recording then unless there are other changes to reporting standards the OPCC should be able to say any further fluctuations in the trend/exceptions were down to behaviour rather than anything else. It was therefore expected to see some flatlining if rationale put forward today is true.

Officers agreed to provide an organisational chart showing offence categories and where each crime fit within those categories to assist Members of the Panel.

There followed a brief discussion around the impact of lockdown on the night-time economy, concern was expressed that despite closure of the night-time economy there was still being seen an increase in offending associated with that, and it was worrying what may happen when night-time economy resumes. It was suggested it would be worth exploring the fundamental shift in alcohol purchasing behaviour which could be contributory factor in results and increasing levels of domestic/safeguarding concerns.

It was noted that it could be seen that the overall number of dwelling house burglaries has over last few years begun to go down significantly from the high spots being seen in 2017/2018 and this was an area where numbers have genuinely decreased, and this includes aggravated burglaries. Officers agreed to provide a National comparative of the trend for burglaries.

RESOLVED:

1. That the contents of the report be noted,
2. That Officers provide an organisational chart showing offence categories and where each crime fit within those categories to Members of the Panel
3. That Officers provide a National comparative of the trends for burglaries to Members of the Panel.

42. WORK PROGRAMME AND DATES OF FUTURE MEETINGS 2021

Members received a report from the Democratic Support Officer to the Panel setting out the proposed work programme for the Panel.

Attention was drawn to paragraph 16 of the report which contained the dates of future meetings for noting.

It was noted that the work programme, made up of a combination of statutory and discretionary business would provide a framework for the Panel's activity throughout the year to assist with the Panels agenda management and forward

planning and would be kept under regular review and updated as necessary with additional items agreed.

The Chair and Members of the Panel welcomed the report and draft work programme which they felt was helpful to give more depth to the work of the panel and to indicate a direction of travel.

The Chair expressed that there was an opportunity for change now, especially with elections of a new PCC due to take place in May 2021.

Members of the Panel briefly discussed the suggested items for inclusion and were pleased at the potential to look at topical issues at a themed meeting or with the possibility of forming a task group during the next 12 months.

RESOLVED:

1. That the work programme be agreed.
2. That the dates of meetings for 2021 be noted.

43. ANY OTHER URGENT BUSINESS

Members of the Panel were reminded that the next meeting scheduled for Wednesday 27th January 2021 would be considering the pre-cept, therefore attendance was important and any Member unable to attend should notify the secretariat of a substitute to attend on their behalf.

There being no further business the meeting closed at 4.00pm

Item 5

LEICESTER, LEICESTERSHIRE AND RUTLAND
POLICE AND CRIME PANEL – 27TH JANUARY 2021

REPORT OF THE CITY BARRISTER – LEICESTER CITY COUNCIL

ANNUAL REPORT ON COMPLAINTS AGAINST THE POLICE AND
CRIME COMMISSIONER

Purpose of Report

1. The report is intended to provide the Police and Crime Panel with an update on complaints relating to the Police and Crime Commissioner over the last 12 months.

Policy Framework and Previous Decisions

2. At its meeting on 20th December 2012, the Panel delegated authority to the County Solicitor (now the City Barrister) to:-
 - a) act as the first point of contact for complaints.
 - b) make decisions in consultation with the Chairman of the Panel as to whether -
 - i. a complaint has been made which requires resolution under the complaint's procedure;
 - ii. that complaint should be referred to the Independent Police Complaints Commission;
 - iii. the complaint should be subject to the informal resolution process.
 - c) make arrangements for the process of informal resolution
 - d) in consultation with the Chairman and Vice Chairman, to resolve complaints informally or to arrange for a meeting of the Sub-Committee of the Panel to resolve complaints informally.

3. The Panel reviewed and updated the complaints procedure as part of its review of the Constitution in December 2020 but the process referred to above remained unchanged.

Background

4. The Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 set out certain responsibilities on the Police and Crime Panel to deal with complaints against the PCC and conduct matters.
5. The Regulations require the Panel to make suitable arrangements for receiving and recording complaints, for the initial sorting of complaints to determine whether they appear to have criminal elements which would require referral to the Independent Office for Police Conduct (formerly the Independent Police Complaints Commission) and to informally resolve complaints that do not have a criminal element. Informal resolution is intended to represent a locally agreed process involving engagement with the complainant and the person complained against. It does not permit an investigation of the complaint and the Panel is prohibited from taking any action intended to gather further information other than inviting comments from the complainant and PCC.

Complaints against the PCC received in 2020

6. Five complaints were referred to the City Barrister during 2020 alleging to impugn the Police & Crime Commissioner:
 - Examination of three of these cases revealed that the complaints related to operational policing matters and accordingly the complainants were directed, or redirected, to the police complaints procedure as the appropriate method to pursue the issues raised.
 - One of the complaints was referred to the IOPC (Independent Office for Police Complaints) because it alleged criminal misconduct, and in such cases the City Barrister is not permitted to look more closely but must allow the IOPC to decide whether to investigate. The IOPC promptly decided that there was no substance to the allegations and referred the case back to the City Barrister, who in turn

concluded that the allegations were without foundation in respect of the conduct of the PCC.

- One more complaint is awaiting drafting by the City Barrister but appears to be overwhelmingly about operational policing concerns. This complaint will therefore not be pursued.

Recommendations

7. The Panel is asked to note the contents of this report.

Officer to Contact:

Kamal Adatia

City Barrister & Head of Standards

Monitoring Officer

Leicester City Council

E-mail: Kamal.Adatia@leicester.gov.uk

THE LLR POLICE AND CRIME PANELS WORK PROGRAMME 2021

DATES	ITEM	COMMENTS
Wed 27 Jan 21 at 1pm	<ol style="list-style-type: none"> 1. Proposed Precept 2021 and Medium Term Financial Plan 2. Complaints against PCC Annual Report 	<p>To consider and take a decision on the PCC's proposed precept</p> <p>To provide an overview on complaint activity.</p>
Thurs 11 Feb 21 at 1pm	<ol style="list-style-type: none"> 1. Proposed Precept (if original Precept vetoed) 	If precept approved in January this meeting will be cancelled
Thurs 25 March 21 at 1pm	<ol style="list-style-type: none"> 1. Covid-19 Pandemic, 1 year on 2. Police Recruitment, Retention and Dismissals 3. End of Term delivery update on Police and Crime Plan from PCC 4. Qtr. 3 Performance Report (20/21) – Leicestershire Police 5. Qtr. 3 Performance Report – OPCC 6. Venues for Panel Meetings review 	<p>To understand the impact of the Covid 19 pandemic on the budget position, funding and delivery of operational policing and community safety.</p> <p>To understand progress against police recruitment targets</p> <p>To consider the arrangements for venue of Panel meetings when restrictions on physical meetings lifted</p>
Special Meeting Thurs 20 May 21 at 1pm	The role of the PCC and understanding the role of the Police and Crime Panel.	For Members to discuss the role of the PCC and understand their purpose as a Panel.

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Item 6

Appendix A

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<p>Thurs 10 June 21 at 1pm</p>	<ol style="list-style-type: none"> 1. Election of Chair/Vice-Chairman 2021/22 2. Confirm Panel Memberships 3. Confirm Terms of Reference for Panel 4. Initiatives the new PCC proposes to be funding and how the impact is measured 	<p><i>(from manifesto, ongoing commitment from existing plan)</i></p>
<p>Thurs 29 July 21 at 1pm</p>	<ol style="list-style-type: none"> 1. PCC's Annual Report 2. Qtr. 4 Performance Report (20/21) – Leicestershire Police 3. Qtr. 4 Performance Report (20/21) 4. OPCC Ethics Committee Annual report 5. Police and Crime Plan Implementation 	<p>(*moveable) To receive outgoing PCC's Annual Report (by October)</p> <p>(*moveable) To provide an update on progress made with developing/implementing the Police and Crime Plan</p>
<p>Thurs 30 September 21 at 1pm</p>	<ol style="list-style-type: none"> 1. PCP Independent Members status 2. PCP Grant Monitoring 2020/21 – Annual Report 3. Qtr. 1 Performance Report (21/22) OPCC 4. Qtr. 1 Performance Report (21/22) Leicestershire Police 	<p>PCP to decide whether to extend the term or recruit new Independent Members. (Current terms expire 31 Dec 21)</p> <p>To provide an overview of the PCP's work for the previous year (2020/21)</p>
<p>Thurs 2 December 21 at 1pm</p>	<ol style="list-style-type: none"> 1. Qtr. 2 Performance Report (21/22) OPCC 2. Qtr. 2 Performance Report (21/22) Leicestershire Police 3. Complaints against Police and Crime Commissioner Annual Report 	<p>Monitoring Officer to provide an overview on complaint activity</p>
<p>Suggested items to</p>	<ul style="list-style-type: none"> • Report regarding Violence in the Public Domain linked to Domestic Abuse and interventions around that 	<p>From 1 Oct 2019 meeting</p>

be scheduled	<ul style="list-style-type: none">• Emergency Services Network update and impact on budgets• Independent Custody Visitors Scheme update	
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Notes: Budget/Precept: Proposed Precept must be notified to Panel by 1 Feb and Panel must consider by 8 Feb If veto used, Panel's consideration must be completed by 22 February and PCC issue the final precept by 1 March

- **Themed Meeting or Scrutiny Reviews on Topical Issues:**
Human Trafficking/Modern Slavery – Date to be confirmed
- **Working Task and Finish Groups – non-public meeting, shows panel scrutiny and support of the PCC.**
To be confirmed

