



**POLICE & CRIME
COMMISSIONER**
for Leicester,
Leicestershire & Rutland
Your Communities - Your Commissioner

CORPORATE GOVERNANCE BOARD

20th March 2023

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1. Overview, attendance & purpose

Overview

The Corporate Governance board was established in November of 2021, in replacement of the Strategic Assurance Board. The CGB is attended by both the OPC and the Chief Officer Team, meeting **every 4 weeks** as of March 2023 (previously 8 weeks) to discuss and highlight the performance of Leicestershire Police force. Below is a report detailing the discussions of the meeting held on the 20th March 2023.

Attendance

Office of Police and Crime Commissioner

Mr R Matthews (Police and Crime Commissioner)
Mrs R Mahal (Deputy Police and Crime Commissioner)
Mrs L Starr (Director of Governance and Performance)
Miss K Hughes (Chief Finance Officer/Resource Manager)
Mr A Champness (Interim CEO)
Mrs B Morton (Business Staff Officer)

Office of Chief Constable

Mr R Nixon (Chief Constable)
Mr D Sandall (Dep. Chief Constable)
Mrs K Smith (Assistant Chief Constable)
Mr P Dawkins (Assistant Chief Officer (Finance))
Mr A Kelly (Assistant Chief Officer (Human Resources))
Mr C Kealey (Head of Communications and Engagement)

Purpose

The purpose of the CGB is to enable the Commissioner to effectively hold the Chief Constable to account by receiving and challenging briefings provided by the Chief Officer team, and presenting these conclusions to the Police and Crime Panel, in line with the Corporate Governance Accountability Strategy developed in 2021. The purpose of this report is to highlight the main points covered in the latest CBG, in the following format:

- i. Overview of issue (for all areas except finance, unless the item requires an introduction)
- ii. Force update/overview
- iii. Police and Crime Commissioner response (where appropriate)

2. Emerging national and local policing issues

i. Prison Establishment Growth and Demand Increase

Overview: Leicestershire Police currently have three established prisons HMP Welford Road, HMP Stocken and HMP Gartree. Due to a number of reasons but mainly an increase in crimes, prisons in Leicester are under increasing demand. A forward plan was required to manage this increasing demand and the Chief Officer Team (COT) have brought it to the CGB for discussion.

Force update: The board received a paper and a verbal update from the COT which contained details including:

- HMP Fosse Way will open in May 2023 providing additional capacity to Leicestershire;
- HMP Gartree and HMP Stocked currently have building projects underway to create additional capacity with completion in 2024;
- HMP Welford Road has been undergoing building work and therefore operating under capacity however will soon return to full use upon completion of the works;
- Leicestershire Police are in regular contact with the prison governor network locally and regionally providing updates on trends and demand;

The report further outlined Leicestershire's plans to meet the increased demand with a long term, sustainable approach such as exploring the demand on officers and balancing this against other demands and priorities, highlighting funding issues and setting clear expectations for the allocation of available resources. The board noted that no additional funding has been provided to Leicestershire Police to meet this additional demand created by these national projects. Chief Constable Rob Nixon further noted that there will be a significant growth in prisons in Leicestershire and within that growth there will come a significant amount of known and hidden demand.

PCC response: The Commissioner noted the report. Andy Champness (OPCC Interim CEO) informed the board that he would follow up with probation for an update on the progress and that an audit trail should be available through the Strategic Performance Board. Once the data is received, the Commissioner will contact local MP's, followed by a joint letter with the Chief Constable (CC) to government asking how the City of Leicester is going to be compensated for the impact experienced.

ii. Transit site provision

Overview: Currently all unauthorised encampments (UE's) are recorded and managed by the Multi Agency Travellers Unit (MATU).

The City, Rutland, County and District Councils currently fund MATU to provide a consistent response to unauthorised encampments, this is managed by Mat Bagley the MATU Operations Manager. Since 2009 Leicestershire Police have assigned a full-time officer, at the rank of Sergeant, to lead on the use of police powers in the management of UE's. There was a total of 70 UE's across the county in 2022 – the lowest figure in 5 years, steadily decreasing from 166 in 2018.

Force update: The Board received a report and verbal update from DCC Sandall. The report is a result of questions put to the force by the Commissioner in a previous governance board on this topic. The report gives detailed figures on UE's in the past 5 years and provides the commissioner with details of the new legislation to manage UE's. The Commissioner is informed that the new offence section 60c CJPOA states that:

*a person **aged 18 or over** would commit the offence if they: -*

- *reside or intend to reside on land without consent and:*
- *they have or intend to have at least one vehicle with them.*
- *they cause or are likely to cause **significant damage, disruption or distress** as a result of either residing / intending to reside on the land or their conduct / potential conduct whilst on the land.*
- *they fail as soon as reasonably practicable to leave when directed to by the owner, someone representing them or the police, or return within the prohibited period of 12 months.*

*The word **significant** is crucial in establishing if any criminal offence has been committed under this new legislation. Possible definitions for “significant” damage, disruption or distress are outlined in the statutory guidance which states that the police will be the party who determines if any “significant” damage, disruption or distress has been caused. The statutory guidance states: “**If the police deem the harms to not be significant, then the offence under Section 60C would not apply.**”*

The report also detailed changes to existing legislation:

In addition to the new legislation amendments have been made to Section 61 CJPOA. In summary:

- *Land covered now includes Highway land (i.e. Laybys).*

- *No return period has been extended from 3 months to 12 months.*
- *Causing damage, disruption or distress replaces criminal Damage, or threatening abusive behaviour towards the landowner. Note This does not need to be significant.*

Under NPCC guidance the management of Unauthorised Encampments (UE's) should be Local Authority led with police support.

Across Leicestershire and Rutland, the Multi Agency Travellers Unit will continue to manage UE's and consider the most appropriate powers to enforce evictions lawfully and proportionately where needed, in line to the Code of Practice for Leicestershire, Leicester and Rutland and the service standards for MATU.

Details were also provided to the commissioner on eviction rates for the past 5 years which has seen a steady increase of percentage of encampments evicted using section 61 CJPOA Police Powers. Financial implications were also highlighted to the Commissioner and an Equality Impact Assessment and Risk assessment has been completed.

PCC response: The Chair asked that in 6 months from this board (September 2023) Inspector Whittle could update him on the impact the new legislation and legislation changes have made. The Chair also agreed to write to the leader of the District Councils, Rutland County Council and the elected Mayor of Leicester setting out why having a transit camp would be beneficial. It was agreed that this would be completed at the earliest opportunity. The remainder of the report was noted.

3. Operational Performance

i. Burglary

Overview: Burglary figures have been impacted by COVID-19, during which occurrences dropped significantly. This was attributed to many people following rules to quarantine and stay at home, therefore reducing opportunity for burglaries. Since the pandemic however, Leicestershire Police have been closely following the figures on the move out of COVID-19, and have monitored Leicestershire's position as they now have the highest rate by population compared to our most similar forces. As a priority area for the force, a report has been drafted by the Chief Officer Team to update the Commissioner on the force's progress in dealing with this increase.

Force update: The board received a report which included the following conclusion - Leicestershire are increasing in their residential burglary rates in comparison to 2021 and are now recording the highest rates of burglary per population compared to the most similar forces group. A key area noted in the report can be seen below:

Considering our MSG, in 2018/2019 Bedfordshire had the highest Burglary levels at 597 (per 100,000 population) and Leicestershire was second with 529. Currently, Bedfordshire's reduction places them at the top of the MSG for Burglary reduction. The residual crime rate is now 3rd lowest in the MSG. Conversely, despite the significant reduction, Leicestershire now have the highest rate of burglary by population within our MSG. Since the increase in offending was noticed early 2022, Leicestershire have responded with robust management via force Tactical Task and Co-ordination Group. A number of initiatives have been conducted, to target resources in key areas that were experiencing elevated numbers of offences. These responses meant burglary was a force priority for much of 2022, in a number of different areas of the force. At a CSP level, Oadby and Wigston are the only CSP where there has been an increase in reported burglaries compared to the 2018/19 baseline. However, there is still a reduction compared to pre. Covid Lockdowns, which is the same nationally. There is a continued focus on Neighbourhood crime and in particular burglary, due to the understanding of the impact these crimes have on victims, and the wider impact on communities and their confidence in policing.

[...] All areas of Leicestershire have experienced an increase in burglary with Harborough having the largest percentage change. This is supported by NPA NH being a specific Force Priority.

In summary, Leicestershire are increasing in their residential burglary rates in comparison to 2021 which has been picked up by the Force as it has been a force priority for a number of months. However, there is still a reduction compared to pre. Covid Lockdowns, which is the same nationally. There is a continued focus on Neighbourhood crime and in particular burglary, due to the understanding of the impact these crimes have on victims, and the wider impact on communities and their confidence in policing.

PCC response: The Chair noted the report.

ii. DART

Overview: The DART threat assessment unit has previously been brought to the Corporate Governance Board along with a subsequent report for the March Police and Crime Panel. Below is a comprehensive reminder of the DART unit which has been cited from the March report –

‘the DART Threat Assessment Unit has been set up to look at relationships where a high threat of homicide is present. The team has accredited DASH training and makes use of data from previous Domestic Homicide Reviews, Academia and Home Office Studies to highlight clusters of risk present in existing relationships. When a high threat relationship is identified, the DART will begin to put a number of measures in place such as PMPs, Storm History, Niche Flags and MARAC (multi-agency risk assessment for domestic violence), referrals with an aim to manage and where possible, lower the risk. DART has taken a force wide approach to managing high threat Domestic Abuse and as such the PMPs may see actions completed by Contact Management Department, Firearms Licencing, PAVE (proactive vulnerability engagement), DAIU (Domestic Abuse Investigation Unit) through to Neighbourhood Policing Officers.’

Benefits agreed as part of the initial project proposal for DART included the following:

- Increased victim satisfaction
- Improve response times for DA incidents and reduce number of un-attended DA incidents
- Increased overall arrest rate for DA
- Reduce time between report and arrest of outstanding medium risk suspects
- Increase positive outcome rate
- Increase the number of active DA problem management plans and DA flags
- Reduce investigative demand by resolving DA effectively at first point of contact

Force update: The COT provided the chair with a report. Included in the report was a summary of a 3-month review of the above benefits, which showed a number of positive outcomes, such as significant cost savings, better and quicker services, higher priority attendance, reducing demand elsewhere in force, investments and uplifts of officer skill sets, reduced periods of unknown risk and higher victim satisfaction (99% victim satisfaction) among many other successes.

PCC response: The board acknowledged that the positive impact that the DART is evidencing for victims of Domestic Abuse is undoubtedly building confidence and trust in Leicestershire Police.

4. Finance

i. Treasury Management Q2

Force update: The board received a paper from Mr Paul Dawkins (ACO (FR)). Paul Dawkins gave the board an overview of the paper, and provided an update to the Chair regarding the compliance of the Treasury Management Strategy. The board heard that the strategy was re-approved in January 2023 and is compliant.

PCC response: The report was considered by the board and the contents noted.

ii. Update on Capital program

Force update: The board received a paper from the force providing updates on the Capital programme. This paper tracks amendments to the programme and provides an audit trail around the key capital movements, capturing the outcomes of the monthly budget. Where the paper identifies an underspend, this is considered a financial saving in relation to borrowing.

An underspend was highlighted in the report due to work coming in under-estimate. Chief Constable Rob Nixon suggested the underspend should be celebrated.

PCC response: It was agreed that quarterly updates around the transformation will be brought to the CGB.

The Chair requested a breakdown of each occurrence of the below:

- Underspend when a project costs less than the estimate
- Underspend when a project is no longer needed because the project is not going ahead
- Slippage when a project goes into the next year

It was recognised that all schemes in the Capital program must come to the PCC to be signed off. Only then can the force move on with the implementation of any variations, and these must be presented at the CGB. It was agreed that there will be a quarterly update on change and transformation, the revenue day to day spend, Capital program, business cases for new projects, and notice of delegated authorities. The first report is to be provided in May and every quarter thereafter – this will be built into the CGB programme by Lizzie Starr.

iii. Reserve Strategy

Force update: The COT presented a paper on the reserve strategy. The reserve strategy paper came with the following recommendations:

- *To note the information contained within this report.*
- *It is recommended that the Chief Finance Officer of the OPCC reviews the need for all the reserves held in Appendix A and recommend if any of these should be re-aligned to current priorities.*
- *To agree that movements in reserves can take place throughout the year following consultation with the Police and Crime Commissioner.*
- *That the 'guiding principles' contained within this report are agreed*

Kira Hughes (T/Chief Finance Officer) reported there are some amendments to paragraph 18 and to note a change to the 'Medium Term Financial Plan'.

PCC response: The Chair agreed to approve the paper with the following 2 amendments:

1. Paragraph 18, will return to 2.3% of net review expenditure in 2024/25
2. Paragraph 24 the 1 million is to be used to manage the transition

It was agreed in May there will be a report on the reserve strategy, (provisional outturn), and a report on change and transformation including how the management of the 8% reduction in staff budget will be achieved. It was agreed that in the May CGB the force will present the strategic direction and how to approach the change and transformation agenda. Within that will also be ambition areas for investment which will lead to increased capability, and also details of how the transformation will enhance the service and the trust in public confidence, setting out the approach that will be taken to reduce the expenditure linked to salary.

iv. **Efficiency Savings for 2022-23**

Force update: As part of the budget proposals for 2022-23, the Commissioner agreed with the Chief Constable that an efficiency savings target would be included within the MTFP. There is an expectation by the Commissioner that the Force will continue to deliver an efficient and effective service. Therefore, the Commissioner expects the Force to deliver annual efficiency savings (cash/non-cash) of at least 0.5% of the total annual budget for the life of the MTFP. This equates to £1.1m in 2022-23. The COT presented a report on efficiency savings for 2022-2023.

The report details that the use of MS teams has resulted in cost savings and efficiency savings due to minimising travel time and increasing attendance capabilities. The time saved has ultimately been directed into more frontline policing.

PCC Response: The Chair noted the report, and asked for more explanations in the report going forward.

v. **Estates Strategy**

Force update: The board received an update paper on the Estates Strategy from the Chief Officer Team. It was discussed that the estate serves a variety of functions, one being that it should convey a friendly welcome and presence in the community, providing visibility and reassurance to and for the public.

PCC Response: The Chair thanked the CC for bringing this forward. It was confirmed that trust and confidence will be a standing agenda item on the OPCC Estates Utilisation Board which Kira Hughes attends.

The Chair asked to be put on the circulation list for the Estates Utilisation Board agenda and minutes. It was also agreed that the Chair and CC Nixon will work together to re-write the Vision for estate with the Chair agreeing to send comms to CC Nixon by the end of March 2023.

5. Change and Transformation

i. Trust and Confidence Strategy

Overview: Leicestershire Police have recently re-drafted a Trust and Confidence Strategy with the aims of improving the public perception of the police. The Chair requested that the COT deliver a presentation on trust and confidence at the CGB to update the commissioner on their current stance and their works due to take place as a result of the re-drafted strategy.

Force update: The COT delivered the trust and confidence presentation. CC Nixon informed the board that there is progress being made with the strategy. CC Nixon reminded the board that the Casey Report is due out at the time of the meeting (20th March 2023) and that they expect a significant amount of media coverage around policing and the internal cultures, and that this will inevitably impact on trust and confidence in policing. It was agreed by the board that this would be re-visited at the 'away day' between the OPCC and the Force scheduled for May 2023, where the board can reflect on the impact that the Casey Report has had. The presentation is being reworked in advance of the away day, and it will consider the contents of the Casey Report. It will also review the 12 months since the launch of the Trust and Confidence Strategy with particular consideration for Partnerships and Commissioning.

PCC response: Interim CEO Andrew Champness asked how trust and confidence is assessed across the different communities of LLR, and challenged whether or not there were any plans to build trust and confidence across the communities where there is distrust in policing. In response, CC Nixon suggested that this can be reviewed in preparation for a more detailed discussion at the OPCC/COT away day in May, including a review of how far Leicestershire have come, where the gaps lie against the context of distrust in Leicester, Leicestershire and Rutland. Events such as the disorder in East Leicester were mentioned by the CC as a contributing element of distrust in policing in Leicester and that this will be considered in their strategy.

It was also agreed that the Race Action Plan will also be discussed at the away day to assess what can be implemented to encourage progression as it was described as a 'missed opportunity' by the Force. Corporate Communications reminded the board that all communities must be considered in this wider work of trust and confidence, such as travelling communities. It was further agreed that the Prevent strategy would also be discussed at the away day in the context of trust and confidence.

6. People

i. Complaints and misconduct

Overview: The board is provided with a half-yearly report on Complaints and Misconduct statistics which provided an update on the Force performance for dealing with public complaints during the period 1 April 2022 to 31 December 2022 (Quarter 3).

Force update: The T/CC explained that the number of public complaints has risen by 21.9% when compared to the same quarter of the previous year (2021/2022 Q3). Further information within the report details that allegations classed as 'outside Schedule 3' and 'Under Schedule 3 – Not Investigation' are finalised at a quicker average rate than most similar forces and the national average. Allegations classed 'under Schedule 3 – Investigation' are longer in days to finalise than both MSF and the national average, however this is credited to closing some significant and complex investigations during the quarter.

Table 6 - Time Taken to finalise allegations (days)

	Force	MSF (Most Similar Force)	National
Outside <u>Sch 3</u>	12	35	16
Under <u>Sch 3</u> – Not Investigation	37	73	97
Under <u>Sch 3</u> – Investigation	187	144	156

The report closes with the following summary - *Despite a 21% increase in public complaints during this reporting period the timeliness and qualitative handling of these complaints remains strong. However, this performance will come under pressure if the number of public complaints continues to rise. The area of business that attracts the largest number of complaints is the Criminal Investigations conducted by the force.*

PCC response: It was agreed that the report discussed will also be presented to the Ethics and Transparency Panel, and the minutes will be shared with the CGB.

7. Corporate Risk

Force update: The board received verbal updates on IT Capacity, Risk to Network Storage, and frequent failure to BOXI system. The board also considered the latest JARAP (Joint Audit and Risk Assurance Panel) report and raised no comment.

8. HMICFRS

i. Vetting and Misogyny Inspection – Force Update on HMICFRS Recommendations

Overview: On the 2nd of November 2022, HMICFRS released a report on their investigation into ‘vetting, misconduct and misogyny in the police force’. Within the report, 5 improvement areas and 43 recommendations were made to tackle the issues identified in the report; the recommendations aim to strengthen systems within policing by:

- *introducing more thorough pre-employment checks;*
- *establishing better processes for assessing, analysing, and managing risks relating to vetting decisions, corruption investigations and information security;*
- *improving the quality and consistency of vetting decision-making, and improving the recording of the rationale for some decisions;*
- *extending the scope of the law relating to police complaint and [misconduct](#) procedures;*
- *strengthening guidance for forces in respect of vetting processes, relationships, and behaviours in the workplace;*
- *understanding and defining what constitutes misogynistic and predatory behaviour in a policing context;*
- *improving the way the police collect corruption-related [intelligence](#); and*

- *improving the way police assess and investigate allegations of [misconduct](#).*¹

The Police and Crime Commissioner, in compliance with the 1996 Police and Crime Act, published a response to the report stating his assurance to HMICFRS and to the residents of LLR that he will be ‘rigorously holding the force to account’ on the recommendations and that progress will be ‘closely monitored in our Corporate Governance Boards in which [he] will request detailed updates of the Chief’s progress.’²

Force update: The board received a report written by D/Supt Richard Ward. The report states that of the 43 recommendations, 28 were made to Chief Constables (the remaining 15 are to other governing bodies). The recommendations in the HMICFRS report were assigned a time frame for implementation, with some being by the end of April 2023, and others being by the end of October 2023, or April 2024. The Force’s report presented at this CGB explains that the force is using a RAG (red, amber, green) rating system to monitor whether a recommendation will be implemented in full by the deadline given in the report.

RAG ratings	
RED	Recommendation/AFI will not be, or is unlikely to be, implemented in full by its deadline
AMBER	Recommendation/AFI will be, or is likely to be, implemented in full by its deadline
GREEN	Recommendation/AFI has already been implemented in full

Chief Constable Recommendations progress

Green - 23
 Amber - 5
 Red – 0

¹ [An inspection of vetting, misconduct, and misogyny in the police service - His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services \(justiceinspectors.gov.uk\)](#)

² [KMBT C364-20221207164359 \(pcc.police.uk\)](#)

For the 5 'amber' ratings, the report explained the following - *All 5 amber recommendations will be completed by 30th April 2023 and this includes the introduction of an annual integrity check for all employees which will be facilitated with an update to the PDR system in April. This will prompt all employees to update the vetting team if there are changes in respect of financial position, living arrangements, business interests and notifiable associations. The outstanding recommendations also include a wider use of PND for vetting decisions, setting up people intelligence meetings and completing a review of conduct investigations from the previous 3 years where there is prejudicial and improper behaviour identified.*

The report further stated that Leicestershire's position was positive at the time of inspection, having already complied with a number of the recommendations to begin with.

PCC response: The Chair noted the report.

9. Any Other Business

The Chair asked that all future reports must contain the name and position of the author - this was agreed by the board.

Date of next meeting: 19th April 2023