



South Yorkshire

POLICE & CRIME PANEL

**Supporting and Scrutinising the Police and Crime
Commissioner for South Yorkshire**

ANNUAL REPORT 2016/17

FOREWORD

Welcome to the Annual Report of the South Yorkshire Police and Crime Panel. The Panel is made up of ten councillors from across the four District Councils – Barnsley, Rotherham, Doncaster and Sheffield, together with two independent members.

In 2016-17, the Chair was Councillor Talib Hussain from Sheffield City Council and the Vice Chair Councillor Stuart Sansome from Rotherham Metropolitan Borough Council.

Police and Crime Panels were established in November 2012 and this report covers an eventful year for the South Yorkshire Panel. We hope it will give you a good idea of who we are, what we do, and how we do it.

If you want to know more, our contact details and web site address are given at the end of the report.

With thanks



Cllr Abdul Khayum
Chair, South Yorkshire Police and Crime Panel (from 2-6-17)

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1. WHAT IS SOUTH YORKSHIRE POLICE AND CRIME PANEL?

South Yorkshire Police and Crime Panel came into being in November 2012, at the same time as elections for Police and Crime Commissioners were held across the country. Both were part of the new police governance arrangements whereby Commissioners and Panels replaced the old Police Authority and took over respectively its governance and scrutiny functions under the Police and Social Responsibility Act 2011.

Police and Crime Panels are, in effect, joint scrutiny bodies of the local authorities in the police force area and are mainly composed of elected members from these authorities. All panels also have the right to co-opt independent members who are not local councillors. Councillor membership of a Police and Crime Panel must be geographically and politically proportionate.

2. PANEL MEMBERSHIP 2016/17

In South Yorkshire the number of members from each authority and each political party was agreed by council leaders as follows: -

- 2 members each from unitary authorities
- 2 Independent members

In 2016-17, Panel members were:

Barnsley MBC:	Councillor Robert Frost Councillor David Griffin
Doncaster MBC:	Councillor Alan Jones (Until August 2016) Councillor John Healy (From December 2016) Councillor Chris McGuinness
Rotherham MBC:	Councillor Brian Cutts Councillor Stuart Sansome (Vice-Chair)
Sheffield CC:	Councillor Jackie Drayton Councillor Talib Hussain (Chair) Councillor Joe Otten Councillor Mick Rooney
Independent Members:	Alan Carter Steve Chufungleung

In 2016-17, the host authority for the Police and Crime Panel was Rotherham MBC.

3. TERMS OF REFERENCE OF SOUTH YORKSHIRE POLICE AND CRIME PANEL

- To review the draft police and crime plan, or draft variation, given to the Police and Crime Panel (the Panel) by the Police and Crime Commissioner (the Commissioner). The Panel must make a report or recommendations on the draft plan or variation to the Commissioner.

- To review the annual report produced in accordance with s12 of the Police Reform and Social Responsibility Act 2011 (the Act) and make a report or recommendations on the report to the Commissioner. The Panel is to arrange a public meeting at which they ask the Commissioner questions, as appropriate, on the annual report.
- To hold a confirmation hearing and review, make a report and recommendation in respect of proposed senior appointments made by the Commissioner. These appointments are:-
 - (a) the Commissioner's Chief Executive;
 - (b) the Commissioner's Chief Finance Officer;
 - (c) a Deputy Commissioner; and
 - (d) the Chief Constable.
- To make recommendations to the Police and Crime Commissioner with regard to any proposal by the Commissioner to suspend the Chief Constable.
- To review and make a report and recommendations (as necessary) on the proposed precept. The Panel has the power to veto the proposed precept.
- To review or scrutinise decisions made, or other action taken, by the Commissioner in connection with the discharge of the Commissioner's functions.
- To make reports or recommendations to the Commissioner with respect to the discharge of the Commissioner's functions.
- To support the effective exercise of the functions of the Commissioner.
- To fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities accorded to the Panel by the Act.
- To appoint an Acting Commissioner if necessary.
- To suspend the Commissioner if it appears to the Panel that the Commissioner has been charged with a relevant offence (as defined by the Act).
- To exercise any other functions conferred on the Panel under the Act, as required.

What is the difference between the Police & Crime Commissioner and the Police & Crime Panel?

The relative roles of the Police and Crime Panel and the Police and Crime Commissioners are as follows:

- The Police Commissioner provides strategic governance to the area police force and holds the Chief Constable to account
- The Police and Crime Panel scrutinises the decisions and policy making and the performance of the Commissioner, on behalf of local authorities in the area and the general public.

The Panel's primary role is to scrutinise the way the Police Commissioner exercises their statutory function of providing strategic direction in local policing.

Police and Crime Panels are often described as acting as a 'critical friend' – a supportive but independent voice seeking to investigate the PCC in the interests of recommending changes and improvements. The purpose of the Panel's recommendations is 'to add tangible value to the delivery of the Commissioner's policies across the force area', as well as to scrutinise her activities.

The Panel can require the Commissioner or her staff to attend Panel meetings. It can invite the Chief Constable or any other witness but can't require them to be there. The Panel should not scrutinise the Chief Constable or operational policing matters, and must maintain an awareness of the boundary between operational and strategic policing issues, which is not always easy.

One of the main challenges for all Panels is to work out how to provide robust scrutiny whilst staying within its remit and avoiding duplicating research or consultation undertaken by the Commissioner or other scrutiny bodies. For example, in confirmatory hearings for a Chief Constable appointment, the Panel's role is to confirm that the candidate has both the professional competence and the personal independence to fulfil the role, without replicating the original selection process.

The Panel's Core Work Programme

The Panel has some statutory scrutiny responsibilities which it must deliver and these constitute its core work programme:

- Review annually the Commissioner's proposed council tax precept, with powers to veto once
- Review annually the Commissioner's Police and Crime Plan and his Annual Report
- Scrutinise the Commissioner's proposed appointment of a Chief Constable, with the power to veto once, and scrutinise the appointment of any deputy commissioner and the Commissioner's senior executive staff
- Consider non-criminal complaints against the Commissioner.
- In addition to the above, the Panel can engage on further scrutiny reviews on any topic relevant to its role

The Panel can also make reports and recommendations to the Commissioner over and above its core work programme, on any topic which falls within its remit, and it can carry out investigations as it sees fit into the Commissioner's decisions and delivery of her duties.

Apart from the two instances where the Panel has a veto (the level of the police precept and the appointment of a chief constable) it achieves its impact by influence, by examining reports and draft policy documents, questioning the Commissioner and/or external witnesses, and then making recommendations. These are communicated to the Commissioner in writing and are publicly recorded in the Panel's minutes.

4. HIGHLIGHTS OF ACTIVITY IN 2016/17

The year commenced with a significant change in Panel membership. Since its establishment, a constantly changing membership has been a feature of the Panel in South Yorkshire. Whilst it is recognised that elections will change the representation and make up of local authorities, Panel Members regularly expressed the view that a stable membership would be beneficial in ensuring the effective discharge of its responsibilities in holding the Police and Crime Commissioner to account.

The other major event at the start of the year was the decision of the Police and Crime Commissioner to suspend the Chief Constable of South Yorkshire Police, David Crompton, in the wake of the Hillsborough Inquests Verdicts which were announced in **April 2016**. This decision was of significant public interest and would loom large in the work of the Panel for the remainder of the municipal year. The Panel received the Commissioner's response to the verdicts in **June 2016** and noted his position.

Members considered a report from the Commissioner setting out his response to the Drew Review of South Yorkshire Police's response to child sexual exploitation in the force area. The Commissioner stated *"This report now gives me a much better idea of how the police have dealt with issues in the past and how their processes have changed in recent times. I am satisfied that during his review, Professor Drew has involved a wide selection of Page 13 victims, partners, police officers and police staff in order to reach his conclusions and recommendations and I am confident that practices within the Force have changed for the better. Improvements can always be made, but I am assured that the Force, at all levels, has learnt from past mistakes and has taken action to correct and address those issues. I hope that this is a step forward in restoring public confidence in South Yorkshire Police."* Panel Members welcomed the Commissioner's response to the review and sought a follow up report in twelve months to establish what progress had been made by the force.

In **June 2016**, the Panel referred complaints against the former Police and Crime Commissioner for South Yorkshire, Shaun Wright, to the Home Affairs Select Committee. The complaints related to allegations that the former Commissioner misled the Home Affairs Select Committee when he appeared before them in 2014.

In **July 2016**, the Panel conducted a confirmation hearing for the Commissioner's recommended applicant for the position of Chief Constable of South Yorkshire Police, Stephen Watson. The Panel unanimously supported the appointment of Mr Watson as Chief Constable and were particularly enthused by his passion for reforming neighbourhood policing, which Members saw as particular weakness across South Yorkshire.

In **August 2016**, the Commissioner wrote to the Panel to advise of his intention to require the resignation or retirement of Chief Constable David Crompton, whom he

had suspended in April 2016. Having received that notification, the Panel was statutorily bound under section 38 of the Police Reform and Social Responsibility Act 2011 to make a recommendation to the Commissioner as to whether or not he should call for the retirement or resignation of the Chief Constable. Before making the recommendation, the Panel had the option to consult the Chief Inspector of Her Majesty's Inspectorate of Constabulary. Ultimately the Panel was required to hold a scrutiny hearing to consider the merits of the proposal before making a recommendation to the Commissioner.

The South Yorkshire Police and Crime Panel was the first Panel in the country to hold a scrutiny hearing to consider a recommendation from a Police and Crime Commissioner to require a Chief Constable to resign or retire. The scrutiny hearing took place on **16 September 2016** and received significant media and press attention given the profile of the issues surrounding the suspension of the Chief Constable. The Panel made a recommendation to support the Police and Crime Commissioner's proposal to force the resignation or retirement of the Chief Constable and made its recommendation public on **21 September 2016**.

In **October 2016**, the Panel received a 'State of the Nation' address from the Police Commissioner detailing a number of key areas for development and activity within his office and the force. It became clear to Members that the breath of the activities of the Commissioner and his office had not been fully understood and they would benefit from clarifying the rules of engagement between the Panel and the Commissioner through a Memorandum of Understanding. Members also gave consideration to the Commissioner's Annual Report, which was a positive reflection on the previous year. The Panel congratulated the Commissioner on the way in which he had navigated the many challenges and once again offered its support as a critical friend.

The Panel received a report detailing the findings of the peer review of South Yorkshire Police, which had been commissioned following the suspension of Chief Constable David Crompton. The Panel noted the Commissioner's view that the peer review had provided a more robust analysis of where the force was compared to the regulatory regime that the Inspectorate of Constabulary had been operating. Members were keen to understand further the issues within the force and indicated their support for the work of the Commissioner in addressing longstanding cultural issues amongst the workforce. It was agreed that Panel would receive a report setting out the progress that had been made in responding to the issues raised within the report.

Governance was a constant concern for the Panel throughout the year and Members asked the Police Commissioner to explain the governance framework supporting his office. Some Panel Members had attended a conference for Police and Crime Panels in Birmingham in October 2016 and had learned of the approach to scrutiny adopted elsewhere in the country and were impressed to learn of the collaborative work between Panels and Commissioners from Devon and Cornwall to North Yorkshire. Filled with enthusiasm, Panel Members were keen to capture some of the best parts of this approach to strengthen collaborative working with the Commissioner. One of the principal outcomes from the discussion with the Commissioner on his governance framework was Panel Members deciding to attend meetings of the Commissioner's Public Accountability Board, his forum for holding the Chief Constable and senior leadership of South Yorkshire Police to account.

Attention towards the budget at the turn of the year ahead of the Panel considering the Commissioner's precept proposal. Panel Members welcomed the opportunity to meet with the Commissioner informally to discuss the overall budget position and understand the reasoning for his proposal to increase the precept by £5. Whilst the Panel has a role to scrutinise and challenge the Commissioner, it was keen to emphasise its role as a "critical friend", recognising the ongoing challenges facing all who deliver local public services. In February 2017, the Panel supported the Commissioner's proposal unanimously.

The Police Commissioner submitted his Police and Crime Plan to the Panel at the end of February 2017 seeking Members' views and endorsement of the objectives of the plan. The Panel were largely impressed with the document which refocused on the key issues in respect of policing, trust and confidence in policing, as well as broader community safety and justice concerns. Members sought further assurance that the plan linked to the workforce strategy of South Yorkshire Police, recognising that the plan would be delivered by those on the frontline and in regular contact with the public.

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5. THE POLICE & CRIME PANEL AND THE PUBLIC

South Yorkshire Police and Crime Panel has a website - [here](http://www.southyorks.gov.uk/webcomponents/jsec.aspx)
<http://www.southyorks.gov.uk/webcomponents/jsec.aspx>

and this is where you can find copies of the agenda papers and minutes for the Panel meetings.

There is information about Members of the Panel, its' spending, how to make complaints and other useful documentation.

Police and Crime Panel meetings are open to members of the Public and the **Rules of Procedure** for submitting and asking public questions are given here (**TO ADD**)

6. THE YEAR AHEAD (2017-18)

Panel Membership for 2017-18 is given below:

MEMBERS 2017/18					
 South Yorkshire POLICE & CRIME PANEL					
					
Cllr Abdul Khayum (LAB) (Sheffield) CHAIR	Cllr Stuart Sansome (LAB) (Rotherham) VICE-CHAIR	Cllr Brian Cutts (UKIP) (Rotherham)	Cllr Bob Johnson (LAB) (Sheffield)	Cllr Ralph Sixsmith (LAB) (Barnsley)	Cllr David Griffin (LAB) (Barnsley)
					
Cllr David Hughes (LAB) (Doncaster)	Cllr Sue Wilkinson (LAB) (Doncaster)	Cllr Joe Otten (LIB DEM) (Sheffield)	Cllr Helen Mirfin-Boukouris (LAB) (Sheffield)	Mr Alan Carter Independent Member	Mr Steve Chufungleung Independent Member

Previous Police and Crime Panel Members who left in 2016/17:

Cllr Robert Frost, Cllr John Healey, Cllr Alan Jones, Cllr Chris McGuinness*, Cllr Jackie Drayton, Cllr Talib Hussain, Cllr Mick Rooney.

**Cllr Chris McGuinness remains Doncaster MBC's substitute Member.*

Thanks are given to all Panel Members for their contributions during 2016/17, and to Cllr Talib Hussain in his role as Chair.

Work Programme

South Yorkshire Police and Crime Panel will continue its commitment to support, and to scrutinise the decisions of the PCC in order to secure an efficient and effective Police Force for the people of South Yorkshire.

Over the next twelve months the Panel will focus on the following key areas:

- Review the PCC's Annual Report.
- Work with the Office of the Police and Crime Commissioner (OPCC) to develop the Police and Crime Plan 2017-2021.
- Hold the PCC to account for the delivery of his precept commitments.
- Undertake a programme of proactive scrutiny across a range of areas.
- Maintain a work programme in consultation with the OPCC.
- Have regard to the Policing and Crime Act and the legislative changes, including emergency services collaboration.
- Continue to monitor progress on improving crime data integrity.
- Ensure that the PCC and Chief Constable recruit, retain and progress a workforce which reflects the communities it serves.
- Support the PCC to maximise opportunities for joint working.
- Liaise with HMIC to improve the Panel's understanding of South Yorkshire Police's performance.
- Provide ongoing Panel Member learning, development and support.

7. CONTACT DETAILS

The host authority for South Yorkshire Police and Crime Panel is Barnsley MBC.

Contact details:

18 Regent Street
Barnsley
S70 2HG

E-mail: PCP@syjs.gov.uk

Or via the website at www.southyorks.gov.uk

Click on the blue South Yorkshire Police and Crime Panel logo