



Police & Crime Commissioner for Cleveland
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PCC Scrutiny, Delivery & Performance Meeting

Date: 11 April 2018
Time: 10am – 1pm
Venue: PCC Conference Room

Agenda

		Presented by
1.	Apologies For Absence	
2.	Declaration of conflict of interest/disclosable pecuniary interest	
3.	Notes of the previous meeting 28 February 2018	
4.	Audits and Inspections – Joint Targeted Area Inspection, multi agency response to the abuse and neglect in Stockton on Tees	Cleveland Police
5.	Audits and Inspections – National Child Protection, Post Inspection review – Verbal Update	Cleveland Police
6.	Fraud and Cyber Crime Update	Cleveland Police
7.	The Best Use of Stop and Search/Use of Force	Cleveland Police
8.	Audits and Inspections – Crime Date Integrity	Cleveland Police
9.	Proposed inquiry into disclosure in criminal cases	Cleveland Police
10.	Any Other Business	
11.	Date of next meeting – 20 June 2018	



Scrutiny, Delivery & Performance Meeting

Wednesday 28 February 2018

10.00am

PCC Conference Room, Police Headquarters, Ladgate Lane

Present

Barry Coppinger - Police and Crime Commissioner
Simon Dennis - Chief Executive and Monitoring Officer, OPCC
Jo Gleeson – Chief Finance Officer, Cleveland Police
Joanne Hodgkinson – Deputy Chief Executive
Simon Nickless -Temporary Chief Constable, Cleveland Police
Michael Porter – Chief Finance Officer, OPCC
Elise Pout, Standards and Scrutiny Manager, OPCC

Apologies for absence

1. No apologies were received.

Declarations of Conflict of Interest/Disclosable Pecuniary Interest.

2. None declared.

Notes of the Previous Meeting

3. The notes of the following meeting were approved for publication.
 - i. 20 December 2017

Financial Information

a) Cleveland Police – Corporate Financial Monitoring Report to 31 January 2018.

3. The report provided assurance that the revenue and capital plans for 2017/18 were being delivered, that financial risks to the plan were being monitored and managed and that remedial action was being taken where necessary.
4. The overall year-end forecast was an overspend of £350k. Pressure on police pay and allowances related to the cost of the extra 1% bonus payment to Police Officers, approved by the Home Office in September 2017, along with overtime costs.
5. The capital budget has been monitored closely all year and showed a small overspend of £5k. Further work had been underway between ICT and procurement to ensure that the remaining schemes would be completed by the financial year end.

6. The key risks to the delivery of the balanced revenue budget were set out in the LTFP and were included at Appendix 3.
7. The forecast year-end position against the police pay unit was for an overspend of £120k. The budget had been set on the basis of having an average 1,274 FTE officers, funding was confirmed from the PCC for an additional 6 posts to bring the total budget to 1280 FTE. The current variances against Police Officer overtime was £503k over budget, partly due to extra patrols linked with the Manchester and London incidents (for which it was confirmed that the costs of approximately £75k would not be recovered from the Government) and Operation Cotton – a joint operation against Modern Day Slavery and Human Trafficking. It was noted that the position was being monitored closely.
8. The forecast year end position against the PCSO budget was an underspend of £35k, the budget was based on 132 FTE PCSOs (plus another 15 FTE funded by the PCC) the actual number of PCSOs in post as of 31 January 2018 was 143 FTE.
9. The forecast year-end position against the police staff pay budget was for an underspend of £180K as a result of resignations and delays in recruitment to vacant posts.
10. The report also gave an update on non-pay budgets, collaborations, and key schemes within the capital programme including ICT schemes.
11. It was noted that it had been a good year for the Force given the issues that the Force have dealt with.

Action – The report was noted.

b) PCC Budget Monitoring Report to 31 January 2018

12. It was noted that the PCC budget was broadly on track and there were no expected overspends or underspends in the overall budget. The Office of the PCC's budget of £850k was expected to spend all funds allocated to it during 2017/18. The £3,245k to support PCC initiatives and Victims and Witness Services included £1,250k to invest in Neighbourhood Policing was forecast to underspend by £400k predominantly due to it taking longer than expected to recruit and fill the new Neighbourhood Policing posts.
13. The income received by the PCC was forecast to be £340k more than the original budget.
14. The force was currently forecasting to overspend by £350k with £320 from the 1% non-consolidated unfunded bonus award. Plans continued to be put in place to contain all other areas within the original budget provided to the Force, by the PCC, however the £320k could not be contained within the Force budget.
15. The total forecast outturn after 10 months of the financial year was that there would be a small underspend of £475k however that did not include the impact of the Staff Pay award which had yet to be agreed.
16. At the meeting it was noted that a special grant was to be made available from the Home Office for which the Force would be able to make a claim and which it was anticipated would

generate more income than expected. It was anticipated that the funding could then be earmarked for the pay award and other risks.

17. The proposed 2017/18 budget underpinned the PCC's objectives. As expected the finances of the organisation were very tight, however the best service possible was being delivered within the budgetary constraints.

Action – The recommendations contained within the report were noted and approved.

c) Robustness of Estimates and Adequacy of Financial reserves – Report of PCC CFO

18. The report was produced as a requirement of the Local Government Act 2003 which required the Chief Financial Officer and the Police and Crime Commissioner to formally report on the robustness of the budget for consideration immediately prior to setting the Budget.
19. It was reported that the funding forecast available to the PCC in 2018-19 was £134,644k from the following sources: the Government grant; the council tax precept; council tax freeze grants and the council tax support grant.
20. It was noted that in announcing the final settlement figures for 2018/19 the Government had stated that 'if the police deliver clear and substantial progress against agreed milestones on productivity and efficiency in 2018, as well as improve transparency about reserves, then the Government intended to maintain the protection of a broadly flat police grant in 2019/20 and repeat the same flexibility of the precept. In theory, it was hoped that future grant forecasts should be less variable than in previous years.
21. The CFO outlines future precept plans, expenditure plans, pay awards, inflation, savings requirements, capital expenditure and financing and reserves and provisions. In conclusion it was noted that the PCC's budget setting process had been designed to ensure that estimates brought forward for approval were sound and robust and the report confirmed that approach.
22. The Chief Executive sought assurance on behalf of the PCC that the arrangements for any potential future litigation risks were robust. In response the CFO noted that he was building up an insurance fund in order to build capacity and ensure that the associated risks could be managed. The Chief Finance Officer and Legal Services met on a regular basis and considered the impact of any potential litigation costs.

Action – That the PCC noted the contents of the report and took them into account when setting the 2018/19 Revenue and Capital Budgets and when considering the Long Term Financial and Capital Plans.

That the Reserves Strategy as set out in Appendix A was approved.

d) PCC's Long Term Financial Plan 2018/19 to 2021/22 and Capital Plans 2018/19 to 2021/22

23. The report sought the PCC's approval to agree the budget proposals for 2017/18 and the Long Term Financial Plan for 2018/19 – 2021/22 in line with the legal requirement to set a budget prior to 1 March each year.

24. The PCC considered the allocation of the £134, 644k of revenue funding in the following areas:

- £860k to fund the Office of the PCC
- £3,939k to support PCC initiatives and Victims and Witnesses Services
- £9,475k for Corporate Services
- £119,770k to the Police Force
- £1,400k to the Capital Programme
- £150k to Earmarked Reserves
- This will be supported by £950k from General Reserves.

25. The PCC was asked to note the following recommendations

- That the 2018/19 budget was based on the approved £12 increase in the level of Band D precept for 2018/19.
- The PCC was asked to take cognisance of the Robustness of Estimated and Adequacy of Financial Reserve Report of the PCC's CFO that was discussed at the meeting.
- The PCC was asked to agree that quarterly updates to the LTFP forecast would be brought to the PCC in 2018/19
- The PCC was asked to agree that quarterly updates on the 2018/19 budget would be brought to the PCC in 2018/19 to provide updates on performance against the 2018/19 budget.
- The PCC was asked to approve borrowing of up to £3,000k can be taken out to fund the capital expenditure in 2018/19.
- The PCC was asked to allocate £6,554k of Capital Budgets to the Chief Constable to deliver new schemes on behalf of the PCC.

26. The report detailed the wider role of the PCC that involved the additional responsibilities of Community Safety and Victims and Witness Services. The Ministry of Justice had confirmed the level of grant for 2018/19 which, nationally, remained static and was based on population. As Cleveland's population had not grown as quickly as others, the amount received by the PCC in 2018/19 was £3,015 (0.5%) lower than 2017/18, with the total grant being £656k. Work continued in the area and the commissioning of services had become more prevalent and had moved away from the grant based system, with key contacts in place for Victim Referral Services, Sexual Assault Referral Services, ISVA and IDVA services and Restorative Justice Services. Bids had also been successful for 2018/19 for Domestic Violence – Whole System approach (£426k) and Violence Against Women and Girls (£164k). The Assistant Chief Executive noted that the services would be unable to continue into the longer term without on-going grant funding from the Ministry of Justice.

Action – The recommendations contained within the report were noted and approved.

e) Cleveland Police Long Term Financial Plan (LTFP) 2018/19 to 2021/22

27. The purpose of the LTFFP was to demonstrate that the force's operational plan was affordable, financial stability could be maintained and funding was targeted to those activities that made communities safer and stronger. The report set out the revenue and capital spending plans to underpin the delivery of the Force's Towards 2020 strategy.
28. The report set out the Force financial strategy, revenue, allocated funding, pay budgets, non-pay budgets, significant pressures, savings programme and capital.
29. It was noted that the pay bill was the largest single element of the overall cost base at 67% of the budget. Through the programme of review, the Force had continued to reshape the workforce to deliver an effective blend of skill sets and experience to meet an ever changing demand profile. Pay awards had been assumed at 2% per annum from September 2018, provision had been made for the Apprenticeship Levy which would cost the Force approximately £300-350k per annum. It was assumed that the recruitment plans would maintain workforce numbers at the planned levels.
30. In conclusion although many items would change over the next four years, the assumptions in the LTFFP, collectively provided for a stable financial position for the Force and, therefore, provided assurance that the strategic plan Towards 2020 and the core priorities of prevention, protection and intervention were both affordable and achievable.
31. The Chief Executive raised the issue of the potential for collaborations to lead to a pressure in the LTFFP. Collaborations were designed to deliver improvements in effectiveness and efficiency and the Force would closely monitor this requirement over the next 12 months and beyond.

Action – that the revenue and capital budget proposal for 2018/19 and the Long Term Financial Plan for 2019/20 – 2021/22 were approved.

f) Treasury Management and Prudential Indicators Report

32. The PCC was required to set a range of Prudential Indicators for the financial year 2018/19 to comply with the CIPFA Prudential Code of Practice. The Code stated that Prudential Indicators for Treasury Management should be considered together with the Annual Investment Strategy for 2018/19. The report addressed that requirement.
33. The report covered the Annual Investment Strategy, Non-specified investments and the Treasury Management Policy

Action – the recommendations contained with the report were noted and approved.

g) Minimum Revenue Provision Strategy

34. The Minimum Revenue Provision was the annual revenue provision that authorities had to make in respect of their debts and credit liabilities. The report sought approval from the PCC as to the annual MRP strategy. The strategy complemented the wider financial picture which aimed to provide transparency on the cost to the PCC of taking on new borrowing, therefore linking into the PC's prudential indicators and the overall management of the PCC's assets.

35. The recommendations were as follows

- The MRP Strategy for 2018/19, involved no change from the 2017/18 strategy. Specifically that being – Option 1 (Regulatory Method) be used to calculate the MRP on existing borrowing (before 1 April 2008) and any future supported borrowing (after 1 April 2008) and Option 4 (Depreciation Method) be used to calculate the MRP in the case of any future unsupported borrowing (after 1 April 2008)

Action – the recommendations contained within the report were approved.

Everyone Matters Update

36. The PCC received an update on the Force's progress with the implementation and delivery of the Everyone Matters programme as part of the regular updates about the programme. The update complemented the briefing that the PCC had received on the Everyone Matters Annual Equality Report from the Everyone Matters Programme lead.

37. Details were given on the initiatives that were taking place or were planned to take place included leadership training, the cultural awareness programme and succession planning. The transformation of PSD was also discussed as its ethos was at the heart of Everyone Matters in order to ensure organisational and procedural fairness.

Action- that the update be noted

Police Use of Overt Surveillance Camera Systems in Public Places

38. The Surveillance Camera Commissioner had recently published his Annual Report alongside a survey exercise conducted with police forces. The PCC asked the Force to provide information on their response to the recommendations arising from the survey which were to identify a Senior Responsible Officer (SRO) and conduct a review of all surveillance camera systems to establish if those systems fell within the remit of Section 29 (6) of the Protections of Freedoms Act 2012. Where systems were so identified, there should be processes in place that enable Chief Officers to discharge their responsibilities effectively under the PoFA in respect of all of those systems. Such processes should also keep the development, procurement and operation of future systems under review so as to determine and address the inherent legal responsibilities associated with their operation appropriately.

39. It was reported at the meeting that Assistant Chief Constable Adrian Roberts was to be the designated SRO. A table top analysis had taken place and additional work was to be completed on the privacy impact and signage assessment. In discussing the role of the PCC it was the provisional view of the Chief Executive that the PCC was not designated as the operator of overt surveillance camera system as that fell within the remit of the Police.

Action – that the information was noted and that further updates and the Force's response to the recommendations would be provided to the PCC forthwith.

Force Management Statements (FMS)– Discussion

40. It was noted that the FMS statement was due for submission to Her Majesty's Inspector of Constabulary and Fire and Rescue Services (HMICFRS) on 31 May 2018. Arrangements had been made for facilitated sessions over the coming weeks with business leads and their

senior management teams to run through their thematic assessments of current/predicted demand and initial capability and capacity assessments. The purpose of each session was to produce an operational gap analysis which would subsequently inform the FMS.

41. It was also noted that NETIC had offered to co-ordinate the response on behalf of arrangements that are undertaken collaboratively.

Action – noted.

PCC Scrutiny Questions

42. At the meeting on 20 December, the PCC was informed about the initiatives to be put in place to improve staff well-being. In particular the development of in-house support services to be delivered on an 'invest to save' basis. The Force was asked to provide details on the anticipated return on investment of that support.

Action – that an update would be provided to the PCC on the business case for wellbeing.

43. **Any other business – None**

44. **Date of next meeting – 11 April**



Scrutiny, Delivery & Performance Meeting

11 April 2018

Audits and Inspections - Joint Targeted Area Inspection – Multi –Agency Response to the Abuse and Neglect in Stockton on Tees

Purpose of the Report

1. Updates from Inspection Reports are a standard item on the Scrutiny, Delivery and Performance meeting agenda in order to ensure that the PCC is kept up to date with any issues/actions arising from such inspections.
2. Between the 20 and 24 November 2017 Ofsted, the Care Quality Commission (CQC) and Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) and HMI Probation undertook a joint inspection of the multi-agency response to abuse and neglect in Stockton-on-Tees. The report that was produced noted that the local partnership of agencies had a strong shared commitment to tackling neglect exemplified by the developing children's hub. A number of key strengths were identified including evidence of highly effective practice.
3. Areas for improvement were also identified and the PCC would like to focus his attention on the areas for improvement that involve the Force, either individually or in its partnership capacity. In this respect, information is sought on the Force's response to the Areas for Improvement as outlined in the inspectors' report as are details of how the Force will work with its partners to deliver those areas for improvement.

Areas for Improvement

4. Areas for Improvement were as follows
 - a. Although there was evidence of a shift in the police towards a more explicit focus on the reduction of risk and vulnerability, this had not yet been translated into consistent improvements in operational delivery across all areas of practice where the police come into contact with children. Much of the work to improve was at a very early stage or not yet fully implemented and, as a consequence, the intended benefits had not been fully realised.
 - b. While it is positive that Cleveland Police have developed additional training for officers, inspectors found that inconsistencies remain in the quality of child safeguarding decision-making at the front line, including when children are suffering from neglect. Incidents were often dealt with in isolation rather than consideration been given to the previous history of events and the wider context of the children's vulnerability.

- c. The police Niche system allows the use of flags to highlight areas of vulnerability. However when a child had previously been subject to a child protection plan or when they are a child in need, flags were not routinely used.
- d. Senior leaders, supervisors and managers in the police were not currently able to test the effectiveness of practice at every stage of a child's engagement with the service. While multi-agency audits are used, this is not replicated on a single agency basis within the police. The absence of routine scrutiny of this nature and quality of decision making was inhibiting the potential to strengthen intervention with children.
- e. Cleveland Police are experiencing difficulties managing demand linked to vulnerability and in the protection of children in particular. This needs close monitoring to ensure that staffing levels in Protecting Vulnerable People (PVP) and children's hub remain appropriate to demand.
- f. There is no process within the police to ensure compliance in the submission of referral forms when a child may be in need or at risk of significant harm, some checking mechanisms exist, but the gap meant that children were potentially being exposed to periods of risk without the appropriate intervention from key agencies.
- g. Partnership agencies are not consistently made aware of children living in potentially neglectful environments by Cleveland Police.
- h. Child protection support officers within the PVP hub are expected to research previous history of domestic abuse incidents. Sampling by inspectors demonstrated an inconsistent approach and incidents were often considered in isolation with little recognition of the escalating risk for children.

Information Required

- 5. The PCC would like details on the following:
 - a. Actions which have been, or will be put in place, to address the above.; and
 - b. The caseload with regard to safeguarding children is increasing, could the Force provide an update on staffing and resources in PVP and include details of how the Force is addressing any staffing issues in this area in particular.

Actions Arising

- 6. That the information presented by noted and future updates be provided if necessary.



Scrutiny, Delivery & Performance Meeting

11 April 2018

Audits and Inspections – National Child Protection Post Inspection review – Verbal Update

Purpose of the Report

1. At the Scrutiny, Delivery and Performance Meeting on 25 October 2017 the PCC received details about the Her Majesty's Inspection of Constabulary Fire and Rescue Service (HMICFRS) report published a report on 21 September regarding the national inspection of child protection. HMICFRS inspectors found that the force was committed to protecting children and this was reflected in the police and crime plan. This strong commitment was seen in chief constable, the chief officer team and the PCC.
2. However, HMICFRS discovered some weaknesses in the force's approach to child protection. As a result of the inspection the PCC sought, in the first instance, an assurance that the areas for concern that were highlighted for immediate action had been dealt with and information on the force's plans to address the recommendations.
3. It was noted that the inspection had been largely positive but that there were a number of recommendations for the Force to implement. Work was on-going to consider good practice in other forces.
4. The PCC considered the action plan that had been produced at the time and was satisfied significant effort had been put in to creating the action plan and was assured that any immediate concerns, as highlighted within the inspection report, had been dealt with swiftly.

Information Required

5. As the force is due to host the post inspection follow up activity in June, the PCC would like a verbal update on the progress with the actions contained within the Force's action plan.



Scrutiny, Delivery & Performance Meeting

11 April 2018

Fraud and Cybercrime Update

Purpose of the Report

1. The Force and the PCC receive details of the latest Fraud and Cyber Profiles created by the National Fraud Intelligence Bureau (NFIB), providing an overview of the fraud and cyber landscape in the force area identifying the extent of harm and nature of offending. Work to prevent this type of crime and protect people from it takes place nationally, regionally and locally. The Force has hosted a regional symposium on cyber crime and fraud and the NETIC group have met to consider developing a business case to establish scope for collaboration. As such it is considered timely for the Force to provide a comprehensive update to the PCC.

Information Required

2. To provide the PCC with a report and presentation to include the following:
 - a. How the Force is responding to latest crime profiles and assessment that are detailed in the NFIB reports;
 - b. Bespoke content for consideration by the PCC for inclusion into the refresh of the Police and Crime Plan, which is currently taking place, to include suggested objectives for consideration, that would benefit Cleveland and the region in terms of better outcomes for the area;
 - c. How prepared are we locally for cyber-attacks both against the Force and local businesses; and
 - d. What does the Force see as the challenges for the future and how does the Force intend to deal with them?

Actions Arising

3. That the information be noted and further updates are provided as necessary.



Scrutiny, Delivery & Performance Meeting
11 April 2018
The Best Use of Stop and Search/Use of Force

Purpose of the Report

1. Cleveland Police signed up to the Best Use of Stop and Search Scheme (BUSSS) launched by the Home Secretary and the scheme commenced on the 30 November 2014. The aim of the scheme was to improve transparency in the use of stop and search powers, to improve trust and confidence in the police by ensuring the provision of a quality service ensuring that intelligence is utilised to focus stop search activity professionally and appropriately against those individuals who cause the most harm to communities.
2. The HMICFRS Legitimacy Inspection Dec 17 included an Area for Improvement (AFI) which stated that the Force should improve the external scrutiny of its data; involve young people in the scrutiny arrangements and offer those scrutinising the force appropriate training on the use of police powers. It also kept in place an AFI from the 2015 inspection which said that the Force should continue with the improvements it has started to ensure that all stop and search records include sufficient reasonable grounds to justify the lawful use of the power and that officers fully understand the grounds required to stop and search a person.
3. Stop and Search and Use of Force have been areas of focus at the Tactical Performance Group and further analysis was being carried out to break down statistics at ward level. In addition a stop and search action group has been established to address performance issues and areas of poor performance raised by HMICFRS.

Information Required

4. The PCC would like an update on the following:
 - a. The work that has been undertaken to implement improvements as a result of the AFIs above;
 - b. A position statement with regards to the current issues around stop and search and use of force;
 - c. An assurance that the force's use of stop and search and use of force is carried out appropriately and justifiably; and
 - d. An update on the actions arising from the stop and search action group which took place on 19 March 2018.

Actions Arising

1. That the information be noted.



Scrutiny, Delivery & Performance Meeting

11 April 2018

Crime Data Integrity

Purpose of the Report

1. The HMICFRS Inspection of the Integrity of the Force’s Crime Data is due to be published in July. Following the inspection, a number of areas for improvement emerged from the recent HMICFRS debrief.

Information Required

2. In advance of the publication the PCC would like to seek an assurance from the Force in respect of any safeguarding issues, to ensure that they have been identified and dealt with.
3. The steps that are being taken by the Force to address any areas of improvement that have been identified in the inspection, prior to the publication of the inspection report.

Actions Arising

4. That the information is noted and that an update on the action plan is provided to the June meeting in advance of the publication of the HMICFRS report.



Scrutiny, Delivery & Performance Meeting

11 April 2018

Proposed inquiry into disclosure in criminal cases

Purpose of the Report

1. The Attorney General is currently undertaking a review of disclosure following a discussion at the National Criminal Justice Board on 30th November 2017. The provisional timeline for this review is that it will report back to the national Criminal Justice Board before the Summer Recess. The Justice Committee has also recently announced an inquiry into the disclosure of evidence in criminal proceedings, the findings of which will feed into the Attorney-General's review.

Information Required

2. In light of the above and the publishing of the National Disclosure Improvement Plan the PCC would like to seek assurance that the force is addressing this issue with a forward focus and as such would like an update from the Force on the following:
 - a. Confirmation of the Force's disclosure champion at chief officer level;
 - b. Confirmation of the region's force disclosure expert to the National Police Disclosure Working Group;
 - c. Confirmation of the tactical disclosure lead at chief superintendent/ superintendent level;
 - d. How the Force are ensuring compliance with the National Disclosure Improvement Plan;
 - e. Details of where the force is in terms of developing a joint CPS/Police disclosure improvement plan that reflects local issues and national agreed priorities;
 - f. How the product will feed into the Local Criminal Justice Partnership; and
 - g. An update on the Force's contribution to the national response around disclosure and how is the force learning from other forces experiences in this area and using that best practice.

Actions Arising

3. That the information is noted.